

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 20, 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 Fischer, Holmes, Frierson, McDowell, and Mayor McKinney. A quorum was present.

Also present: City Administrator David Knabel, Public Works Director Ray Roberts and City Attorney James Vasselli. Fire/Rescue Chief John Lewis, Police Chief Kirk Henderson and Building & Zoning Director Richard Ianson, 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, military, and citizens across the world that continue to fight through the pandemic. He stated the increase in cases does not look good moving into Fall and encouraged residents to do the best they can to be safe. Additionally he asked for prayers for those who put their lives on the line each day to protect citizens.

AGENDA CHANGES

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

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

PUBLIC HEARING/PROPOSED VACATION/CERTAIN STREETS & ALLEYS

It was moved by Commissioner Holmes, seconded by Commissioner Frierson to suspend the Regular City Council meeting and proceed to the Public Hearing for the vacation of Certain Streets & Alleys at 7:04 p.m. The vote on roll call was: Commissioners Holmes, aye; McDowell, aye; Fischer, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

Attorney Vasselli made the following statement:

“Item 5 is related to Items 9(a) 1-8 later in the agenda. In sum the City is utilizing its authority to transfer the property of the City to the Park District, with approval by ordinance of the Park District as set forth in the Local Government Property Transfer Act. It is under that authority that we are operating on and to a limited extent, the Vacation Act of the Municipal Code, and as such we are holding this hearing to allow any parties wanting to be heard to be heard with regards to the transfer”.

Attorney Vasselli asked the City Clerk if there have been any written comments received regarding the possible deeding of the properties listed to the Park District. The City Clerk replied there have been none. Attorney Vasselli then asked those in attendance if they had any comments with regards to the proposed transfer from the City to the Park District of the properties listed on the agenda. He asked that the City Clerk make note that at 7:05 p.m. no one commented on the proposed transfer. He stated that the Park District assented to this through the passage of an ordinance to accept the properties listed. He also noted that not only does it come with the consent of the Park District but also with the recommendation of the Director of Public Works, who was present to answer any questions. He asked the City Council if they had any questions for Director Roberts. It was noted that as of 7:07 p.m. there were no questions of the Director of Public Works relative to the dedication. He presented the list of properties to be included in the vacation. He asked if there were any questions related to the geographic locations of the properties. Mayor McKinney stated there was a question regarding the name of the property referred to as Eli Avenue. He asked if the name was in error and should be Elim Avenue. It was noted the correct name was Eli Avenue. Commissioner Fischer stated the street was platted for the City but does not exist as a street but as the bike path. Director Roberts stated both streets are unconstructed and have never been considered a street.

They have been grassy areas that have been used as right-of-ways for utility easements and hiking and biking trails and have been that way for 40 years. Director Roberts stated the transfer of the property would not only be in the City's best interest financially but will also shift the responsibility of maintenance to the Park District. The Park District has been looking to apply for grants for improvements but can only qualify for the grants by holding the title to the property.

Attorney Vasselli recommended voting on the following.

- 1) To consolidate Items 9(a) 1-9 and;
- 2) After the consolidation (assuming it is approved), make an affirmative substantive vote to approve the consolidated items.

He asked for any last minute questions or comments from the public and there were none.

It was moved by Commissioner Frierson seconded by Commissioner McDowell to adjourn the Public Hearing and resume the Regular City Council meeting at 7:11 p.m. The vote on roll call was: Commissioners Holmes, aye; McDowell, aye; Fischer, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Special Meeting held on October 6, 2020 at 5:30 p.m.; a Regular Meeting held on October 6, 2020 at 7:00 p.m.

The vote on roll call was: Commissioners Holmes, aye; McDowell, aye; Fischer, 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:

- (b) **BILLS:** Vouchers 135978 through 136074 drawn on Huntington National Bank, N.A. Total: \$407,841.26

Commissioner Frierson stated at the last meeting there were questions on why he abstained from the vote on the bills. He provided the following statement:

“For a moment of additional transparency about my recent vote to abstain from approving the bills, it was not my intent to cause alarm with residents or to lead anyone to believe that Zion is not paying the bills. We are still liquid and paying bills on time. However while this is true, it is also true that I’ve been dissatisfied with the level of information provided related to finances here in the City and the current process and information does little to assist me in my role as a Commissioner, in particular over Police & Fire or at large, at least as I see it. I have been communicating with the Administrator to rectify the issue and hope to have a resolution real soon. Feel free to see me after the meeting if anyone has specific questions/concerns or advice.”

Additionally, he stated that the Total amount of \$336,443.34 that is shown on the agenda does not match the totals shown on the Department Summary Report, which is \$407,841.26. Administrator Knabel stated he believes the agenda has a typo as the amount of \$407,841.26 is the correct amount as shown on the Summary Report. The motion was amended to correct the total to \$407,841.26.

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

RESOLUTION/CORONAVIRUS DISEASE 2019/LEAVE FOR CITY EMPLOYEES

Administrator Knabel stated the City is trying to be pro-active about something that may come up in the future. Under the Family First Response Act there is a section under emergency paid sick leave for quarantined related time for people who are positive for the virus or have been exposed to someone who has tested positive for the virus. The employee has 80 hours of paid leave during that time. However after discussions with the Department Heads the question came up as this continues on, what happens when employees have non work related positive tests and must be out beyond the 80 hours. Under the law the City does not have to do anything after the initial 80 hours. The employee can choose to take the time unpaid or use benefit time if they have it. He stated he is torn on this because there are some employees that do not have accumulated benefit time to cover it. He doesn't want them to go unpaid or make a decision of coming to work sick and expose other co-workers for fear of not getting paid. On the other hand he does not want individuals to abuse it while the City is covering 100% of it. He is proposing that the City pay for the first 80 hours at 100% in accordance with the Act. The second 80 hours or two week equivalent will be split 50/50. The City will cover an additional 40 hours and the next 40 hours would be covered by the employees benefit time. Beyond the second set of 80 hours the benefit time will be 100% of employee benefit time. He stated with the numbers going up again there may be some employees that may have secondary exposure. He sees this as a balance between potential abuse of the policy but also continuing to protect employees by encouraging them to call in sick if they have COVID symptoms. Commissioner McDowell asked if this is something that the Family First Response Act had mandated. Administrator stated he does not believe it has been mandated. He stated back in March they approved a personal plan that included paying the employees for the first 80 hours as mandated in the Family First Response Act. Commissioner McDowell asked if the employees must first exhaust all their benefit time before this new policy would take effect. Administrator Knabel explained that the initial 80 hours will be covered per the Family First Response Act. After that, the City will cover 40 additional hours. The employee will be required to use their benefit time for any time off needed beyond the 40 additional hours. It will still be necessary for the employee to quarantine during the 14 days. Commissioner McDowell asked why the employee would not use their benefit time with the onset of COVID symptoms and once benefit time is exhausted this policy would kick in. Administrator Knabel stated the current policy covers the employee for 80 hours. He is trying to be proactive in case an employee must quarantine a second time by doing a 50/50 split of the 80 hours with the employee. Commissioner McDowell confirmed that the policy will be in effect until the end of the year. Administrator Knabel stated he has lined up the policy to mirror the Family First Response Act and would not be surprised if the Family First Response Act gets extended beyond the end of the year. Commissioner McDowell asked if the expenditures will be reimbursed through the Cares Act. Administrator Knabel stated it is eligible through the Cares Act but the City has already exceeded what is allowed under the Act. Unless there are additional allocations, the City has already submitted the allotted expenses. It was noted that on the first page, third paragraph of the resolution the word "Village" should be replaced with the word "City".

It was moved by Commissioner Holmes, seconded by Commissioner Fischer that a Resolution (20-R-9) be passed authorizing and approving a certain policy regarding Coronavirus Disease 2019 (COVID-19) related leave for City of Zion employees as amended. The vote on roll call was: Commissioners Holmes, aye; McDowell, aye; Fischer, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Resolution passed.

ORDINANCES/RIGHT-OF-WAY VACATIONS/ZION PARK DISTRICT

A memo (20-DOC-71) was received from Director Roberts requesting final approval of City right-of-way vacations. An application was received from the Zion Park District for the following right-of-way vacations:

1. Hillside Ave. from 17th Street to 21st Street.
2. Eli Ave. from 21st Street to S. Shiloh Blvd.
3. Alley South of 17th Street & East of Hillside Ave.
4. Logan Ct. East of Hillside Ave.
5. 19th Street East of Hillside Ave.
6. 21st Street East of Hillside Ave.
7. Alley South of 24th Street East of Edina Ave. & West of Eli Ave.
8. N. Shiloh Blvd East of Edina Ave. & West of Eli Ave. N. Shiloh Blvd East of Eli Ave.
9. Industrial Drive between Illinois RT173 & Champart Street.

Hillside Ave, Eli Ave and the alleys and streets abutting the avenues are currently and will continue to be utilized as a public biking/hiking trail. Industrial Drive will be utilized as a possible parking area for the future Kellogg Creek Public Park. Survey, legal and recording fees shall be paid by the applicant. Staff requests and recommends final approval for the requested vacations of City right-of-ways.

The consolidated action was approved by omnibus vote as follows: moved by Commissioner Fischer, seconded by Commissioner Frierson that Ordinances (20-O-60), (20-O-61), (20-O-62), (20-O-63), (20-O-64), (20-O-65), (20-O-66), (20-O-67), be passed, as a consolidated matter, authorizing and approving the transfer of certain real estate from the City of Zion to the Zion Park District and authorizing and approving the vacation of portions of certain streets in the City of Zion as presented. The vote on roll call was: Commissioners Holmes, aye; Frierson, aye; McDowell, aye; Fischer, aye and Mayor McKinney, aye. Motion carried. Ordinances passed

TABULATION OF BIDS/2021 WATERMAIN REPLACEMENT PROJECT

A Tabulation of Bids (20-DOC-72) was received from Director Roberts for the 2021 Water main Replacement Project. On September 29, 2020 the City held a bid opening for the 2021 Water Main Replacement Project. Attached are the bid results and Burke Engineering's recommendation. Director Roberts is recommending the lowest responsible bidder for alternate 3, Patnick Construction of Franklin Park, Illinois in the amount of \$898,345.00. Funding for the project has been budgeted from the Water Fund. Copies of the bid tabulations are on file in the City Clerk and Public Works offices and posted on the City of Zion Website. Administrator Knabel added that earlier in the year the City implemented a water fee increase of \$1.60 per thousand for the sole purpose of infrastructure use and improvements. This is the reason they are able to address the much needed infrastructure replacements. They went out to bid for three separate projects and had to look at the projections on what would be in the account when the work began. A good bid was received allowing them to do all three projects.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that the bid for the 2021 Water main Replacement Project be awarded to Patnick Construction, for the alternate 3 bid in the amount of \$898,345.00. The vote on roll call was: Commissioners Holmes, aye; McDowell, aye; Fischer, aye; Frierson, aye and Mayor McKinney, aye. Motion carried.

DEPARTMENTAL COMMENTARY

There were no comments from the Department Heads.

ANNOUNCEMENTS

October 30	4:00 p.m. to 6:00 p.m.	Trail of Treats at Shiloh Park
October 31	2:00 p.m. to 5:00	Zion Trick or Treat
November 3	7:00 p.m.	Zion City Council Meeting

Mayor McKinney stated they have posted some guidelines from the Illinois Department of Public Health on the City website regarding Trick or Treating. Trick or Treating will be left up to the residents and asked those interested in participating leave their porch lights on.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner McDowell, seconded by Commissioner Holmes, and unanimously approved the meeting be adjourned at 7:30 p.m. Motion carried.

City Clerk