

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 16, 2018, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS**

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Mayor Pro Tem DeTienne called the meeting to order.

On call of the roll the following answered present: Commissioners Fischer, McDowell, McKinney, and Mayor Pro Tem DeTienne. Mayor Hill was absent. A quorum was present.

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

W. C. Bremner led in the Pledge of Allegiance to the Flag.

**AGENDA CHANGES**

It was moved by Commissioner McDowell, seconded by Commissioner Fischer to accept the City Council meeting agenda with an amendment as follows:

Delete Item 12 -- Consider approval of Collective Bargaining Agreement between the City of Zion and Zion Building Department and the International Union of Operating Engineers, Local 150, Public Employees Division from May 1, 2018 through April 30, 2021 per Director Knabel

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

**CITIZEN COMMENTS**

Clyde McLemore, Zion, stated Black Lives Matter has two events coming up. This Saturday October 19<sup>th</sup> they will be taking kids to the Circus in Chicago. They will be taking a bus from Waukegan to the City. On November 4, 2016, Black Lives Matter will hold their 3<sup>rd</sup> Annual Community Awards Banquet and the Inn at Market Square. Key note speakers include John Crawford Jr, Gill Walker and Will Calloway. He stated at last years' banquet there were problems regarding parking and many attendees received parking tickets for parking over the allotted two hours. He asked that the police be lenient with the two hour parking this year and allow the guests to park during the banquet time period of 6:00 pm to 9:00 pm. Commissioner McDowell stated the ordinance has since been amended to accommodate the parking over two hours.

Kathy Champine, Zion, stated she attended the home rule discussion on Monday and she feels Administrator Knabel did an excellent job providing facts and answering questions. She also asked that the Council consider allowing a female to offer the prayer at a future Council meeting.

Denise Leer, Zion, stated she is a long-time resident that has lived in Zion for 50 years. She feels the two hour parking restrictions are ridiculous. She stated she has been coming to the Council meetings since August. She has been asking about the streets being cleaned. She has walked many neighborhoods to check and has noticed they have not been cleaned. She also asked about the Solicitors allowed in Zion and what their requirements were. She stated they are coming door to door late at night and late on the weekends. She asked that the ordinance be looked at to amend the late night hours.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** of a Special Meeting held September 6, 2018 at 1:00 p.m.; approval but not release of Closed Session Minutes of a meeting held September 6, 2018 at 1:05 p.m.; of a Regular Meeting held on October 2, 2018 at 7:00 p.m.; approval but not release of Closed Session Minutes of a meeting held on October 2, 2018 at 8:01p.m.

- (b) **BILLS:** Vouchers 130503 through 130611 drawn on Huntington National Bank N.A., Total: \$307,168.82
- (c) **RECEIVE AND PLACE ON FILE:** Treasurer's Report for Fiscal Year Ending April 30, 2018
- (d) **PROCLAMATION:** Sadie Watts – 100<sup>th</sup> Birthday  
World Polio Day – October 24, 2018

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

#### **ORDINANCE/ACCEPTING DONATION OF PROPERTY/TRUMPET PARK**

Administrator Knabel stated in October, 2007 the City entered into an Option and Development Agreement regarding Trumpet Park with Zion Holdings LLC. A First Amendment was enacted on August 6, 2013. The Agreement is set to expire October 31, 2018. Zion Holdings LLC has decided to exercise its option to donate to the City the Donated Property (a small strip of land along the railroad track) pursuant to Section 18 of the Agreement effective October 31, 2018. He is requesting the Council accept the donation of property as legally described in the agreement presented.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney, that an Ordinance (18-O-46) be passed accepting the donation of certain property situated in Trumpet Park as described in the agreement presented. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/VARIANCE/SOLAR PANEL INSTALLATION/1306 BUTTERFIELD LANE**

A memo (18-DOC-75) was received from Director Ianson requesting a variance from Section 102-504(a)(6) of the Zion Municipal Code to install solar panels at 1306 Butterfield Lane as petitioned by Joseph Ford, Zoning Docket 18-Z-8. Director Ianson stated Mr. Ford is seeking the variance to install solar panels on the front of his house. He stated Mr. Ford currently has panels installed on the rear of his house. Section 102-504(a)(6) reads: Solar energy systems shall be installed in a manner that minimizes its visibility from public locations. At the October 4, 2018 Planning and Zoning Commission meeting, the Commission recommended approval. Mr. Ford provided pictures detailing what the panels would look like. He asked the Council to review the ordinance to allow other homeowners to install solar panels on their houses. He stated other homeowners may not be able to afford the fee to apply for a variance. Commissioner McKinney stated the ordinance restricts panels to the non-public side of the property. He stated the Council can look into amending the ordinance to allow panels to be installed on the roof as long as they will be flush mounted.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney that an Ordinance (18-O-47) be passed granting a variance from Section 102-504(a)(6) of the Zion Municipal Code to allow installation of solar panels on the front of the house for the property at 1306 Butterfield Lane. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/SINGLE-FAMILY USE/1919 SHERIDAN ROAD**

A memo (18-DOC-76) was received from Director Ianson requesting a variance from Section 102-206(B)(2) of the Zion Municipal Code to continue single-family use of the property at 1919 Sheridan Road in the H-B2 Zoning District as petitioned by Sherry Paolucci, Zoning Docket 18-Z-10. Director Ianson stated the current Municipal Code reads that if property becomes vacant and remains unoccupied, or is not in use for a period of 6 months, it shall conform to the regulations of the district in which it is located. At the October 4, 2018 Planning & Zoning Commission meeting, they recommended approval of the variance request.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell that an Ordinance (18-O-48) be passed granting a variance from Section 102-206(b)(2) of the Zion Municipal Code to continue single-family use in the H-B2 Zoning District at 1919 Sheridan Road. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, aye. Motion carried. Ordinance passed.

**REQUEST FOR WAIVER/RAFFLE MANAGER’S FIDELITY BOND**

A memo (18-DOC-77) was received from Clerk Spooner regarding a request for waiver of the raffle manager’s fidelity bond requirement from Black Lives Matter of Lake County. The Organization submitted a raffle application requesting permission to conduct a raffle for fundraising purposes during their annual Black Lives Matter Banquet. The applicant is requesting a waiver of the manager’s fidelity bond. Per the Zion Municipal Code, only the City Council can waive the bond requirement. Administrator Knabel stated upon reviewing the raffle application it was discovered that there was a conflict between the information provided by the applicant and the Municipal Code. Administrator Knabel has discussed the issues with Mr. McLemore and requested that the Council make an exception for this applicant and approve the waiver of the manager’s fidelity bond requirement. He suggested the contents of the ordinance be reviewed for accuracy for future applicants.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell, to waive the raffle manager’s fidelity bond requirement, as requested by Black Lives Matter of Lake County, per their application to conduct a raffle for fundraising purposes. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, aye. Motion carried.

**ANNOUNCEMENTS**

October 27	10:00 a.m. – 12:00 noon	Home Rule Informational Meeting City Council Chambers
October 28	2:00 p.m. - 5:00 p.m.	Zion Trick or Treat
November 6	7:00 p.m.	Zion City Council Meeting
November 20	6:15 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
November 22 & 23		City Offices Closed for Thanksgiving Holiday

**CLOSED SESSION**

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that the Council recess to Closed Session at 7:37 p.m., pursuant to 5 ILCS 120/2 “Open Meetings”, for the discussion of collective bargaining. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, aye. Motion carried.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell to reconvene the Regular Council meeting at 8:05 p.m. with all members present. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, 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 8:06 p.m. Motion carried.

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City Clerk