

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 15, 2015, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

Little Miss Zion Jordan Gaston called the meeting to order.

Junior Miss Zion Jennesa Lincke called the roll. On call of the roll the following answered present: Commissioners DeTienne, Taylor, McDowell, McKinney and Mayor Hill. A quorum was present.

Also present: Chief of Police Steve Dumyahn, Fire/Rescue Chief John Lewis, Public Works Director Ron Colangelo, Building/Zoning Director Richard Ianson, and City Attorney Paula Randall. Accounts/Finance Director David Knabel was absent.

Miss Zion Angelina Andrade led in the Pledge of Allegiance to the flag.

AGENDA CHANGES

It was moved by Commissioner McKinney, seconded by Commissioner McDowell to accept the Council agenda as presented with the following change:

- Add to Item 11 "Announcements" - Community of Character Walk, September 19, 2015 per Commissioner McDowell

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

SPECIAL PRESENTATION/JUBILEE DAYS PARADE AWARDS

Township Supervisor Cheri Neal and the Zion queens presented the 2015 Jubilee Days Parade Awards. Supervisor Neal stated that the 2015 parade showcased the Community of Character Six Words – Respect, Perseverance, Responsibility, Safety, Integrity, and Kindness.

Mayor's Trophy	Our Lady of Humility School
Jubilee Director's Choice	Zion Benton Township High School Marching Band
Theme Prize	Kiwanis Club of Zion Benton
Sweepstakes Award	Beach Community Church Puppets for Christ
President's Choice	Cornerstone Realty Group
Specialty Award	2015 Lake County Community Queens Pageant
Grand Jubilee Trophy	2015 Zion Queens

CITIZEN COMMENTS

W. C. Bremner, Zion, stated that the historical documents now being displayed in the Council Chambers are secured behind closed doors when the room is not in use. He requested that the documents be displayed in the lobby where they can be seen by the public.

Clyde McLemore, Zion, stated that at the last City Council meeting, Mayor Hill stated that Audrey Nixon, County Board member, denied talking to Mr. McLemore regarding the JAG grant. Mr. McLemore stated that he spoke to Audrey Nixon and she informed him that no one spoke to her and she didn't even know who the Mayor of Zion is. Mr. McLemore stated that he does not want there to be any misunderstandings regarding his integrity.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on September 1, 2015 at 7:01 p.m.; approval but not release of Closed Session Minutes of a meeting held on September 1, 2015 at 8:20 p.m.
- (b) **BILLS:** Vouchers 121754 through 121847 drawn on First Merit Bank, Total: \$320,201.70

Approved by omnibus vote as follows: The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

ORDINANCE/MUNICIPAL CODE TEXT AMENDMENT/WATER CONSERVATION

A memo (15-DOC-93) was received from Director Ianson requesting an amendment to Zion Municipal Code Sections 10-302 and 94-43 regarding water conservation. He stated that the Illinois Department of Natural Resources recently amended the Lake Michigan Water Allocation Rules and Regulations Section 3730.307(c). He stated that the updated rules modified two provisions that will require domestic permittees to update their ordinances/building codes to be consistent with the new language. Director Ianson stated that these provisions are requiring that all new and replacement plumbing fixtures be labeled WaterSense product as specified by the United States Environmental Protection Agency (USEPA) and restricting non-essential outside water uses to prevent excessive and wasteful water use. Commissioner McDowell asked if the WaterSense products are available to consumers and Director Ianson stated that the products are available. Commissioner McDowell asked if the guidelines were created by the USEPA. Director Ianson stated that the guidelines were created by the USEPA. It was unknown what the cost to homeowners would be for installation of these fixtures. Mayor Hill stated that the information contained in the proposed ordinance would be posted on the City's website.

It was moved by Commissioner Taylor, seconded by Commissioner McKinney, that an Ordinance (15-O-48) be passed amending Zion Municipal Code Sections 10-302 and 94-43 requiring that all new and replacement plumbing fixtures be labeled WaterSense product as specified by the United States Environmental Protection Agency (USEPA) and to restrict non-essential outside water uses to prevent excessive and wasteful water use. The vote on roll call was: Commissioners DeTienne, nay; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

VARIANCE/FRONT ENTRANCE SETBACK/3244 GILEAD AVENUE

A memo (15-DOC-94) was received from Director Ianson requesting a variance from Section 102-32(3) of the Zion Municipal Code to allow a new front entrance to extend an additional twelve (12) feet past the building line as petitioned by Cleveland Givens, C-Force Construction, for Pentecostal Ministries Church, 3244 Gilead, Zoning Docket 15-Z-8. Planning/Zoning Commission recommends approval with the condition that the use remains that of a church. Director Ianson stated that currently the existing building is set back 22 feet from the property line and 39 feet from the curb line. He stated that the new front entrance would be set back 10 feet from the property line and 27 feet from the curb line.

It was moved by Commissioner McKinney, seconded by Commissioner Taylor to grant a variance from Section 102-32(3) of the Zion Municipal Code to allow a new front entrance to extend an additional twelve (12) feet past the building line for Pentecostal Ministries Church at 3244 Gilead Avenue, contingent upon the use remaining that of a church, and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

TABULATION OF BIDS/2015 TREE REMOVAL

A Tabulation of Bids (15-DOC-95) was received from Director Colangelo recommending acceptance of the lowest most responsive and responsible bid for the 2015 tree removal project. He stated that the bid of Clean Cut Tree Services of Grayslake, Illinois, with their base bid and alternate bid being in the amount of \$31,833.00, was the lowest of the four bids received. Director Colangelo stated that this tree removal project is a budgeted item. Commissioner McDowell asked how much it would cost the City to remove all the dead ash trees on City parkways. Director Colangelo stated that, if such a bid was received for the same cost as the current bid, it would cost \$600,000 to remove all the trees. Commissioner McDowell asked if residents could remove their parkway trees and keep the wood. It was noted that there may be liability issues with this approach. Director Colangelo was directed to work with Attorney Randall to develop a parkway tree removal by resident policy and/or waiver.

It was moved by Commissioner Taylor, seconded by Commissioner McDowell to accept the bid of Clean Cut Tree Services of Grayslake, Illinois in the amount of \$31,833.00 for the 2015 tree removal project. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

TABULATION OF BIDS/STREET LIGHT MAINTENANCE & REPAIR

A Tabulation of Bids (15-DOC-96) was received from Director Colangelo recommending acceptance of the lowest most responsive and responsible bid for street light maintenance and repair. He stated that the bid of Home Towne Electric, Lake Villa, Illinois, was the sole bid at a rate of \$175 per hour for street light repair and \$215 per hour for emergency street light repair. Director Colangelo stated that these services are used on an "as needed" basis.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to accept the bid of Home Towne Electric, Lake Villa, Illinois, at a rate of \$175 per hour for street light repair and \$215 per hour for emergency street light repair. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

TABULATION OF BIDS/2015 SURFACE REMOVAL & REPLACEMENT PROGRAM

A Tabulation of Bids (15-DOC-97) was received from Director Colangelo recommending acceptance of the lowest most responsive and responsible bid for the 2015 Surface Removal and Replacement Program. He stated that bid specifications included both base and alternate bid amounts, however, due to the inability of the State legislature to pass a budget, the City's Motor Fuel Tax (MFT) receipts are not being received at this time. He stated that this shortfall will not allow the City to accept the alternate bid as planned. Director Colangelo recommended accepting the bid of J. A. Johnson Paving of Arlington Heights, Illinois for the base bid in the amount of \$60,775.20. He stated that funding for this project is from the MFT Fund.

It was moved by Commissioner Taylor, seconded by Commissioner McKinney to accept the bid of J. A. Johnson Paving of Arlington Heights, Illinois for the base bid in the amount of \$60,775.20 for the 2015 Surface Removal and Replacement Program. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

ELECTRIC AGGREGATION PROGRAM/CONSTELLATION ENERGY

A letter (15-DOC-98) was received from Constellation Energy regarding the City's electric aggregation program. Mayor Hill stated that the "polar vortex" winter of 2014 was so extreme that our electric grid was pushed to its limit with usage (due to heating) nearly exceeded capacity, which would have led to rolling brownouts during extremely cold conditions. He stated that the regulatory body overseeing our regional grid has taken steps to insure such circumstances are not repeated. Their goal is to enhance the availability of power during our grid's most stressed periods (extreme heat or cold). Mayor Hill stated that, included in the City's aggregation's power price are various regulated grid charges, in addition to the power

commodity. One of these charges (capacity) is the payment to suppliers to insure adequate power during peak periods. He stated that regulators are increasing the incentives to suppliers to have a greater margin of power generation available to avert possible future outages/brownouts. He stated that the capacity charge will increase in June 2016. Mayor Hill stated that this will increase the price of the City’s aggregation’s power starting next June. All suppliers and ComEd will bear the same increase; this is not unique to Constellation. He stated that this increase applies to all customers, residential and commercial accounts in ComEd territory. Mayor Hill stated that Constellation has deemed the announcement of this increase to be a ‘Regulatory Event’. He stated that the agreement between Constellation and the City of Zion permits Constellation to pass these charges through, but only with the City’s approval, should a Regulatory Event occur. Mayor Hill stated that the City’s agreement states that the City will have the option of accepting the price increase or returning all residents back to ComEd. If the City chooses to accept the increase in pricing, then Constellation will notify all of the City’s aggregation participants by letter, likely next spring, when it would take effect for all ComEd customers. Mayor Hill stated that the Constellation agreement requires the supplier to notify the City within 30 days of the occurrence of a Regulatory Event, thus Constellation contacted the City. He stated that the exact amount of the increase is not yet known, but should be soon. He stated that, therefore, Constellation stated that they would like to propose a postponed negotiation period versus what is stated in the City’s Power Supply Agreement as they do not wish to commence any required negotiations until after the auction when increase costs results will be known. Mayor Hill stated that all of the auction results covering June 1, 2016 to May 31, 2019 will be known after September 9, 2015, after which Constellation will have all required data needed to calculate a potential price impact for Zion. He stated that, at that time, Constellation will reach out to the City to begin negotiations regarding a price adjustment for the electric aggregation program. Mayor Hill stated that the Power Supply Agreement contract states that, “Upon the occurrence of a Regulatory Event, the adversely affected Party shall give notice to the other Party that such event has occurred. Within thirty (30) days, or such other period as the Parties may agree in writing, the Parties will enter into good faith negotiations to amend or replace this Agreement so that the adversely affected Party is restored as nearly as possible to the economic position it would have been but for the occurrence of the Regulatory Event.” Mayor Hill recommended that the City respond to Constellation agreeing to their request to postpone the 30 day negotiation period until a later date, once all the required data is available.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to send a letter to Constellation Energy agreeing to their request to postpone the 30 day negotiation period until a later date, once all the required data is available. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Colangelo stated that Advanced Disposal will begin the fall leaf pick up program on October 19, 2015. They will make four passes at each residence.

ANNOUNCEMENTS

September 19	11:00 a.m. to 1:00 p.m.	Zion Community of Character Walk at Zion Park District Bandshell
September 21	3:00 p.m.	Liquor Control Commission Meeting
September 24	11:00 a.m. to 7:00 p.m.	Last day for Zion Farmer’s Market Sheridan Road & Shiloh Blvd.
October 6	7:00 p.m.	Zion City Council Meeting
October 20	6:30 p.m. 7:00 p.m.	Zion Township Meeting Zion City Council Meeting

October 30	5:00 p.m.	“Trail of Treats” sponsored by Lake County’s Lakeshore Chamber of Commerce and the City of Zion
October 31	2:00 p.m. to 5:00 p.m.	Zion Trick or Treating

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner McKinney, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 7:37 p.m. Motion carried.

City Clerk

Approved October 6, 2015