

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 6, 2017, 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 McKinney, DeTienne, Fischer, and Mayor Hill. Commissioner McDowell was absent. A quorum was present.

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

In recognition of D-Day, June 6, 1944, Mayor Hill asked for a moment of silence in honor of those who sacrificed their lives on the beaches of Normandy.

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

AGENDA CHANGES

It was moved by Commissioner DeTienne, seconded by Commissioner Fischer to accept the City Council meeting agenda as presented. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

CITIZEN COMMENTS

Gerrie Holmes, Zion, stated that she has been complaining about the pond at Zion Senior Cottages since 2013. She stated that the pond is not maintained and the owners are horrible. She stated that the pond is overgrown with weeds, is covered with algae, has a foul odor and the fountains that were installed made too much noise. She stated that the matter has been addressed somewhat, but not as it should be. She stated that local landscapers are hesitant to address the problems with the pond due to chemicals being used and the subsequent danger to residents and wildlife. She stated that the owner should be held responsible. Mayor Hill stated that Zion Senior Cottage residents' issues with the pond change from year to year. He stated that the weeds were cut, the algae was eliminated, and an aerator was installed. He stated that the detention pond is now leaking into Kellogg Creek which is causing the low water level. Mayor Hill stated that the City has no control over the pond. He stated that it is a detention pond, which will have weeds, and it will not be maintained like a park. He stated that Ms. Holmes has unrealistic expectations. Mayor Hill asked Ms. Holmes to be present when Stormwater Management comes to assess the situation with the leaking into the creek. Director Ianson will schedule a meeting with all Zion Senior Cottage residents to discuss the problem.

Terry Johnson, Zion, stated that the pond at the Zion Senior Cottages smells and looks bad. She stated that the pond is not maintained, is a joke, and the situation is pitiful.

Kathy Champine, Zion, asked how many FOIA (Freedom of Information Act) requests have been received in the last three years. Clerk Burkemper estimated that at least several hundred requests have been processed during that time frame. Ms. Champine asked who the top five FOIA requesters are. Clerk Burkemper stated that Smart Procure, the Better Government Association, and Howard Handler are frequent requestors. Ms. Champine asked how much time and money is spent by the City responding to FOIA requests. Clerk Burkemper stated that it would be very difficult to go back and determine the amount of time staff has invested in researching and responding to FOIA requests, but that such information could be tracked going forward. Ms. Champine asked if the City could post a FOIA log on the City's website detailing the date of the request, the name of the requestor, and the information requested. The City Attorney will investigate the possibility of posting a FOIA log. Ms. Champine asked Mayor Hill if he would stand with other mayors regarding #45 announcing that the United States would withdraw from the Paris Agreement. Mayor Hill stated that the Council would need to make that decision.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on May 16, 2017 at 7:13 p.m.; and
- (a) **BILLS:** Vouchers 126503 through 126618 drawn on First Merit Bank, Total: \$718,707.80
- (b) **PROCLAMATION:** Memorial Day, May 29, 2017

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

**RESOLUTION/ELECTED OFFICIALS' PARTICIPATION
IN ILLINOIS MUNICIPAL RETIREMENT FUND**

A memo (17-DOC-44) was received from Clerk Burkemper requesting that the Council pass a resolution relating to participation by elected officials in the Illinois Municipal Retirement Fund (IMRF). She stated that a special memorandum was received from IMRF requiring that all governing bodies of units of government with elected officials participating in IMRF pass new resolutions re-affirming that the positions meet the IMRF hourly standard. She stated that, in July 2016, the City Council passed Resolution 16-R-11 adopting the annual 1,000 hour standard for Illinois Municipal Retirement Fund participation for the Mayor's position only. She stated that the Municipal Code was also amended at that time to provide for the Mayor's participation in IMRF if eligible. Clerk Burkemper stated that the amendment stated that the position of Mayor is qualifying based on the office requiring work for 20 hours per week in 50 weeks of the year, and if requested by IMRF, the Mayor should be prepared to produce documentation verifying that the hours required to perform the duties of the office meet or exceed the 1,000 IMRF hourly standard. Mayor Hill stated that he, nor any other member of the City Council, currently participate in IMRF.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney, that a Resolution (17-R-26) be passed re-affirming that the position of Mayor meets the IMRF 1,000 hourly standard. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

ORDINANCE/SPECIAL USE PERMIT/1410 GREEN BAY ROAD/LANDSCAPE SUPPLY BUSINESS

It was moved by Commissioner DeTienne, seconded by Commissioner McKinney, that an Ordinance (17-O-31) be passed granting a Special Use Permit to operate a landscape supply, organic yard waste transfer station, salt supply, and contractor parking facility at 1410 Green Bay Road as petitioned by Fred Schall, Lake Villa, Illinois. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

**ORDINANCE/SIXTH ADDENDUM TO LEASE AGREEMENT/MARTHA'S NURSERY &
LEARNING CENTER/1225 27TH STREET**

It was moved by Commissioner McKinney, seconded by Commissioner Fischer, that an Ordinance (17-O-32) be passed entering into a sixth addendum to the lease agreement for 1225 27th Street for use by the daycare facility for outdoor activities between Martha's Nursery & Learning Center and the City of Zion. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ABOLISHING “EMERGENCY NOTIFICATION SYSTEM POLICY”

A memo (17-DOC-45) was received from Chief Lewis requesting that the Council consider abolishing the “Emergency Notification System Policy” (CodeRED). He stated that he cancelled the contract with the emergency communications vendor effective June 1, 2017 as a cost saving measure due to the City’s current financial constraints. He stated that the annual savings would be \$12,500 and that the service was not absolutely necessary. He requested that, with the cancellation of the service, the City Council abolish the related policy. Chief Lewis stated that residents were informed that the service was being discontinued via a CodeRED message on May 30, 2017.

It was moved by Commissioner Fischer, seconded by Commissioner DeTienne to abolish the “Emergency Notification System Policy” (CodeRED) effective immediately. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

19TH STREET WATERMAIN REPLACEMENT/ENGINEERING SERVICES

A memo (17-DOC-46) was received from Director Colangelo stating that a proposal was received for design and construction engineering services for the replacement of the watermain in the 1000 and 1100 blocks of 19th Street. He stated that this section of main, built in 1963, has suffered numerous breaks over the years and is in need of replacement. He stated that the estimated project cost is \$250,000. Director Colangelo recommended approval of the proposal of Christopher Burke Engineering of Rosemont, Illinois, in an amount not to exceed \$38,000, and to advertise for bids upon completion of the design and bid documents. He stated that funding for the engineering services and construction would come from Fund 49 Waterworks and Sewer Capital Improvements and has been budgeted accordingly.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney, to accept the proposal of Christopher Burke Engineering of Rosemont, Illinois, in an amount not to exceed \$38,000, and to advertise for bids upon completion of the design and bid documents. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

RESOLUTION/SWALCO DIRECTOR APPOINTMENT

It was moved by Commissioner DeTienne, seconded by Commissioner McKinney, that a Resolution (17-R-27) be passed appointing Commissioner Christopher Fischer as Director to SWALCO. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

APPOINTMENT/TIF REVIEW BOARD

It was moved by Commissioner McKinney, seconded by Commissioner Fischer to appoint Audrey Liddle, Zion Benton Township High School Business Manager, to the TIF Review Board. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

BYLAWS/CITIZENS UNITED FOR A BETTER ZION (CUBZ)

Citizens United for a Better Zion (CUBZ) bylaws (17-DOC-47) were updated. It was moved by Commissioner McKinney, seconded by Commissioner DeTienne to approve the Citizens United for a Better Zion (CUBZ) bylaws as presented. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

GENERAL FUND BUDGET APPROVAL/FISCAL YEAR 2017/2018

It was moved by Commissioner McKinney, seconded by Commissioner DeTienne to approve the General Fund Budget only for Fiscal Year May 1, 2017 through April 30, 2018 as presented. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Chief Dumyahn stated that Operation Guardian 2017 would take place from June 7 through June 14, 2017, with July and August dates to be announced. He stated that Operation Guardian 2017 is a planned multi-jurisdictional initiative that is in line with the Zion Police Department's continued commitment to address the intolerable criminal activity and gun incidents in the Zion community. He stated that the Department's concentrated efforts will include areas that have experienced aggravated battery with firearm offenses, shots fired calls where physical evidence has been recovered, and areas where firearms have been recovered from individuals with a heavy focus on enforcement on individuals known to carry out these violent crimes and individuals wanted on warrants for various crimes. The operation involves several components including a City-wide warrant sweep, a directed/proactive patrol by Zion Police Officer Tactical Units in areas identified to have a greater frequency of gun crimes/offenses, Zion Police Department Drug/Gang Unit directed activities in cooperation with other law enforcement entities, Lake County MEG focusing on areas of drug & gang crimes, and City-wide sex offender compliance checks by Zion Police Officers. The priority is to create a safer environment for citizens within the City of Zion as well as increase safety for officers working the streets this summer. The objective is to make a realistic impact by making arrests, recovering illegal handguns, and saturating high crime areas. The intent is to send a high visibility message in order to deter violent crime this summer while creating a positive presence within the community. Chief Dumyahn thanked Zion citizens for their cooperation, understanding and support.

ANNOUNCEMENTS

June 17		Nostalgia Days
June 20	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
June 24	9:00 a.m. to 5:00 p.m.	"Trash to Treasure" Lawn Sale at Shiloh Blvd & Elisha Avenue to benefit the Zion Historical Society
July 4		City Offices Closed for the Holiday
July 5	7:00 p.m.	Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner McKinney, seconded by Commissioner Fischer that the Council recess to Closed Session at 7:40 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of personnel and pending litigation. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner McKinney, seconded by Commissioner Fischer to reconvene the Regular Council meeting at 7:55 p.m. with all members present. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, aye; and Mayor Hill, aye. Motion carried.

SETTLEMENT AGREEMENT/DAVIS V. CITY OF ZION

It was moved by Commissioner DeTienne, seconded by Commissioner Fischer to table approval of a settlement agreement between Christopher Davis and the City of Zion until the June 20, 2017 City Council meeting. The vote on roll call was: Commissioners McKinney, aye; DeTienne, aye; Fischer, 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 DeTienne, seconded by Commissioner Fischer and unanimously approved the meeting be adjourned at 7:56 p.m. Motion carried.

City Clerk

Approved June 20, 2017