

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JULY 17, 2018, 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 Fischer, McDowell, McKinney, DeTienne and Mayor Hill. A quorum was present.

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

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

**AGENDA CHANGES**

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

**PUBLIC HEARING/APPROPRIATION ORDINANCE**

Mayor Hill opened the Public Hearing at 7:03 p.m. for the Appropriation of the City of Zion for the Fiscal Year beginning May 1, 2018 and ending April 30, 2019.

Finance Director David Knabel stated that the City must pass an appropriation ordinance by July 31<sup>st</sup>. 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 \$42,328,658. 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.

There were no comments and/or questions from the public. Mayor Hill declared the Public Hearing closed at 7:06 p.m.

**CITIZEN COMMENTS**

Crit Harris, Zion, stated cars are driving too fast down 33<sup>rd</sup> to 31<sup>st</sup> Street. He would like to see speed bumps put in but was told they could not be installed for plowing reasons. He suggested maybe putting a stop sign at 33<sup>rd</sup> and Carmel or posting more police. He stated everyone in the neighborhood has children. The children like to go to the park and he worries about the fast traffic. Mayor Hill suggested he contact the Police Department and see if they can come up with solutions to together.

Kerry Johnson, Winthrop Harbor, stated a lot of Winthrop Harbor residents were present at the meeting. They live next to the garbage dump. They are a Community Action Group that is frustrated and angry with the horrible smell of litter. Many residents can't leave because they would not be able to sell their homes and many residents do not want to move. Property values have been devastating. She stated Jim Lewis from Advanced Disposal stated they are looking to do an expansion of the landfill because there is no place for the trash to go. The group contacted the landfill and the EPA with their concerns. They were told to take their concerns to Zion. They have received no response. Ms. Johnson stated the City's decision will affect many people. She would like the City to think about the impact it will have on the residents. She stated they would like to be informed by the City of Zion of any public hearings or meetings concerning the landfill. She would like the next expansion to be denied. She stated if the expansion is approved they will have to live with the dump and expansion for thirty more years.

Cari Clark stated she and Sue Davis were in Zion on Monday helping someone find their dog. It was discovered that the dog was taken to Zion Animal Control. The dog was sick because he just had surgery. They ended up calling a police officer to assist them in getting the dog out of Animal Control. As they entered the Animal Control building they became overwhelmed by the terrible smell. They went to the back of the building to pick up the dog. They noticed the building smelled like sewage and the place was filthy. The dog also smelled filthy. They opened the dumpster on the property and found a deceased German Shephard. Ms. Clark asked how these things are allowed to go on as it was unacceptable. She stated money needs to be allocated for the kennels to be cleaned up. She stated they were told by an officer that if an animal is injured they are euthanized by shooting them. Commissioner McDowell stated they do not shoot any animals. Sue Davis stated they were not there to go after anyone's job or go after the City. They volunteer in finding dogs that are escaped. Ms. Clark and Ms. Davis asked the Council some questions regarding the Animal Control program. They requested some changes be made. It was noted that they have access to volunteers and donations. They would be willing to work with Randy Knorr, the Animal Control Officer. Photos were presented showing the deceased dog in the dumpster. Mayor Hill stated it was not a City staff member who put the animal in the dumpster. Commissioner McDowell stated when the police arrived at the kennel, the dumpster was knocked over. Commissioner McKinney stated the Council will listen to the issues and move forward and rectify them. Commissioner McDowell stated on Monday morning Zion had an unannounced inspection from the Illinois Department of Agriculture of Animal Welfare. The last fourteen years Zion has always had a perfect record of inspections, acceptable in all categories except for "fair" in the cleanliness of one of the kennels which they cleaned immediately. At the time of the inspection there were four dogs and one cat present. Commissioner McDowell assured the citizens that the City cares about the animals. He stated if people are interested in helping they can help with the cleaning and resurfacing of the floors and by getting some elevated beds for the kennels. He stated he is willing to meet with people who are willing to volunteer or donate. Mayor Hill stated they will do everything they can within budgetary reasons. He stated much of the information that was seen on Facebook have been untrue statements. He asked that when people get the facts that they go back and correct the untrue statements. Things were made out to be horrible, and that is not true. The City passed its inspections. Commissioner McDowell stated the City is taking this seriously. Things may need to be upgraded which will take more than money it will take everyone working together.

### CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Budget Workshop held on June 28, 2018 at 6:02 p.m.; of a Regular Meeting held on July 3, 2018 at 7:00 p.m.; approval but not release of Closed Session Minutes of a meeting held on July 3, 2018 at 7:22 p.m.
- (b) **BILLS:** Vouchers 129723 through 129794 drawn on Huntington National Bank, N.A., Total: \$875,000
- (c) **PROCLAMATION:** - 25<sup>th</sup> Anniversary of Potawatomi Trails Pow Wow

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

### APPROPRIATION ORDINANCE

It was moved by Commissioner Fischer, seconded by Commissioner McKinney that an Ordinance (18-0-27) be passed making appropriations, totaling \$42,328,658 for all funds, for the City of Zion, Illinois for the Fiscal Year beginning May 1, 2018 and ending April 30, 2019. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

### ORDINANCE/RENEWAL/LEASE AGREEMENT/PORION OF UNIMPROVED 29<sup>TH</sup> STREET RIGHT-OF-WAY

Director Ianson stated in 2016, Ramiro Aranda, property owner at 1007 29<sup>th</sup> Street, requested to lease 36 square feet of the unimproved 29<sup>th</sup> 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 Fischer, that an Ordinance (18-0-28) be passed to renew the lease agreement between Ramiro Aranda and the City of Zion for lease of 36 square feet of the unimproved 29<sup>th</sup> 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 29<sup>th</sup> Street. The vote on roll call was: Commissioners. Fischer, aye; McDowell, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye Motion carried. Ordinance passed.

### **ORDINANCE/FIRE SERVICE FEES**

It was moved by Commissioner McDowell, seconded by Commissioner McKinney, that an Ordinance (18-O-29) be passed establishing Fire Service Fees for the City of Zion. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

### **VARIANCE/ZION BENTON TOWNSHIP HIGH SCHOOL, DISTRICT #126**

A memo (18-DOC-55) was received from Director Ianson requesting approval of a variance from Section 102-203 of the Zion Municipal Code for a theater for the Performing Arts at 3901 W. 21<sup>st</sup> Street as petitioned by Zion Benton Township High School, District #126, Zoning Docket 18-Z-4. The Planning and Zoning Commission recommended approval with conditions, not to exceed 60 feet at a meeting held on July 5, 2018. Director Ianson stated the current zoning is R-10, Single Family, with a maximum permitted height of 35 feet. The proposed theater stage loft has two options; one with motorized equipment at 55 feet and another with non-motorized equipment at 60 feet. Commissioner McDowell asked if any questions have been asked about the finances used to fund the project. He asked where the funding is coming from. Thomas O'Connell, Partners in Design stated they do have funding in place but is not sure where it came from. It was noted that the basis of the Planning and Zoning Commission decision is that it would not impair an adequate supply of light or impair property values within the neighborhood. Neighbors were contacted by mail regarding the request and public meeting. Mayor Hill asked how the project is being funded. He stated there is a significant surplus going towards the project and should have been addressed at their Board meeting. He asked Administrator Knabel if he knows if bonds were issued. Administrator Knabel stated it is possible it is coming from bonds. If they issued bonds it could be included as debt service in the levy if there is a surplus from prior levies. Mayor Hill stated if it was funded by the levy, the money could have been used to lower the taxes. He stated not taking property taxes down diminishes property values. Mayor Hill suggested representatives from the school district attend the next meeting to answer questions. Commissioner McDowell asked if there have been any public discussions. Mr. O'Connell stated there has been discussion at school board meetings. Commissioner McDowell stated he would like to know how the school is funding the project. Commissioner Fischer stated the funding is irrelevant to the height variance request. Commissioner McKinney suggested tabling the item for further discussion. Attorney Randall stated it can be tabled until the August 7, 2018 meeting.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell to table the variance request from Section 102-203 of the Zion Municipal Code for a theater for the Performing Arts for property at 3901 W. 21<sup>st</sup> Street until the August 7, 2018 meeting. The vote on roll call was: Commissioners McDowell, aye; McKinney, aye; Fischer, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

### **BUDGET/FISCAL YEAR 2018/2019**

Mayor Hill stated a date must be set for another Budget Workshop. The options to balance the budget have been discussed at several meetings. He suggested the Commissioners each meet with Administrator Knabel separately and have him explain the ramifications of each option suggested. The Council needs to come to a decision on how to balance the budget.

Administrator Knabel stated at a prior budget meeting it was presented that the budget deficit for this year is \$655,000, combined with the deficit budget from last year at \$400,000 resulting in a total deficit of \$1,055,000. This amount included the changing of insurance which will bring \$200,000 for a half of year. Next year there will be a full year of savings (\$400,000). He stated the longer they wait to balance the budget, the less time there is to find a long-term solution and the harder it becomes to address. There have been ideas presented and none have been easy. The Council must choose one of the best of the worst choices:

- Not paying as much into the pension funds – the idea is to bring the amount down to \$1.8 million and enter into an agreement with the pension funds to pay back the funds with interest, leaving eight months to address how to pay the funds back.

- Tax anticipation warrants – pledging next years’ taxes as collateral. Must issue them again if you cannot pay them back. This is a short term solution.
- Public Service Safety Pension fee – some communities are doing this that are not home rule. This is still being investigated to see if it can be passed through to the residents.
- Furloughs and layoffs
- Go to referendum to become home-rule.

He stated if they were home-rule the City could do a sales tax increase of 1%. This could bring in an additional \$2.4 million in revenue. The increase would not just affect taxpayers, it would apply to all those who shop in Zion. He stated they could also look into a referendum for just a sales tax increase. In order to meet the deadline for the November election, the City would have to pass an ordinance next month. He stated this might be too soon to get the public educated on the referendum. If they chose to do a referendum for the 2019 ballot, an ordinance must be approved by January 14, 2019. He stated the City can make no more cuts to the general operating expenses. The Council must decide if they want to choose one or a combination of the discussed options. The Auditors have said that the City is operating more lean than many other municipalities.

Mayor Hill stated another option is to borrow from the water fund (\$700,000). Administrator Knabel was asked the steps that would need to be taken to execute the pension option. He stated a presentation must be made to the Pension Boards. This was done five years ago and the Pension Boards were very cooperative. They paid back the funds with a 6% interest. One or both Boards may be willing to allow the City this option. Commissioner McDowell stated he is willing to explore this option.

A budget workshop was scheduled for July 31<sup>st</sup> at 3:00 p.m.

Commissioner Fischer asked Administrator Knabel to calculate the impact to the City if furlough days are implemented. He stated for general full time employees it would mean two days a month. Police and Fire would mean 1 shift. Those who would be planning to retire with IMRF would receive a protection of status benefit. He warns that this option may cause a reduction in City services.

Mayor Hill stated he has a hard time asking citizens to pay a fee that would be put in the Firefighter and Police pensions. Commissioner Fischer stated the ideal option would be to raise the sales tax as it does not directly impact citizens and may be easier to sell than home-rule status as there are misconceptions about home-rule. Mayor Hill stated they should push for a referendum for the April election in order to have time for the public education process. He feels this could alleviate the City from doing something that will affect services. An ordinance will need to be passed by August 20, 2018 to get the referendum on the November ballot. The revenue would not be received until the next fiscal year. He stated they must address the current deficit now. They can consider short term borrowing for now. Administrator Knabel stated he can approach the Pension Boards. Mayor Hill stated the City is still serious about the spent fuel rods and medical marijuana. Administrator Knabel stated they must also consider that the 2020 census may give the City home-rule status.

**ANNOUNCEMENTS**

August 7	7:00 p.m.	Zion City Council Meeting
August 21	6:15 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 McDowell, seconded by Commissioner DeTienne, and unanimously approved the meeting be adjourned at 8:26 p.m. Motion carried.

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City Clerk

Approved August 7, 2018