

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JANUARY 21, 2020, AT 7:04 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, Fischer, McDowell and Mayor McKinney. A quorum was present.

Also present: Police Chief Kirk Henderson, Fire/Rescue Chief John Lewis, Public Works Director Ray Roberts, City Administrator David Knabel, Human Resource Director Karin Graves and City Attorney James Vasselli.

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

**AGENDA CHANGES**

There were no changes.

**SPECIAL PRESENTATION/DAN SHOMON, INC.**

Lobbyist Dan Shomon provided an updated on the government relations activity which included securing funding for the improvement to the alley between the 2100 and 2500 blocks of Joppa Avenue, coordination of an I-Cash event to be held in March to help Zion residents obtain unclaimed property that exist in the State Treasures office, opportunity for the City to apply for extremely low-interest loans through the Illinois Environmental Protection Agency in which 50% of the loan could be forgiven depending on State program changes and the coordination of meetings for the Mayor to meet with legislators such as Governor J.B. Pritzker, Senator Dick Durbin, Illinois House Appropriations Director Marker Jarmer. No action was taken.

**CITIZEN COMMENTS**

Mary Lou Hiltibrand, Zion, thanked Police Chief Henderson and Fire Chief John Lewis for their professionalism in the midst of the active shooter drill that was conducted today at Zion Benton Township High School and allowing ESDA to be a part of it.

Kathy Champine, Zion, expressed her opinion related to churches benefitting from city services but not paying taxes.

**CONSENT AGENDA**

It was moved by Commissioner Fischer seconded by Commissioner McDowell to approve the Regular Meeting Minutes held on January 7, 2020 at 7:00pm as presented. Approved by omnibus vote as follows: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

It was motioned by Commissioner Fischer and seconded by Commissioner Holmes to approve Vouchers 134169 through 134335 drawn on Huntington National Bank N.A., Total \$821,541.10. Approved by omnibus vote as follows: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**RESOLUTION/CDBG APPLICATION FOR SIDEWALK REPLACEMENT/ADA RAMPS**

A memo (20-DOC-4) was received from Director Roberts requesting passage of a resolution for the submittal of an application for the 2020 Community Development Block Grant Funding. Staff is seeking grant assistance for sidewalk replacement and installation of ADA ramps at various locations through the city. If approved, the grant will provide \$80,000.00 dollars towards an estimated \$115,000.00 project. Staff requests and recommends approval of the resolution.

It was motioned by Commissioner McDowell and seconded by Commissioner Fischer, that a Resolution (20-R-1) be passed approving the submittal of an application for the 2020 Community Development Block Grant Funding. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**RESOLUTION/ IL ROUTGE 173-LEWIS AVENUE TIF DISTRICT/JRB/PUBLIC HEARING**

Administrative Knabel requested the passage of a resolution that proposes approval of the establishment of the Illinois Route 173 and Lewis Avenue Redevelopment Project Area, the creation of a Redevelopment Plan and Project Area for the Illinois Route 173 and Lewis Avenue Redevelopment Project Area and the implementation of a Tax Increment Allocation Financing Therefore, convening a Joint Review Board and calling a Public Hearing in connection therewith. Administrator Knabel stated that the date of the Joint Review Board meeting will be February 10, 2020 at 10:00am and the date of the Public Hearing will be March 17, 2020 at 5:00pm. Both meetings will be held at Zion City Hall.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes that a Resolution (20-R-2) be passed approving the establishment of the Illinois Route 173 and Lewis Avenue Redevelopment project Area, the creation of a Redevelopment Plan and Project Area for the Illinois Route 173 and Lewis Avenue Redevelopment Project Area and the implementation of a Tax Increment Allocation Financing Therefore, convening a Joint Review Board and calling a Public Hearing in connection therewith. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**ORDINANCE/INTERESTED PARTIES REGISTRY/REDEVELOPMENT AREAS**

Administrative Knabel requested passage of an ordinance that authorizes the establishment of an interested parties registries and adopting rules for such registries for Redevelopment Project Areas in the City of Zion. Administrator Knabel stated that Phil McKenna of Kane McKenna & Associates is present and can answer any questions related to the registry.

Commissioner Holmes noted two spelling errors in the ordinance. Attorney Vasselli stated that the final copy has the correct spelling and will be used as a master. Commissioner Fischer asked what an interested party is. Mr. McKenna stated anyone who wants to know about TIF districts.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson that an Ordinance (20-O-2) be passed approving the establishment of an interested parties registries and adopting rules for such registries for Redevelopment Project Areas in the City of Zion. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**SEXUAL HARRASSMENT POLICY AMENDMENT**

Attorney Vasselli stated that on August 9, 2019, the Illinois General Assembly enacted Public Act 101-0221, an Act concerning employment of governmental entities. Pursuant to the Act, each governmental unit is required to adopt an ordinance or resolution amending their sexual harassment policy to provide a mechanism for reporting independent review of allegations of sexual harassment made against an elected official of a governmental unit made by another elected official of a governmental unit. The purpose of this ordinance is to strike the city's current sexual harassment policy and replace the same with an updated policy authorizing the Mayor or his designee to take all steps necessary to carry out the terms and intent of this ordinance and ratify any previous steps taken regarding these rules. Attorney Vasselli added, for clarification, at certain times a reporting made by an employee would go the HR Director, however, in the instance, the HR Director would not have jurisdiction over an elected official. In the event of an elected official reporting sexual harassment of another elected official, the report would be submitted to the City's attorney and not the HR Director.

Commissioner McDowell asked the council if a he could make friendly amendment to policy by inserting a paragraph that recognizes people with differences of opinions related to the list of protected characteristics in the State of Illinois and recognize such difference of opinions or expressions of those opinions do not constitute sexual harassment as defined by this policy. He added that if a city employee was of the opinion that sex was determined by biology instead of choice and if the employee was to voice that opinion, according to the policy this would constitute sexual harassment. He suggested inserting the paragraph to state that matters of opinion are not to be considered sexual harassment.

Attorney Vasselli stated that he does not find an objection under the Act for the insertion. Commissioner Frierson stated that people should feel comfortable in their work environment; however we do not want to open up an opposing protected class under the policy. Commissioner Fischer stated that he does not believe the amendment is necessary. He believes that everything is covered under the policy as it stands and there are protections for those that are accused and a process to investigate the situation fairly.

At this time, Attorney Vasselli called for a motion to insert the paragraph suggested by Commissioner McDowell. No motion was made.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (20-O-3) be passed approving the amended sexual harassment prohibition policy and procedures pursuant to Public Act 101-0221 for the City of Zion. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

### **SPECIAL USE PERMIT/3144 21ST STREET**

A memo (20-DOC-5) was received from Director Ianson requesting a Special Use Permit to install a propane refill cylinder on the side the building for business and retail use for the property located at 3144 21st Street. Administrator Knabel, on behalf of Director Ianson, stated that Mr. Weis of Propane Pete, LLC originally petitioned for a Special Use Permit for the location of the propane tank filling station to be located in the front of the building and retail sales to the public. Prior to the Zoning meeting staff discussed with Mr. Weiss about relocating the tank to the side of the building and screen it from the public which would already meet the requirements of the Zion Municipal Code. He would then only need a Special Use Permit for retail sales to the public. Above ground propane tanks are regulated by OSHA, State Fire Marshall, Local Fire Marshall and the Building Department. State Fire Marshall has already been onsite and approved the location. At the January 2, 2020 Planning & Zoning meeting, the Commission recommended to approve the Special Use Permit with conditions that the tank be relocated to the side of the building.

It was motioned by Commissioner Holmes and seconded by Commissioner McDowell that an Ordinance (20-O-4) be passed approving a Special Use Permit to install a propane refill cylinder on the side of the building for business and retail use for the property located at 3144 21st Street. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

### **2020 ALLEY/ROAD PROGRAM/BURKE ENGINEERING/ADVERTISE FOR BIDS**

A memo (20-DOC-6 ) was received from Director Roberts requesting approval of a contract between the City of Zion and Christopher Burke Engineering for engineering services and request permission to advertise for bids for the 2020 Alley/Road program. Director Roberts stated that the roads in this project are:

- Carmel Boulevard - Elisha Ave to Enoch Ave (Base bid)
- Emmaus Avenue - 29th Street to 31st Street (Base Bid)
- Elizabeth Avenue - 21st Street to 22nd Street (Base Bid)
- East Bethesda Boulevard - IL RT 173 to Wilson Court (Base Bid)
- Enoch Ave - 21st Street to 22nd Street (ALT1)
- 22nd Street - Enoch Avenue to Eschol Avenue (ALT1)
- Ezra Avenue - ILRT173 to 23rd Street (ALT1)
- Alley west of Gilead - 18th Street to 19th Street (ALT3)

Funding for the Engineering services is from the current Fiscal Year Street & Bridge Fund. Construction of this project will be budgeted accordingly in the upcoming fiscal year MFT Fund and the Street & Bridge Fund. Staff requests and recommends approving the contract for services from Christopher Burke Engineering for a cost of \$76,000.00 and to advertise for bids upon completion of the bid documents and drawings. It was motioned by Commissioner McDowell and seconded by Commissioner Frierson to approve a contract between the City of Zion and Christopher Burke Engineering for engineering services and request permission to advertise for bids for the 2020 Alley/Road program. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**SERVER BACKUP/TAPE LIBRARY**

A memo (20-DOC-7) was received from Administrator Knabel for approval of the purchase of a Server Backup/Tape Library. Administrator Knabel stated that the tape system which is used to back up all City files and data has gone bad. We have 2 choice of wither replacing the tape library or purchase cloud storage and move the backups to the cloud. The quote from Dell to replace the unit as well costs \$11,591.45 and can be financed over three years. For cloud storage, the plan would cost roughly \$250 per month. The pros and cons to both solutions are as follows:

Tape backup Pros:

- Faster backup and recovery times
- Air gapped backup to protect against ransomware and malicious deletion.

Tape backup Cons

- Higher upfront costs
- Not geographically separated backup

ILand Cloud Pros:

- No on-site backup hardware
- Geographically separated backup

ILand Cloud Cons:

- Slower backup and recovery times (limited by internet speeds)
- More expensive over time.

Based on this and discussion with our IT firm, Administrator Knabel recommend the purchase of the tape system for \$11,591.45 and finance over three years. Commissioner Frierson asked how long are we backing up data. Administrator Knabel said we keep it on a weekly basis. Commissioner Frierson asked if there were any personnel costs associated with maintaining the tape backup. Administrator Knabel said no. It was motioned by Commissioner Fischer and seconded by Commissioner McDowell to approve the purchase of a Server Backup/Tape Library. The vote on the roll: Commissioners Frierson, nay; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**MEMORANDUM/ZION PROFESSIONAL FIREFIGHTERS ASSOCIATON IAFF 1999**

Administrator Knabel stated the Zion Professional Firefighters Associate IAFF Local 1999 and the City of Zion both acknowledge the existing contract 2019 - 2022 between both parties. Based on current economic hardships that exist within the City and both parties understanding of the need to compromise for the benefit of the City of Zion as a whole, request is made to approve the Memorandum of Understanding which will be in effect immediately and run through May 31, 2020.

It was motioned by Commissioner Frierson and seconded by Commissioner Fischer to approve the Memorandum of Understanding between the Zio Professional Firefighters Association IAFF 1999 and the City of Zion. The vote on the roll: Commissioners Frierson, aye; Holmes, aye; Fischer, aye; McDowell, aye and Mayor McKinney, aye. Motion carried.

**DEPARTMENTAL COMMENTARY**

Director Graves stated that the City has two employment opportunities for an Administrative secretary and CSO. Information about the opportunities can be found on the city's website and in the Happenings newspaper.

Director Roberts stated that the last snow storm was a 36 hour event. He stated that the temperature fluctuation caused rain to mix which snow. If too much salt is applied to the roads, it causes what's called a flash freeze and becomes difficult to remove. Generally, alleys are usually the last roads to be plowed as the main objective in a storm like this is to get our primaries open. He encouraged residents to remove their cars from the streets when this type of snow event is anticipated for the plow trucks. Director Roberts also stated that the City was awarded a CDBG in the amount of \$15,168.00 to apply to our sidewalk program.

Administrator Knabel stated that progress is being made on the HR5608 nuclear waste legislation bill.

Chief Lewis stated that a large scale active threat drill was conducted at ZBTHS. He stated that several responding fire and police agencies from all over Lake County and southern Wisconsin participated. He stated that similar drill

was conducted in 2002 after the Columbine shooting. Chief Lewis stated that he is very confident that many lives would be saved should this unfortunate event happen in Zion.

Chief Henderson stated that this active threat drill was requested by ZBTHS. He stated that it was an in-service day for the school so students were not in class but teachers, faculty and few select students from the drama club were involved in the drill. He stated that over a year went into planning this drill.

The Mayor gave an update of the Lake County Land Bank and the Housing and Community Development Commission.

Lake County Land Bank:

He stated that he next meeting will be held on February 3rd and land bank received a grant in the amount of \$50,000 to help with insurance and legal costs for holding property. Its next meeting will on February 3rd.

Housing & Community Development Commission:

Mayor McKinney stated that the Commission is working on updating the fair housing policies for Lake County. He also stated that they are working on two initiatives: 1) making the cost of renting & home ownership affordable for racial and ethnic minorities and, 2) housing designated for moderate to low income families is concentrated in certain communities and spread throughout the county.

**ANNOUNCEMENTS**

February 4	7:00 p.m.	Zion City Council Meeting
February 18	6:15 p.m.	Zion Township Board Meeting
	7:00 p.m.	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 Holmes and unanimously approved the meeting be adjourned at 8:29 p.m. Motion carried.

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Recording Secretary