

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MARCH 20, 2018, AT 7:05 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 Fischer, McDowell, McKinney, and Mayor Hill. Commissioner DeTienne was absent. A quorum was present.

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

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

AGENDA CHANGES

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

SPECIAL PRESENTATION/ZION TOGETHER

Students from the group “Zion Together” addressed the City Council requesting support and endorsement of a “Community Contest”. Most of the “Zion Together students have lived in Zion their whole lives but really don’t know their neighbors and questioned if other residents might be in the same situation. They offered a solution with a project called “Love thy Neighbor” initiative. The concept is a summer long contest made to get to know your neighbors. A team is created made up of six households (your neighbors) and tasks are completed from a list for points. The team with the most points at the end wins. It is a competition, but the ultimate goal is unity. The students asked for the support and endorsement of the City. They would like to assure residents their children will be safe while participating. They asked for permission to; add the City logo to their flyer, help with neighborhood teams and projects, hang the pictures of the winners at City Hall and create a street sign for the winners. Mayor Hill stated it was a wonderful idea and would like to see it be an annual event for generations to come. Commissioner McKinney stated the Building Department is working on “Clean up Days” and feels it would be a great way to join together on the project. He is glad to see the youth getting involved.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney to endorse and support the initiative and to participate in projects. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

SPECIAL PRESENTATION/PRINCESSES AND LADIES INC.

Cynthia Lincke, Executive Director and Co-Founder of Princesses and Ladies Inc., presented information about her organization. She stated the organization was formed in 2014 and was founded on the concept that each and every young girl and woman alike deserve the best. Whether it is to help with setting present and future goals, or a second or third chance at making positive decisions, it is never too early or too late to take steps in a positive direction. She believes that we are fully equipped to help women and girls find the strength they already have within to empower themselves and move forward in the right direction. She stated they have partnered with the Zion Benton Library addressing such issues as bullying and mental health awareness. She invited all to attend the “Masquerade Ball” on Saturday April 28, 2018 from 6:00 p.m. to 10:00 p.m. at Market Square. This is an annual event where girls come dressed up and wear a mask, later removing the mask revealing their true identity. Men are also invited to the ball because men and boys support woman. She stated they are looking for nominations for Princess of the Year and Lady of the Year. Nominations can be made on the website; princessesandladies.org. Mayor Hill stated it was a perfect way to help grow the community.

It was moved by Commissioner McKinney, seconded by Commissioner Fischer to endorse and support the Princesses and Ladies organization. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

CITIZEN COMMENTS

There were not citizen comments.

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 on March 6, 2018 at 7:00 p.m.; and approval but not release of Closed Session Minutes of a meeting held on March 6, 2018 at 7:19 p.m.
- (b) **BILLS:** Vouchers 128703 through 128806 drawn on Huntington National Bank, N.A., Total: \$336,615.79

Approved by omnibus vote as follows: The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

RESOLUTION/ADOPTING ZINNIA AS CITY FLOWER

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that a Resolution (18-R-4) be passed adopting the Zinnia flower as the City flower. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

IDOT RESOLUTION/MFT FUNDS/SIGNAL MAINTENANCE

A memo (18-DOC-23) was received from Director Colangelo stating that a resolution must be passed by the City Council in order to utilize MFT funds for 2018 traffic signal maintenance.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that a Resolution (18-R-5) be passed for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code, MFT Funds, for 2018 signal maintenance in the amount of \$45,000. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

IDOT RESOLUTION/MFT FUNDS/ROAD SALT

A memo (18-DOC-24) was received from Director Colangelo stating that a resolution must be passed by the City Council in order to utilize MFT funds for the purchase of road salt for the winter of 2018.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that a Resolution (18-R-6) be passed for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code, MFT Funds, for the 2018 purchase of road salt in the amount of \$150,000. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

IDOT RESOLUTION/MFT FUNDS/2018 STREET PATCHING PROGRAM

A memo (18-DOC-25) was received from Director Colangelo stating that a resolution must be passed by the City Council in order to utilize MFT funds for the 2018 Street Patching Program.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that a Resolution (18-R-7) be passed for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code, MFT Funds, for the 2018 Street Patching Program in the amount of \$100,000. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

HVAC SYSTEM REPLACEMENT/STATION #2

A memo (18-DOC-26) was received from Chief Lewis regarding the HVAC system at Station #2. He stated a complete HVAC system was installed at Station #2 early in 2004 and since that time they have experienced many issues with the heating and air conditioning system due to the design of the system based on the station layout. Around late summer/early fall of last year, the air conditioning system at Station #2 failed requiring the use of portable fans for cooling. Northern Weathermakers evaluated the system at the time of the failure and made the determination that the system was undersized and in poor shape. The recommendation was to install a new furnace, condenser, three zone system and outdoor air economizer in the amount of \$17,847.00. Since it was near the end of the cooling season, they continued to use alternate methods of cooling to allow time to evaluate the recommendation and the potential of alternate repairs. After discussion with Director Ianson and Administrator Knabel, it was decided that the HVAC system should be replaced as an emergency purchase using funds available in the Capital Projects Fund line item. He asked that the Council consider approving the replacement of the HVAC system by Northern Weathermakers.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney to approve the replacement of the HVAC system at Station #2 by Northern Weathermakers in the amount of \$17,947.00. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

SPECIAL USE PERMIT/APPLICATION FEE/GRACE MISSIONARY CHURCH

A memo (18-DOC-27) was received from Director Ianson requesting a waiver of the Special Use Permit application fee for Grace Missionary Church. He stated the Regional Office of Education is currently in the process of petitioning for a Special Use Permit to re-locate to the Grace Missionary Church. Roycealee J. Wood, Regional Superintendent of Schools, is requesting the waiver of the SUP application fee of \$550.00

It was moved by Commissioner McKinney, seconded by Commissioner McDowell to waive the Special Use Permit application fee for Grace Missionary Church.

Commissioner McDowell asked who was making the request, the Regional Superintendent of Schools or Grace Missionary Church. Director Ianson stated it was the Regional Superintendent of Schools. Mayor Hill asked if they were a taxing body. Director Ianson stated they were. Commissioner McDowell stated they receive State funds to operate. Mayor Hill stated the City policy is 50% of permit fees are waived for non-profits and 100% of fees are waived for taxing bodies. He stated he wants to be sure they are a taxing body. Director Ianson stated the City policy states the waiving of fees applies to building permits not zoning. Mayor Hill stated there was a motion and a second on the floor and asked for further discussion. Commissioner McKinney stated given the fact that there are some questions on the request, he wondered if he should reconsider his motion. Administrator Knabel stated the code allows for discounts for customary permit fees and the request is not for a permit fee, it is for an application fee for a Special Use Permit. He stated typically the City would be collecting the fees on a Special Use Permit application. Mayor Hill stated he reads it as a Special Use Permit and sees it as a permit fee. Attorney Randall stated the fee is an application fee. The application was submitted in order to be heard before the Planning & Zoning Board. They are seeking a Special Use Permit to use the property as a school. It is not a Special Use Permit fee they are requesting to waive it is the application fee requesting the permit. Mayor Hill called for a vote. Commissioner McDowell stated the website for the Regional Superintendent's office states they perform regulatory functions as directed by the school code of Illinois and the Illinois State Board of Education, coordinating and delivering state and local services, and disseminating information for educators, school districts and the community. He stated the schools are taxing bodies and wonders if they part of the structure of the schools for the taxing bodies. Commissioner McKinney stated he would like to table the item and get more information as it seems to be confusing. He made a motion to withdraw his previous motion and Commissioner McDowell withdrew his second. Mayor Hill asked if it the Planning & Zoning meeting would be affected if the Council tabled the item until the April 3rd meeting. Director Ianson stated the Planning & Zoning meeting is scheduled for April 5th, which will be after the Council meeting. Commissioner McDowell asked if a decision not to waive the fees would prevent the applicant from getting a Special Use Permit. Director Ianson stated he currently has a check from the applicant in the amount of \$550.00 in the event the Council denied the request to waive the fees.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell to table the item until the April 3, 2018 meeting. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

TABULATION OF BIDS/SALE OF SURPLUS REAL ESTATE

A Tabulation of Bids (18-DOC-28) was received from Director Ianson for the sale of surplus property. He stated on February 22, 2018 a bid opening was held and two bids were received for 2534 Edina Blvd. The bids were as follows:

1. Haley Yaple \$4,014.00
2. Jason & Abril Staton \$4,100.00

Director Ianson recommended the highest bid of \$4,100.00 from Jason & Abril Stanton.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell to award the bid for sale of surplus property for 2534 Edina Blvd. to Jason & Abril Staton in the amount of \$4,100.00. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

MEMORANDUM OF AGREEMENT/POLICE OFFICER LABOR UNION

A memo (18-DOC-29) was received from Chief Dumyahn regarding a proposed Memorandum of Agreement between the Illinois Fraternal Order of Police Labor Council and the City of Zion. He stated the current Police Officer collective bargaining agreement, Sec. 15.9 Modified Duty Program, specifies the maximum allowed days for light duty (modified duty) is seventy (70) days. The Memorandum of Agreement will change the maximum allowed light duty days as currently stated in the City of Zion employee handbook to ninety (90) days. Chief Dumyahn recommends approval of the Memorandum of Agreement.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer to approve the Memorandum of Agreement between the Illinois Fraternal Order of Police Labor Council and the City of Zion. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Chief Dumyahn stated recently there was an incident at Central Middle School. A threat was posted on snapchat. It required significant resources from the Police Department to respond. The school was immediately placed on hard lock down. After an investigation, it was discovered the threat came from a 14 year old female student. The threat was never intended to be carried out, but intended as a joke. He encouraged parents to talk to their kids about the seriousness of threats made. The student was arrested for a Class 4 felony. These threats put people's safety in jeopardy and the police take them very serious.

Mayor Hill read a statement regarding the verdict in the Justus Howell case. Last week a federal court jury in Chicago decided in favor of Officer Eric Hill and the City of Zion in the lawsuit filed by the family of Justus Howell. The jury was racially diverse and considered the testimony and evidence and found that neither Officer Hill nor the City was liable for monetary damages and that Officer Hill did not use excessive force. The legal proceedings took a toll on the City and the Police Department but he is pleased with the result. He is grateful for the dedication of the hard working men and women of the Zion Police Department who do their best to keep the City safe. The Police Department has faced much criticism since this incident occurred. However, he is pleased that the jury listened to all the testimony during the trial and made the same determination as the Lake County State's Attorney and the FBI, which also reviewed the matter. He asked that the citizens of Zion support the Police Department and work with the City to keep Zion a safe place for people to live.

Director Colangelo stated Advanced Disposal will begin their two week pass for curbside leaf pick-up on April 2nd. The bag leaf pick-up also begins on April 2nd. The five week brush pick-up program will begin on April 16th. The information will be on the City's website.

Commissioner McKinney asked Director Ianson to give an update on what is happening in the Building Department. Director Ianson stated five demolitions have been completed and all that is left to do is landscaping. He stated the lots look very nice.

ANNOUNCEMENTS

March 30		City Offices Closed for Holiday
April 3	7:00 p.m.	Zion City Council Meeting
April 17	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that the Council recess to Closed Session at 7:50 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of probable litigation. 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 McKinney to reconvene the Regular Council meeting at 8:17 p.m. with all members present. The vote on roll call was: Commissioners 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 McDowell, seconded by Commissioner McKinney and unanimously approved the meeting be adjourned at 8:19 p.m. Motion carried.

City Clerk

Approved April 3, 2018