

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, APRIL 16, 2013, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS**

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Mayor Harrison called the meeting to order.

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

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

**AGENDA CHANGES**

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

- Amend item 11, change wording from pending litigation to probable litigation
- Amend item 11, add discussion of collective bargaining to Closed Session

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

**CITIZEN COMMENTS**

Clyde McLemore, 2815 Ezekiel, stated he was going to ask for a moment of silence for the victims of the Boston Marathon bombing, but said Pastor James addressed it in the opening prayer.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** a Public Hearing held on April 2, 2013 at 6:35 p.m.; Regular Meeting held on April 2, 2013 at 7:00 p.m. and approval but not release of Closed Session Minutes of a meeting held on April 2, 2013 at 7:50 p.m.& a Special Meeting on April 8, 2013 at 9:00 a.m.
- (b) **BILLS:** Vouchers 115402 through 115503 drawn on PNC Bank, Total: \$502,833.59
- (c) **PROCLAMATION:** Arbor Day, April 26, 2013

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

**ORDINANCE/AMENDING MUNICIPAL CODE/SECTION 90-133(c)/PARKING**

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that an Ordinance (13-O-21) be passed amending Article III, Sections 90-133(c) of the Zion Municipal Code Re: Parking. Adding "No Parking on School Days" signs along the west side of the 2600 block of Gabriel Avenue, directly in front of Shiloh Park School.

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

**ORDINANCE/AUTHORIZING AGGREGATION OF ELECTRICAL LOAD/ADOPTING AN ELECTRICAL PLAN OF OPERATION & GOVERNANCE**

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (13-O-22) be passed authorizing Aggregation of Electrical Load and Adopting an Electric Aggregation Plan of Operation and Governance. The City submitted the question in a referendum on April 9, 2013, and a majority of the electors voting on the question voted “yes”. This means voters would like the City to negotiate for lower electric rates on their behalf. Commissioner Flammini stated residents are asking what happens next. He stated all the legwork will be done by Northern Illinois Municipal Collaborative, Inc. (NIMEC). NIMEC goes to bid on behalf of the City for electric suppliers, but the City makes the final bid award. Commissioner Flammini stated all residents will automatically be enrolled in the plan but will have the choice to “opt out”. He stated if the residents already participate in another aggregation plan they would not be automatically enrolled. In order to be on City’s plan they would need to “opt in”. The vote on roll call was: Commissioners Flammini aye; DeTienne, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**BUDGET AMENDMENTS/FISCAL YEAR MAY 1, 2013 – APRIL 30, 2014**

A memo (13-DOC-39) was received from David Knabel requesting permission to make an amendment to the budget for Fiscal Year May 1, 2013 through April 30, 2014. He stated the City budgeted for certain capital projects during the fiscal year 2013, but due to timing were not completed. He is proposing a transfer of these funds to the capital projects fund. This will avoid hitting the general fund again. Mr. Knabel stated additionally, during the budget preparation process, inter-fund charge for services that the general fund incurs on behalf of the waste collection fund was not budgeted. Therefore, a budget amendment is requested for this as well.

It was moved by Commissioner DeTienne, seconded by Flammini to approve Budget Amendments for the May 1, 2013 through April 30, 2014 Fiscal Year. The vote on roll call was: Commissioners Flammini aye; DeTienne, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**NEXTMEDIA CONTRACT**

A memo (13-DOC-40) was received from David Knabel requesting approval of a contract with NextMedia 102.3 XLC. Mr. Knabel stated this will help promote the City of Zion and its events as well as to have options in the upcoming fiscal year to promote local businesses. The presented contract will allow the City to receive seven remote broadcasts for local events for economic development at a negotiated price of \$14,000. This is a budgeted item to be paid out of economic development and hotel/motel tax.

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor to approve a contract with NextMedia 102.3 XLC for a negotiated price of \$14,000. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**MUNICIPAL COLLECTIONS OF AMERICA, INC. CONTRACT**

A memo (13-DOC-41) was received from David Knabel requesting approval of a contract with Municipal Collections of America, Inc. (MCOA). He stated the City uses MCOA to collect any unpaid debts or fines. Due to a name change of the company as well as the expiration of the existing contract, the City has received an updated contract for review and approval. There are no changes in the terms or fee structure over what was in the past contract. The only significant change is an automatic renewal provision that was added with a 60 day termination notification as part of the renewal.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve a contract with Municipal Collections of America, Inc. to act as the City's Collection Company. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**FULL TIME POLICE PATROL OFFICER POSITION**

A memo (13-DOC-42) was received from Chief Brooks requesting authorization to fill a vacant full time Police Patrol Officer position with the next qualified candidate from the entry level list. He stated that the vacancy was created when Julie Fragale submitted her letter of resignation. Ms. Fragale has submitted her paperwork for a retirement pension and is not in any way still under financial compensation from the city budget.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor, to grant permission to hire a full time Police Patrol Officer with the next qualified candidate from the current entry-level list. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**RIGHT OF WAY VACATION/26<sup>TH</sup> STREET**

A memo (13-DOC-43) was received from Ron Colangelo requesting approval of a Right of Way Vacation for 26<sup>th</sup> Street west of Lewis Avenue and waiving of fees for applicant Trinity Christian Center, 2600 Lewis Avenue. Mr. Colangelo stated the intended use would be for private driveway access for their existing location and the adjacent property recently purchased by the Church. If vacated, no utility easement would be needed but ingress/egress rights should remain in place for all the parcels until such time they are consolidated. He stated they are also asking that fees be waived if granted. Estimated costs to the city are \$525.00 for legal and recording fees and the cost per square foot for this use per the City's R.O.W. Vacation Policy is \$9,393.45 for a total cost of \$9,918.45. Mr. Colangelo stated the City has no use for the property. He stated the action tonight is strictly for preliminary approval if the Council so chooses and staff would be directed to go back to the applicants to see if they still desire to proceed with the application and the costs if any that would apply.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve the right of way vacation for 26<sup>th</sup> Street west of Lewis Avenue and waiving of fees as requested by Trinity Christian Center, and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**ORDINANCE/AMENDING ZION MUNICIPAL CODE/CONSTRUCTION & DEMOLITION  
DEBRIS DIVERSION**

A memo (13-DOC-44) was received from Commissioner Flammini recommending an amendment to the Zion Municipal Code Chapter 74, Article III, Section 82 regarding construction and demolition debris diversion. The ordinance will require a percentage of construction & demolition debris that is rendered reusable to be diverted to a recycling center. Commissioner Flammini stated the material collected will be separated and processed and returned to the economic mainstream in the form of raw materials or products. He said we need to find alternatives other than landfilling construction and demolition debris. Proper management and reduction of the amount of construction and demolition debris waste you generate can save money, conserve resources, and preserve the environment. Commissioner Flammini stated Lake County has passed a law that in a few years will require at least 60 percent recycling or severe penalties will be incurred. He said there is very little left after a demolition that cannot be recycled. Commissioner

He stated there was a question to whether non-home rule communities could pass this type of ordinance. He said he has done some research on this and State Statue does allow it. Commissioner Flammini stated other non-home rule communities have adopted the ordinance.

It was moved by Commissioner Flammini seconded by Commissioner DeTienne that an Ordinance (13-O-23) be passed amending Zion Municipal Code Chapter 74, Article III, Section 82 regarding construction and demolition debris diversion. The vote on roll call was: Commissioners DeTienne, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**APPOINTMENT/POLICE PENSION BOARD**

It was moved by Commissioner Flammini, seconded by Shantal Taylor to appoint Tom Handyside to the Police Pension Board. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Jim Shantal Taylor aye; and Mayor Harrison, aye. Motion carried.

**DEPARTMENTAL COMMENTARY**

David Knabel stated City Stickers expire on April 30<sup>th</sup>. He encouraged residents to purchase the stickers now to avoid the long lines on the last day. City Stickers may be purchased at City Hall or the Zion Police Department and are good for two years.

**ANNOUNCEMENTS**

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| May 4 | 9:00 a.m. to 12:00 noon | Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> St. |
| May 7 | 7:00 p.m.               | Swearing in Ceremony & Zion City Council Meeting                             |

**CLOSED SESSION**

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor that the Council recess to Closed Session at 7:26 p.m. to discuss probable litigation and collective bargaining. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 7:45 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, 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 DeTienne, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 7:48 p.m. Motion carried.