

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, APRIL 21, 2015, AT 7:04 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, 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, Taylor, Hill and Mayor Harrison. A quorum was present.

Also present: Chief of Police Steve Dumyahn, Fire/Rescue Chief John Lewis, Public Works Director Ron Colangelo, Finance Director David Knabel, Building/Zoning Director Richard Ianson, ESDA Field Director Brandon Busch and City Attorney Scott Puma.

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

**AGENDA CHANGES**

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

- Delete Item 8d - Consider approval of sales tax incentive agreement for expansion of Grand Appliance per Director Knabel

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

**CITIZEN COMMENTS**

Pastors Mike McDowell, Eliel Rojas, and Robert Williams, members of the Zion Benton Ministerial Association (ZBMA), read a prepared statement on behalf of the ZBMA membership. The ZBMA extended sympathy to the families of those affected by recent events in Zion, more specifically the family of a young man who lost his life during an incident involving the Zion Police. They expressed regret for the accusations and misinformation that is being spread throughout the community. They offered their commitment to bringing healing and racial harmony to the community. They stated that they acknowledge the vital role of law enforcement and encouraged the timely release of information to the public with greater transparency. The ZBMA supports the concept of a community liaison to aid in this process. The ZBMA supports legislation and funding to provide body cameras for all Zion police officers.

Clyde McLemore, Zion, presented a poster and stated that Zion made the list of people killed since 2014. He stated that more have been killed by police than have been killed in war. He stated that he is worried for his children. He stated that police brutality has to stop. He stated that the Zion Police Department should hire more African American officers, and therefore, reflect the racial make-up of our community. He asked the City Council to make some changes.

William C. Bremner, Zion, referred to a recent article in the Chicago Tribune which rated Chicago metro hospitals. Sixty-five hospitals were on the list and their performance was rated by assigning "stars", 1 through 5. He stated that in Medicare's report, Cancer Treatment Centers of America in Zion was the only hospital in this area that received a "5-star" rating for excellence.

Brotha Blanks, Waukegan, stated that staff diversity is good for the entire community. He stated that people suffer from institutional racism. He stated that more accountability is needed. He stated that he will continue to work on the accountability balance in Zion. He asked that the City Council take citizens' complaints more seriously before more lives are lost. He stated that he agrees with Police use of body cameras and believes they are beneficial for both the Police and residents. Mr. Blanks strongly recommended that if Police officers are outfitted with body cameras that they are properly trained in how to use them.

Mayor Harrison stated that the City Council is in favor of Police body cameras and the City is currently seeking funding to purchase them.

Anthony McIntire, United in Peace Coordinator, stated that an inclusive relationship needs to exist between the officials in power and the people most affected by that power (the citizens). He stated that the City must identify with the people who feel the effects of crime in the community. He stated that he would provide his contact information and offered his help.

Shantal Taylor, Zion, stated that she has received calls from people stating that they are uncomfortable with relationships with the Zion Police Department. She asked Commissioner/Mayor-elect Hill to have empathy and hear all the points of view on matters related to the Zion Police Department. She stated that people are afraid after the April 4 shooting incident. Ms. Taylor called for a fundamental change in public safety. She stated that it is time for a new approach and she is here to help.

Ralph Peterson, Waukegan, stated that there is an epidemic of young African American males being killed. He stated that, in the past, anyone who shot a person in the back was automatically guilty. He stated that "this town is about ready to go up". He asked what caused the deadly force by a Zion police officer and stated that he didn't understand why another method (pepper spray, taser, etc.) was not used. He stated that he wants justice to prevail.

Denise Rotheimer, a crime victims' rights activist, stated that a memorial service for Joshua Summeries, "Blankets to Heaven", will be held on Saturday, April 25, 2015 at 1:00 p.m. at the site of his death. She asked for the community's support. She asked for help from the Police Department with road closures and coordinating the release of 500 balloons with the Waukegan airport. Mayor Harrison offered the City's support however possible.

#### **CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held April 7, 2015 at 7:00 p.m.
- (b) **BILLS:** Vouchers 120606 through 120781 drawn on First Merit Bank, Total: \$1,006,104.80

Approved by omnibus vote as follows: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

Mayor Harrison called for a recess at 7:40 p.m. The meeting reconvened at 7:56 p.m.

#### **RESOLUTION/AMENDING PERSONNEL AUTHORIZATION/POLICE DEPARTMENT**

A memo (15-DOC-30) was received from Chief Dumyahn requesting an amendment to the Personnel Authorization eliminating one Lieutenant position. He stated that the Authorization was in need of correction with regard to the Patrolmen count as currently there are no grant funded positions. They were eliminated through attrition but no change was made to the Authorization. Chief Dumyahn's request would reduce the Lieutenant count from (3) three to (2) two and increase the Patrolmen count from (33) thirty three to (35) thirty five. The request also included increasing the Sergeant count from (8) eight to (9) nine. Director Knabel stated that the proposed changes would have minimal impact on the budget (approximately \$11,000).

It was moved by Commissioner DeTienne, seconded by Commissioner Hill that a Resolution (15-R-7) be passed amending the Personnel Authorization by decreasing the Lieutenant authorization from (3) three to (2) two, increasing the Patrolmen authorization from (33) thirty three to (35) thirty five, and increasing the Sergeant authorization from (8) eight to (9) nine. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**RESOLUTION/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

A memo (15-DOC-31) was received from Director Colangelo requesting that the Council pass a resolution authorizing the application for Community Development Block Grant (CDBG) funding for water main replacement in the 2700 block of Hebron Avenue.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that a Resolution (15-R-8) be passed authorizing the application to the Lake County Community Development Block Grant Program for assistance to replace a water main in the 2700 block of Hebron Avenue. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**TABULATION OF BIDS/ANNUAL FUEL, BITUMINOUS & CONSTRUCTION MATERIALS**

A Tabulation of Bids (15-DOC-32) was received from Ron Colangelo regarding the annual purchase of fuel, bituminous and construction materials for the 2015/16 fiscal year. Mr. Colangelo recommended rejecting the low bids for stone and sand aggregates from Payne and Dolan based upon the bids not including delivery. Mr. Colangelo recommended awarding contracts to the lowest responsible and responsive bidders as follows:

Avalon Petroleum	Summer Diesel, Winter Blend, 90W Gear Lube
Feece Oil	SAE 10W 30 Motor Oil, Automatic Transmission Fluid, SAE #15 W 40 Motor Oil, Hydraulic Fluid, All Purpose Grease, 2-Cycle Oil, Dex Cool Anti-freeze/coolant
Warren Oil	HD #30 Motor Oil, Permanent Type Anti-Freeze
Lester's Materials	Pulverized Top Soil
Peter Baker	Cold-Patch
Payne & Dolan	Hot-mix Surface, Hot-mix Binder, UPM Cold Patch
Thelen	#7 Road Gravel, #8 Wash Stone, ¾ Inch Chips
Kirschhoffer Trucking	TB Sand Backfill, Seal Coat Aggregate, CA-6 Crushed White Limestone
No bids received	Emulsified Asphalt

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to award contracts for various fuels, bituminous and construction materials, as recommended. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

**SURPLUS PROPERTY/TORO RIDING LAWNMOWER**

A memo (15-DOC-33) was received from Director Colangelo requesting that a Toro Wheel Horse 268 Hydro used riding lawnmower (Model 71087) be declared surplus. He stated that the mower is no longer being used by the Public Service Division of Public Works. He further requested that the mower be donated to a local Zion church.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that a Toro Wheel Horse 268 Hydro riding lawnmower, Model 71087, be declared surplus and donated to a local Zion church and that an

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

**AGREEMENT/WEBSITE MAINTENANCE/GOFLO, INC.**

Director Knabel requested authorization to renew the annual maintenance agreement with GoFlo, Inc. for City websites. He stated that the agreement covers the period from May 1, 2015 through April 30, 2016, and is for unlimited maintenance, for a total amount of \$23,980.

It was moved by Commissioner Hill, seconded by Commissioner Taylor to authorize the renewal of an annual maintenance agreement with GoFlo, Inc. for City websites for the period of May 1, 2015 through April 30, 2016, for unlimited maintenance, for a total amount of \$23,980. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

**TIF GRANT/2701 SHERIDAN ROAD**

A memo (15-DOC-34) was received from Director Knabel requesting consideration of a request for a TIF #1 Grant from 2701 Sheridan Road LLC for assistance with improvements at 2701 Sheridan Road at a cost not to exceed \$165,015. He stated that the TIF Review Board recommended approval of the grant contingent upon the company utilizing local contractors and vendors wherever possible. Mayor Harrison reminded the Council that a large sum had been previously invested in this building both through the façade program and TIF grants. Director Knabel stated that the TIF grant would facilitate making the property developable and usable per the Zion Municipal Code. He stated that the grant included a 10-year recapture clause.

It was moved by Commissioner Hill, seconded by Commissioner Taylor to approve a TIF #1 Grant for 2701 Sheridan Road LLC in an amount not to exceed \$165,015 for assistance with improvements at 2701 Sheridan Road (ATI Physical Therapy) and that an Ordinance (15-O-20) be passed approving and authorizing execution of an economic incentive agreement with 2701 Sheridan Road, LLC. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

**AMENDING MUNICIPAL CODE/AMBULANCE BILLING FEES**

A memo (15-DOC-35) was received from Chief Lewis requesting that Section 34-16 (b) of the Zion Municipal Code regarding ambulance charges be amended by increasing ambulance billing fees by 2% for residents and 3% for non-residents in order to insure that the City maintain delivery of EMS operations without decreasing service. He stated that mileage fees would be increased to \$16.00 per mile. He stated that billing invoices are sent to third party payers including insurance, Medicare and Medicaid. He stated that Zion residents will never receive an invoice and non-residents are responsible for the balance of any unpaid invoices.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill, to amend Section 34-16 (b) of the Zion Municipal Code, ambulance rates, increasing the cost of mileage from \$15.00 per mile to \$16.00 per mile and increasing fees currently listed by 2% for residents and 3% for non-residents (with the exception of mileage) and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

**REQUEST TO FILL VACANCIES/POLICE DEPARTMENT**

A memo (15-DOC-36) was received from Chief Dumyahn requesting permission to fill two patrol officer vacancies and one Sergeant vacancy in the Police Department. Commissioner Hill asked if filling these vacancies would affect diversity in the Department. Chief Dumyahn stated that this is unknown at this time as the patrol officer vacancies would be filled by the next candidates on the eligibility list. He stated that the racial make-up of the testing pool is unknown and that the testing process is dictated by State Statute. Commissioner Hill stated that every effort should be made to expand the applicant pool and recruitment efforts.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill to fill one Sergeant vacancy and request the name of the next qualified candidate from the Board of Fire and Police Commissioners Sergeant Promotional Final Eligibility Register. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill to fill two patrol officer vacancies and request the names of the next two qualified candidates from the Board of Fire and Police Commissioners Patrol Officer Final Eligibility Register. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

**REQUEST FOR WAIVER/RAFFLE MANAGER’S FIDELITY BOND**

A memo (15-DOC-37) was received from Clerk Burkemper regarding a request for waiver of the raffle manager’s fidelity bond on behalf of Kringle’s Kingdom. She stated that two raffle requests were received from Kringle’s Kingdom and that the applications were deficient (no documentation evidencing not-for-profit (NFP) status and proof of 5-year existence and no bond or request to waive the raffle manager’s bond). Clerk Burkemper stated that the Kringle’s Kingdom organization has applied for NFP status, however, it has not been granted by the State to date. She requested that the Council consider approving the license application contingent upon the Clerk receiving the proper NFP documentation at a later date. Attorney Puma stated that the NFP status requirement was per State Statute and the Council could not grant a raffle license without proof of NFP status. He stated that he was uncertain of the 5-year requirement but speculated that it too was a statutory requirement. Attorney Puma stated that another organization that could provide documentation that it has NFP status and has been existence for 5 years could sponsor the raffle on Kringle’s Kingdom behalf and donate the proceeds to Kringle’s Kingdom.

It was moved by Commissioner Hill, seconded by Commissioner Flammini, to grant a raffle license to an organization who meets all State raffle requirements who would be willing to conduct the raffle on Kringle’s Kingdom’s behalf and to waive the raffle manager’s fidelity bond. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

**DEPARTMENTAL COMMENTARY**

Mayor Harrison congratulated Mayor-elect Al Hill, Commissioner-elect Mike McDowell, and re-elected Commissioner Jim Taylor on their victories.

Director Knabel stated that city vehicle stickers expire on April 30, 2015 and that they are available for purchase in the Accounts/Finance Department.

Director Colangelo stated that brush pick-up begins on Monday, April 27, 2015 and will follow the waste pick-up route.

**ANNOUNCEMENTS**

March 1 - April 30		SWALCO Shoe Recycling Program Shoe Drop-off at Zion City Hall
May 5	7:00 p.m.	Zion City Council Meeting
May 19	6:30 p.m. 7:00 p.m.	Town Board Meeting Zion City Council Meeting
May 25		City Offices Closed for Holiday

**CLOSED SESSION**

It was moved by Commissioner DeTienne, seconded by Commissioner Hill that the Council recess to Closed Session at 8:35 p.m. to discuss pending litigation. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:35 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Hill, 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 Hill, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 9:35 p.m. Motion carried.

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City Clerk

Approved May 5, 2015