

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, AUGUST 18, 2020, 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 Holmes, Frierson, McDowell, Fischer, and Mayor McKinney. A quorum was present.

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

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

Mayor McKinney asked for a moment of silence for first responders, the military and politicians trying to help the cities. He asked that people concentrate on ridding the country of hate, prejudice and racism.

AGENDA CHANGES

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

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

CITIZEN COMMENTS

Mayor McKinney reminded citizens of the guidelines as it relates to public comments.

Mary Lou Hiltibran, Zion, wanted to address her responsibilities as a citizen of Zion. She stated she has lived in Zion since the early 80's and has never regretted moving to here. Her parents taught her responsibility and volunteering. She was also taught that you get out of life what you put into it. She believes that the City has obligations to the citizens that their taxes pay for but there is a situation within the City that disturbs her. There are way too many people that don't seem to have pride in their surroundings. Once a month she goes out and picks up trash around her neighborhood. She is not looking for recognition for this because she feels it is something she can do as a citizen to help her town. She does not put the trash there but can do something about it so she can feel pride when she drives down her street or takes a walk. There are many houses on each block in Zion and if one house would do the same once a month, imagine how nice the City would look. There are not enough City employees to keep up with people who do not care about their surroundings. It is the citizen's responsibility to do their part. How can they expect improvements when they cannot take care of what they already have. She placed a challenge to the residents of Zion to take pride in their residence and do their best to keep it looking good. She asked that they take the extra step to compensate for those in the neighborhood that do not have the pride to keep Zion clean. She suggested starting monthly clean-ups with the neighborhoods. This will help brighten the town and the spirits.

Shawn T. White, Zion, stated he is upset with a building inspection that was recently done at his property. He is currently not in compliance with a property that he purchased with rooms that were built in the basement. He is being told in order to get the water turned back on he has the option of tearing out the rooms or putting in an escape window. He stated he purchased the house in its current state. The house was previously rented out and didn't have people in the basement. He was told that if he continues to rent the property he will have to get an inspection done every year so they will see if there are people down in the basement. He must now spend \$5,000 on a house that was purchased with rooms in the basement that must be removed. He is upset that they previously rented the house and had an inspection and life safety issues were never brought up to remove the rooms in the basement. Now he is being told it is necessary to build an egress window or rip out the rooms. The City is being unfair to a resident when a house was purchased in good faith with 2 bedrooms and one bath. The Building Inspector should know the history of the property and seen that it was previously approved. He feels that it is bad government to make residents pay more money for rooms that were already in the home.

Katrina White, Zion, stated she and her husband Shawn White have been residents of Zion for over 40 years. She has issues with the taxes and fines being assessed. She spoke with people at City Hall and they were not told what needed to be done. She is confused why the City will not accept her checks for money that is owed. She has someone willing to buy or rent their house but the City will not allow them to sell it or rent it. Residents are being abused by the system and people are leaving the State of Illinois. Why would they pay the taxes if they are being abused as a taxpayer? Things have happened at their property and the City has agreed to replace things but they have never been replaced. They spend their own money replacing things and never complain about it. She stated something has to be done so they will not continue to lose people to Wisconsin. They must stop abusing the citizens.

Cal Schneider, Winthrop Harbor, stated he has lived in the community his whole life. He shared a map with the Council that was created by Advanced Disposal. His property is in the middle of a five piece property section, two of which are owned by Advanced Disposal, and one each owned by him, Sonja Coopridner and Peter. He has owned his home since 2005 and the landfill did not own any homes along Kenosha Road at that time. Two of the three homes are not protected by the Advanced Disposal home value price protection. Currently the landfill owns the homes on either side of him. The attorney for Advanced Disposal stated that they tried to purchase all properties. Advanced Disposal has not approached the owners of the properties in over a year and a half and has not made any effort to negotiate the purchase of the three homes. He stated he just wants to be treated fairly and equitably. If Advanced Disposal goes around the five properties the homeowners will have no incentive to keep up the properties because the values will be stripped due to the advancement of the landfill. The homes will then become an eyesore to the community not because they want them to be but because it was forced on them. He is not asking that the City negotiate for them as it is not their role, but to send a clear message to Advanced Disposal that leaving those three homes there makes no sense.

Sonja Coopridner, Winthrop Harbor, thanked the Council and Mayor McKinney for taking time to speak with them. She stated there are three homes left in the middle of Advanced Disposal properties. She feels it is not right to leave those properties sitting there while Advanced Disposal goes around them. Every other property including those on Kenosha Road is owned by the landfill. She spoke with the landfill and they indicated that the situation was unique to have residential properties in the middle of a landfill. She stated everyone has benefited from the landfill including prior homes purchased except for those three remaining homes. They have no say in the matter and the City needs to help them make Advanced Disposal do the right thing and they should not agree to move forward unless they do.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on August 4, 2020 at 7:00 p.m.

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

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

- (b) **BILLS:** Vouchers 135529 through 135610 drawn on Huntington National Bank, N.A. Total: \$779,538.31.

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

ORDINANCE/CORRECTION/SCRIVENER'S ERROR/ORDINANCE 20-O-29

Administrator Knabel stated that items 7 (a) (b) and (c) are all related to the TIF district that was previously approved for Route 173 & Green Bay. The ordinances were submitted to the County and they reviewed the legal descriptions. The map was correct but the legal description was incorrect. The proposed ordinances include the revised legal description which must be approved by Council and re-submitted to the County. He recommends approval of all three ordinances.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (20-O-44) be passed amending Ordinance 20-O-29 by correcting a scrivener's error. The vote on roll call was: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/CORRECTION/SCRIVENER'S ERROR/ORDINANCE 20-O-30

It was moved by Commissioner Frierson, seconded by Commissioner Fischer than an Ordinance (20-O-45) be passed amending Ordinance 20-O-30 by correcting a scrivener's error. The vote on roll call was: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/CORRECTION/SCRIVENER'S ERROR/ORDINANCE 20-O-31

It was moved by Commissioner Frierson, seconded by Commissioner Fischer than an Ordinance (20-O-46) be passed amending Ordinance 20-O-31 by correcting a scrivener's error. The vote on roll call was: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/SPECIAL USE PERMIT/COMMUNITY SOLAR PROJECT

A memo (20-DOC-57) was received from Director Ianson requesting a Special Use Permit for a ground mounted Community Solar Project at 2700-2966 17th Street (Closed Zion Landfill), Zoning Docket 20-Z-20. Zion CS, LLC was granted a Special Use Permit in May of 2018, but due to delays from the State, the permit exceeded the deadline and expired. At the August 6, 2020 Planning & Zoning Commission meeting, they recommended to approve the Special Use Permit. Commissioner Fischer stated it has been a long time coming. They have been waiting for the State to advance the program and he is looking forward to see it get built.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes than an Ordinance (20-O-47) be passed granting a Special Use Permit for a 2.5 Megawatt Direct Current/2 Megawatt Alternate Current Fixed Tilt Ground Mounted Community Solar Project located at 2700-2966 17th Street. The vote on roll call was: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

PROPOSAL FROM DAN SHOMON INC. AND STRATEGIC PARTNERSHIP ALLIANCE LTD FOR LEGISLATION ASSISTANCE

Mayor McKinney stated last year the City hired a lobbyist to make sure they had someone who could help with Federal, State and local issues. The contract is currently up for renewal. Dan Shoman was present to answer any questions from the Council. Mr. Shoman stated he was honored to be working for Zion. He recently helped Zion receive \$914,000 for infrastructure for the fiscal year 20/21 budget. He stated there will be more opportunities for Zion to receive funding in the next year from State Capital Funding. He looks forward to working with the City in the coming year. Commissioner Fischer asked what key events may be coming up in the next year to receive funding. Mr. Shoman stated there are a number of projects going on in Economic Development. He helped with a press release that was drafted in July in the Chicago Tribune regarding Economic Development projects, finding additional funding from the State Capital Bill, and Environmental Protection funding. Commissioner Fischer asked if any of the funding was tied to the legislative calendar. Mr. Shoman stated the Legislators will be meeting on November 17th. Commissioner Frierson stated the Council asked for regular updates that he does not recall seeing and would like him to speak in detail about any events coming up for chances for funding. Mr. Shoman stated he has issued regular reports to the City about accomplishments. He stated the veto session is in November. In the interim there will be a number of grants that will be available. He will be working on COVID funding making sure that the City gets its adequate funding. He will also be working on getting adequate funding over the next six months when the State releases Capital Funding funds. Mayor McKinney asked if the Capital Funding from Joyce Mason would be part of the veto session. Mr. Shoman stated there is currently a proposal for a couple thousand dollars for streetscaping and street repairs and he will continue to work with her on that.

It was moved by Commissioner Holmes and seconded by Commissioner Fischer to approve the proposal from Dan Shomon Inc. and Strategic Partnership Ltd for Legislation Assistance as submitted. The vote on the roll: Commissioners Holmes, aye; Frierson, abstain; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried.

POLICE SERGEANT VACANCY/POLICE DEPARTMENT

A memo (20-DOC-58) was received from Chief Henderson requesting authorization to promote the next eligible candidate from the Police Sergeant's list recently finalized by the Zion Board of Fire & Police Commissioners. The promotion of this Sergeant is necessitated by the retirement of Sergeant Alan Lother on May 4, 2020. The department will be fully staffed with eight Sergeants upon the promotion of the next qualified candidate, Nathan Hucker. The promotion will take effect in September. The Board of Fire and Police Commissioners recently completed the promotional testing process for Sergeants and is aware of the action taken by the City Council. Commissioner Frierson asked what it has done as far as staffing goes. Chief Henderson stated they must fill the position with overtime when someone either calls in sick or takes vacation.

It was motioned by Commissioner Frierson and seconded by Commissioner McDowell to approve filling one Police Sergeant vacancy and requesting the name of the next qualified candidate from the Board of Fire & Police Commission eligibility list. The vote on the roll: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried.

WAIVER OF FEES/COMMUNITY SIGNAGE PROJECT

Administrator Knabel stated the project has been talked about at the last two Council meetings. The main issue was the size of the signs per the Code. A waiver of all fees was previously requested for the community sign project for the process of a variance to the sign ordinance. The costs for the variance consisted of a \$605.00 application fee and costs for notifying all the individuals within the area by certified mail and publications. The \$605 application fee as it relates to staff time and effort was previously waived but the additional costs related to the variance process were not waived. The costs could have been in excess of \$1,000. Since that time, the Rotary Club stepped forward to pay for the costs to reprint the signs to meet the Code. Although this will no longer require a variance from Planning & Zoning there will still be a cost of \$55.00 fee per sign. The request being made is to waive those fees. He warned that deviating from the Code can open up a variety of issues. He recommends not waiving the fees but there have been donors secured to pay the per sign fees. This will cause the City not to have to bear any of the fees or deviate from the Code. Mayor McKinney stated private donors stepped forward because they supported the project. Township Supervisor Cheri Neal asked if it was necessary to secure a permit for each location. Director Ianson stated it was necessary to get a permit for each location. Supervisor Neal asked that the City look into creating Art District ordinances as soon as possible for future art projects so these issues may be avoided in the future. She stated people will not move forward with doing things in the City if they have to jump through all these hoops. Administrator Knabel stated they can take a look at the ordinances but it will be a long process as it will have to be researched. Supervisor Neal stated there has been a lot of momentum to do things in the community and she would hate to see people discouraged from doing something positive in the community. Administrator Knabel's recommendation was to not waive the fees. Commissioner McDowell asked if it was necessary to have a motion at all since the fees are no longer an issue. They could either let the motion die or vote to deny the waiver of the fees. Attorney Vasselli stated a motion could also be made to table the item indefinitely.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes to table the consideration of waiving the fees for the community signage project indefinitely. The vote on roll call was: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried

DEPARTMENTAL COMMENTARY

Director Ianson stated on August 8th the City held its clean-up day. It was a big success filling ten dumpsters.

Mayor McKinney addressed Mr. & Mr. White's concerns who previously spoke during Citizen Comments. He confirmed that if you have a home that is scheduled for bedrooms in a basement you must have an egress window. Director Ianson stated any sleeping rooms require egress windows. This is per the International Building Code which is adopted by the City of Zion. Mayor McKinney asked based on past inspections is it possible there may not

have been bedrooms in the lower level. It was Director Ianson’s understanding that the space was previously being used for storage.

Attorney Vasselli stated not knowing the specifics of the situation he would be happy to speak with the Director and the family after researching the matter. If the space is being used as storage, an egress window is not necessary. It appears since the last inspection the space is being used as bedrooms. From a safety standpoint it is unsafe not to have a window to get out of the building. Mayor McKinney stated he had an issue in 2012 when he moved back into his childhood home. He was told if he was going to use the basement as a bedroom or living space that he would need to install an egress window. Mr. White stated the space was not being used as living space and he does not need a window. Attorney Vasselli stated he would look at the facts of the situation and get in touch with them at a later date. Commissioner Frierson asked what is used as an assessment to determine if the space is being used as a living space. Director Ianson stated if the property has been vacant it will automatically trigger an inspection. He stated finished walls, closets and doors are indications of living space.

Administrator Knabel stated due to social distancing he has informed Department Heads that if they do not have any items on the agenda they do not need to attend the meeting. He stated the patching and street program have been delayed a week and will begin on Monday, August 24th. He reminded residents to complete the census as a lot of funding is tied to the census numbers. The City has an incentive program for anyone that completes the census. They will be entered into a drawing monthly. There are three prizes; a \$300, \$200 and \$100 cash gift card. The first drawing was on August 4th. The next drawing will be the first week of September with an additional drawing in October. Information is available on the City’s website. Mayor McKinney stated he spoke with Sandy Hart, the Lake County Board Chair and asked her to provide additional census workers in Zion due to the low level responses on the census. There is \$675 billion available to municipalities and he wants to be sure that Zion gets the money they deserve. Additionally, he stated the street department has been out repairing and cleaning catch basins, taking down unsafe trees and patching the streets. He stated he gets calls for issues in the neighborhoods and the residents must be educated that the Public Works Department has a limited staff taking care of the entire City.

Chief Henderson stated as of this morning the police department has taken 22 reports for breaking into vehicles. All of the vehicles entered were unlocked. This has taken place mostly between 21st Street and 29th Street on the east side of town. They have security video showing these crimes taking place between 1:30 a.m. and 3:30 a.m. The offenders were wearing hoodies and masks. They were also seen on video trying to get in locked vehicles. He encouraged residents not to leave any valuables in their vehicles and be sure to lock their vehicles. Thieves are looking for easy marks. He urged residents to be vigilant and to pay attention.

ANNOUNCEMENTS

September 1	7:00 p.m.	Zion City Council Meeting
September 7		City Offices Closed for the Holiday
September 15	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

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 7:55 p.m. Motion carried.

City Clerk