

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 18, 2011, AT 7:04 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS**



Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners Jim Taylor, Shantal Taylor, DeTienne, Flammini, and Mayor Harrison.

Mayor Harrison led in the Pledge of Allegiance to the Flag.

**AGENDA CHANGES**

It was moved by Commissioner Jim Taylor, seconded by Commissioner DeTienne to accept the Council agenda with amendments as follows:

- Moving Item 8j, Discussion re: marketing partnership with NextMedia, to first item under Discussion/Authorization/Approval
- Deleting Item 8i, Consideration of Zoning Docket 11-Z-14 – Request for Special Use Permit for 2900 & 2904 Elizabeth Avenue
- Deleting approval of regular and closed session meeting minutes of October 4, 2011 from the Consent Agenda and adding consideration for approval as a separate item
- Adding Closed Session item – potential litigation

The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**CONSENT AGENDA**

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor, that the Consent Agenda be approved as follows:

- (a) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, September 2011
- (b) **BILLS:** Vouchers 111635 through 111744 drawn on PNC Bank, Total: \$212,414.67

The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**MINUTES OF OCTOBER 4, 2011**

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve the minutes of a Regular Meeting held on October 4, 2011 at 7:00 p.m. and approval but not release of Closed Session minutes of a meeting held on October 4, 2011 at 7:43 p.m., with all members having previously received copies. The vote on roll call was: Commissioners Jim Taylor, pass; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

### **CITIZEN COMMENTS**

Shon Sadler, 3506 Sara Drive, Zion addressed the Council regarding expansion of the City's recycling program. He stated that SWALCO met regarding commercial recycling and as of January 1, 2012, the City may have no choice but to recycle. He stated that 60% of the commercial sector in Lake County recycles. Mr. Sadler asked if approval of the recycling contract included providing bins and why commercial recycling has to be addressed separately. Mayor Harrison stated that the cost of the bins is not included in the contract and residents must pay for their bins. The City of Zion has not made recycling mandatory. Commissioner Flammini stated that the cost per resident would increase \$1.75 per month to provide carts rather than bins. It was noted that in Shepherd's Crossing, association dues cover the cost of residents' recycling bins.

### **ORDINANCE/VARIANCE FROM ASME CODE/ELEVATOR ROOM CEILING HEIGHT**

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that an Ordinance (11-O-52) be passed granting a variance from the American Society of Mechanical Engineers Code ASME A17.1 (2007) Section 2.7.4.1 to allow a 2-inch reduction from the required 84-inch clearance for headroom (ceiling height) in elevator machine rooms, control rooms and machinery spaces containing an elevator driving machine not located in the hoist way for a Safe Place II located at 2704 West 17<sup>th</sup> Street, Zion. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **AMENDING ZION MUNICIPAL CODE/FIRE/RESCUE DEPARTMENT**

A memo (11-DOC-106) was received from Chief Lewis requesting the adoption of the 2006 International Fire Code, 2006 International Building Code, and the most current publication of the National Fire Prevention Association Book of Standards by amending Municipal Code Sections 34-42, 43, 44, 45, 49 and 71. Chief Lewis also requested amending Sections 34-1, 4, 7, and 16 updating authorized personnel classifications to reflect current practice and revising ambulance charges to reflect current rates.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor, to approve the proposed amendments to Zion Municipal Code Sections 34-1, 4, 7, and 16 as presented and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor, that an Ordinance (11-O-53) be passed amending Zion Municipal Code Sections 34-42, 43, 44, 45, 59 and 71 adopting the 2006 International Fire Code, 2006 International Building Code, and the most current publication of the National Fire Prevention Association Book of Standards. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **MARKETING PARTNERSHIP/NEXTMEDIA**

A memo (11-DOC-107) was received from Sonolito Bronson requesting permission to enter into an agreement with NextMedia for an amount not to exceed \$11,400 for radio commercial advertisements for local businesses as part of a marketing partnership. This partnership will allow the offering of radio ads on 102.3 WXLC radio to local businesses at a substantially discounted rate. The radio station reaches more than 350,000 listeners weekly. The Zion and Winthrop Harbor Chambers of Commerce and the Zion Park District, along with other local businesses, have agreed to contribute \$300 each to partner with the City to purchase 22 60-second commercial spots for a total of \$3,000 which is payable to the City. Ten businesses have made a solid commitment to this partnership. The City's portion would be \$8,400. This expenditure would be applied to the 2012 proposed budget line item 10-01-3-02-125. Commissioner Jim Taylor requested the current balance of this line item. Larry Pannell stated the current balance in this line item is \$26,000. Mr. Pannell also stated that \$52,804 was spent on promotions in the last fiscal year.

Commissioner Jim Taylor stated that he was hesitant to support this partnership due to the City's current financial status, but because the program has been substantially reduced, he could support it for one final year.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve entering into an agreement with NextMedia for an amount not to exceed \$8,400 for radio commercial advertising for local businesses on 102.3 WXLC radio. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

#### **TRANSFER OF REAL ESTATE/YOUTH BUILD – LAKE COUNTY**

A memo (11-DOC-108) was received from Commissioner Flammini requesting that 1821 Joanna and 2015 Elim be declared surplus and the titles be transferred to YouthBuild-Lake County for the consideration of \$1.00 each. He stated that YouthBuild receives approximately 66% of its funding through a U.S. Department of Labor grant and the remaining funds from private and in-kind donations. YouthBuild has received two grants specifically to fund home rehab programs in Zion; a 25% matching Lake County Home Fund Grant in the amount of \$85,000 and a \$120,000 grant from the State of Illinois Capital Fund. Commissioner Flammini stated that the Joanna and Elim properties meet the needs of the program and have been vacant for several years, are boarded up and are in a state of extreme disrepair. Laurel Tustiston of YouthBuild stated that the grant funds are in hand, contracts have been signed and they are ready to begin. She assured Commissioner Jim Taylor that local contractors are given first sub-contractor preference which is a grant requirement. Commissioner Flammini stated that the lots are of sufficient size.

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor to declare 1821 Joanna and 2015 Elim in Zion as surplus property, and for an ordinance to be prepared accordingly, and to transfer the titles to YouthBuild-Lake County for the consideration of \$1.00 each. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

#### **XYBIX SYSTEM INVOICE/DISPATCH CONSOLE REPAIRS**

A memo (11-DOC-109) was received from Chief Lewis requesting permission to submit an invoice for payment from Xybix Systems in the amount of \$3,306.76 for dispatch console repairs at the Zion Police Department. These repairs restored the ability of telecommunicators to customize the console to their preferred position during their work period via an adjustable lift function. Budgeted funds are available in the Repairs and Maintenance line item.

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor, to approve payment of the Xybix System invoice in the amount of \$3,306.76, as presented. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

#### **MEMORANDUM OF UNDERSTANDING/ZION PROFESSIONAL FIREFIGHTERS ASSOCIATION IAFF LOCAL 1999**

A Memorandum of Understanding (11-DOC-110) was received from the Zion Professional Firefighters Association IAFF Local 1999 requesting a language change in the 2011-2013 contract regarding the management points criteria. Management points are assigned as part of the Fire Lieutenant and Battalion Chief promotional process.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve the amendment to the 2011-2013 Zion Professional Firefighters Association IAFF Local 1999 contract, Section 18.13, regarding the assignment of management points as part of the Fire Lieutenant and Battalion Chief

promotional process. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**ZION LIQUOR CONTROL ORDINANCE**

A memo (11-DOC-111) was received from the Zion Liquor Control Commission regarding the recommendation to create a new Class W retail sale of packaged wine liquor license. The Liquor Control Commission has recommended that the City Council amend the Liquor Control Ordinance, creating a Class W Liquor License. The Class W license authorizes the retail sale of wine in its original package. Mayor Harrison stated the Council sets the ordinance's requirements and criteria, and also determines the number of licenses. The first applicant, who meets all criteria and regulations, will be considered for the one available license.

It was moved by Commissioner Jim Taylor, seconded by Commissioner DeTienne that an Ordinance (11-0-54) be passed creating a Class W retail sale of packaged wine liquor License. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, nay; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**BIDS/CLEANING & MAINTENANCE SERVICES**

A memo (11-DOC-112) was received from Clerk Burkemper stating that two bids were received for combined cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility. It was determined that the bid specifications were incorrect for the Police Administration Building. Clerk Burkemper recommended rejecting all bids and re-bidding the services, following correction of the bid specifications.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Jim Taylor to reject all bids for the cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility and to authorize the re-bidding of the cleaning and maintenance services. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**TABULATION OF BIDS/2011 STREET PROGRAM**

A Tabulation of Bids (11-DOC -113) was received from Ron Colangelo recommending awarding the 2011 Street Program project to the lowest responsible bidder, Amon's Asphalt in the amount of \$283,981.00. Funding for this project is from a CDBG grant and the Street & Bridge Fund. Mr. Colangelo stated that Amon's Asphalt is IDOT certified to do MFT work and has a good track record.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to award the contract for the 2011 Street Program to Amon's Asphalt of Beach Park for an amount not to exceed \$283,981.00. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**TABULATION OF BIDS/2011 SURFACE REMOVAL & REPLACEMENT PROGRAM**

A Tabulation of Bids (11-DOC -114) was received from Ron Colangelo recommending awarding the 2011 surface removal and replacement program (2011 Comprehensive Street Patching Program) to the lowest responsible bidder, Payne and Dolan in the amount of \$185,928.60. Funding for this project is from MFT funds and the Street & Bridge Fund.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to award the contract for the 2011 surface removal and replacement program (2011 Comprehensive Street Patching Program) to

Payne and Dolan in an amount not to exceed \$185,928.60. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**REZONING/2801-2813 ELISHA AVENUE**

The Planning and Zoning Commission considered a zoning change from R5 Residential to HB2 Highway Business for 2801 through 2813 Elisha Avenue, as petitioned by the City of Zion - Zoning Docket 11-Z-13. The Planning/Zoning Commission recommended approval of this request.

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor to approve rezoning 2801 through 2813 Elisha Avenue from R5 Residential to HB2 Highway Business, as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**DEPARTMENTAL COMMENTARY**

Chief Brooks introduced Officer Jenna Madero. Officer Madero will coordinate a new outreach program, Youth Police Academy, for kids age 14-21. Applications are available on the city website.

Chief Lewis stated that the Fire/Rescue Department will host the annual Fire Prevention Week Open House on Saturday, October 29, from 10:00 am to noon.

Chief Lewis stated that the Zion Fire/Rescue Department has created a Facebook page and is on Twitter, both of which are being used as a public relations tool.

Ron Colangelo stated that the 2011 Street Program will include the 2800, 2900, 3000 and 3100 blocks of Gilboa and the 3100 block of Gideon.

Ron Colangelo stated the fall leaf pickup program has begun and asked that residents rake leaves to the curb and not into the street.

**ANNOUNCEMENTS**

October 29	12:00 noon to 9:00 pm	First Annual Fall Festival Shiloh Blvd. & Sheridan Road
October 30	2 pm to 5 pm	Zion Trick or Treat
November 1	7:00 p.m.	Regular City Council Meeting
November 15	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Regular City Council Meeting

**CLOSED SESSION**

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor that the Council recess to Closed Session at 8:12 p.m. to discuss personnel, collective bargaining, and pending and probable litigation. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

10/18/11

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to reconvene the Regular Council meeting at 9:06 p.m. with all members present. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 9:06 p.m. Motion carried.

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City Clerk

Approved November 1, 2011