

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 3, 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, Taylor, DeTienne, Hill, Mayor Harrison.

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

AGENDA CHANGES

It was moved by Commissioner Taylor, seconded by Commissioner Hill, to approve agenda changes as follows:

- Delete Item 8(h) – Ordinance establishing vehicle towing regulations per Chief Brooks
- Delete Item 8(i) – Ordinance authorizing contract for 2014 City Towing per Chief Brooks
- Delete Item 9 (j) - Consider lease of real property south of Shiloh Blvd. and east of the Metra rail line for parking use by GPT Enterprises, LLC and proposed ordinance for same per Director Knabel

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

SPECIAL PRESENTATION/AMERICAN TRANSMISSION COMPANY (ATC)

Neil Palmer, American Transmission Company (ATC) presented the City of Zion with a check in the amount of \$1,354,610 which represents payment for the real estate rights in Trumpet Park by ATC in order that they could complete the electric transmission line from Wisconsin south through northern Lake County. Mr. Palmer expressed his heartfelt appreciation to Director Ron Colangelo and Attorney Paula Randall for their hard work and cooperation. He stated that the line would be energized at the end of the week and the City can expect that the line will not interfere with the continued development of Trumpet Park.

CITIZEN COMMENTS

Charles Fitzgerald, 1818 Gideon, stated that he received the new 65-gallon recycling cart. He stated that, if there is a large accumulation of snow along the curb, it will be difficult to move and place the cart at the curb. He suggested that the Council consider moving recycling pickup to the alley along with the garbage pickup. Mayor Harrison stated that was the City's initial preference, however, due to the interference with power lines when the carts are lifted by the truck, it was not possible. Commissioner Flammini stated that the City will work through any problems with Advanced Disposal as they arise.

William Bremner, 2525 Elim, stated that he had concerns regarding leaf pickup. Director Colangelo stated that Advanced Disposal assured him that all leaves will be collected by the end of next week, and that no leaves should be put out after that. He stated that Advanced is behind due to rain, snow, and equipment breakdowns and is no longer able to collect on route day. He stated that he is unhappy with the service and he is in constant contact with Advanced. Commissioner Flammini stated that he is unhappy with Advanced's customer service when residents call, and that their service is being evaluated. He stated that a contract has not been signed with Advanced Disposal to date.

Janet Jones, 1728 23rd Street, thanked Commissioner Hill, Director Ianson and Chief Lewis for their assistance during their recent public safety issues surrounding Kringle's Kingdom. She stated that the event will open in 2014. Partners in Design has agreed to offer structural engineering services free of charge for the design of a handicapped ramp. She stated that they are planning several fundraising events to fund the project. She asked the Council if Kringle's Kingdom could place the Kingdom's

mailbox display in the City Hall lobby so children can mail their letters to Santa. The request was approved by the Council. Commissioner Hill thanked Ms. Jones for her comments. He stated that the events that led up to the decision that Kringle's Kingdom would not open for the 2013 season were difficult for all involved and it was heart-breaking for him. Mayor Harrison thanked the many people who have worked on and supported Kringle's Kingdom since its inception in 1999.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Workshop held on November 13, 2013 at 5:32 p.m.; a Regular Meeting held on November 19, 2013 at 7:00 p.m.
- (b) **BILLS:** Vouchers 117096 through 117198 drawn on First Merit Bank, Total: \$381,345.88

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

ORDINANCE/TEXT AMENDMENT/TATTOO PARLORS

It was moved by Commissioner Flammini, seconded by Commissioner Hill, that an Ordinance (13-O-57) be passed approving a text amendment to Zion Municipal Code Section 102-61(a)(2) deleting tattoo parlors from the HB-2 (Highway Business 2) District. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/ HEIGHT VARIANCE/FENCE AT 3206 29TH STREET

It was moved by Commissioner Taylor, seconded by Commissioner Hill, that an Ordinance (13-O-58) be passed granting a variance from Zion Municipal Code Section 10-12 (a) for fence height from four feet to five feet for the property at 3206 29th Street. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/ ZONING TEXT AMENDMENT/MEDICAL MARIJUANA CULTIVATION

It was moved by Commissioner Hill, seconded by Commissioner Flammini, that an Ordinance (13-O-59) be passed approving a text amendment to Zion Municipal Code Section 102-91(a)(6) to allow for cultivation of medical marijuana in the L-M (Light Manufacturing) District, west of Lewis Avenue only, with the condition of obtaining a Special Use Permit. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/ ZONING TEXT AMENDMENT/MEDICAL MARIJUANA DISPENSARIES

It was moved by Commissioner Hill, seconded by Commissioner Taylor, that an Ordinance (13-O-60) be passed approving a text amendment to Zion Municipal Code Section 102-91(a)(6) to allow for a medical marijuana dispensary in the L-M (Light Manufacturing) District, west of Lewis Avenue only, with the condition of obtaining a Special Use Permit. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/SPECIAL USE PERMIT/HAUNTED HOUSE ATTRACTION/600 29TH STREET

It was moved by Commissioner Flammini, seconded by Commissioner Hill, that an Ordinance (13-O-61) be passed granting a Special Use Permit to operate a haunted house attraction for property located at 600 29th Street, following the same guidelines as the current Special Use Permit which was granted for 2701 Deborah Avenue.

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

**ORDINANCE/LEASE FOR PARKING COUNT INFORMATION DISPLAY SIGN
MIDWESTERN REGIONAL MEDICAL CENTER**

It was moved by Commissioner Taylor, seconded by Commissioner Hill, that an Ordinance (13-O-62) be passed granting a 25 year lease with Midwestern Regional Medical Center for approximately 1,200 square feet situated on the Elisha Avenue right-of-way for the placement of a parking count information display sign commencing on June 1, 2013 through and including May 31, 2038. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/PROPERTY LEASE/GAMMA RADIATION DETECTION UNITS

It was moved by Commissioner Hill, seconded by Commissioner Flammini, that an Ordinance (13-O-63) be passed granting permission to enter into a lease agreement between the City of Zion and IEMA to install and receive radiation telemetry from three sites located in the City of Zion at 1) 3364 North Gabriel Avenue at the northeast corner of Gabriel Park, 2) in the alley between Gideon Avenue and Gabriel Avenue, south of 27th Street and 3) in the alley (east-west directional) between 20th and 21st Streets west of Ezra Avenue, commencing on December 1, 2013 through and including June 30, 2017. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TABULATION OF BIDS/CLEANING & MAINTENANCE SERVICES FOR CITY FACILITIES

A Tabulation of Bids (13-DOC-109) was received from Director Ianson for the combined cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility. This service was re-bid due to an ambiguous requirement in the original bid specifications. Bids were opened on November 18, 2013. Director Ianson stated that three bids received were lower than the bid of the City's current service provider, VMG Quality Services, whose bid per month was \$3,800:

Eco Clean Maintenance	\$ 263 per month - \$3,156 per year less
MultiSystem Management	\$ 710 per month less - \$8,520 per year less
Crystal Maintenance Services	\$1,150 per month less - \$13,800 per year less

Director Ianson recommended that the Council consider the relationship the City has established with the current provider. Staff agrees that VMG Quality Services has a good work history with the City, has provided good and consistent service at all facilities, has proven to be reliable, goes above and beyond by performing extra tasks when asked, and is local (Zion) and can provide prompt response in emergency situations. He stated that, in his opinion, VMG Quality Services has earned "preferred vendor" status and he preferred the bid be awarded to VMG Quality Services. Commissioner Hill stated that he was concerned about the distant locations of the three lower bidders and noted that a \$13,800 annual savings would be significant, but valued staff's recommendation. Mayor Harrison stated that VMG have proven themselves to be trustworthy, and integrity is vital, and he does not want to compromise the City in any way.

It was moved by Commissioner Hill, seconded by Commissioner DeTienne that the bid for the combined cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility be awarded to VMG Qualities Services in the amount of \$3,800 per month. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

AMENDMENT/SHEPHERD'S POINT PLANNED UNIT DEVELOPMENT

A memo (13-DOC-110) was received from Director Ianson requesting an amendment to the Shepherd's Point Planned Unit Development (PUD) to relocate the 21st Street entrance from its present location west to Lot 4, Zoning Docket 13-Z-11, as petitioned by SB1 Lake County, LLC. The Planning & Zoning Commission recommended approval of the request. Director Ianson stated that relocating the entrance would keep costs down for the street improvements planned for 2015. He stated that Lake County is in agreement with the relocation.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini, to approve an amendment to the Shepherd's Point Planned Unit Development (PUD) to relocate the 21st Street entrance from its present location west to Lot 4, and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

AMBULANCE PURCHASE

A memo (13-DOC-111) was received from Chief Lewis requesting approval to proceed with the execution of a contract with American Emergency Vehicles (AEV) for the purchase of one ambulance in the amount of \$162,697. He stated that the Council previously approved the City's participation in a joint purchasing project with the Beach Park and Long Grove Fire Departments for this purchase to replace a 2002 Horton ambulance. Chief Lewis stated that Director Knabel would be coordinating financing for this vehicle. The majority of the cost will be funded by funds received through the Midwestern Regional Medical Center Memorandum of Understanding. Director Knabel stated that there would be only one payment due per fiscal year.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini, to approve the execution of a contract with American Emergency Vehicles (AEV) for the purchase of one ambulance in the amount of \$162,697. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

CONTRACT RENEWAL/ANDRES MEDICAL BILLING LTD.

A memo (13-DOC-112) was received from Chief Lewis requesting approval to renew the contract with Andres Medical Billing Ltd. who currently provides medical billing services on the City's behalf. He stated that changes to the billing process and fees have changed over the past eleven years, so as a matter of housekeeping, the self-renewing contract must be amended and renewed.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor, to approve renewal of the amended contract with Andres Medical Billing Ltd. for medical billing services. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

APPOINTMENT/COALITION FOR HEALTHY COMMUNITIES CHARACTER INITIATIVE

Mayor Harrison stated that the City will support the Coalition for Healthy Communities Character Initiative.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini, to appoint Mayor Harrison as the official City representative to attend the Coalition meetings and assist in the advancement of the initiative, with Commissioner Hill as alternate. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

YOUTH BUILD LAKE COUNTY PROJECT/APPLICATION FEES

Commissioner Flammini stated that the house at 2015 Elim, in the possession of Youth Build Lake County, cannot be saved and must be demolished. He stated that Youth Build has petitioned the Planning & Zoning Commission requesting variances to allow for demolition of the existing house and the construction of a new home on this property. He requested that Planning & Zoning application fees be waived for this project. Commissioner Flammini estimated the fees at approximately \$300.

It was moved by Commissioner Hill, seconded by Commissioner Taylor, to waive Planning & Zoning application fees for the Youth Build Lake County project at 2015 Elim. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

PLAYBACK & MESSAGE EQUIPMENT/CHANNEL 19

A letter (13-DOC-113) was received from Tom Angelos, Zion Park District, regarding replacement of the playback and message system equipment required to operate Cable Channel 19. He stated that, in order to continue to do messages and broadcast events in Zion and the City Council meetings on Channel 19, the current equipment must be replaced. He stated that the quote received from Mediastar-SG was the only broadcast-quality proposal received. He stated that he viewed the equipment at the Village of Lake Zurich and determined that the system works well. Mr. Angelos stated that he believes the City will qualify for deductions, resulting in a final expense estimate at between \$28,000 and \$32,000. Commissioner Hill stated that, as advised by Director Knabel, the former cable funds were transferred into the General Fund and no funds are available to fund this upgrade. Director Knabel stated that this is an unbudgeted line item and the Council would need to consider a budget amendment or wait until the next budget year. Commissioner Hill recommended that Mr. Angelos investigate the possibility of a lease purchase or postpone the upgrade until the next fiscal year. Mr. Angelos will meet with Director Knabel and this matter will be placed on the December 17, 2013 City Council agenda for further consideration.

TERMINATION OF AGREEMENT/LEE & ASSOCIATES OF ILLINOIS, LLC

Mayor Harrison stated that the City Council had previously discussed changing real estate brokers for Trumpet Park and he requested that the Council take formal action to terminate the agreement with the current broker, Lee & Associates of Illinois, LLC.

It was moved by Commissioner Hill, seconded by Commissioner Flammini to terminate the Exclusive Agency Brokerage Agreement between Lee & Associates of Illinois, LLC and the City of Zion and to direct the City Clerk to forward a termination letter to Lee & Associates of Illinois LLC notifying them that the agreement will terminate 30 days from the date of the letter, pursuant to Paragraph 14 of the agreement. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

ILLINOIS MUNICIPAL LEAGUE INVOICE/2014 MEMBERSHIP DUES

An invoice was received from the Illinois Municipal League for membership dues beginning January 1, 2014 and ending December 31, 2014 in the amount of \$1,564.00. This is a budgeted item in the Public Affairs Department budget.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve payment of the Illinois Municipal League invoice in the amount of \$1,564.00, as presented. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

December 7	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th Street
December 17	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting and Public Hearing – Tax Levy
December 21	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th Street
December 24, 25, 31 & January 1		City Offices for Closed for the Holidays

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that the Council recess to Closed Session at 7:53 p.m. to discuss pending litigation, purchase of real estate and review of Closed Session minutes. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Hill to reconvene the Regular Council meeting at 8:40 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

RESOLUTION/RELEASE OF CLOSED SESSION MINUTES

It was moved by Commissioner Hill, seconded by Commissioner DeTienne that a Resolution (13-R-19) be passed releasing Closed Session minutes. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Hill, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 8:41 p.m. Motion carried.

City Clerk

Approved December 17, 2013