

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 2, 2015, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS**

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Mayor Hill called the meeting to order.

On call of the roll the following answered present: Commissioners McDowell, Taylor, McKinney and Mayor Hill. Commissioner DeTienne was absent. 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 Paula Randall.

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

**AGENDA CHANGES**

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

- Delete Item 8c - Consider Appointments for Boards and Commissions per Mayor Hill
- Delete Item 8f - Discussion of the future of gang and drug activity in Zion per Mayor Hill

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

**CITIZEN COMMENTS**

William C. Bremner, Zion, referred to a letter sent to his home from State Senator Melinda Bush's office asking for support for SB 544, allowing the City of Zion to charge rent for the spent fuel rods stored at the Zion nuclear plant. Mr. Bremner stated he has no opinion on charging rent, but feels it is not the fault of Exelon/Com Ed that the rods are stuck there. He stated 30-40 years ago the federal government made promises to provide a permanent waste storage facility on Yucca Mountain. He stated that plan was killed by Senator Harry Reid as he did not want the nuclear waste in his state. Director Knabel stated Senator Bush is proposing an impact fee and he encouraged residents to read the information and render their own decision online at [senatormelindabush.com](http://senatormelindabush.com).

Janet Jones, Zion, stated she had some concerns with the community service workers. She questioned if they were permitted to work on private property. Director Colangelo stated community service workers are ordered by the court and are not permitted to work on private property unless the property is owned by the City. He stated the Building Department does have a summer grass cutting crew and they are permitted on private property. Ms. Jones asked how many vacant homes the City owns and is there a program for these properties. Director Ianson stated the City owns three properties with houses purchased through HUD and seven vacant properties. Mayor Hill stated the City has received a grant for \$100,000 to be used as an incentive to rehab properties. He stated the City is trying to put together a program to partner with businesses to provide incentives and work together to bring people back to Zion.

Tracey Johnson, Zion, stated he would urge the Council to be careful about changing rules regarding public comment. He stated he understands people get uneasy when people come from out of town to address the Zion community. Mayor Hill stated everyone on the Council is sensitive to the fact that public speaking is important to our democracy and they will be careful.

Mayor Hill stated the City will host an open house to present information on the comprehensive plan on June 11<sup>th</sup> at City Hall from 3:30-5:30 p.m. and then at 7:00 p.m. Planning and Zoning will hold a public hearing for the adoption of the comprehensive plan. He stated the Council will vote to adopt the comprehensive plan at the June 16<sup>th</sup> City Council meeting. Commissioner McDowell stated residents can go to [Plan4zion.com](http://Plan4zion.com) to get a peek at the plan.

Robert Surano, Zion, stated the Council recently overturned a decision by the Planning and Zoning Commission to allow a cell tower to be constructed on Park District property in a residential neighborhood. He stated he has concerns with the past President of the Park District being a member of the City Council. He stated he assumed when the Planning and Zoning Commission denied the cell tower the Council would also deny it. He stated he will see the cell tower from his front yard and back yard and will have to look at it for the next twenty five years. He stated the majority of the notices sent to the residents regarding the Planning and Zoning meeting were sent to vacant homes or rental properties. He stated most of the residents on his side of the street did not know about the meeting. He stated the Council's overturning of the Planning & Zoning Board decision sits with him in a bad way.

### CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held May 19, 2015 at 7:05 p.m.
- (b) **BILLS:** Vouchers 120886 through 121019 drawn on First Merit Bank, Total: \$481,638.50

Approved by omnibus vote as follows: Commissioners McDowell, aye; Taylor, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

### AMENDED RESOLUTION/TEMPORARY ROAD CLOSURE/NOSTALGIA DAYS

Chief Dumyahn stated on March 17, 2015, the Council passed Resolution 15-R-6 requesting permission from the Illinois Department of Transportation (IDOT) to close Sheridan Road on June 20<sup>th</sup> for Nostalgia Days.

He stated on May 27<sup>th</sup>, 2015 Clerk Burkemper was contacted by an IDOT representative informing her that there was a problem with the road closure resolution. The resolution did not include wording referencing the City's acceptance of liability for "damages of any kind occasioned by the closing of said State Route". IDOT provided proposed language for inclusion in a revised resolution. He recommended that the underlined text in the attached document marked "Revised and Underlined" be added to the Resolution. Clerk Burkemper requests the Council consider IDOT's recommendation to amend Resolution 15-R-6 by adding the proposed text. If approved, an amended resolution will be forwarded to IDOT immediately for their approval of the closure of Sheridan Road for the annual Nostalgia Days celebration. Chief Dumyahn stated City has always been aware that they were liable for any damages but language was not included in previous resolutions to close the road. Attorney Randall stated the language comes right out of the statutory provision of the Highway Code which allows the municipality to request the road closure.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor that an amended Resolution (15-R-6) "Revised as Underlined" be passed requesting permission of the Illinois Department of Transportation for the temporary closure of Sheridan Road on June 20, 2015, as requested between 6:00 A.M. and 6:00 P.M., for Nostalgia Days. The vote on roll call was: Commissioners McDowell, aye; Taylor, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

### LAKE COUNTY PUBLIC WATER DISTRICT

Don White, Acting General Manager, Lake County Public Water District addressed the concerns of the City Council on the Lake County Public Water District (LCPWD) proposed bond issue. The District is asking the City to waive the provision in its water supply contract for a 90-day written notice of any proposed bond issue, as well as the City's 30-day response period. The Water District is looking to issue revenue bonds in the amount of \$4.5 million to finance needed repairs and upgrades to its water treatment facilities. Mr. White stated they have an opportunity to get the bonds at 2 percent interest rate, but that rate will only be good until July 15, 2015. He stated if they wait the full 120 days that would take them to August 14<sup>th</sup> which is 30 days past the banks' guaranteed interest rate. Mr. White stated he would like to discuss the projects the \$4.5 million bonds will be funding. He stated the intake vent system is losing sand

which they speculate is from North Pointe Marina. He stated the intake pipeline used to have four feet of sand over it, now the sand is below the midpoint of the pipeline. They will be installing intake pipe collars, which go around the intake pipeline and are pile driven through both sides of the collar to support the intake pipeline. He stated if this is not done, there is a potential of losing the pipeline. Mr. White stated the second project to be funded is the rehabilitation of solids contact unit#2 at a cost of \$500,000. The third is the rehab of solids contact #1. He stated this unit was last rehabbed over 16 years ago and is in desperate need of repair. Mr. White referred to a letter sent to the Water District from Mayor Hill outlining concerns he has on the bond issue. He stated he would like to address these questions:

1. Did the District look into alternate Funding?
  - a. The District hired two grant writers to look into alternate funding. If a grant was to be submitted to the Illinois Emergency Management Association it could take 18-24 months to know if they would receive any funding.
  - b. State Revolving Loan Program - it was discovered the bank rate with the bond interest rate was more attractive at 2%.
  - c. Army Corp of Engineers – at this time funding is not available in Lake County, IL.
2. What is the totality of the project?
  - a. Right now the bond issue is asking for 48 collar bents for the pipeline, however there will be a total of 98 needed. Currently there are 15 installed, but there will be an additional 35 that will be needed at a future date. This cannot be forecasted due to not knowing how Mother Nature is going to react with storms.
3. What is the status of Solids Contact unit #2?
  - a. This was rehabbed in 2011 however the work failed. The District is in the process of trying to recoup their investments into the tank. They are waiting for results on legal matters. He stated the attorneys feel they have a good case. In the event that any costs are recovered, this would be applied toward the bond issue. Mr. White stated any funds received through grants or legal matters will be applied to the bond issue as the bonds are recallable.
4. What effect will this have on the Customers?
  - a. Based upon the calculations ending fiscal year 2015, it will cost 55 cents per thousand gallons. He stated the cost can go up or down depending on how much water they will pump.

Mayor Hill asked how much the City was currently paying. Mr. White stated the operations and maintenance costs are 1.658 per thousand gallons. Commissioner McDowell asked the opinion of Mr. White on the cause of the loss of sand. Mr. White stated he speculated it was the North Pointe Marina. He stated after the Marina was built they started noticing the loss of sand. Mayor Hill asked if the DNR made any commitment to replenish the sand. Mr. White stated he did not have any answers. Commissioner McDowell asked if the State of Illinois, who owns and operates the Marina is in any way responsible for some of the damage that is occurring to the bent systems. Mr. White stated he feels they are at fault for the sand loss. He stated the District contacted the DNR in 2011 to see if there was any funding available or if there was anything they could be done to help with the problem. He stated they were told there was no funding available at that time. In 2013, they went to Springfield to meet with the DNR and other officials, but were told the Marina was not at fault. Mr. White stated a few years ago Governor Quinn publically admitted the sand loss was there, however the District has not pursued anything further with the DNR. Commissioner McDowell stated the District is asking the City to do a bond of \$4 million. He stated he would like to know if there are other avenues of revenue that can be used to fix the problem besides the City of Zion putting their name on a bond. Mr. White stated they are looking into grants and are trying to contact the Army Corp. but that takes time and they are concerned about losing the pipeline. He stated they cannot wait for grant money to stabilize the pipeline. Commissioner Hill stated this issue is way beyond Zion. He stated there is very little beach left and is troubled by the fact that the construction of the Marina caused the problem. He stated it was his understanding that there was a commitment to move the sand from the north side to the south side but they ran out of money. He stated no one is doing anything about it and now it falls on the City and he is not sure what they can do about it. Mr. White stated unfortunately without

putting the collars on the intake pipe, there is a potential of losing the intake pipe which means no water. Mr. White reminded the Council that the bonds are callable and any funds received will be applied towards the bond issue. Commissioner McDowell asked if the money received through the Municipality was ever intended to be used for capital improvements like this issue. Director Colangelo stated they were already looking at a rate increase of 9 cents. He stated his biggest fear is if they go to bond for the total amount, they will not be successful in obtaining any grants. He stated it will look like there is not a need for grants since the project will appear to be fully funded. He asked if it was possible for the District to go to bond for a lower amount and do have half the project to allow time to seek additional money. Mr. White stated the District needs to take advantage of the low rates now because there is no guarantee that the same rates will be there in the future. He stated this will cost the City even more money. Director Colangelo stated people don't understand how the Water District is funded. He stated the District is not a taxing body and revenue is based on water rates through the customer. He stated the City doesn't want to saddle the residents with everything all at one time. He stated the City is not in a position to just hand over money. He asked what would happen if this project could not be funded. Mr. White stated if the repairs were not made to the pipeline, the alternative would be no water. Mayor Hill asked about the possibility of funding 20 bents now with the bonds and in the meantime the Water District would aggressively look for money and see who could offer help. He stated if the project needed additional funding, they could go out to bond again next year. He stated it would be the Council's decision to decide to roll the dice on the rates. He stated he understands the urgency but with 55 cents that would be raising the resident rates almost 33%. Director Knabel asked how many bents were emergent. Mr. White stated at least 15-20 are needed now. Mayor Hill asked what the process would be. He asked if the City only agreed to fund 20 bents could the District decide to go ahead and fund the full 48. Jerry Topcik, Board Chairman, stated the District could decide to do all the vents which would save a significant amount of money primarily in construction costs. He stated the District is looking to save everyone money. Director Knabel stated he just wanted to be clear; the bond issue would raise the rates to 64 cents per 1,000 gallons resulting in a 16 percent increase for residents. Director Colangelo stated it will cost the average water user between \$6.00 and \$10.00. Mayor Hill stated the alternative would be no water. Mayor Hill called for a motion to authorize writing a letter to waive the 90 days and the 30 day wait period.

It was moved by Commissioner Taylor, seconded by Commissioner McDowell to authorize Mayor Hill to write a letter waiving the 90 day written notice of the proposed bond issue as well as the City's 30-day response period. The vote on roll call was: Commissioners McDowell, aye; Taylor, aye; McKinney, aye; and Mayor Hill, aye. Motion carried

#### **INTERGOVERNMENTAL AGREEMENT/IDOT**

A memo (15-DOC-53) was received from Director Colangelo requesting authorization to renew an Intergovernmental Agreement between the Illinois Department of Transportation and the City of Zion. He stated the current agreement between Illinois Department of Transportation (IDOT) and the City for maintenance of Sheridan Road and Route 173 (Lewis Ave. to Sheridan) is set to expire on June 30, 2015. He stated IDOT is requesting the City renew the agreement for an additional 10 years. Estimated compensation to the City during the life of the agreement is \$559,200.00. He stated maintenance responsibilities include sweeping, trash pick-up, pothole repair, snow and ice control and possible crack sealing.

It was moved by Commissioner Taylor, seconded by Commissioner McKinney to approve the renewal of an Intergovernmental Agreement between IDOT and the City of Zion for maintenance of Sheridan Road and Route 173 (Lewis Avenue to Sheridan Road) for an additional ten years. The vote on roll call was: Commissioners McDowell, aye; Taylor, aye; McKinney, aye; and Mayor Hill, aye. Motion carried

#### **FIRE PROTECTION DISTRICT**

Mayor Hill stated a few months ago City staff got together to discuss ways to decrease taxes. Director Knabel and Chief Lewis had the idea to form a consolidated Fire Protection District with Zion, Beach Park, Winthrop Harbor and Newport. He stated this would provide for better use of personnel and equipment.

He stated a feasibility study would need to be done to see if it would save money for all the districts. Deputy Fire Chief Eric Montellano said all the departments were sent a letter to see if they were interested. He stated Beach Park and Newport are interested but Winthrop Harbor declined to participate. The three departments have decided to go forward to see if consolidation is feasible. He stated it is a two-step process. He stated the first step would be for the Zion Fire Rescue Department to become a Fire Protection District, which would require approval from the voters. He stated Beach Park and Newport are already Fire Protection Districts. He stated if the feasibility study comes back favorable, then the voters in all three Districts, would have to approve consolidation of the Fire Protection Districts. He stated if approved then all districts are contacted to go over issues like personnel, station locations, equipment, pension, unions, to see if it feasible. Commissioner McDowell stated he would like the criteria of the study to show the worth of the project. He stated he would like it to show a reduction in the tax levy and show that the excellent level of service will stay the same. Mayor Hill stated he has directed Legal Counsel to look into this process and put together a step by step map to follow. City Attorney Paula Randall stated they have just started working on the project and will report as they go. Mayor Hill stated time is of the essence and he would like to see the study happen fast. Commissioner McDowell stated it will all have to be approved by the voters. Deputy Chief Montellano stated the voters need to be educated on the process. He stated the level of service will not change and there will likely be a savings in equipment. He stated consolidation could reduce the need for costly equipment and personnel could be disbursed more effectively throughout the District. He stated if the voters decided not move forward with consolidation, they could look into possibly sharing vehicles.

### **BUDGET FOR FISCAL YEAR MAY 1, 2015 THROUGH APRIL 30, 2016**

Mayor Hill stated he would like to schedule two budget workshops for the month of June. He stated he would like the Council to pass the final budget at the last meeting in July. He stated there are two new Commissioners on the Council and a new Mayor and there is a lot to understand. He feels two more workshops will be helpful. Director Knabel stated nothing has changed since their last discussion; the overall deficit of \$1.6 million is still there. He stated there is \$1.2 million in cash reserves, but they must look at every possible way to cut expenses.

### **DEPARTMENTAL COMMENTARY**

Director Knabel stated Senator Bush is proposing an impact fee on nuclear storage. He stated she has created an online petition in support of her legislation. Director Knabel encouraged everyone to review the information to become better informed on the issue. He stated citizens can register their own opinion online at [senatormelinabush.com](http://senatormelinabush.com).

### **ANNOUNCEMENTS**

|         |                        |   |
|---------|------------------------|---|
| June 11 | 3:30 p.m.              | Comprehensive Plan Open House at Zion City Hall   |
|         | 7:00 p.m.              | Public Hearing/Planning & Zoning adoption of Comprehensive Plan at Zion City Hall                 |
| June 13 | 9:00 a.m.-5:00 p.m.    | “Trash to Treasure” Lawn Sale at Shiloh Blvd & Elisha Ave. to benefit the Zion Historical Society |
| June 16 | 6:30 p.m.<br>7:00 p.m. | Town Board Meeting<br>Zion City Council Meeting   |
| June 20 |                        | Nostalgia Days  |

**CLOSED SESSION**

It was moved by Commissioner Taylor, seconded by Commissioner McKinney that the Council recess to Closed Session at 8:25 p.m. to discuss personnel. The vote on roll call was: Commissioners McDowell, aye; Taylor, aye; McKinney, aye; and Mayor Hill, aye. Motion carried

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 8:43 p.m. with all members present. The vote on roll call was: Commissioners McDowell, aye; Taylor, aye; McKinney, aye; and Mayor Hill, aye. Motion carried

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner McDowell, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 8:44 p.m. Motion carried.

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Deputy City Clerk