

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MARCH 2, 2021, AT 7:01 P.M. (VIA ZOOM) IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

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Mayor McKinney called the meeting to order.

On call of the roll the following answered present: Commissioners Fischer, Holmes, McDowell, Frierson and Mayor McKinney. A quorum was present.

Also present: Police Chief Eric Barden, Fire/Rescue Chief Justin Stried, Building & Zoning Director Richard Ianson, Public Works Director Ray Roberts, City Administrator David Knabel and City Attorney Jimmy Vasselli.

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

AGENDA CHANGES

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

CITIZEN COMMENTS

Krystle McNeely, William McNeely, Kate Elbert, Ashley Jensen, Catrice Holmes, Sheila, Rayon Edwards, William Coleman, Tim McNeely, Ayesha Dwyer, Kathie McBride, Melanie McNeely, and Jamila Jurnagen all spoke in support of the Zoe Leadership Academy (ZLA) and their disappointment with the City in wanting to revoke ZLA's Special Use Permit. Additional citizen comments regarding this subject were emailed to the Clerk prior to the meeting. These comments were read into the record and are attached to the end of these minutes.

Kathy Champine, Zion, apologized to the Council for her lack of diligence regarding the zoning variance requested by Ms. McNeely. She stated it was an error and when an error is made it should be fixed rather than be compounded with more mistakes. She sited her reasons to reject the variance request. Additionally she addressed the false accusations and threats she believes have been put out by the Ms. McNeely, her family and friends.

Administrator Knabel wanted to make it clear to the audience that previous comments made under Commissioner Holmes ID was actually that of Kathy Champine and not Commissioner Holmes.

CONSENT AGENDA

It was moved by Commissioner Fischer, seconded by Commissioner Frierson that the Minutes be approved as follows:

- (a) **APPROVAL OF MINUTES:** a Special Meeting held on February 12, 2021 at 4:00; and approval but not release of Closed Session Minutes of a meeting held on February 12, 2021 at 4:03 p.m.; a Regular Meeting held on February 16, 2021 at 7:00 p.m.

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

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

- (b) **BILLS:** Vouchers 136822 through 136924 drawn on Huntington National Bank, N.A. Total: \$475,706.72

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

Prior to voting on the next two agenda items, Mayor McKinney wanted to make the following statement:

“First, I would like to thank all the people who came on to support ZLA and talk about their issues and concerns as well as to question our process. While we make mistakes we are still human. We use the comments to try and improve our process and interworking’s within the City. With all of the comments I have been incredibly concerned an also disgusted by the comments made to our Commissioners and the members of the Planning & Zoning Board throughout this entire process. Up to today Ms. McNeely has controlled the narrative about these issues with her comments to the electronic print and different social media outlets. Unfortunately, she has not shared the entire story with everyone. While our character, integrity and morals have been questioned by the supporters of ZLA, little has been done on your part to reflect on your character and integrity as you have offered your insults and assassinations on our character. As I was reading the Bible this morning it reminded me of the Bible passage John 8:7 “Let him who is without sin among you cast the first stone”. As we have gone through this process what we have tried to do is be honest and upfront and when you ask about the conversations that were had, there was a comment made at the last City Council meeting that was asked, “Mayor, why haven’t you spoken up?” I will address that right now. After the December 15th Council meeting Ms. McNeely called me. She was told to call be by someone who knows me in the community and knows my character and knows what I stand for and the Council stands for. I told her to have patience as we went through the process as we review this matter. That is all I asked. I said we would resolve this issue and did want her business in town but the location she selected was not suitable. While we were working in good faith to make this happen, to rectify the issue, what we had to deal with as a Council which I understand is being part of public service, the half-truths that were told about what we were doing while in essence what we were doing this entire time being the scenes Ms. McNeely did not tell people that and shame on you. We have been working with you to try and find an alternative location. Our staff at City Hall has been working tirelessly to find an alternate site that would be more suitable for the safety of your children that would be attending ZLA. It’s a shame that the aforementioned facts have never been mentioned in all the media stories or social media platforms. People try and talk about elected officials’ integrity but it is a two way street and so is having trust. Over the past four decades, it’s been my experience that trying issues of public policy in the media rarely works, whether it’s local government our nation’s capital, trial courts or professional sports because the entire story is rarely told. Our City Council since I have been on board encourage full and robust debate on all issues coming before this Council, but as the Chair of this Council, all facts, not just one side, should be told in the same manner. As I thought about this I was reading Proverbs 3:29: Do not plan evil against your neighbor who dwells trustingly beside you. We have worked with you Ms. McNeely. We found you another location and yet you have not given us a response about what your interest is in. So the questions Is the proposed land use compatible with the existing uses? No. Does this use being requested fit with how people are using the properties in the area? Absolutely not. So those are the questions that we had to ask as a Council and we had to go back to our Zoning Committee as we were reviewing this matter. We have been very forthright and forthcoming. We have been inundated with messages and calls and emails about what are plan is. From the early conversations with Ms. McNeely I had that conversation with you on the phone but you did not share that with your supporters and the people in your group then shame on you. As far as the threats against elected officials whether you will vote or not, that is up to you. We serve the City and we have people that work with us at the City and that live in the City that have integrity and we do everything that we can to support the different venues in the City. When I hear people talk about daycare, she has talked about ZLA and what has been pointed out is that ZLA is not going to grow in that location. That has been discussed with her with our Economic Development Director. To say that we don’t care about children or that this is about cannabis over kids, it is totally inaccurate and self-serving. We have never said that we do not want your business here. We simply had a process to follow. We have found a site that is more suitable and even after all of this, we will continue to work with you. So Ms. McNeely, it is up to you now. To let us know if you are interested in the site that we found for you. If so, call our Economic Development Director, Sonolito Bronson as soon as possible and let her know if you intend to move forward pursuing this particular site. If not, let us know so that our staff can return to helping bring other businesses to our City”.

ORDINANCE/TEXT AMENDMENT/ZION MUNICIPAL CODE/SECTION 102-92(d)

A memo (21-DOC-14) was received from Director Ianson requesting a Text Amendment to Section 102-92(d) of the Zion Municipal Code. Director Ianson stated he is requesting to delete Childcare as a permitted use with the issuance of a Special Use Permit, Zoning Docket 21-Z-4. He stated safety concerns have been raised regarding allowing childcare in an Industrial Zoning District due to the businesses located within that district. Staff recommends

approval of the Text Amendment deleting Childcare as a permitted use in the General Industrial District. At the February 4, 2021 Planning & Zoning Commission meeting, the Commission recommended to deny the Petitioner's request with a vote to 3 to 2 and one pass.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (21-O-8) be passed approving a Text Amendment to Section 102-92(d) of the Zion Municipal Code to delete Childcare as a permitted use with the issuance of a Special Use Permit. The vote on roll call was: The vote on roll call was: Commissioners Fischer, aye; Holmes, aye; Frierson, aye; McDowell, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/REVOKING SPECIAL USE PERMIT/2701 DEBORAH AVENUE

A memo (21-DOC-15) was received from Director Ianson requesting to revoke the Special Use Permit for the proposed daycare located at 2701 Deborah Avenue. Director Ianson stated due to concerns allowing Childcare in an Industrial Zoning District, Staff recommends approval of Docket 21-Z-5 by revoking the Special Use Permit. At the February 26, 2021 Planning & Zoning Commission meeting, the Commission recommended to approve the Petitioner's request to revoke the Special Use Permit by a vote of 4-1.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (21-O-9) be passed Repealing and Revoking a Special Use Permit for a Child Care Facility in the General Industrial Zoning District for property located at 2701 Deborah Avenue. The vote on roll call was: The vote on roll call was: Commissioners Fischer, aye; Holmes, aye; Frierson, aye; McDowell, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

DEPARTMENTAL COMMENTARY

Director Ianson reminded residents not to discharge their sump pumps onto neighboring properties.

Administrator Knabel stated the Accounts & Finance Department has begun to look at utility accounts that are past due. Currently they are not doing shut-offs but residents need to get their accounts up to date. The City is giving a three month notice for residents to get their accounts current before they are put on a shut-off list. The State currently has a stay on evictions so the City will not enforce shut-offs. Mayor McKinney stated if residents are having issues with paying their bills, United Way of Lake County can direct them to resources to proper resources.

Chief Stried stated they still have carbon monoxide detectors available. They will be hosting a Blood Drive on May 1 at Station 1.

Chief Barden stated the department has made several arrests involving gun violence. They have been able to make these arrests due to the cooperation of the community.

Commissioner McDowell addressed Ms. McNeely and stated they have had conversations regarding another location. He stated they want to keep them in Zion and hopes the alternate location works out. He has a few other ideas if necessary. Additionally, he commended the Public Works Department for their plowing efforts through the record amount of snow that has fallen this year. He understands the alleys were difficult to get to and encouraged residents to help clear out their own areas and to help out their neighbors.

Commissioner Frierson also addressed Ms. McNeely and stated he knows that she is disappointed but hopes the alternate location will work. He assured Ms. McNeely that the Council would like to have her here in Zion.

Commissioner Holmes echoed the Commissioners' comments. She hopes the matter can be resolved. She is the Commissioner over Building and Public Property and feels it was the right decision not to put the daycare in the Deborah Avenue location. She hopes Ms. McNeely will continue to work with the City to find a resolution.

Commissioner Fischer commended Public Works for their stellar job this year. Regarding ZLA, he agreed with the Mayor's comments. He stated everyone makes mistakes and the City will try and find a better location. The Deborah Avenue location is not a good location for kids. The purpose behind the Planning & Zoning Board is to regulate appropriate places for appropriate uses. Additionally he reminded residents to continue to follow mask and social distancing procedures. He asked citizens to support local businesses.

Mayor McKinney recognized National Women's Month. He stated he has had many women role models in his life. He asked citizens to think about the women in their life and let them know how much they are appreciated. Additionally, last week the City of Zion partnered with CTCA to get COVID vaccines for Zion Seniors. Over 936 people will be vaccinated. He is waiting for future dates to open up to allow more residents 65 and older to be vaccinated. He stated he has received cooperation from the Commissioners, Township, CTCA and volunteers. He has worked hard to get a site in Zion and thanked everyone for their collaborative efforts.

ANNOUNCEMENTS

March 16	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
April 2		City Offices Closed for the Holiday
April 6	7:00 p.m.	Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that the Council recess to Closed Session at 8:09 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of filed, pending and/or probable or imminent litigation, collective bargaining and personnel. The vote on roll call was: Commissioners Holmes, aye; McDowell, aye; Frierson, aye. Commissioner Fisher and Mayor McKinney left the regular meeting at 8:09. Motion carried.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes to reconvene the Regular Council meeting at 8:35 p.m. with all members present. The vote on roll call was: Commissioners Fischer, aye; Holmes, aye; McDowell, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Frierson, seconded by Commissioner Fischer and unanimously approved the meeting be adjourned at 8:36 p.m. Motion carried.

City Clerk