

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 3, 2015, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

Mayor Hill called the meeting to order.

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

Also present: Chief of Police Steve Dumyahn, Fire/Rescue Chief John Lewis, Building/Zoning Director Richard Ianson, and City Attorney Paula Randall. Public Works Director Ron Colangelo and Accounts/Finance Director David Knabel were 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 Council agenda as presented. The vote on roll call was: Commissioners McKinney, aye; Taylor, aye; DeTienne, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

CITIZEN COMMENTS

Tamela Bangs, Woodstone Village and Horizon Village in Zion, stated that the absence of Daniel Kotcher was not due to a lack of concern. She stated that both she and Mr. Kotcher are hoping for a positive resolution regarding rental certification inspections for larger apartment complexes in Zion.

W. C. Bremner, Zion, presented to Mayor Hill a Chicago Tribune article, dated November 3, 2015, entitled "Zion: U.S. Owes Town for Nuke Site" in which Mayor Hill and Commissioner McDowell were quoted regarding the storage of spent nuclear waste in Zion.

Jacqueline Holmes, Zion, stated she resides in the 1900 block of Ezekiel and that she had previously expressed to the Council her concerns about vehicles running the stop sign in her neighborhood. She stated that at the last meeting a resident thanked the City for installing a speed bump in their area. She stated that the problem in her area has not been resolved and requested that a speed bump be installed.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on October 20, 2015 at 7:02 p.m. approval but not release of Closed Session Minutes of a meeting held on October 20, 2015 at 8:28 p.m.
- (b) **BILLS:** Vouchers 122024 through 122111 drawn on First Merit Bank, Total: \$489,871.61
- (c) **PROCLAMATION:** 240th Birthday of the United States Marine Corps – November 10, 2015

Approved by omnibus vote as follows: The vote on roll call was: Commissioners McKinney, aye; Taylor, aye; DeTienne, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

**SUPPLEMENTAL RESOLUTION/IDOT STREET & HIGHWAY MAINTENANCE
BY MUNICIPALITY**

A memo (15-DOC-107) was received from Director Colangelo stating that, during the course of the 2015 patching program, the Public Works Department encountered additional pavement deficiencies that required repair. Passing the proposed resolution would allow the City to utilize an additional \$7,960 in Motor Fuel Tax (MFT) funding for the project.

It was moved by Commissioner Taylor, seconded by Commissioner McDowell that a Supplemental Resolution (15-R-25) be passed for Improvement by Municipality Under the Illinois Highway Code appropriating \$7,960.00 of additional Motor Fuel Tax funds for the 2015 patching program. The vote on roll call was: Commissioners McKinney, aye; Taylor, aye; DeTienne, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

ELECTRIC AGGREGATION PROGRAM/CONSTELLATION ENERGY

A memo (15-DOC-108) was received from Clerk Burkemper stating that on September 15, 2015, the City Council approved sending a letter to Constellation Energy agreeing to their request to postpone the 30 day negotiation period regarding a price increase until a later date, to allow them time to gather all the necessary data. Clerk Burkemper stated that Constellation has informed the City, via the letter provided, that they anticipate having price impact information available to them in November 2015, so they can prepare to discuss with the City any potential price impact for the Zion community. Clerk Burkemper stated that Constellation is asking to formally extend the negotiation window through December 15, 2015.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to approve an extension of the negotiation window for Constellation Energy through December 15, 2015. The vote on roll call was: Commissioners McKinney, aye; Taylor, aye; DeTienne, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

RENTAL INSPECTION CERTIFICATION PROGRAM

Mayor Hill presented his observations, based on citizen comments during past Council meetings and the landlord meeting held on October 22, 2015, regarding rental inspection certification program concerns. He stated that he has heard concerns regarding:

- 1) The impact the program will have on large multi-family property landlords versus single family property landlords
- 2) The cost of rental inspections at \$100 is too high
- 3) The inspection criteria – what will be inspected. Landlords fear inspections will go beyond life safety issues and the inspectors will “nitpick”.
- 4) The time frame for making repairs especially for high cost repair items
- 5) Landlords noted the rental inspection ordinance was enacted to upgrade rental units. They asked about owner occupied home inspections. Many owner occupied properties need to be brought up to code at a higher standard.

Mayor Hill stated that he was troubled by some observations he made at the landlord meeting:

- 1) He was under the impression that landlords were trying to provide quality units like their own homes, but that is not the case.
- 2) Landlords are looking at the program from the perspective of their own circumstances and how the program affects them, not how it affects the entire City of Zion.
- 3) The City sent 1,200 letters inviting landlords to the meeting and only 250 attended. Most landlords that attended are the good landlords. He expressed concern regarding the 950 landlords who did not attend the meeting.

Mayor Hill stated that the Illinois Association of Realtors submitted a list of questions and suggested changes to the rental inspection certification program ordinance. The questions are being addressed in a memo prepared by the City Attorney.

Commissioner McDowell stated that the rental inspection ordinance passed in July 2015 and the fee structure ordinance recently passed are not set in stone. He stated that public input was needed and the Council is taking the input received seriously. He posed the following question: If a duplex owner lives in one side of the building and he rents the other side, must both sides be inspected or just the rental side? Director Ianson stated that the owner occupied unit is not exempted in the ordinance. It was the consensus of the Council that the owner occupied portion would not be subject to inspection, only the rental unit. Commissioner McDowell stated that Zion has a lot of conscientious landlords and they are worried about smaller issues. Commissioner McKinney stated that the inspections will concentrate on life safety issues such as electrical, plumbing, water, not nitpicking issues like carpet stains and small wall cracks. He stated that landlords need assurance that they will not be subjected to nitpicking. Director Ianson stated that the inspection criteria list is based on the property maintenance ordinance and each property will be addressed on a case by case basis. He stated that common sense must prevail when performing the inspections and identifying the necessary repairs. Commissioner McDowell stated that it may be necessary to differentiate between multi-family unit complexes and single family home rentals in the inspection criteria. He stated that perhaps two sets of criteria are necessary. He stated that perhaps the fee structure should be revised with consideration being given to an incentive for good landlords whose properties pass inspection. He stated that, if the unit passes in Year 1 of the program, perhaps it would be an incentive to allow two years to pass before the next inspection. Mayor Hill stated that he and Director Ianson revised the program expenses. He said the expenses were amortized, and to reach the "break even" point, the per unit inspection fee could be reduced from \$100 to \$66. Mayor Hill noted that the cost of the program will increase each year. He noted that offering incentives will make it difficult for the program to pay for itself if inspections are not done for two years. He noted that any fines collected will help pay for the program. He noted that there will be legal fees incurred when the City has to fight program offenders. Commissioner McKinney stated that the City Council is listening during conversations regarding concerns/issues with the program and alterations will be contemplated. Commissioner McDowell stated that many landlords have cash flow problems. He asked how long landlords will have to make repairs. Director Ianson stated that the ordinance states landlords would have 60 days to complete repairs. Mayor Hill stated that if repairs are a life safety issue, the City doesn't want residents to live in an unsafe environment and therefore, perhaps the 60 days should be reduced to 72 hours for life safety repairs. He stated that otherwise, the repair completion period could be extended to 90 or 120 days. Chief Lewis stated that the Fire/Rescue Department inspects apartments and businesses annually and they allow 30 days for the correction of violations. He stated that the Department works with the landlords and may extend the period until the problem has been corrected. He stated that fines are imposed after the first notice. Commissioner McDowell asked if it would be possible to cross-train the inspectors and combine the Fire/Rescue and Building Department inspections. Chief Lewis stated that the inspectors work from a check list and it would be possible to cross train. It was noted that such a combination would generate union issues. Commissioner McDowell suggested that the City approach other Lake County entities regarding consolidation of inspections. He stated that perhaps the City of Zion could perform the inspections and be reimbursed by Lake County. Commissioner McDowell stated that people are not questioning the need for the inspection program. He stated people believe Zion has a housing stock problem and the program is needed. Commissioner McDowell stated that the City's high tax rate is frequently "tacked on" to discussions he has with others. Others are asking how they can pay for both high taxes and repair bills. It was noted that the rental inspection program will not lower taxes immediately, however, it will over time. Commissioner McDowell stated that as the program succeeds and the housing stock improves, property values will increase, thus making more funds available to the taxing bodies. He stated that at this point, the City Council must keep the tax levy down.

Mayor Hill stated that the amendments to the rental inspection program will be presented at the November 17, 2015 City Council meeting for the Council's consideration and/or approval.

ANNOUNCEMENTS

November 4	4:00 p.m.	Special City Council Meeting
November 5	7:00 p.m.	Planning & Zoning Commission Meeting
November 13	1:00 p.m.	City Council Special Meeting/Budget Workshop

November 17

6:30 p.m.

Zion Township Board Meeting

7:00 p.m.

Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that the Council recess to Closed Session at 7:55 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of personnel. The vote on roll call was: Commissioners McKinney, aye; Taylor, aye; DeTienne, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 8:28 p.m. with all members present. The vote on roll call was: Commissioners McKinney, aye; Taylor, aye; DeTienne, aye; McDowell, 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 McKinney, seconded by Commissioner McDowell and unanimously approved the meeting be adjourned at 8:28 p.m. Motion carried.

City Clerk

Approved November 17, 2015