

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 18, 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, DeTienne, McDowell, McKinney, and Mayor Hill. A quorum was present.

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

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

AGENDA CHANGES

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

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

PUBLIC HEARING/TAX LEVY

Mayor Hill opened the public hearing for the 2018, payable in 2019, City of Zion tax levy at 7:01 p.m.

Administrator Knabel stated at previous budget workshops the Council discussed items to address the current budget deficit. One of the options was to increase the property tax levy. The levy presented is about a 2.5-2.8% increase. The increase is limited by state statute on how much the levy can be increased each year; the lesser of 5% or consumer price index (CPI). This year the CPI being used is 2.1%. This would be the maximum the levy could go up not counting any new construction. The impact on a \$100,000 home would be between \$13.00-\$15.00. The City's makes up between 13-14% of the total tax bill. In the past residents have complained that the tax bill increased more than what the City stated. The City has no control over other taxing bodies. He stated even if the City did not increase the levy the taxes would most likely increase because other taxing bodies will make decisions on their levies that will affect taxes. The proposed levy would be \$7.5 million with an increase of \$209,000 from the prior year. Final assessments have not been established through the County yet which may change the amount of revenue to \$170,000 - \$180,000. The proposed levy should have an impact on the property tax rate decreasing the tax rate by 4%. The reason for this is, the City can only go up about 2.1 % and the property values went up about 6% and the formula is rate times values equals the tax levy. Residents will be paying a lower rate on a higher value.

Mayor Hill called for further comments from the public.

Kathy Champine, Zion, stated she understands taxes are high and are a burden. The school increased their levy 4.99% costing her about \$200.00. She stated the City needs the money. They need Police and Fire and the City needs to be able to do their jobs. She feels \$13.00-\$15.00 per household is not too much to ask. She would like to see the Council go for the max levy.

Commissioner Fischer asked Administrator Knabel to explain how the PETAL cap works and how keeping the levy flat would affect the future. Administrator Knabel stated the PETAL allows you to go up the CPI or 5% whichever is less based on your highest levy in the prior three years. If the City keep the levy flat, next year if they could go up 2% they will be going up 2% of a lower number. If they did not have the \$209,000 to use next year, they will lose the potential revenue forever. They have kept the levy flat in the past and have lost out on the revenue and it has caught up with them now. The City is looking at a \$1.6 million deficit and the levy only addresses a small part of it. The remaining portion of the burden will be on employees in salaries and benefits. They tried for home rule status in the hope of reducing the reliance on property taxes but that did not pass and now the only control the City has is with property taxes.

Clyde McLemore, Zion asked if the City gets the max levy, will they come back next year and ask for the max again. Administrator Knabel stated he cannot speak to that for every year. A financial analysis will need to be done each year to determine that. Mr. McLemore stated even with the max levy the City will still have a \$1.6 million deficit. Administrator Knabel stated if they went with the max levy they would have a \$1.4 million deficit. They will try and balance the budget this year so as not to face the issues next year. He is hoping things improve and find other ways to bring in revenue.

Mayor Hill stated the tax levy does have an impact on property taxes. He stated they attempted to go to home rule in the last election with the hope of keeping property taxes flat. He hoped the City would get an additional revenue source from home rule through sales tax. He stated at that time it was discussed they would balance the budget. The only way to balance the budget would be through increased revenue or decreasing the expenditures. He stated they made a promise to not raise property taxes any higher than the CPI of 2.1%. The City has sent out fifteen layoff letters to employees. It bothers him that they are asking the employees to take on a \$1.5 million burden. He does not believe it is much to ask the residents for an extra \$15.00.

Commissioner McDowell confirmed the EAV has gone up and even if they levy \$7.5 million, the City tax rate will actually go down 4%. They do not have control over what other taxing bodies will do.

George Dukas, owner of Dukas Enterprises in Zion, stated he has been in business for forty years and is trying to make a living. He stated the taxes are killing him and keep increasing. If they keep increasing taxes, he may not be able to stay in business. The City needs to get their head together with other taxing bodies and figure something out or Zion will lose some people. He has to raise his prices because he has to pay more in property taxes. He is paying more in taxes than he is on his mortgage. Each time he improves his property his taxes increase. He is worried about keeping his business going.

Mayor Hill called for further comments, and there were none.

Mayor Hill declared the hearing closed at 7:20 p.m.

CITIZEN COMMENTS

William Bremner, Zion, wished everyone a Merry Christmas and a Happy, Prosperous and safe New Year.

Clyde McLemore, Zion, thanked the Zion Fire Department for their efforts regarding a fire at the house of the Co-founder of Black Lives Matter. He stated no one was hurt but the house was destroyed. He also asked to honor the police department for their service. He stated recently two police officers were struck by a train while in the line of duty. He stated he was at a meeting with the Zion Minority Caucus and Chief Dumyah in an open forum to discuss making citizen complaint forms readily available. When he tried to submit a complaint form, he was told the form had to be notarized. He stated if it is necessary to have the forms notarized it will discourage citizens from filling out a complaint form as not every citizen has access to a notary. He stated it is not what was discussed at the meeting. The forms were supposed to be made more accessible to citizens. Chief Dumyah stated it has been a requirement on the form since 2007. He stated notarizing the form is necessary. If someone comes in and files a false complaint they cannot file criminal charges without the form being notarized. If a complaint turns out to be false and has been notarized, this would be considered a form of perjury. There is a notary available at the police department.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on December 4, 2018 at 7:00 p.m.
- (b) **BILLS:** Vouchers 130906 through 131051 drawn on Huntington National Bank N.A., Total: \$485,763.37

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

RESOLUTION/REFERENDUM/SALES TAX

Mayor Hill stated the attached resolution is requesting a non-home rule referendum for the April 2, 2019 ballot to ask voters to approve the collection of an increase of a 1% sales tax. He stated this was just a small portion of what they hoped to do with home rule. He hopes citizens will see the opportunity to adopt the sales tax increase of 1% which would be approximately \$1.5 million of added revenue.

Commissioner McDowell stated he feels putting the question to the voters is the right choice. He stated the Council does not have the authority to make the decision. He stated asking the voters the question is important. He wanted voters understand that they are not raising the sales tax by putting the question on the ballot. They are asking the voters what they would like to do. He stated it something the voters need to decide not the City Council.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that a Resolution (18-R-25) be passed providing for and requiring the submission of the proposition of whether the City of Zion, Lake County, Illinois, shall impose a non-home rule sales tax to the voters of said City at the Consolidated Election to be held on April 2, 2019. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

ORDINANCE/ TAX LEVY – CORPORATE PURPOSES

Administrator Knabel stated as discussed in the Public Hearing, the ordinance presented is for the 2018 levy for \$7,500,000.00. He recommends adopting the levy. He stated he has tried doing seminars and streams explaining how taxes work. He stated he is not insensitive to the issues taxpayers are facing and does not go into it lightly. He asked that the same accountability and passion be held to all taxing bodies as well. He stated unfortunately the schools have already adopted their levies and only one resident was in attendance for one school and three in attendance at the other which will have a much larger impact on the taxes than the City. He stated the City does take responsibility for 13% of the bill but gets 100% blame for it.

Commissioner Fischer stated this is an integral part of balancing the budget which they desperately need to do. They are moving forward with cuts to expenditures which involve personnel and benefits but they cannot leave this amount of revenue on the table.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney that an Ordinance (18-O-57) be passed providing for the levy of taxes for corporate purposes in the total amount of \$7,500,000.00 for the tax levy year 2018 to be collected in the year beginning January 1, 2019 and ending December 31, 2019 for the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, nay; McKinney, nay; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/CLINTON AUTO AUCTION AGREEMENT

A memo (18-DOC-86) was received from Chief Dumyahn regarding the renewal of the agreement between the City of Zion and Clinton Auto Auction. Chief Dumyahn stated in June of 2016, the City of Zion entered into an agreement with Clinton Auto Auction located in Clinton, Illinois to liquidate seized vehicles and surplus squad cars in order to allow the City to use a single means of liquidating surplus vehicles. The current agreement expires on December 31, 2018 and requests the Council approve the renewal agreement with no changes to the agreement.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne that an Ordinance (18-O-58) be passed authorizing the execution of an agreement by and between the City of Zion and Clinton Auto Auction for the disposition of surplus vehicles. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/INTERGOVERNMENTAL AGREEMENT/BY-LAWS/LAND BANK

A memo (18-DOC-87) was received by Economic Development regarding establishing Land Bank Authority. Commissioner McKinney stated over the last year several Lake County communities including Zion have been working together to form a Land Bank. The effort was started and fostered with himself and then Commissioner Richard Frierson. The main purpose of the Land Bank will be to combat community deterioration by returning properties to productive use in order to provide open space, housing industry and employment for citizens within the County. Land Banks are designed to acquire and maintain problem properties and then transfer them back to responsible ownership and productive use in accordance with local land use goals and priorities, creating a more efficient and effective system to eliminate blight. In order to accomplish the tasks, Land Banks are granted special powers and legal authority pursuant to state-enabling statutes. He and prior Commissioner Frierson believed a Land Bank would be ideal to address blighted areas within the City at little or no cost. He state the Lank Bank is something he has been working on since joining the City Council. He stated the impact of a Land Bank can improve housing stock and create safe, clean and updated properties in Zion. He stated with the Land Bank coming in it provides the City with an opportunity to provide affordable housing with Foxconn coming in across the border in Wisconsin. The real estate market in Wisconsin is going up considerably giving Zion an opportunity to market real estate here. The City has been looking at a few blighted properties that have been vacant for the last four years. They have attempted to contact the owner to not avail. There is a process the City must go through when dealing with vacant or dilapidated housing before they can be acquired and taken down which can cost a lot of money. In the past, they have received grants to assist with the demolitions. The Land Bank will allow the City to address the issues with the properties with little cost to the City other than a membership. It allows them to submit properties that have been a constant problem and return them to safe livable properties. The Land Bank becomes the City's real estate agent marketing the properties to different organizations and entities that want to buy the properties. There are seven communities involved in the Land Bank. This will help the City deal with blighted areas in hopes of seeing property values go up which may help property taxes go down. It can also help improve public safety and decrease crime. The attached Intergovernmental Agreement establishes the Lake County Land Bank Authority. The attached resolution is drafted in accordance with Section 5.01 of the Intergovernmental Agreement which requires each member to appoint a local representative to serve as a Local Government Director of the Land Bank. He requests approval of the Intergovernmental Agreement and appoint the City Administrator or his designee to serve as a Local Government Director of the Land Bank.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell, that an Ordinance (18-O-59) be passed authorizing execution of an Intergovernmental Agreement and By-Laws creating and establishing the Lake County Land Bank Authority The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

**RESOLUTION/APPOINTMENT/LOCAL GOVERNMENT DIRECTOR/LAKE COUNTY
LAND BANK**

It was moved by Commissioner McKinney, seconded by Commissioner McDowell that a Resolution (18-R-26) be passed appointing the City Administrator or his designee as the Local Government Director of the Lake County Land Bank. The vote on roll call was: Commissioner Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

TABULATION OF BIDS/HVAC MAINTENANCE SERVICES FOR CITY FACILITIES

A Tabulation of Bids (18-DOC-88) was received from Director Ianson for the combined HVAC maintenance services at City Hall, the Police Administration Building, Fire Stations No. 1 & 2 and the Public Works facility. Director Ianson recommended the responsible bidder, which is the City's current HVAC maintenance contractor, Northern Weathermakers in the annual amount of \$16,899.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell that the bid for the 2018 combined HVAC maintenance services be awarded to the responsible bidder, Northern Weathermakers, Inc., in the annual amount of \$16,899. The vote on roll call was: Commissioner Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

VARIANCE/MONUMENT SIGN/4527 RT. 173

A memo (18-DOC-89) was received from Director Ianson requesting a variance from Section 70-114(4) of the Zion Municipal Code to allow a monument sign 19.7 feet in height by 13.6 feet in length for property located at 4527 Route 173 as petitioned by North Shore Sign Company, Zoning Docket 18-Z-12. Director Ianson stated that the maximum monument sign permitted in the HB District is 8 feet in height by 12 feet in length. They are requesting to increase it to 19.7 feet in height by 13.6 in length to accommodate all the tenants. The sign will be located at the east entrance off Route 173.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney that an Ordinance (18-O-60) be passed granting a variance from Section 70-114(4) of the Zion Municipal Code to allow a sign height variance from 18 feet in height by 12 feet in length to 19.7 feet in height by 13.6 feet in length for the property at 4527 Route 173. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; McKinney, aye; and Mayor Pro Tem DeTienne, aye. Motion carried. Ordinance passed.

ORDINANCE/MUNICIPAL CODE TEXT AMENDMENT/SOLAR ENERGY

A memo (18-DOC-90) was received from Director Ianson requesting a text amendment to the Zion Municipal Code adding Section 102-504 to allow roof mounted solar panels to be located on front facing roofs as viewed from any adjacent street, Zoning Docket 18-Z-13. He stated the applicant shall demonstrate that, due to solar access limitations, no locations exist other than the street-facing roof, there the solar energy system can perform effectively. Staff is also recommending to the application requirements, that a Structural Engineer has certified that the structural roof framing will support the additional load. He stated that the Planning and Zoning Commission recommended approval.

It was moved by Commissioner McKinney, seconded by Commissioner Fischer that an Ordinance (18-O-61) be passed approving a text amendment to the Zion Municipal Code, Section 102-504 to allow roof mounted solar panels located on front-facing roofs as viewed from any adjacent street, with the addition to the application requirements, that a Structural Engineer has certified that the structural roof framing will support the additional load. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

FIREFIGHTER//PARAMEDIC NEW HIRE/ FIRE/RESUCE DEPARTMENT

A memo (18-DOC-91) was received from Chief Lewis requesting permission to hire a Firefighter/Paramedic. He stated with the retirement of Battalion Chief Allen Town on November 18, 2018, they currently have four vacancies within the fire department, including the SAFER positions. In order to meet minimum manning requirements they have been filling the positions with overtime. After hiring a replacement SAFER position in March of this year, they exhausted the New Hire Eligibility list which prevented them from filling the positions at that time. With completion and publication of the current New Hire Eligibility list at the end of November, he is requesting that they hire the first candidate from the current list in order to reduce overtime and bring the shift back to the level of staffing before the SAFER Grant. He is requesting the Council authorize the Fire and Police Commission to release the name of the next eligible candidate from the current published Firefighter/Paramedic eligibility list for Firefighter/Paramedic.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne to approve filling one (1) Firefighter/Paramedic position and requesting the name of the next candidate on the current Firefighter/Paramedic eligibility list from the Board of Fire and Police Commissioners. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill aye. Motion carried.

FIRE/RESUCE DEPARTMENT VACANCIES

Commissioner McDowell stated the request to fill the vacancies of Battalion Chief and Lieutenant has been on the agenda the last few meetings but has been take off agenda. He stated he appreciates the Council

waiting for him to return to explain the request. With the official retirement of Battalion Chief Allen Town on November 16, 2018 it has left a vacancy within the Fire/Rescue Department. This structure is how the fire service has operated over the last forty years. He stated there is a possibility there may be some operational changes within the fire department but they have not made any decisions yet. He stated his recommendation to the Council is to the positions with the next available candidates for both Battalion Chief and Lieutenant. Mayor Hill stated he opposes this action but it has nothing to do with the people up for the promotions. He stated the Council is in the middle of intense budget discussions and they are not sure what the structure of the departments will look like. He is not comfortable promoting anyone to a position that may not be there in three to four months. Commissioner McKinney questioned what the impact would be on the budget discussions in terms of the cuts that were discussed. Commissioner McDowell stated the fire department still operates with Battalion Chiefs. There is someone in a command position in each of the three shifts. He stated while there is the vacancy per union contract one of the Lieutenants is "acting up". They are actually filling the Battalion Chiefs position and receiving the Battalion Chief's salary. He stated there has been discussions on the whole operation in the fire department so there is a possibility there may be changes but until the changes are made he believes they should fill the vacancies. As far as the budget is concerned, they are already paying the salaries so it does not make a huge impact in the budget. Mayor Hill stated he is also concerned about moral in other departments. Other departments are taking cuts and they see employees in the fire department getting promoted. Commissioner Fischer stated he understands the Mayor's concerns and the hope is to work things out. It does cause some concern that they will fill positions that may be eliminated shortly but the fire department knows how to effectively run the operations and does not want to force a change on them when they have not agreed to anything yet.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne to approve filling one Battalion Chief vacancy and request the name of the next qualified candidate from the Police and Fire Commission Battalion Chief eligibility list and approve filling one Lieutenant vacancy and request the name of the next qualified candidate from the Police and Fire Commission Lieutenant eligibility list. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, nay; and Mayor Hill nay. Motion carried.

LETTER OF SUPPORT/EPA INVESTIGATIONS/ETHYLENE OXIDE EMISSIONS

Mayor Hill referred to an article that addresses Ethylene Oxide in Lake County. He stated the subject got some press during the elections. There was a facility in DuPage County that was leaking ethylene oxide emissions and they are determined to be carcinogens. It then came up that there were two facilities of concern in Lake County. One is in Waukegan and the other in Gurnee and they are right off of Route 41. Zion often gets winds coming from that direction. He would like to have the Council's permission to write letters to elected officials both State and Federal to ask them to continue to put pressure on the EPA and IEPA to continue the investigation to see how it will affect Zion.

It was moved by Commissioner Fischer, seconded by Commissioner McKinney to draft letters of support to elected officials in support of an EPA/IEPA investigation regarding Ethylene Oxide Emissions in Lake County. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill aye. Motion carried.

DEPARTMENTAL COMMENTARY

Administrator Knabel stated his discussion series "Dollars and Cents" started back in November. Discussion are on the second Tuesday of every month at 6:00 p.m. at It's All Good. The topics are things that may come up on social media, by phone calls or emails. The first discussion in November was "How your Tax Bill Works" and one person attended. The December meeting was, "Understanding Economic Development" and five people attended. The next topic will be, "Communicating with Government" on January 8th at 6:00 p.m. He stated often times the City puts information out and people say they haven't received it and don't know what is going on. The City may be missing the boat on how information gets communicated. He will discuss what tools are available to the public to better communicate with the City.

ANNOUNCEMENTS

December 24, 25, 31 & January 1,		City Offices Closed for the Holidays
January 1	7:00 p.m.	Zion City Council Meeting Cancelled
January 15	6:15 p.m. 7:00 p.m.	Township Board Meeting Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner Fischer, seconded by Commissioner McKinney that the Council recess to Closed Session at 7:57 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of collective bargaining and personnel. The vote on roll call was: Commissioners Fischer, aye; DeTienne, aye; McDowell, aye; McKinney, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner Fischer, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 8:45 p.m. with all members present. The vote on roll call was: Commissioners Fischer, aye; DeTienne, 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 Fischer, seconded by Commissioner McKinney and unanimously approved the meeting be adjourned at 8:46 p.m. Motion carried.

City Clerk