

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, AUGUST 4, 2020, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS**

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Mayor McKinney called the meeting to order.

On call of the roll the following answered present: Commissioners McDowell, Holmes, Frierson, Fischer, and Mayor McKinney. A quorum was present.

Also present: Police Lieutenant Anthony Velardi, Fire/Rescue Chief John Lewis, City Administrator David Knabel, Public Works Director Ray Roberts, Building & Zoning Director Richard Ianson and City Attorney James Vasselli.

Mr. William Bremner led in the Pledge of Allegiance to the Flag.

**AGENDA CHANGES**

It was moved by Commissioner Fischer, seconded by Commissioner McDowell to accept the City Council meeting agenda as presented.

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

**CITIZEN COMMENTS**

Mayor McKinney reminded citizens of the guidelines as it relates to public comments.

Mary Lou Hiltibran, Director of ESDA, gave a report of the July activities that ESDA performs in assistance to the City. Ms. Hiltibran invited those interested in seeing what ESDA does to stop by the ESDA Center at 3222 27<sup>th</sup> Street on Thursday nights from 7:00 p.m. to 9:00 p.m. She also invited those interested in becoming part of the ESDA program to fill out an application that is available on the City's website.

Denise Lear, Zion, stated she had several issues to discuss with the Council.

- 1) Response times to 911 calls. She feels it takes too long for First Responders to respond to the calls.
- 2) The City streets are too dark. She questions why they are so dark. While driving through the City it looks like the rural south. The darker the City is, the more opportunities there are for crime.
- 3) Regarding her Facebook comment about the litter in the City. The litter problem in the City is terrible. She has been here for 50 years and is appalled by how the City streets look. Why can't homeowners and landlords be held accountable for their properties?
- 4) Is there a law or ordinance about dangerous dogs in apartment buildings? She lives in a 6 unit building that has two pit bulls living one either side of her and one of them bit a child last week. She stated the smell from the animals is terrible.

Cheri Neal, Zion Township Supervisor, was present to speak on behalf of Brian Klassman and Kim Whiteside regarding the community beautification project. The request is for the Council to waive all fees related to the project. She questioned if Zion's ordinances regarding signs are State statute or a local ordinance. Director Ianson replied they were local ordinances. Ms. Neal stated right now the depression rate is high across the country and the project was put together to help shift things to a positive state. The Federal and State governments have changed their rules for COVID to help the communities. The project could end up being a partnership with the City and Bottom Line Innovations. She explained that a landlord and resident had the idea to make up some word banners that say "You are Beautiful" and put them throughout the City but the banners were made to big requiring a variance to the sign ordinance. They were unaware of the process to allow the banners in the City. They would have to jump through a lot of hoops and it would be expensive. She was hoping there was a way to think outside the box to get it done as there has been a lot of expense put into the project.

Andy Mitchell, Zion, stated he agreed the City does not have enough light around the neighborhoods. He also has an issue with the roads and the parking lot by the train station. He would like the area by the train station fixed up like a park where families can go. He would also like to see the pot holes in the City repaired.

Clyde McLemore, Zion, stated considering the current crisis in the country, he feels Zion has been doing good. He knows the City has had some shootings but Black Lives Matter does not get involved in community crimes. He spoke with the Police Chief and they brought in Violence Interrupters to work with the police and try and curb the violence. At a recent press conference at the police station they spoke about working within the community to make it safer. He stated he works for Willie Wilson and they are donating 20,000 face masks. He was in Waukegan on Sunday but would like to come to Zion on Friday to give away boxes of masks. He is looking to donate some to Carmel House but would like to get more out into the community. He has run Black Lives Matter from his kitchen table for the last 5 years and will finally be moving to an office at 111 County Street. There will be a grand opening on August 8<sup>th</sup> from 3-5.

Kathy Champine, Zion, wanted to address prayer at the City Council meetings. In 2014 the Supreme Court ruled that municipal or county bodies can begin their meetings with prayer. The ruling also suggests that local clergy members invited to deliver the opening prayer should strive to be inclusive of all religion and non-religion. Zion is an ethnically diverse majority minority community. The citizens are diverse in their religious beliefs as well. Since January there have been 17 meetings, prayer was offered at 14 meetings by 14 men, 1 woman, 13 of which were white, two were African American and all were Evangelical. Six times they were represented by CCC. She feels it is not a balanced representation of the citizens of Zion. Recently in another decision, the Supreme Court ruled churches are not exempt from limitations on assembly. Should Governor Pritzker issue an Executive Order limiting assembly which includes churches and failure to comply will be breaking the law. Executive Order 2020-43 is still in effect. She argued that the churches choosing to ignore the directive are not supported by the Bible. She asked that people live thoughtfully with consideration of the lives and health of their fellow citizen.

### CONSENT AGENDA

It was moved by Commissioner McDowell, seconded by Commissioner Holmes that the Minutes be approved as follows:

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on July 21, 2020 at 7:00 p.m.

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

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that the Bills be approved as follows:

- (a) **BILLS:** Vouchers 135418 through 135528 drawn on Huntington National Bank, N.A. Total: \$878,768.83.

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

### ORDINANCE/PROPOSAL/WORK AGREEMENT/DEIGAN & ASSOCIATES

Attorney Vasselli stated items 7(a) and 8(a) are related and related to the Donation Agreement approved at the last meeting. Regarding item 7(a), they would like to do an environmental study, known as a Phase I, to determine if further environmental studies are warranted. Deigan & Associates has done work for the City successfully in the past. Any time there is a purchase of commercial property, environmental studies will be done. Regarding item 8(a), this is to provide for additional due diligence for the donation parcel. As contracts for the services become available, they will be brought to the Council for ratification. There is only a limited time for due diligence (45 days with an option of an additional 15 days). These are all commercially reasonable steps and are customarily standard. He stated they recently received a quote for \$3,500.00 for an Alta Survey for the property and feels it is a very reasonable offer for a high grade Alta Survey. He recommends moving on this quickly and will do so if the City Council approves the action item. He asked that the Council look favorably upon the request. Commissioner Holmes asked if a prior study was done. Attorney Vasselli stated there has not been a study done prior. Commissioner Frierson asked what they will be looking for in the survey. Attorney Vasselli stated if something is found in Phase I, there will need to be a Phase II study done. In a Phase II study, borings are done by drilling into the property to determine if there is contamination. The property will not be used for residential but possibly for a warehouse, storage or distribution. If Phase I comes back clean they can move fast. Commissioner Frierson asked if it will be done within 45 days. Attorney Vasselli stated they will have an additional 15 days but has asked for it to be done

quickly. Commissioner Frierson stated there are wetlands on the property and asked if there will be costs with EPA with Phase I and Phase II. Attorney Vasselli stated that would be an independent survey. He recommended the Council consider three items:

- 1) Inspection of water mitigation and the physical structure, including the roof. They would like to know how much it will cost to maintain it all. There may be a possibility of asbestos and if so, will it be worth the money to pursue.
- 2) A survey, as the City needs to make sure that there are no encroachments and the property lines are correct.
- 3) A title search, as the City needs to make sure that there are no encumbrances, liens or mortgages that would cloud or encumber the title of the real estate. He feels the study will come back good.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (20-O-43) be passed authorizing and approving a proposal and work agreement between the City of Zion and Deigan & Associates, LLC for the City of Zion in the amount of \$3,500.00. The vote on roll call was: Commissioners McDowell, aye; Holmes, aye; Frierson, aye; Fischer, aye and Mayor McKinney, aye. Motion carried.

#### **AUTHORIZATION/CITY ATTORNEY/DUE DILLIGENCE/3905 IL ROUTE 173**

It was moved by Commissioner Frierson, seconded by Commissioner Fischer to authorize the City Attorney and City staff to take all necessary and reasonable steps to commence, undertake and complete due diligence for the City's possible acquisition of the real property located at 3905 IL Route 173, Zion, Illinois 60099. The vote on roll call was: Commissioners McDowell, aye; Holmes, aye; Frierson, aye; Fischer, aye and Mayor McKinney, aye. Motion carried.

#### **DISCUSSION/FINANCIAL STATUS/FUTURE PLANNING**

A memo (20-DOC-56) was received from Administrator Knabel regarding the financial status and planning for the next fiscal year. Administrator Knabel stated it is not his intent for them to come up with any solutions or answers but rather plan for future discussions. The budget is currently showing a \$1.5 million operating deficit for this year's budget. They have talked about filling that gap with borrowing later on in the year should they not be able to offset that through other revenue items. He would like to have a series of discussions about how to address the deficit as well as operational and personnel concerns. He would like to be sure to start discussions now so they have a plan by November or December. He stated union contracts will be expiring in April of 2021 and he would like have a plan on the direction the Council wants to go regarding negotiations. He recapped the possible sources of revenue in the future.

The Stranded Act (nuclear spent fuel compensation) – The bill is currently sitting in committee in both the House and the Senate. They are hoping to get it out of committee and to the floor for a vote and attach it to stimulus legislation. They continue to push for this although it is out of their control.

Cares Act funding (COVID relief to the County and subsequently municipalities) – In the first stimulus money was given to the County and \$20 million was earmarked for the municipalities based on COVID relief. They are working with the County to see what is necessary to submit for the City to get some of the funding. He is hoping to have an update on this at the next meeting.

Heroes Act legislation and potential municipal funds – Regarding the second stimulus, it passed in the House but the Senate has issues with it. Currently they are in negotiations on this. The House version of the bill gives direct funding to the municipalities but has been carved out by the Senate. He is hoping something will come of it but cannot count on it.

Census results – Much of the State and Federal funding the City receives is based on per capita. He encouraged citizens to complete the census. The census deadline has been extended until October and results will not be known until later in the year.

Cannabis cultivation center/dispensaries – Flat Rock Holdings, who is applying for a medical cannabis cultivation center still has not been heard in the Supreme Court. They are waiting to see the results of that. The deadline continues to get extended to award licenses to local dispensaries.

All these items could result in significant revenue for the City but some of it is either uncertain or will have a delay in time. He is proposing to have Special Meetings coincide with the Regular Council Meetings. He would like to revisit the subject every two weeks. He would like the Council to brainstorm and get ideas together to get a plan in place. He would like to invite the City's financial advisors to see if they have ideas for what other options may be available to the City. He would also like to invite State and Federal Legislators to attend one or more meetings to hear what the City is up against. They may have some resources available to assist the City. Commissioner McDowell and Commissioner Frierson liked the ideas and are in favor of the additional meetings and to extend the invitation to the financial advisors and local officials. Administrator Knabel suggested scheduling the additional meetings for the first Council meetings of the month. He will get some dates and times together and have the Clerk reach out to the Council for availability.

### **WAIVER OF FEES/VARIANCE/COMMUNITY BEAUTIFICATION PROJECT**

Administrator Knabel stated a waiver of all fees is being requested for the community beautification project for the process of a variance to the sign ordinance. The costs consist of a \$605.00 application fee and costs for notifying all the individuals within the area by certified mail and publications. He recommends waiving the \$605 application fee as this relates to staff time and effort. This could be considered the City's contribution to the project. He asked that the Council consider keeping the remainder of fees in place as those are costs incurred by the City. He feels waiving all fees can open up a dangerous way to find ways to get around the code. Commissioner Frierson asked if waiving the application fee will allow the process to move forward with Planning & Zoning. Administrator Knabel stated they can submit the application and the process would begin. Commissioner McDowell stated the signs are one part of the overall beautification of Zion. He sees it more of an art project and not signage. He asked if these were the same guidelines used for any business that has signage. Administrator Knabel stated the City does not have an art district and they do not have a mechanism to define what "Art" is. Supervisor Neal stated the project was 100% an art project. Commissioner Frierson asked if Supervisor Neal had met with the City Attorney. Supervisor Neal stated she spoke with the attorney about the process and the rules and regulations. Administrator Knabel asked if they considered having the banners reprinted to the size allowed in the Code. Supervisor Neal stated the smaller banners will not make the statement or have as big of an impact. She feels they may not move forward as they do not want to have to pay for the signs to be reprinted or pay to go through the rest of the process. Attorney Vasselli stated he did take time to meet with the Supervisor free of charge. He stated "Art" is a subjective term and what is being proposed falls under the City Code and the rules must be applied across the board. What is being proposed to the Council is to cut all costs but this will put the City upside down. The smaller signs do meet the City's Code requirements. Commissioner Frierson asked how much the additional costs would be. Administrator Knabel stated they could be looking at an additional \$600-\$750 which include the costs for the publication and notifications. Notices must be sent to all properties 250 feet from the perimeter of the property lines. Commissioner Frierson asked how they could amend the Code to allow this and future projects. Administrator Knabel stated they could amend the code, but it will be a longer process. The amendment must first go before the Planning & Zoning Commission. Commissioner Frierson asked what the duration would be for the exhibit. Supervisor Neal stated the idea was to keep the signs up until October 31 and see what the impact will be. Mayor McKinney asked if the Township would be willing to take on the \$605 cost. Supervisor Neal stated no, but she could take it before the Town Board. Commissioner Frierson stated in order to run the City properly they must follow the code. Mayor McKinney stated currently the City has their own set of financial constraints He stated the issue should have been addressed well before the signs were produced. He stated at the last meeting Supervisor Neal stated citizens do not know they need to contact the City for permits. He reminded Supervisor Neal when he spoke to her regarding her fence exhibit and he told her she needed to contact Director Ianson with any questions. He feels this project falls under those same guidelines. He went to the City website and found all the necessary information available for people to find the answers they are looking for. He stated the project is a good project but they must work within the guidelines of the City Code. He stated when residents go to the Township for help they too must follow a protocol.

It was moved by Commissioner Holmes, seconded by Commissioner Frierson to approve waiving the \$605 application fee only with all other fees being the responsibility of the applicant. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye and Mayor McKinney, aye. Motion carried

### **DEPARTMENTAL COMMENTARY**

Human Resources Director, Karin Graves stated currently there is a part-time working Public Service Coordinator job available. The job pays \$17.00 an hour with a maximum of 25 hours per week. The individual will be working

with Public Service individuals. The information is posted on the City's website. The Fire/Rescue Department continues to take applications for POPs and information is available on the City website.

Director Ianson reminded residents that the City will be hosting the 2<sup>nd</sup> annual Zion Clean-Up Days on August 8, 2020 from 8:00 a.m. to 12:00 p.m. A dumpster will be on-site at 2771 Galilee Avenue. Assistance will be available to help residents drop off their tires and electronics. Mayor McKinney stated the event is for Zion residents only. They must have a Zion City sticker on their vehicle. Tenants are welcome to get rid of their items. Commissioner Frierson stated he feels that landlords should be allowed to take advantage of getting rid of items and questions if they have another way of verifying residency. Mayor McKinney stated they may have a hard time knowing if landlords are getting rid of items from Zion rental properties or from rental properties owned outside of Zion. Commissioner Fischer stated according to the flyer providing an ID showing a Zion address will be permitted. Commissioner Frierson asked if the City had a landlord data base. It was noted that the data base was too large to be accessible for the clean-up. Commissioner Frierson asked if there will be assistance for seniors. Director Ianson stated they can make arrangements to help the seniors. Mayor McKinney stated in the past Public Service staff and the Building Department have gone out the day before to identify sites that may have tires or large items and those areas will be supervised and taken care of.

Director Roberts stated the IDOT project from Sheridan Road to Green Bay Road has begun. Concrete work will be done in the next two weeks. The City will be redoing roads beginning August 17 which will include 12 blocks and 2 alleys. On August 10<sup>th</sup> patching will begin. Mayor McKinney stated they continue to focus on the improvement of infrastructure. The City received news from Senator Bush's office that they will receive almost \$1 million through the capital funding project from the State. He shared the statement from Senator Bush.

Administrator Knabel reminded residents of the Census Incentive Program to encourage individuals to complete the census. There will be a drawing for those who have completed the census. The first drawing will be this Friday. There will be chances to win \$100, \$200 and \$300 cash gift cards. Information is available on the City's website. It is crucial for residents to be counted in order for the City to receive different types of funding.

Lieutenant Velardi stated Zion has had an increase in the number of shootings. Although they have had great success in making arrests it could be greater with the help of the community. They need help in solving these crimes. He reminded citizens if they have information or evidence they can forward it to the police anonymously. Mayor McKinney stated he has been working on a statement regarding gun violence that he will be releasing shortly. He stated if they want to stop gun violence people must speak up without fear of identity or retaliation. It is difficult to see young people shooting each other. Citizens must do what they can to help the police officers.

Chief Lewis stated in January the department lost 1/3 of their staff. They have been working on hiring individuals to get back to full staff.

Mayor McKinney stated the City has done what they can to help Flat Rock Holdings. He has gone down to Springfield to discuss a resolution by possibly issuing another license. The case is currently waiting to go to the Supreme Court. The City has a lot of irons in the fire trying to bring in funds. Lake County received \$121 million to disseminate to surrounding municipalities. The City immediately sent a letter to the County requesting the funds. The City of Zion was the only municipality that submitted a letter requesting funds. He thanked the Commissioners and Administrator Knabel for their assistance.

### ANNOUNCEMENTS

August 8	8:00 a.m. to 12:00 p.m.	Annual Zion Clean-Up Days Chicago Bears Back to School Event
August 18	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner Frierson, seconded by Commissioner Fischer, and unanimously approved the meeting be adjourned at 8:23 p.m. Motion carried.

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City Clerk