

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 4, 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, McKinney, DeTienne, and Mayor Hill. A quorum was present. Commissioner McDowell was absent.

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

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

AGENDA CHANGES

It was moved by Commissioner DeTienne, seconded by Commissioner Fischer to accept the City Council meeting agenda with the following change:

Delete Item:

- 8. (b) Request permission to fill a Battalion Chief vacancy and request the name of the next qualified candidate from the Police and Fire Commission Battalion Chief eligibility list and permission to fill a Lieutenant vacancy and request the name of the next qualified candidate from the Police and Fire Commission Lieutenant eligibility list per Chief Lewis

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

CITIZEN COMMENTS

William Bremner, Zion, requested a moment of silence out of respect for former United States President George H.W. Bush.

Denise Lear, Zion, stated she has been newly appointed to the Zion School District 6 School Board and will be running for in April. She stated on Sunday December 2nd, a shooting took place next door to her. She stated she had to call the police five times regarding a noise complaint before they responded. She has lived in Zion for 50 years and in the past residents notified the police when they were having a party. She stated it was not the first incident for parties at the stated address. She stated 38 bullets were fired in the yard before police came. Her car was hit by some of those bullets and will cost her \$500 for her deductible to get her car repaired. Chief Dumyahn stated DC Henderson informed Ms. Lear about a victim's relief fund to help with her vehicle expenses. He stated the police responded each time they were called to the location but cannot enforce anything without a citizen complaint. He stated they are restricted on what they can do. There currently is not a requirement to inform the police if you are having a party.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Special Meeting held on November 13, 2018 at 1:30 p.m.; a Regular Meeting held on November 20, 2018 at 7:00 p.m.
- (b) **BILLS:** Vouchers 130832 through 130905 drawn on Huntington National Bank H.A., Total: \$629,424.48

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

ORDINANCE/CABLE FRANCHISE AGREEMENT

City Administrator Knabel stated the current Cable Franchise Agreement between Comcast and the City of Zion is about to expire. There are no major changes to the agreement as most of the fees are set by state statute. The public, educational and governmental (PEG) Capital Fee received may be used to operate and maintain PEG facilities and equipment for the public access channel. He stated they are looking at upgrading the current system. He recommends approval of the Cable Franchise Agreement. Commissioner Fischer asked how much the City receives in fees annually. Administrator Knabel stated the City receives between \$200,000-\$225,000 annually for use in the general fund.

It was moved by Commissioner McKinney, seconded by Commissioner Fischer that an Ordinance (18-O-53) be passed approving a Cable Franchise Agreement By and Between the City of Zion and Comcast of Illinois. The vote on roll call was: Commissioners DeTienne, aye; McKinney, aye; Fischer, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/ESTABLISHING AN ENTERPRISE ZONE

Administrator Knabel stated there are two items related to the Enterprise Zone on the agenda. Warren Wribley, WCR Enterprises, made a presentation at a prior Council meeting explaining the reason for the ordinances. Mr. Wribley stated at that time two ordinances would be coming before the Council in December. The attached ordinance authorizes the Council to approve the establishment of an Enterprise Zone in the City of Zion, the Village of Beach Park and the Village of Winthrop Harbor. Also included in the ordinance is an Intergovernmental Agreement between the three communities. Mayor Hill congratulated Administrator Knabel and Mr. Wribley for being instrumental in getting governmental legislation to add Nuclear Power Plants as a Brownfield Site. This will help with extra points on the City's Enterprise Zone application. He also thanked Senator Bush for sponsoring the bill. If Zion is awarded an Enterprise Zone, it will be another tool available to attract businesses. Commissioner Fischer stated if approved, a Zone Management Board would be created which would include one representative appointed by each municipality. He asked if that representative would be an elected official or a staff member. Administrator Knabel stated it could be either one but would most likely be a staff member due to the turnover of elected officials. Mayor Hill also thanked the Mayors of Beach Park and Winthrop Harbor for their cooperation with the application.

It was moved by Commissioner Fischer, seconded by Commissioner DeTienne that an Ordinance (18-O-54) be passed approving the establishment of an Enterprise Zone in the City of Zion, the Village of Beach Park and the Village of Winthrop Harbor, subject to the Enterprise Zone Act of the State of Illinois. The vote on roll call was: Commissioners Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/COMMITMENT/HIRING MINORITIES/WOMEN/PERSONS WITH DISABILITIES/ENTERPRISE ZONE

Administrator Knabel stated the attached ordinance is the second of two regarding the Enterprise Zone. He stated the ordinance is a new scoring item on the application awarding points for encouraging the development of business entities and the hiring of individuals defined as minorities, women and persons with disabilities within the Zion Benton Enterprise Zone.

It was moved by Commissioner Fischer, seconded by Commissioner DeTienne that an Ordinance (18-O-55) be passed enacting a policy statement expressing a commitment to encourage the development of business entities and the hiring of individuals defined as minorities, women and persons with disabilities within the Zion Benton Enterprise Zone. The vote on roll call was: Commissioners Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/SALE OF PROPERTY

It was moved by Commissioner McKinney, seconded by Commissioner Fischer that an Ordinance (18-O-56) be passed authorizing a Contract for the Sale of Real Estate at 1529 33rd Street between the City of Zion and Scott Nytko in the amount of \$1,275.00. The vote on roll call was: Commissioners Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

TABULATION OF BIDS/CLEANING & MAINTENANCE SERVICES FOR CITY FACILITIES

A Tabulation of Bids (17-DOC-84) was received from Director Ianson for the combined cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility. He stated that two bids were received, both of which were responsive. He stated is recommending the lowest responsible bidder, VMG Quality Services for \$38,400.00 annually.

It was moved by Commissioner McKinney, seconded by Commissioner DeTienne that the bid for the combined cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility be awarded to VMG Quality Services in the bid amount of \$38,400.00 annually. The vote on roll call was: Commissioners Fischer, aye; McKinney, aye DeTienne, aye; and Mayor Hill, aye. Motion carried.

COMMERCIAL SIGN & FAÇADE IMPROVEMENT PROGRAM REIMBURSEMENT/IGH, LLC

A memo (18-DOC-85) was received from Administrator Knabel stating the City assists in the Lake County Commercial Sign and Façade Improvement Program. In November, 2017, the Council approved the participation of IGH LLC, dba Culver's of Zion in the Commercial Sign and Façade Improvement Program to install two new Culver's signs on the west and front of the building. The applicant has exceeded the requirements of the program and is eligible for reimbursement under the program in the amount of \$3,408.75 per the agreement. Staff is recommending approval of the reimbursement to IGH, LLC dba Culver's of Zion.

It was moved by Commissioner DeTienne, seconded by Commissioner McKinney to approve the reimbursement under the Commercial Sign & Façade Improvement Program in the amount of \$3,408.75 to IGH, LLC dba Culver's of Zion. The vote on roll call was: Fischer, aye; McKinney, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Mayor Hill stated the City has been involved in seven lawsuits over the past two years. There have been four in the Police Department. Three of those lawsuits have been completed; two of which the City prevailed, one was settled and one that is still pending. There have been three lawsuits against the Rental Inspection Program of which the City prevailed in all three. There has been one against the Vacant Property Registration Program, which the City also prevailed. He stated the City uses its best judgement when deciding to fight a lawsuit or settle it. Often times the insurance company feels it's cheaper to settle then to go to court. He stated the current Council has a different approach. If the City feels they are right, they will fight. He stated there are about 1500 landlords in Zion and 77 of them decided to sue the City. The landlords claimed the rental inspection fee was a tax created to bring in revenue. The judge's ruling was that it is not a tax but rather a fee for Life Safety Rental Inspections.

ANNOUNCEMENTS

December 18	6:15 p.m.	Public Hearing – Tax Levy Zion Township Board Meeting
	7:00 p.m.	Public Hearing – Tax Levy Zion City Council Meeting
December 24, 25, 31 & January 1		City Offices Closed for the Holidays
January 2		City Council Meeting Cancelled
January 15	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 Fischer, seconded by Commissioner McKinney and unanimously approved the meeting be adjourned at 7:25 p.m. Motion carried.

City Clerk