

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 18, 2018, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

.....

Little Miss Zion Kamila Elias rapped the gavel.

Junior Miss Zion Julisa Cardenas called the meeting to order.

Teen Miss Zion Sydney Pederson called the roll. On call of the roll the following answered present: Commissioners McDowell, Fischer, McKinney, DeTienne, and Mayor Hill. A quorum was present.

Also present: Police Chief Steve Dumyahn, Fire Chief John Lewis, Public Works Director Ray Roberts, City Administrator David Knabel, Building & Zoning Director Richard Ianson and City Attorney Paula Randall.

Miss Zion Samantha Pederson led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

It was moved by Commissioner DeTienne, seconded by Commissioner McKinney to accept the agenda with the following changes:

- Amend - 8 CONSENT AGENDA – (b) **BILLS:** Vouchers **130198** through **130277** drawn on Huntington national Bank N.A., Total: \$489,696.76
- Add - 11 (h) Discussion regarding signs on City property

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

SPECIAL PRESENTATION/JUBILEE DAYS PARADE AWARDS

Mike Pobiecke, Chamber of Commerce President, presented the 2018 Jubilee Days Parade Awards as follows:

Specialty Award - best effort and enthusiasm	Journey Church – Beach Park
Theme Award – best presentation of the parade theme	2018 Zion Queens’ Pageant
Jubilee Director’s Choice – best musical entry	Zion Elementary School Marching Band
Sweepstakes Award – best animation or humor	Meadow Ridge Church of Winthrop Harbor
President’s Choice – most original entry	Winthrop Harbor Queens
Grand Jubilee Trophy – most beautiful entry	Our Lady of Humility School
Mayor’s Trophy – best overall entry	Cub Scout Pack #663

Mayor Hill thanked Mike Pobiecke and the Chamber of Commerce for the work that was done to make Jubilee Days a success. He thanked the Ministerial Association for the Mayors’ Prayer Breakfast, Matt Thorton for all he does in the community and recognized ESDA for their help with Jubilee Days and all the other things they do for the City.

CITIZEN COMMENTS

Denise Lear, Zion, stated she attended the first Council meeting in August. At the time there were thirteen or fourteen unsolved murders in Zion, now she has noticed there are more. She keeps hearing about shootings taking place in broad daylight. She stated Zion is turning into a little Chicago. Mayor Hill stated the Zion Police Department has brought in Lake County Major Crimes Task Force to assist. He stated it is startling to him that victims often know who the perpetrator is but will not disclose it to the police. Chief Dumyahn stated all homicides in Zion have been solved this year. He stated there has been an increase in gun violence. Ms. Lear stated she does not hear when crimes are solved. She stated help is needed from other agencies. Chief Dumyahn stated along with the Lake County Major Crimes Task Force, they have also brought in the Lake County Drug and Gang Unit. Ms. Lear stated she also has issues with the solicitors that go door to door in the evening. She asked how they can get rid of them. She is a single woman and is afraid to open her door at night. Chief Dumyahn stated all solicitors must hold a permit in order to go door to door. He will check into amending the solicitation hours to end earlier in the day. Mayor Hill stated they cannot stop the solicitors but the solicitors must operate within the parameters of the permit. He stated they will look into adjusting the solicitation hours for the next meeting.

Clyde McLemore, Zion, stated recently he got off of work and went to his favorite spot. He stated he is a political consultant and he noticed his signs were gone. He immediately went to one of the contractors in Zion and saw his signs. He believes the City has an ordinance that says there can be no signs in the public roadway. He looked around at all the different signs and saw that they are in the roadways. He believes it should be all for one and one for all. He stated he does not want anyone messing with his signs. He stated he has talked to the Mayor about the signs before. He stated signs cost a lot of money and he would like to have his signs returned to him.

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 September 4, 2018 at 7:00 p.m.;
- (b) **BILLS:** Vouchers 130198 through 130277 drawn on Huntington National Bank N.A., Total: \$489,696.76

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

RESOLUTION/ CITY COUNCIL COMMITMENT/FOLLOW TAX CAPS/ISSUE DEBT WITH CURRENT RESTRICTIONS

Administrator Knabel stated recently the City Council passed a resolution to place a referendum on the November 6, 2018 general election ballot for voters to choose if the City of Zion should become a home rule unit of government. An attorney from Ancel, Glink, gave a presentation explaining the ins and outs of becoming a home rule unit of government. He stated it has been previously discussed that the City is not interested in raising property taxes. The proposed resolution will commit the existing City Council to continue to follow the property tax caps, to issue debt within current restrictions and to conduct public hearings if any new taxes are approved or any existing taxes are increased. Mayor Hill stated the resolution is not binding but is a statement of intent. A future Council may rescind the resolution but would have to do it at a public meeting with just cause. Commissioner McDowell stated he feels the resolution demonstrates the intent of the Council to seek home rule without raising property taxes. The intent is to increase the sales tax by 1%. It is important for the residents to know a sales tax increase will spread out the burden among people other than Zion residents. Mayor Hill stated residents are fearful a future Council may come along and rescind the resolution but it is up to the community to elect officials who they can trust will abide by the resolution.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer, that a Resolution (18-R-21) be passed setting forth a statement to comply with the Tax Cap law and not issue debt solely pursuant to its home rule powers and to conduct public hearings before any existing taxes are increased or new taxes are approved. The vote on roll call was: Commissioners McDowell, aye; Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

ORDINANCE/LEASE RENEWAL/1721 NORTH SHERIDAN ROAD

Director Ianson stated that there is a lease between the City and Lucienne Ventures, Ltd. for property consisting of approximately 2,430 square feet situated on the 18th Street right-of-way, adjacent to 1721 North Sheridan Road, for access to tenant parking. The annual rent payment was set at \$250.00. Director Ianson stated that the current lease expires on October 3, 2018 and he requested that the Council renew the lease for one year.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell, that an Ordinance (18-O-40) be passed authorizing the execution of a renewed lease between the City and Lucienne Ventures, Ltd. for property consisting of approximately 2,430 square feet situated on the 18th Street right-of-way, adjacent to 1721 North Sheridan Road, for access to tenant parking, with an annual rent payment of \$250.00. The vote on roll call was: Commissioners McDowell, aye; Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/SURPLUS PROPERTY/FIRE DEPARTMENT

A memo (18-DOC-66) was received from Chief Lewis requesting that a 2004 Horton Ambulance be declared as surplus property. The ambulance we recently replaced using funds from the 2018 Capital Line Item. The intent is to contract with B&P Apparatus to sell the ambulance.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that an Ordinance (18-0-41) be passed declaring a 2004 Horton Ambulance Vin # 1HTMNAAM55H685487 surplus and contract with B&P Apparatus to sell the ambulance. The vote on roll call was: Commissioners McDowell, aye; Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/SURPLUS VEHICLES/POLICE DEPARTMENT

A memo (18-DOC-67) was received from Chief Dumyahn requesting that vehicles in the police department 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 McKinney that an Ordinance (18-O-42) be passed declaring a 2004 Chevrolet Impala Vin #2G1WF52K149416101 and a 2002 Ford Crown Victoria Vin # 2FAFP71W62X156460 as surplus property and liquidated through Clinton Auto Auction. The vote on roll call was: Commissioners McDowell, aye; Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

BUDGET/FISCAL YEAR 2018/2019

Administrator Knabel stated at a prior meeting the Council adopted the General Fund budget. There are a number of remaining funds that require approval. Commissioner McDowell asked why bonds were necessary in 2002/03. The streets on Galilee and 29th Street were redone near Beulah Park School. The Bonds were refinanced in 2012. Mayor Hill stated once the Bonds are paid off, there will be \$600,000 that can be used for roads. Administrator Knabel stated the remainder of funds will come out of the Industrial Fund. The payments for bonds were made from the General Fund. To reduce the deficit, the funding for the 2018 Road Program and Engineering services was able to come from City funds rather than from Bonds. Mayor Hill asked how streets are chosen to be repaired to be first priority. Director Roberts stated he goes out and assesses the condition of the roads. He also looks which roads receive the most calls. He stated in 2010 an Engineering study was done and it was discovered that it would take \$2.7 million a year to maintain City roads.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney to approve all remaining funds as presented for the Budget for May 1, 2018 through April 30, 2019. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

ORDINANCE/ZONING TEXT AMENDMENT/RENEWABLE NATURAL GAS PROCESSING FACILITIES

A memo (18-DOC-68) was received from Director Ianson requesting a text amendment to Zion Municipal Code Section 102-91(a)(1) to allow Renewable Natural Gas Processing Facilities as a permitted use, west of Green Bay Road only, Zoning Docket 18-Z-7. He stated staff has been working with a company interested in building a Renewable Natural Gas Processing Facility in Trumpet Park. Currently, there are similar uses listed like Public Utility Facilities and Electric Generating Stations, but not a Renewable Natural Gas Processing Facility. The Planning & Zoning Commission recommended approval of the text amendment at the meeting on September 6, 2018.

It was moved by Commissioner McKinney, seconded by Commissioner Fischer, that an Ordinance (18-O-43) be passed approving a text amendment to Zion Municipal Code Section 102-91(a)(1) to allow Renewable Natural Gas Processing Facilities as a permitted use, west of Green Bay Road only. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

FINAL PLAT OF SUBDIVISION/3355 SHERIDAN ROAD

A memo (18-DOC-69) was received by Director Ianson requesting approval of a preliminary and final Plat of Subdivision for a parcel located at 3355 Sheridan Road as petitioned by JSM Venture, Inc., Zoning Docket 18-Z-9. Director Ianson stated JSM Venture, Inc. was granted a Special Use Permit and a Variance to operate an Indoor Climate Control Storage facility, contingent upon approval of the Plat of Subdivision. Director Ianson stated that, at its September 6, 2018 meeting, the Planning and Zoning Commission recommended approval of the preliminary and final plat of subdivision.

It was moved by Commissioner McKinney, seconded by Commissioner DeTienne to approve the preliminary and final plat of subdivision for a parcel at 3355 Sheridan Road. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

TABULATION OF BIDS/2018 SIDEWALK PROGRAM

A Tabulation of Bids (18-DOC-70) was received from Director Roberts regarding the 2018 Sidewalk Program. He stated that this project is funded through the Street and Bridge Fund (\$25,000) and \$80,000 of Community Development Block Grant funds. He recommended awarding the bid to the lowest responsive and responsible bidder, Suburban Concrete of Mundelein, Illinois in the amount of \$87,725.00.

It was moved by Commissioner Fischer, seconded by Commissioner DeTienne to award the contract for the 2018 Sidewalk Program to Suburban Concrete of Mundelein, Illinois in the amount of \$87,725.00. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

SPECIAL DUTY PAY/ POLICE DEPARTMENT

A memo (18-DOC-71) was received by Chief Dumyahn requesting approval of an increase in the Zion Police Department Special Duty rate. The Special Duty rate is a fee charged to citizens and businesses that request to hire police officers to provide law enforcement services for specific/special events outside the course of routine police services. This special duty rate has not been increased since it was adopted in 2003. Currently the special duty rate is \$50.00 and staff is recommending a rate increase to \$60.00. This still remains a competitive rate and is comparable to other police departments in the area.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne to approve an increase in the Zion Police Department Special Duty rate from \$50.00 to \$60.00. . The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

REQUEST FOR WAIVER/RAFFLE MANAGER'S FIDELITY BOND

A memo (18-DOC-72) was received from Clerk Spooner regarding a request for waiver of the raffle manager's fidelity bond requirement from Zion Benton Public Library. The organization has submitted a raffle application requesting permission to conduct a raffle for fundraising purposes. The applicant is requesting a waiver of the manager's fidelity bond. She stated that, per the Zion Municipal Code, only the City Council can waive the bond requirement.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne, to waive the raffle manager's fidelity bond requirement, as requested by Zion Benton Public Library, per their application to conduct a raffle for fundraising purposes. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

DISCUSSION/HOME RULE IMPLEMENTATION PLAN

Mayor Hill stated while no formal plans have been established, the City has endorsed possible actions, should Zion become a Home Rule Community.

1. Address unwanted criminal activity in residential areas
 - Establish a Crime Free Housing Ordinance
 - Create a Housing Authority with another Home Rule Community

2. Consider alternative revenue sources – an additional 1% sales tax increase is estimated to generate an additional \$1.7 million in non-property tax revenue
- Eliminate current deficit
 - Become current on state mandated pension obligations
 - Implement Road/Infrastructure projects to address aging roads and sidewalks
 - Hire more police officers

Per State statute, the sales tax increase will not be applied to:

- Tangible personal property such as boats, motor vehicles and snowmobiles that are titled or registered with an agency of the Illinois State government.
- Groceries (not including alcoholic beverages, soft drinks, and food prepared for immediate consumption)
- Prescription and non-prescription medicine, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics

Commissioner Fischer stated under home rule the City can only proceed so far. They cannot ignore State mandates. It will not give the City free reign to do what they want. Commissioner McDowell stated if home rule does not pass the City will not be implementing the mentioned items. There may be a reduction of services. Mayor Hill stated the Council will balance the budget. There are two ways it can be done. 1) Increase revenue by asking for a 1% sales tax 2) Cut costs by cutting services.

Mayor Hill stated the City of Zion will host three informational meetings concerning the referendum question. Residents are encouraged to attend one or more of the community meetings:

Thursday, September 20, 2018 - 6:00 pm to 8:00 pm
 Monday, October 15, 2018 - 12:00 noon to 2:00 pm
 Saturday, October 27, 2018 - 10:00 am to 12:00 noon

SIGNS ON CITY PROPERTY

Commissioner McDowell stated a few months ago a resident made a presentation to the Council regarding “Back the Badge” signs for residents to place on their property. Signs were purchased by Commissioner McDowell with his own personnel funds and donated to the City. The signs were placed on public property. He was approached by a resident stating it is a violation of the City ordinance. He stated he views the sign as a slogan. His intent was to show that the Police Department provides protection, peace and order. Mayor Hill stated he was also contacted by a citizen that pointed out that the sign is a political message being presented. He stated “Back the Badge” in light of the history is a response to “Black Lives Matter”, which changes it to a political sign. He stated there is no winning. It is his opinion that the City should not put “Back the Badge” signs on City property as it may look like the City backs the badge whether it is good or bad. He stated the Council must make a decision on whether to allow signs on City property. Commissioner Fischer stated he agrees as public servants the City must try to remain as non-partisan as possible. He stated election signs will be up for a limited time for a specific purpose. The City must respect everyone’s opinion. Commissioner McKinney stated he is in agreement they must represent all citizens in Zion and should not put signs on City property. Commissioner McDowell stated he will abide by what all the Council chooses to do. He will remove the signs.

DEPARTMENTAL COMMENTARY

Mayor Hill stated he had a visit from a citizen questioning what was discussed at the Legislative Brunch on Saturday. Representative Schneider spoke at the meeting about the progress on the bill regarding the Nuclear Fuel Storage. People must understand there are four parts to the bill and they have only crossed the first hurdle. The first part of the bill is waiting for the President to sign. It is important part that bill has been introduced and Congress has now heard it. The full bill will be heard next year. It is important to realize the City is NOT getting any money yet. If and when money is awarded, it will be split amongst the taxing bodies.

Commissioner Fischer recognized Rich Ianson, Bob Surano, Sonolito Bronson and Blake Rogers for their help with the Electronic Recycling event. He stated he was pleased with the turn-out. They accumulated three dumpsters full of electronics.

Mayor Hill announced packets for Commissioner and Mayor for the April election are available at the City Clerk's office.

ANNOUNCEMENTS

October 2	7:00 p.m.	Zion City Council Meeting
October 16	6:15 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
October 28	2:00 p.m. - 5:00 p.m.	Zion Trick or Treat

CLOSED SESSION

It was moved by Commissioner McDowell, seconded by Commissioner McKinney 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, collective bargaining and pending litigation. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Fischer to reconvene the Regular Council meeting at 9:50 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Fischer, aye; McDowell, 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 DeTienne, seconded by Commissioner Fischer, and unanimously approved the meeting be adjourned at 9:52 p.m. Motion carried.

City Clerk