

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 15, 2019, AT 7:05 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS**

.....

Mayor McKinney called the meeting to order.

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

Also present: Police Chief Kirk Henderson, Battalion Chief Eric Troy, Public Works Director Ray Roberts, City Administrator David Knabel, and City Attorney Erich Stach. Fire Chief John Lewis and Building & Zoning Director Richard Ianson were absent.

Mr. Bremner led in the Pledge of Allegiance to the Flag.

**AGENDA CHANGES**

It was moved by Commissioner Fischer, seconded by Commissioner McDowell to accept the City Council meeting agenda as presented:

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

**SPECIAL PRESENTATION/CHRISTOPHER BURKE ENGINEERING**

Scott Griffith, Christopher Burke Engineering, presented an update regarding the 20<sup>th</sup> Street Drainage Study. This current study has been revised from one conducted at the end of 2018. The study area is located on 20<sup>th</sup> Street and Route 173, between the intersections of Jethro Avenue and Gideon Avenue. The purpose of the study was to investigate the flooding of the Route 173 underpass below the Lake County Division of Transportation Bike path during high intensity rainfall events. This area has often been closed for an extended period due to the roadway flooding that made the road unsafe for vehicle traffic. The Route 173 underpass and 20<sup>th</sup> Street are drained by existing storm sewers that outlet to the Kellogg Creek in Beulah Park. Within the study area, the storm sewer flows west to east along 20<sup>th</sup> Avenue from Jethro Avenue to Gideon Avenue and then flows north along Gideon Avenue where it eventually outlets to Kellogg Creek. The presentation covered the following:

1. Goals of the Study
2. Design Considerations
3. Existing Conditions Analysis Results
4. Identify Alternatives
5. Next Steps

Commissioner Fischer stated of the alternatives presented, number 2 (100-year protection) seems to be the best answer. He stated he is surprised the study is still showing the section just west of the viaduct they are still getting some overland flow. He asked if there was any way to minimize the impact and be looked into further. Mr. Griffith stated they could look into it if the City decided that was an alternative they wanted to pursue. He stated the main restriction point of the whole system is undersized pipes. He stated looking into upsizing the pipes upstream of the viaduct could potentially provide an additional level of protection. Commissioner Fischer stated the people that live in the neighborhood across the road have an alley that becomes a river and they end up with water in their garages and basements. He stated anything that could alleviate the problem for the residents would be a good investment for the City. Commissioner Frierson asked in comparing alternatives 1 & 2 if it was correct to say that the only difference is the size of the pipe. Lee Fell, Christopher Burke, stated it was correct and that alternative 2 includes upsizing the pipe to a 78-inch diameter. Commissioner Frierson asked if the basic difference was in the cost of the materials. Mr. Fell stated it would depend on if they would be doing full reconstruction of the road or if they would be able to patch it. If they use a 48-inch or larger pipe it would most likely be full reconstruction. The material costs would be for the pipe itself as well as the trench backfill which would be a bit wider.

### CITIZEN COMMENTS

Mayor McKinney reminded citizens that comments should be held to three minutes and it is not a question and answer period. In the event there are questions that are raised, they may be addressed in Departmental Commentary or if more complex answers are needed a meeting can be set up to discuss the issue at a later time.

Tracey Johnson, Zion, stated the City of Zion makes up 13% of the tax base. He recently spoke with other taxing bodies regarding a program for new teachers coming into the community. He proposed that any new teacher hired for Zion school districts and new to the community, would have their property taxes forgiven for four years. He stated there are large salary differences between Chicago teacher's pay and Zion teacher's pay. Mr. Johnson mentioned his previous proposal to the City regarding a wine festival. He stated he recently discovered after waiting for two months that the City was not in favor of wine festival on City property. He feels the City should have informed him sooner so that he may have offered an alternative site and to not have wasted his time.

W.C. Bremner, Zion, presented a Sun Times article regarding the consolidation of downstate and suburban police and firefighter pension funds. The article referenced letting two statewide boards; one for police and one for fire manage the investments for each individual fund to get better returns and reduce costs. He also brought attention to the story on the news regarding Zion Police being commended for pulling a woman out of a burning car.

Julia Patterson, Zion, stated she had issues with a City Inspector violating her Fourth Amendment rights. She stated the inspector recently came into her home to do a City inspection and lied in a report he made to DCFS stating her apartment had no working smoke detectors, old bait traps and garbage everywhere. She stated DCFS came out and found no violations. She feels she was bullied by the inspector and feels he overstepped his authority. She stated the rental inspection program is being misused for a purpose it was not created for. The program should be about property safety and not a lifestyle. Ms. Patterson has made a complaint with the ACLU calling for the inspector to be fired because he knowingly lied in his report.

Julia Ramey, Logan Ramey Productions, presented flyers to the Council pertaining to an event on November 9, 2019 at the Inn at Market Square. She stated all proceeds would be going to the Honor Flight. She asked the Council if they waive the permit fee. Ms. Ramey was instructed to submit a Special Event application to the City Clerk for review. Mayor McKinney stated once the application has been received they will take the matter under consideration.

Jason Ellis, Zion, stated it has been two weeks since his last appearance. He is aware the departments make comments at every meeting. He watches the meetings on YouTube often because he doesn't like what is being done there. He has a busy schedule on Tuesdays due to family obligations and work. He stated a City Council meeting will never be a top priority unless he makes it one. He stated regarding a Facebook page, it takes less than ten minutes to make a Facebook page and even less time to make a once a month post per department to let citizens know what is going on in the City. He feels the City has a lacking and outdated website. He suggested that the City's web designer could manage a City Facebook page. He stated he recently met with the Police Chief and had a good discussion. He stated anyone that may be surprised to see a water rate increase should have known better. He stated several of the City Officials ran on no new taxes or fees yet there have more tax increases.

Ron Molinaro, Zion, thanked the Commissioners for responding to his emails and to Commissioner Frierson for his assistance in setting up a meeting with the Police Chief. He is excited to see the proactive approach with the Police Department. In one of his emails he asked if an administrative warrant could be used on a private resident for code violations as it would be for a renter and he has not yet received a response. He stated he appreciated Clerk Spooner responding to his email offering to send him copies of the minutes but the meeting minutes have not been posted in nearly a year and by statute the City is required to post the minutes within 10 days.

### CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on October 1, 2019 at 7:04 p.m.; approval but not release of Closed Session Minutes of a meeting held on October 1, 2019 at 7:42 p.m.

The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, 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 133140 through 133228 drawn on Huntington National Bank, N.A. Total: \$336,443.34.

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

### RESOLUTION/COMPLETE STREETS POLICY

A memo (19-DOC-60) was received from Director Roberts requesting approval of a Resolution and Complete Streets Policy. Director Roberts stated the Council previously approved the Phase I, II, engineering, and submittal of an STP application for the 27<sup>th</sup> Street resurfacing project in January 2020. As part of the current STP application process through the Lake County Council of Mayors to include points based system for CMAP's "On to 2050 Long Range Plan". Points will be awarded to any project whose project sponsor has adopted a "Complete Streets Policy". A Complete Streets Policy is critical in obtaining STP funding. Complete Streets in a transportation policy and design approach that encourages streets to be planned, designed, operated, and maintained to enable safe, convenient, and comfortable travel and access for anticipated roadway users, regardless of their age, abilities, or mode of travel. Commissioner McDowell asked if it was a standard approach to approve a resolution for managing streets. Director Roberts stated any time they consider doing an FAU project with ADA improvements or sidewalk improvements passing a resolution is required. Commissioner Frierson confirmed that by adopting the resolution the City would receive 50 priority points. Director Roberts stated there was a possibility the City could receive up to 50 points.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson that a Resolution (19-R-21) be passed adopting a Complete Streets Policy. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Resolution passed.

### ORDINANCE/SURPLUS PROPERTY/POLICE DEPARTMENT

A memo (19-DOC-61) was received from Chief Henderson requesting that a vehicle in the Police Department be declared surplus property and liquidated through Clinton Auto Auction which is the City's approved process for auctioning surplus vehicles. The vehicle was previously used as the department's Animal Control vehicle. The vehicle has 120,102 miles on it and the body is in rough shape. The vehicle is no longer being used since the Animal Control Program was discontinued. Animal complaints are now handled by Community Service Officers and two other vehicles are used for this purpose. This vehicle was thought to have previously been declared surplus at the September 3, 2019 Council meeting but the year and vin number were incorrectly transferred to the paperwork. The attached memo reflects the correct year and vin number of the vehicle.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (19-O-41) be passed declaring a 2007 Ford E-150 Van, Vin #1FTNE14WX7DA80406 as surplus property and liquidated through Clinton Auto Auction. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### ORDINANCE/SURPLUS PROPERTY/PUBLIC WORKS DEPARTMENT

A memo (19-DOC-62) was received from Director Roberts requesting that two pieces of equipment in the Public Works Department be declared surplus property in order to be utilized as a trade-in for the purchase of a vactor truck. The Council previously approved the purchase of a vactor truck and included within the financing agreement is the trade-in value of \$60,000 for the 2003 Sterling/Vactor vac truck and \$40,000 for the 2005/6 International/Tymco sweeper. Both pieces of equipment are required to be placed in surplus status in order to be utilized as a trade-in for the new purchase.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson that an Ordinance (19-O-42) be passed declaring a 2003 Sterling/Vactor vac truck, Vin #2FZSAATAK03AK03AL75305 and a 2005/6 International/Tymco sweeper, Vin # 1HTMPAFNX6H176315 as surplus property to be utilized as a trade-in for a new vactor truck. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/INTERGOVERNMENTAL AGREEMENT/ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES**

A memo (19-DOC-63) was received from Chief Lewis requesting approval to enter into an Intergovernmental Agreement with the Department of Healthcare and Family Services to participate in the Government Medical Emergency Transport (GMET) program. The Illinois Fire Chiefs Association has been working with the Illinois

Department of Healthcare and Family Services to provide financial assistance under the Government Medical Emergency Transport to agencies which provide ambulance service associated with Medicaid reimbursement. Through the IGA and the appropriate filings with the IDHFS the City could receive additional Medicare reimbursements for the transports. The impact of the change is estimated to bring in approximately \$180 million each year of additional Medicaid reimbursements to the Illinois EMS providers. Based on reports from the City's ambulance billing vendor, approximately 75% of the transports are billed to Medicaid/Medicare which should allow the City to receive a sizeable reimbursement through the program. It is Chief Lewis' recommendation that the City enter into an Intergovernmental Agreement with the Illinois Department of Healthcare and Family Services to participate in the GMET program. The City's legal team has also had a chance to review the IGA and found no reason not to move forward with it. The deadline for the initial GMET Cost report and the IGA was October 1<sup>st</sup> but has been extended to November 1, 2019. If the required documentation is submitted by November 1<sup>st</sup>, the City will be eligible for reimbursement funds January 1, 2021. If the deadline is missed, the City cannot request reimbursement until October 2021.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (19-O-43) be passed approving and authorizing an Intergovernmental Agreement with the Illinois Department of Healthcare and Family Services to participate in the Government Medical Emergency Transport program. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/AMENDING ZION MUNICIPAL CODE/CHAPTER 62/VIDEO GAMING**

Administrator Knabel stated the State of Illinois recently expanded the number of video gaming terminals for all eligible business from five to six. The attached ordinance is amending Zion Municipal Code Chapter 62 Section 292(3) to mirror the State Law allowing six gaming terminals on the licensed premises. He stated all regulations regarding video gaming are done at the State level.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson, that an Ordinance (19-O-44) be passed amending Chapter 62 Section 292(3) of the Zion Municipal Code allowing six video gaming terminals on the licensed premises. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/MEMORANDUM OF UNDERSTANDING/MACON COUNTY LAW ENFORCEMENT TRAINING CENTER**

A memo (19-DOC-64) was received from Chief Henderson requesting approval of a Memorandum of Understanding (MOU) between the Macon County Law Enforcement Training Center (MCLETC) and the City of Zion. Chief Henderson stated the Macon County Law Enforcement Training Center has offered the Zion Police Department the opportunity to enter into a partnership. This partnership would guarantee the Zion Police Department two slots for each Basic Law Enforcement Academy (BLEA) training session the MCLETC conducts. The state governing body, the Illinois Law Enforcement Training and Standards Board (ILETSB), authorizes the MCLETC to conduct three BLEA training sessions annually. The Zion Police Department would be able to decline the two reserved slots if there are no new officers in need of BLEA training. The MCLETC would then be free to offer those slots to other law enforcement agencies throughout the state. The ILETSB has certified only a limited number of institutions that can offer BLEA training. As a result, many of the training classes fill up quickly and result in a long wait list for officers. The Zion Police Department has missed BLEA training classes and had to delay hiring due to the long wait lists. Entering into the MOU would prevent that happening in the future. The MCLETC is the newest institution and offers a state of the art facility. The Zion Police Department has sent new officers to the MCLETC for training and is extremely pleased with the training they have received. Commissioner Holmes asked if there was a training facility in Milwaukee they would be able to utilize. Chief Henderson stated officers must be trained through a facility in Illinois. Illinois requires certifications be obtained in the same state they are employed in.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer, that an Ordinance (19-O-45) be passed approving a Memorandum of Understanding by and between the Macon County Law Enforcement Training Center (MCLETC) and Zion Police Department, by and through the City of Zion for a basic training partnership. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

#### **FIREFIGHTER//PARAMEDIC NEW HIRE/ FIRE/RESUCE DEPARTMENT**

A memo (19-DOC-65) was received from Chief Lewis requesting approval to fill a firefighter/paramedic position and request the name of the next candidate on the current firefighter/paramedic eligibility list from the Board of Fire and Police Commissioners. Chief Lewis stated with the resignation of Lieutenant Rick Reich, effective October 23, 2019, there will be another vacancy that will require use of overtime to maintain the minimum staffing of seven personnel on duty each day. At the October 8, 2019 meeting of the Board of Fire and Police Commissioners, in an effort to expedite the process, approval was received to release the name of the next eligible candidate on the Final Eligibility Register for Firefighter/Paramedic Candidate contingent on approval by the Zion City Council.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer to approve filling a 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; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried.

#### **WATERMAIN REPLACEMENT IEPA PROJECT PLAN**

A memo (19-DOC-66) was received from Director Roberts stating that a proposal was received from Christopher Burke Engineering to assist the City in the application for a loan from the IEPA Revolving Loan Fund. He stated the IEPA loan application shall cover a proposed 5-year plan of \$1.5 million per year water main replacement and infrastructure projects. The required first steps in working towards funding approval, is the submittal of a Project Plan accompanied by a Funding Nomination form. It can typically take 12-18 months from the time a Project Plan is submitted until a loan is obtained and construction can begin. Staff recommends the approval of the proposal for Engineering to Christopher Burke Engineering of Rosemont, Illinois in the amount of \$19,500.00. Funding for these services has been budgeted for in the Water Fund account. He stated there were previous plans to take a look at a possible replacement project but they never did the project and decided to redirect the money for this project. Commissioner McDowell stated the City's infrastructure is aging with approximately 20% of the watermains from 1920's and there have already been 61 watermain breaks this year. He stated this is being pre-emptive in dealing with the aging infrastructure. He stated it has been mentioned that loan from the IEPA could potentially be a forgivable loan. Director Roberts stated they have a potential to receive \$800,000 annually. Administrator Knabel stated the City could qualify for a 30 year loan program at a reduced rate of 1.5% but would need to have a project in place to apply. The application is getting the project in place to apply and receive approval for the loan. The next step would be to see if the City would qualify for loan forgiveness. He stated there would be no guarantee that the loan would be forgiven so the City would need to look at the budgeting the loan payments.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer, to accept the proposal of Christopher Burke Engineering of Rosemont, Illinois, in an amount not to exceed \$19,500 for assistance with the IEPA Revolving Loan Fund application. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney aye. Motion carried.

#### **DEPARTMENTAL COMMENTARY**

Director Roberts stated the Alley Program is wrapping up with all designated areas paved. He is currently working on a punch list. The Sidewalk Program has begun and will continue for the next two weeks.

Administrator Knabel stated the City is still working on cleaning up the demolition sites as weather has delayed the clean-up.

Battalion Chief Eric Troy stated the Fire Department has part-time positions open for Firefighter/Paramedics. Lieutenant Rick Reich is resigning after 19 ½ years of service. He has worked with Lt. Reich for a long time is sad to see him go. It will be a big loss for the department as Lt. Reich leaves with a lot of knowledge. He will be pursuing an opportunity at the Lake Villa Fire Protection District as a Battalion Chief.

Chief Henderson stated two Zion officers, Steven Vines and Kacey Taylor recently responded to a single vehicle accident. The vehicle burst into flames and both the driver and passenger side doors could not be opened. The officers were able to remove the victim from the vehicle through a dislodged window. He also commended the nearby citizens for their help. He does not consider the officer’s actions as heroic because they did what they were expected to and glad to do but wanted to publicly commend the officers.

**ANNOUNCEMENTS**

October 25	5:00 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. - 5:00 p.m.	Zion Trick or Treat
November 5	7:00 p.m.	Zion City Council Meeting
November 19	6:15 p.m.	Zion Township Board Meeting
	7:00 p.m.	Zion City Council Meeting
November 28 & 29		City Offices Closed for Thanksgiving Holiday

**CLOSED SESSION**

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that the Council recess to Closed Session at 8:05 p.m., pursuant to 5 ILCS 120/2 “Open Meetings”, for the discussion of pending litigation and personnel. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson to reconvene the Regular Council meeting at 8:26 p.m. with all members present. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

**WAGE INCREASE/PART-TIME SWORN PERSONNEL**

Administrator Knabel requested the Council consider approval of a wage increase to \$20.00 an hour for part-time sworn personnel in the Police and Fire/Rescue Department in an attempt to attract more employees for the positions.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to approve a wage increase to \$20.00 an hour for part-time sworn personnel in the Police Department and the Fire/Rescue Department. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, 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 8:31 p.m. Motion carried.

---

City Clerk