

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 1, 2019, AT 7:00 P.M. 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 Frierson, Holmes, McDowell, Fischer and Mayor McKinney. A quorum was present.

Also present: Police Chief Kirk Henderson, Fire Chief John Lewis, Public Works Director Ray Roberts, City Administrator David Knabel, Building & Zoning Director Richard Ianson and City Attorney James Vasselli.

Mr. 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 as presented:

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

CITIZEN COMMENTS

Ron Molinaro, Zion, stated he has come to speak about the Fourth Amendment and the rental inspection program. As a renter himself, he is concerned about the fact that the City ordinance forces them to invite a City inspector into their homes. Whereas the Fourth Amendment rite is absolute if you own a home but is not if you are a renter. He feels it is unfair and unconstitutional and is an unintended consequence of the ordinance and the Body has an opportunity to correct it. He stated it mirrors the 1850's when the right to vote and the right to privacy depended on property ownership. He stated the Council has an opportunity to decide if the power of the State is more important than the liberties of the individual. He asked that the Council amend the program to allow inspections only when properties are vacant and rethink the fines assessed. He stated his personal friend Terry Boone has been assessed \$114,000 in fines which may force him in to bankruptcy. All over his unwillingness to exercise the landlord's right via the lease to go into an apartment rather than the requiring the City to use an administrative search warrant. He asked the question "Can an administrative warrant be used on a private resident for code violations as it would be for a renter".

Denise Lear, Zion, stated she has been a renter, a homeowner and Section 8. She is currently a renter in an apartment. She has no objection to the City coming in and inspecting her residence. She stated the City came in and checked the smoke detectors and carbon monoxide detectors and were in and out in less than 5-10 minutes and there were no problems. The only reason residents should have a problem with the City coming in is if they are doing something illegal. She also asked the Council what it would take to get a food truck in Zion. She asked what the requirements would be to operate the truck.

W.C. Bremner, Zion, stated several months ago the Council debated and discussed marijuana. He stated it is happening throughout the State. In downstate Peoria, the City Council approved a 3% cannabis sales tax. According to State law if a City decides to sell marijuana, they can decide to levy a tax. Mr. Bremner provided Mayor McKinney with a newspaper article discussing the details.

Clyde McLemore, Zion, stated a few months ago, the Council voted to retain a Lobbyist to go down to Springfield. He stated he has checked out the Lobbyist and he was also the Lobbyist for the temp agency SB47. He stated temp agencies were hiring Latinos and not giving Blacks the opportunity for employment. He feels it is strange that the Council consists of an Afro American Mayor and two Afro American Council members and they voted to retain the Lobbyist. Mr. McLemore reminded the community of the Black Lives Matter Banquet on November 3rd at Market Square. He stated the key note speaker will be Carlos Chaverst Jr., President of the Alabama Youth Movement. The title of the banquet is "Moving the Millennials".

Kathy Champine, Zion, stated fails to see how the Rental Inspection Program violates the Fourth Amendment. She stated no one's personal property is being searched. The inspection is for rental property safety only. She sees it as

being similar to restaurant inspections. Food is inspected for bugs and mice and properties are inspected for gas, electric, roof leaks and windows. She stated she does not see how the inspections can be considered a violation of the Fourth Amendment. The examples she sees on the internet indicate the inspections are not unconstitutional but that the ordinances are poorly written. She feels it is a good thing to do because landlords so retaliate when tenants complain. She encouraged the City to keep up the good work.

Linda Brown, Zion, stated she agrees with the rental inspections especially if the unit is empty. She stated she previously moved from a home that had a basement that was full of asbestos. She has been a landlord, a renter and a homeowner. She stated people must keep their units clean and it's up to the landlords to do a monthly inspection.

Jason Ellis, Zion, asked how the City can afford to enter into a contract with a Lobbyist for \$55,000 if they are broke. He wonders how the money is miraculously available. He understands there could be some kind of kick-back or State aid from the Lobbyist. He stated the money could have been used in Public Works for crumbling roads and infrastructure. It is not a large amount of money in the grand scheme of things but every little bit counts. He stated he recently attended a District 6 Board meeting. Not one person from City leadership was in attendance. The City doesn't think their voice matters but it does matter. The City needs to attempt to stand with the residents to put pressure on the school district to improve. Hundreds of teachers are leaving the school district. The test scores are at the bottom of the State. The budget bleeds the taxpayers to death. Good direction is needed for the City and it starts with the schools. There is a huge impact on jobs and houses being sold. He asked that the Council get involved. He stated the City needs to be more proactive in letting the residents know what is going on in the City. He also recommended the City have a Social Media page to inform residents what is going on in the each department and to help show the positive things.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on September 17, 2019 at 7:04 p.m.

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

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

- (a) **BILLS:** Vouchers 133024 through 133139 drawn on Huntington National Bank, N.A. Total: \$692,763.18.

Commissioner Holmes questioned a payment (\$222.50) for LexisNexis. Administrator Knabel stated the company provides lines used for the communication data for Public Health and Safety.

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

RESOLUTION/INTERGOVERNMENTAL AGREEMENT/ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

Chief Lewis stated initially the deadline for passing the proposed resolution for approval of an Intergovernmental Agreement between the City of Zion and the Illinois Department of Healthcare and Family Services was October 1, 2019. An extension has been awarded until November 1, 2019. This will give the City time to investigate and address any questions regarding the agreement. He recommends the Council table the resolution until further notice.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes to table the approval of an Intergovernmental Agreement between the City of Zion and the Illinois Department of Healthcare and Family Services. The vote on roll call was: Commissioners Frierson, aye; Holmes, aye; McDowell, aye; Fischer, aye; and Mayor McKinney, aye. Motion carried.

ORDINANCE/AMENDING CHAPTER 94/ZION MUNICIPAL CODE/UTILITIES

Administrator Knabel stated at the September 17th meeting there was discussion regarding a water rate increase for infrastructure purposes. There had not been an increase for a ten year period. In 2014 an increase was assessed to catch up to the cost of the fund. In 2016 an increase was issued due to the Lake County Public Water District issuance of bonds for the repairs to the intake pipe to Lake Michigan. The City of Zion is responsible for 70% of debt service principal and interest on those bonds. In the fifteen year period there was never sufficient funds in the rate budget for infrastructure. The City has 111 miles of water main, 106 miles of sanitary sewer and 95 miles of storm and 60% of it is 50 years or older. It costs about \$1.5 million to replace a mile of main. If the City spent a \$1.5 million a year replacing one mile it would take 22 years just replace the infrastructure that is 100 years old. The rate is currently at a 2013 average for the area. He is recommending a \$1.60 per thousand water rate increase. The average household will see an increase of \$20.00 per quarter. The increase will be restricted for infrastructure use only. The City will continue to pursue grants and loans through the IEPA. They are also hoping to address the 18% water loss. Rates will become effective on January 1, 2020. Commissioner McDowell asked if the information will be available to the public. Administrator Knabel stated if approved, the information will be posted on Facebook and on the City's website under the Public Works web page. Commissioner McDowell stated because of the infrastructure issue with the sand erosion the Lake County Public Water District took out bonds to pay for the project and passed the costs on to Winthrop Harbor, Zion and the Forest Preserve. The cost to the City has been \$200,000 a year since 2016. Winthrop Harbor has addressed the issue with their residents by instituting a \$27.00 quarterly fee. Zion has been absorbing the fees the last few years and must now pass it on to the residents. This has not been under the City's control. This will allow money to be used to do infrastructure repairs and partner with the IEPA for loans and grants.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that an Ordinance (19-O-39) be passed amending Chapter 94, Section 94-355(a)(1), Rates established; service inside City, of the Zion Municipal Code as presented. The vote on roll call was: Commissioners Frierson, aye; Holmes, aye; McDowell, aye; Fischer, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/RIGHT-OF-WAY LEASE RENEWAL/ADJACENT TO 2260-2264 SHERIDAN ROAD

Director Ianson stated that, in November 2016, the City Council passed an ordinance authorizing execution of a lease between the City of Zion and MJK Group, LLC for property consisting of approximately 1,584 square feet situated on the 23rd Street right-of-way, adjacent to 2260-2264 Sheridan Road, to provide for five (5) additional tenant parking spaces. The annual rent payment was set at \$250.00. He stated that the lease expires on October 31, 2019. He requested that the Council renew the lease.

It was moved by Commissioner Holmes, seconded by Commissioner Frierson, that an Ordinance (19-O-40) be passed authorizing renewal of a lease between the City of Zion and MJK Group, LLC for property consisting of approximately 1,584 square feet situated on the 23rd Street right-of-way, adjacent to 2260-2264 Sheridan Road, to provide for five (5) additional tenant parking spaces with an annual rent payment of \$250.00. The vote on roll call was: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

DEPARTMENTAL COMMENTARY

Karin Graves, Human Resources, stated there is one part-time position available in the Accounts & Finance Department. The position is for 20 hours a week and pays \$17.39 an hr. Three years customer service experience is required. Visit the City's website for more information or contact Ms. Graves directly.

Director Ianson updated information on the demolitions. The fourth of four buildings was taken down last week. They are waiting for drier weather to get the area cleaned up.

Director Roberts stated the 2100 block of the Hebron alley is complete. The 27th Street south alley on Gabriel and Ezra south of 27th street is almost complete and the Joppa alley will be completed this week. Mayor McKinney stressed the importance of the landlords cleaning up their properties. Director Roberts stated once the alleys are complete, they will be asking the Landlords to repair or replace their parking areas. The City has put a significant amount of money into repairing the three alleys. If they do not replace them, the constant traffic going in and out of the will begin to deteriorate the newly paved alleys.

Administrator Knabel stated the “Dollars & Sense” meetings are held on the second Tuesday of the month at 6:00 p.m. at It’s All Good. A topic has not been determined for the October meeting but November’s topic will be “Understanding your Property Tax Bill”. Watch Facebook for details.

Chief Lewis stated next week is Fire Prevention Week – October 6-12. This year’s theme is “Not every hero wears a cape, plan and practice your escape”. He stated today’s homes are burning faster than ever. A recent test was done on two different types of homes; a modern home and a legacy home. A fire was started on the couch in each home. The modern home ignited in one big swoop and went to flash over in 3 minutes 30 seconds and the legacy home burned in 29 minutes 30 seconds. People do not realize how fast things burn. He encouraged citizens to sleep with their doors closed and have working smoke detectors. He also encouraged them to have an escape plan on how to get out of their homes in case of a fire. Zion Fire/Rescue will be holding an Open House on October 19th from 10:00 a.m.-12:00 p.m. There will demos done on different things that are done in the fire service.

Lieutenant Velardi stated the Police Department is currently looking into restructuring their patrol districts and how they assign personnel during a shift. They are analyzing statistics and will be increasing police presence in the necessary areas in order to reduce response times in order to have a more efficient use of staff. The boundaries have been the same for the past 30 years.

Mayor McKinney thanked the public for the comments regarding City communication with the residents. He stated over the last five months they have implemented an expanded Departmental Commentary that updates what is going in each City department. Additionally, they are in the process of getting a City Facebook page to continue to communicate better with the citizens to keep them up to date on what is happening in the City. As discussed at previous meetings, the City has great progress in patching roads and alleys.

ANNOUNCEMENTS

October 15	6:15 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
October 25	5:00 p.m. to 6:00 p.m.	“Trail of Treats” sponsored by Lake County’s Lakeshore Chamber of Commerce, the City of Zion and Zion Park District
October 27	2:00 p.m. to 5:00 p.m.	Zion Trick or Treat
November 5	7:00 p.m.	Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that the Council recess to Closed Session at 7:42 p.m., pursuant to 5 ILCS 120/2 “Open Meetings”, for the discussion of collective bargaining and pending litigation. The vote on roll call was: Commissioners Frierson, aye; Holmes, aye; McDowell, aye; Fischer, aye; and Mayor McKinney, aye. Motion carried.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer to reconvene the Regular Council meeting at 8:14 p.m. with all members present. The vote on roll call was: Commissioners Frierson, aye; Holmes, aye; McDowell, aye; Fischer, aye; and Mayor McKinney, aye. Motion carried.

**MEMORANDUM OF UNDERSTANDING/
PROFESSIONAL FIREFIGHTERS ASSOCIATION IAFF LOCAL 1999**

It was moved by Commissioner Frierson, seconded by Commissioner Fischer to approve a Memorandum of Understanding between the Zion Professional Firefighters Association IAFF Local 1999 and the City of Zion as presented. The vote on roll call was: Commissioners Frierson, aye; Holmes, aye; McDowell, aye; Fischer, 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 McDowell, seconded by Commissioner Frierson, and unanimously approved the meeting be adjourned at 8:21 p.m. Motion carried.

City Clerk