

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JULY 18, 2017, AT 7:05 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

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Mayor Hill recognized the individuals from the Many Hands Project for their help filling sandbags for neighboring Newport Township. A few of the volunteers helped open the City Council meeting.

Naomi Driver called the meeting to order.

Samuel Rocha asked the Clerk to call the roll. On call of the roll the following answered present: Commissioners McDowell, McKinney, Fischer, DeTienne and Mayor Hill. A quorum was present.

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

Nathan Statter led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

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

PUBLIC HEARING/APPROPRIATION ORDINANCE

Mayor Hill opened the Public Hearing at 7:10 p.m. for the Appropriation of the City of Zion for the Fiscal Year beginning May 1, 2017 and ending April 30, 2018.

Finance Director David Knabel stated that the City must pass an appropriation ordinance within 90 days of the beginning of the fiscal year. He stated that the ordinance is an internally governing document which serves as the legal authority on what the City of Zion can spend while allowing for unknown or emergency expenditures. The City's current budget is approximately \$42,000,000 and approximately \$6.5 million over budget is built in to the appropriation for emergency expenditures. He stated the Appropriation Ordinance is in the total amount of \$48,172,952. The Appropriation Ordinance is on file in the Clerk's Office for anyone to view.

Mayor Hill asked if there were any comments and/or questions from the public.

A resident asked if the City plans on spending the \$6 million that is being appropriated. Mayor Hill stated the difference between the budget and the appropriations is; the budget is what the City decides to spend the upcoming year and the appropriations is the amount the City would be able to spend if there is an emergency of some type or for unforeseen circumstances. He stated the City must appropriate the funds but it is not the amount shown on the taxes. He stated the levy amount will be what is shown on the taxes (6.2 million). The rest of the money used to operate the City comes from the State, or sales tax fees or other revenue sources. Mayor Hill stated the City has never gone over the budget amount and used the appropriations.

There were no other comments and/or questions from the public. Mayor Hill declared the Public Hearing closed at 7:16 p.m.

SPECIAL PRESENTATION/BELLA'S BISTRO MARKET

Mayor Hill stated he recently met with Rocky Bhalla from Bella's Bistro Market. He stated Mr. Bhalla is interested in obtaining a liquor license for a wine bistro. He stated the City does not currently have a liquor class that encompasses the concept of Mr. Bhalla's business. He stated he has asked Mr. Bhalla to come to a City Council meeting and present his concept to the Council. He wanted to get a consensus from the City Council before bringing the idea before the Liquor Control Commission. Mayor Hill stated he fears that this business is a back door way to get a gaming facility.

Rocky Bhalla stated he has primarily been in the gas station and liquor business. He stated he has created a new concept that he has brought before the Council. He stated the idea is an Italian bistro with Italian groceries, deli, novelties and gaming. He would also like to sell bottles of affordable wine. He stated he has signed a lease for a property on Sheridan Road in the strip mall with Dollar General across from Family Video. He stated he is building a similar business in Bensenville (opening in October), and a bistro/grocery store in Round Lake Beach. He stated

he has gaming in all of his restaurants, but it is not the main focus. He stated his gaming machines are gated off and out of sight.

Mayor Hill stated Zion does not currently have a class that addresses sales that are off premise and on premise. He stated if the consensus is to move forward, there would have to be a new class created.

Commissioner McDowell stated he is not in favor of adding additional gaming, but he likes the idea of a grocery store and restaurant. Mr. Bhalla stated he needs the gaming revenue to help cover his expenses.

McDowell asked if all current liquor licenses are in use. Mayor Hill stated when a license becomes vacant the Council reduces the amount of available licenses in the Code. Currently there are no open licenses. He stated a new license class would have to be established. He asked Mr. Bhalla what type of liquor he intended to serve. Mr. Bhalla stated he would like to serve wine, and craft beers. Mayor Hill stated if Mr. Bhalla is approved for a license, he must abide by the rules or the City will pull the liquor license. He stated often times people come in to the City and get approved for a liquor license and do not follow the rules. Mr. Bhalla stated he will do exactly what the Council asks of him. Mayor Hill stated if the consensus is to move forward, Mr. Bhalla will be required to make a presentation to the Liquor Commission. He stated if the Liquor Commission makes a recommendation to create a new license class it will be brought back to the City Council for approval.

Commissioner Fischer stated he feels it is a great concept and likes the idea of the specializing in different items, but would prefer it be without gaming.

Commissioner DeTienne stated he feels it is a beautiful concept and would be interested in a restaurant. He stated he not interested in another place with gambling. Mr. Bhalla suggested the Council set parameters for the gaming.

Commissioner McKinney stated he is open to the concept with parameters. He stated the twenty-five year plan for the City includes more entertainment for adults. He stated he likes the idea of having a place to go for some good wine and food. He stated the gambling component does not bother him. He stated it brings in revenue for the City. He feels the concept would exude class.

Attorney Randall stated if a license is granted, the Council would have to create a special license for carry out liquor and a bistro. She stated once awarded a liquor license, the City has no authority over the gaming. She stated it is State controlled.

Mayor Hill stated in the next couple of weeks he will contact the members of the Council for their ideas on license parameters. After which he will sit down with Mr. Bhalla and go over the details. A liquor meeting will be scheduled for a presentation to the Liquor Commission and discussion for the creation of a new liquor class.

CITIZEN COMMENTS

William C. Bremner, Zion, stated a few months ago, the Council decided to eliminate the CODE RED notification system stating it was only used about three (3) times a year. He stated last week there was a watermain break at 26th and Edina. He stated he didn't find out about the problem until he went to use his water. He stated he thought he had problems with his water heater and had someone come to check it out. He found out the problem was the watermain break. He said in the past residents would find out about important issues through the CODE RED system. Mr. Bremner requested the Council place the CODE RED item on the agenda for review and reconsideration. Mayor Hill stated he will put it on the next agenda for reconsideration. He stated CODE RED was eliminated for budget reasons. He stated the cost was \$12,500 a year and the Council felt it was rarely used and chose to eliminate it.

Carlos Smith of the Elite Striders Positive Youth Organization approached the Council requesting a donation for the Elite Drum Core. Mr. Smith stated on August 6, he is taking the Drum Core to Baltimore for the National Championships. He stated most of the kids are from Zion. He stated they have been practicing for two years. The trip will cost around \$10,000. Mayor Hill stated unfortunately, the City has no money for donating in the budget. He

stated he will donate privately and feels there are a number of people who would be willing to donate. Donations can be made through Elite Striders Facebook page or by mail. They are at Hermon Park every day from 5:00 p.m. to 7:30 p.m. Elite Striders is a not-for-profit organization and all donations are tax deductible.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on July 5, 2017 at 7:00 p.m.; approval but not release of Closed Session Minutes of a meeting held on July 5, 2017 at 7:52 p.m.
- (b) **BILLS:** Vouchers 126801 through 126928 drawn on First Merit Bank, Total: \$486,348.75
- (c) **RECEIVE AND PLACE ON FILE:** Lake County Public Water District Audit for Fiscal Year ending April 30, 2017, Update to the City of Zion Comprehensive Plan

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

Mayor Hill stated the Lake County Public Water District sets the rate to sell water to the City. He stated the rate to the City will be reduced by \$.10. He stated the Council is considering passing the rate decrease on to the residents. The consideration will be placed on the agenda for the August 1st meeting.

RESOLUTION OF COMMENDATION/BRIAN FIENE

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that a Resolution of Commendation (17-R-30) be passed recognizing Brian Fiene of the Police Department for 20 years of dedicated service to the City of Zion. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

APPROPRIATION ORDINANCE

It was moved by Commissioner Fischer, seconded by Commissioner McKinney that an Ordinance (17-0-39) be passed making appropriations, totaling \$48,172,952 for all funds, for the City of Zion, Illinois for the Fiscal Year beginning May 1, 2017 and ending April 30, 2018. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/RENEWAL/LEASE AGREEMENT/PORCION OF UNIMPROVED 29TH STREET RIGHT-OF-WAY

Director Ianson stated in 2016, Ramiro Aranda, property owner at 1007 29th Street, requested to lease 36 square feet of the unimproved 29th Street right-of-way and 288 square feet of unimproved City property, totaling 324 square feet, for additional parking for his multi-family residential dwelling unit. He stated this is a renewal of the lease.

It was moved by Commissioner McKinney, seconded by Commissioner DeTienne, that an Ordinance (17-0-40) be passed to renew the lease agreement between Ramiro Aranda and the City of Zion for lease of 36 square feet of the unimproved 29th Street right-of-way and 288 square feet of unimproved City property, totaling 324 square feet, for additional parking for his multi-family residential dwelling unit at 1007 29th Street. The vote on roll call was: Commissioners. McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye Motion carried. Ordinance passed.

ORDINANCE/SURPLUS VEHICLE/POLICE DEPARTMENT

A memo (17-DOC-55) was received from Chief Dumyahn requesting that a vehicle be declared surplus property and liquidated through Clinton Auto Auction which is the City's approved process.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that an Ordinance (17-O-41) be passed declaring a 2009 Ford Crown Victoria VIN 2FAHP71V19X147238 surplus property.

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

ORDINANCE/ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS/SECOND READING

It was moved by Commissioner McDowell, seconded by Commissioner Fischer, that Ordinance (17-O-42) be passed authorizing the issuance of General Obligation Refunding Bonds (Alternate Revenue Source) of the City of Zion, in an aggregate principal amount not to exceed \$3,700,000 to refund certain outstanding obligations of the City of Zion and for the payment of the expenses incident thereto. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

PUBLIC HEARING/GENERAL OBLIGATION REFUNDING BONDS

It was moved by Commissioner McDowell, seconded by Commissioner McKinney to set a public hearing for August 15, 2017 at 7:00 p.m. concerning the intent of the City Council of the City of Zion, Lake County, Illinois, to sell not to exceed \$3,700,000 General Obligation Refunding Bonds (Alternate Revenue Source). The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

HOTEL/MOTEL TAX GRANT APPLICATIONS

A memo (16-DOC-56) was received from Director Knabel requesting the Council's consideration of hotel/motel tax grant applications for Elite Striders, CAMBr, Potawatomi Trails Powwow, Inc. and Zion Historical Society. He stated that annually the City allocates a portion of its hotel/motel tax funds for a local event grant program to encourage organizations to host events in Zion that will bring in tourism and encourage overnight stays in local hotels. He stated that \$34,000 was allocated in the budget for the program. Director Knabel stated four requests were received:

Elite Striders - \$7,000 - Recommended approval not to exceed \$7,000 to be used for marketing only as presented in the application. It was moved by Commissioner McDowell, seconded by Commissioner McKinney to approve a hotel/motel tax grant for Elite Striders. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

CAMBr (Chicago Area Metropolitan Bikers, Inc.) - \$2,500 – Director Knabel believes it is a fantastic event for the City. He stated the group was responsible for the re-grading and signage of the Beulah Park Trails. He stated unfortunately, the application was incomplete and recommended denial at this time. Director Knabel stated once the issues are addressed, he recommended that the organization resubmit their application for reconsideration. Commissioner McDowell asked if the event was sponsored by the Zion Bike Shop. A representative for the CAMBr group stated they are part of the event. They are promoting the Second Annual Belulah Boogie Mountain Bike Festival and Race. Commissioner McDowell stated the event was very successful last year and brought in people from all over. He stated he sees that the group scored low on the checklist and asked if it was the reason for the denial. Director Knabel stated there must be a consistent way to score the applicants so there is no bias. Mayor Hill stated in looking at the application he sees items on the score sheet that were not addressed. He stated if those items were addressed he believes they would have been awarded the grant. He stated there is a process in place and applicants are all asked the same questions to be fair to everyone. He stated it is a great event and he suggests sitting down with Economic Development to address the problems and resubmit the application. He stated he sees this becoming a great event for the City. Director Knabel stated the goal would be to address the issues and put the application back on the agenda for the August 1st meeting for reconsideration.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney to table consideration of the application for a hotel/motel tax grant for the CAMBr group until the August 1, 2017 meeting. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

Potawatomi Trails Powwow, Inc. - \$6,500 – Recommended approval not to exceed \$6,500 for marketing only as presented in the application.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer to approve a hotel/motel tax grant in the amount of \$6,500 for Potawatomi Trails Powwow, Inc. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

Zion Historical Society - \$5,000 – Recommended approval not to exceed \$5,000 for marketing and promotional materials as presented in the application. Commissioner McDowell stated he recommends approving the grant for the Historical Society but he resides on the Board and would like to recuse himself from voting.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney to approve a hotel/motel tax grant in the amount of \$5,000 for the Zion Historical Society. The vote on roll call was: Commissioners McDowell, pass; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

Mayor Hill stated the City has received four incredible applications. He stated there are a variety of things that the groups are bringing to the community and many of the events are new. Mayor Hill asked a representative from the Historical Society to share the details of their event. Jill Zwicke, Zion Historical Society board member stated they will be doing a cemetery walk similar to Waukegan. The Zion event will be called “A Walk through Time”. This year the event will take place at Mt. Olivet with costumed actors telling the story of Zion’s historic people. Every year they hope to do some historical event to bring people to Zion to learn its history.

LEGAL REPRESENTATION/NUCLEAR WASTE STORAGE COMPENSATION PROJECT

A memo (17-DOC-57) was received from Director Knabel regarding Nuclear Legislation attorney hours. Director Knabel stated that the City Council previously approved a cap of seventy-five (75) legal hours for legal representation for the nuclear waste storage compensation project. He stated they have now exceeded the cap. The taxing bodies that are participating have been asked to approve and additional one hundred twenty-five (125) hours bringing the total hours to 200 hours. The total cost of the time is shared by the various taxing bodies and the City’s share would be approximately \$5,000.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney to approve an additional one hundred twenty-five (125) hours for legal representation for the nuclear waste storage compensation project. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

SPECIAL USE PERMIT/4527 ROUTE 173/VETERINARY CLINIC

A memo (17-DOC-58) was received from Director Ianson requesting approval of a Special Use Permit for a Veterinary Clinic at 4527 Route IL 173 as petitioned by Dr. Tonya Gray, Zoning Docket 17-Z-4. The Planning and Zoning Commission recommended approval at a meeting held on July 6, 2017. Director Ianson stated Dr. Gray has been serving the community for the past 19 years as a Veterinarian. She will not be boarding animals at this location. Accommodations for an overnight stay due to surgery may be necessary. He stated there is green space to the north of the building for when it is necessary to walk the animals. He stated the staff will be monitoring and maintaining the grounds. The hours of operation will be Monday 8-6 walk-in, Tuesday 8-7 walk-in, Wednesday-Friday 8-6 and Saturday 8-2 by appointment.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell to grant a Special Use Permit for a Veterinary Clinic at 4527 IL Route 173 to Tonya Gray, and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

CITY OF ZION MASS PROPHYLAXIS DISTRIBUTION PLAN

A memo (17-DOC-59) was received from Chief Lewis regarding revisions to the City’s Mass Prophylaxis Plan. He stated recent changes from the Lake County Health Department have required a change to the City’s existing plan. He stated that the purpose of this plan is to provide an organized method of distributing antibiotics to the employees and the residents of Zion in the event the County activates their mass distribution plan. Under the old plan, the Lake County Health Department pre-positioned prophylaxis medication at the Zion Fire/Rescue Department to distribute to City employees in the event the plan was activated. Due to the issues with expiration dates and storage, the Lake County Health Department now stockpiles the employee medications at their facility for delivery with the resident medications in the event of a mass distribution. To assist them in the maintenance of their stockpile, annual updates are requested by

the Health Department on the total number of the City's employees as well as the number of the mission critical personnel. The attached plan reflects the changes to the City's plan as directed by the Lake County Health Department. The plan serves as a guide only and may be altered based on need and data available to the Health Department at the

time of the event. The fire, police, and public works departments are actively involved in the actual distribution of the medications to the employees or residents and should have familiarity with the plan. It is the intent of the Lake County

Health Department to schedule a date, depending on availability to run a mock distribution to evaluate the effectiveness of the City plan. This is coordinated with the main contacts for the plan. Upon approval of the plan, a copy will be sent to the County for filing. Commissioner McDowell stated the information regarding the Zion polling places and contacts are no longer valid. He asked if the information could get corrected. Chief Lewis stated the Health Department has been notified of the changes. He stated the Health Department must make the changes.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney to approve the City of Zion Mass Prophylaxis Plan as presented. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Chief Lewis stated Henry Sahler, longtime ESDA member passed away on July 8th after 40 years of service with the City. He asked that everyone keep his family and the members of ESDA in mind.

ANNOUNCEMENTS

Thursdays through September 28th	11:00 a.m. to 7:00 p.m.	Zion Farmer's Market Location Change - Zion Park District Leisure Center (2400 Dowie Memorial Drive)
August 1	7:00 p.m.	Zion City Council Meeting
August 15	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting Public Hearing re: The Bond Issue Notification Act (BINA)

CLOSED SESSION

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that the Council recess to Closed Session at 8:20 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of personnel and collective bargaining. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer to reconvene the Regular Council meeting at 8:55 p.m. with all members present. The vote on roll call was: Commissioners; McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, 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 McKinney, and unanimously approved the meeting be adjourned at 8:57 p.m. Motion carried.

Deputy Clerk