

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JANUARY 19, 2021, AT 7:00 P.M. (VIA ZOOM) 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, Fischer, McDowell Holmes, and Mayor McKinney. A quorum was present.

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

Mayor McKinney read the following disclaimer: *While the City Council meeting is open to the public and public comments are welcomed, in light of concerns related to the spread of Coronavirus Disease (COVID-19), the meeting will be streaming live online and can be found on the Zoom Link platform below and the City very strongly encourages residents and participants to submit written comments to the City Clerk prior to the meeting if they wish to participate at the meeting. Persons will be allowed to make in-person comments if they desire to do so, however individuals will be brought into the meeting room one at a time and all federal, state and local protocols currently in place to alleviate the spread of COVID-19, including social distancing requirements, including the wearing of masks, will be observed. Again, the City welcomes and encourages your participation in this process and thanks you in advance for your interest in the City's finances and affairs. Thank you for understanding this temporary change in procedure for the health, safety and welfare of our residents.*

Mayor McKinney 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; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney aye. Motion carried.

**CITIZEN COMMENTS**

The following questions were submitted by Jim Jaffe, Zion.

What is the status of the nuclear plant clean-up?

What is the status of the beach clean-ups – Hosah and North

What is the status of the bike path repair between Hosah and Camp Logan – beach side – Burnett Ave?

Commissioner Fischer stated he did respond to Mr. Jaffe. He informed him that the beach clean-ups and the bike path repair are under the control of the State. As for the nuclear plant, as far as he knows the decommissioning of the nuclear plant is completed and there has been no further site remediation at the plant. He does not believe that the license has been transferred back to Exelon.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on December 15, 2020 at 7:00 p.m. and approval but not release of Closed Session Minutes of a meeting held on December 15, 2020 at 8:34 p.m. a Special Meeting held on December 22, 2020 at 1:00 p.m. and approval but not release of Closed Session Minutes of a meeting held on December 22, 2020 at 1:10 p.m.

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

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

- (b) **BILLS:** Vouchers 136449 through 136633 drawn on Huntington National Bank, N.A. Total: \$1,617,784.94

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

#### **RESOLUTION OF CONGRATULATIONS/CLINT MCELROY 100<sup>TH</sup> BIRTHDAY**

Commissioner McDowell stated the American Legion contacted the City regarding a resolution for Clint McElroy's 100<sup>th</sup> Birthday, who happens to be his uncle. Commissioner McDowell shared some of Mr. McElroy's personal accolades.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson that a Resolution be passed honoring Mr. Clint McElroy on his 100<sup>th</sup> Birthday. The vote on roll call was: Commissioners Frierson, aye; Fischer aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Resolution passed.

#### **RESOLUTION/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

A memo (21-DOC-1) was received from Director Roberts requesting that the City Council consider passing a resolution authorizing the application to the Lake County Community Development Block Grant Program for assistance from Lake County for sidewalk replacement and installation of ADA ramps at various locations throughout the City. If the grant is approved, the grant will provide \$80,000 towards an estimated \$115,000 project.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that a Resolution (21-R-1) be passed authorizing the application to the Lake County Community Development Block Grant Program for assistance for sidewalk replacement and installation of ADA ramps at various locations throughout the City. The vote on roll call was: Commissioners Frierson, aye; Fischer aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Resolution passed.

#### **ORDINANCE/EXTENSION/SPECIAL USE PERMIT/2800 LEWIS AVENUE**

A memo (21-DOC-2) was received from Director Ianson requesting an extension to the Special Use Permit for Ahmadiyya Movement in Islam, Inc. Director Ianson stated Ahmadiyya Movement in Islam, Inc. is requesting a 6 month (180 day) extension for their Special Use Permit, (16-O-11) for the construction of the Mosque, Exhibition Hall and Pastor's house for property located at 0 Lewis Avenue and 2800 Lewis Avenue. Due to the high cost of construction, they have scaled down their project and still are in the bid phase. Director Ianson recommends approval of the extension of the Special Use Permit.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (21-O-1) be passed extending a Special Use Permit to Ahmadiyya Movement, LLC for the construction of a Mosque, Exhibition Hall and Pastor's house, for an additional six months until August 18, 2021. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/EXTENSION/SPECIAL USE PERMIT/2700-2966 17<sup>th</sup> STREET**

A memo (21-DOC-3) was received from Director Ianson requesting an extension to the Special Use Permit for a ground mounted Community Solar Project at 2700-2966 17<sup>th</sup> Street (Closed Zion Landfill). Director Ianson stated Zion CS, LLC is requesting a 6 month (180 day) extension for their Special Use Permit, (20-O-47) for a ground mounted Community Solar Project. They are waiting for additional funding from the State of Illinois for construction of the Community Solar Project. Director Ianson recommends approval of the extension of the Special Use Permit.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes, that an Ordinance (21-O-2) be passed extending a Special Use Permit approved on August 18, 2020 per Ordinance (20-O-47) to Zion CS, LLC for a

ground mounted Community Solar Project at 2700-2966 17<sup>th</sup> Street (Closed Zion Landfill) for an additional 6 months until August 18, 2021. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/PROFESSIONAL SERVICES/GEOSYNTEC CONSULTANTS, INC.**

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that an Ordinance (21-O-3) be passed accepting a proposal from Geosyntec Consultants, Inc. and authorizing and approving a professional services agreement between the City of Zion and Geosyntec Consultants, Inc. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/TEXT AMENDMENT/ZION MUNICIPAL CODE/CHAPTER 82**

A memo (21-DOC-4) was received from Director Ianson requesting a Text Amendment to Chapter 82 of the Zion Municipal Code. Director Ianson is recommending a Text Amendment to Chapter 82 of the Zion Municipal Code, Zoning Docket 21-Z-2, to add Article VII-Brighton Ponds. Brighton Ponds was originally developed to be a Mobile Home Park. Once it was annexed into the City limits, the originally developer was required to re-plat the parcels to meet R-8 Single Family Zoning requirements. In addition, he was required to update the water and sewer systems which were never done. In 1996, the Courts ordered a settlement agreement between the City and the developer listing parameters and restrictions required for developing the subdivision. The terms of the agreement were never met. Staff is recommending that the agreement be codified and by doing so, the City will be able to point to the Municipal Code for the terms of the agreement as a reason why an application/proposal to develop the Subdivision, or if one of its individual lots is denied. At the January 7, 2021 Planning & Zoning meeting, they recommended to approve the Text Amendment request.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson that an Ordinance (21-O-4) be passed approving the Text Amendment to Chapter 82 of the Zion Municipal Code to add Article VII-Brighton Ponds. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/TEXT AMENDMENT/ZION MUNICIPAL CODE/SECTION 102-504(a)**

A memo (21-DOC-5) was received from Director Ianson requesting a Text Amendment to Section 102-504(a). Director Ianson is recommending a Text Amendment to Section 102-504(a) of the Zion Municipal Code, Zoning Docket 21-Z-3, to add setback requirements for roof mounted solar panels. Currently, the City is operating under the 2006 IFC which does not address setbacks until the 2012 version. These setbacks are designed to give the Fire Department access to the roof. At the January 7, 2021 Planning & Zoning meeting, they recommended to approve the Text Amendment request.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that an Ordinance (21-O-5) be passed approving the Text Amendment to Section 102-540(a) of the Zion Municipal Code to add setback requirements for roof mounted solar panels. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

**DEPARTMENTAL COMMENTARY**

Director Ianson stated a few weeks ago he noted there would be repairs to the flag pole at the Dome. The repairs are now completed.

Director Roberts stated he has received two notifications from IDOT regarding projects throughout Zion. The first project is upgrading to ADA ramps which should be completed this year. The second project is the resurfacing of Sheridan Road from Russell Road to Sunset Avenue.

Administrator Knabel stated this Friday, January 22, 2021 at 9:00 am, all taxing bodies will be hosting a 2020 Retrospective. They will be sharing their successes as a community. He provided the link; [www.ZBTHS.org/ZBTHSleaders](http://www.ZBTHS.org/ZBTHSleaders) and encouraged others to share the information.

Chief Lewis stated he has attended 288 Council meetings and now after 30 years has decided to retire. He has been Chief for 12 of those 30 years and has been through 3 Mayors and a handful of Commissioners and Department Heads. He stated the City has a great set of employees including the Department Heads and he will miss them. Mayor McKinney thanked Chief Lewis for his dedication and representation of the City.

Chief Henderson stated his focus is to address the violent crime in Zion. As most people are aware, there was a shooting in December where a young woman was shot in the head. Officers were able to make an arrest in the case. Additionally, there was an incident on Friday night where people engaged in gunfire at a local gas station at a major intersection in the community. There was also an incident on January 14<sup>th</sup> where 40 rounds were fired in the evening in the 1800 Block of the Joppa/Joanna area. This continues to be his biggest frustration on how to get a handle on this issue. They have been focused on this for years as it continues to be a focus for him as Chief. They have done some re-organization in the department to put officers who are well-equipped for this type of work. Late in 2019 they experimented with a program called Neighborhood Policing. The thought behind this was to have a group of officers be neighborhood officers assigned a specific district but saw that it would be better to put three detectives out in the street crimes unit. In January of 2020 the switched over to a street crimes unit focus. The street crimes officers along with the special investigations unit have done great work taking guns and drugs off the streets but still it continues. This includes 2-4% of the population in Zion, Waukegan, North Chicago and Kenosha. This is a lakefront problem and they continue to fight it but there are no easy answers. Since 2017 they have taken over 188 guns off the street and made over 110 arrests related to gun violence. He will be meeting with Lake County State’s Attorney Eric Reinhardt to discuss strategies. Mayor McKinney stated this issue has been talked about a lot and the Council is taking it serious. When these incidents happen, it would be helpful if people with information could step forward as often times residents refuse to talk with the police. They are working hard on this to keep the City safe. Commissioner Frierson stated they have been running numbers to see where the gun violence is and where the crimes have occurred. They are working with the Police staff and they are doing a fine job of apprehending the suspects but they need higher intelligence and more participation from the community. Not only will they be meeting with the State’s Attorney but also the local housing authority to get all the departments to the table. With all the work they are doing there is something that is still not working. They are at a point now where they know they need assistance from other partners to help them to look for solutions.

Commissioner Fischer reminded citizens to support local businesses and to continue to wear masks and obey social distancing in order to keep others safe.

Mayor McKinney stated there have been 400,000 deaths related to COVID. Citizens must continue to follow the restrictions and guidelines to mitigate the virus. Regarding the gun violence, on September 9, he released a statement on Social Media and has received calls from a few residents with concerns. He spoke with one of the residents sharing with her what they were doing to try and curtail the gun violence. Prior to becoming Mayor he attended a session in North Chicago a program called Shot Spotter which is a detection system that not notifies police within seconds of a shot’s location. They have been trying to find a way to fund the program at a cost of \$300,000 a year. The Council is taking the issue seriously. They live here and they care and it frightens them too. They had some measures in place a few years ago that would have allowed the City to get acquire the program. Part of the program was an addendum to the Crime Free Housing but they were unable to do it without a home rule community. The information was sent out to the community but home rule was soundly defeated which did not allow the City to have Crime Free Housing. They tried to add a 1% sales tax that would have spread the burden beyond Zion residents. Over a three year period it would have given the City an additional \$3 million. This could have added more police on the streets. They listened to the citizens and were unable to get home rule. They are waiting for the Census result to see if home rule will happen. If that happens they will continue to push forward to get Crime Free Housing which is essential. In 2015 the City started a Rental Inspection Program which was met with much distain. Residents have seen that this is the City’s way to have an impact on absentee landlords that do not take care of their properties or tenants. They will continue to work on these issues. When COVID restrictions lift they will continue to have meetings. He asked that residents take an active role and provide the City with input.

**ANNOUNCEMENT**

February 2	7:00 p.m.	Zion City Council Meeting
February 16	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

**CLOSED SESSION**

It was moved by Commissioner Holmes, seconded by Commissioner Frierson that the Council recess to Closed Session at 7:41 p.m., pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of collective bargaining and personnel. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to reconvene the Regular Council meeting at 7:54 p.m. with all members present. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried.

**APPROVAL OF UNPAID LEAVE/PUBLIC WORKS EMPLOYEE**

It was moved Commissioner McDowell, seconded by Commissioner Fischer to approve the request of unpaid administrative leave for an employee in the Public Works Department. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried.

**APPOINTMENT/FIRE CHIEF**

Mayor McKinney stated after an extreme interview process with two strong candidates, Justin Stried will be appointed to Fire/Rescue Chief. He will be replacing Chief Lewis, who will be retiring on January 29<sup>th</sup>.

It was moved Commissioner Frierson, seconded by Commissioner McDowell to approve the appointment of Justin Stried to Fire Chief effective January 30, 2021. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried.

**TEMPORARY PROMOTION/BATTALION CHIEF**

A memo (21-DOC-6) was received from Chief Lewis requesting a temporary promotion to battalion chief. Chief Lewis stated the appointment of a new Fire Chief from within the ranks has left a vacancy in the position of battalion chief. The current Final Promotional Eligibility Register for Battalion Chief was exhausted of candidates when staff left the department in October 2020. Although they are currently in the process of testing for battalion chief, they will not have a Final Promotion Eligibility Register for Battalion Chief prepared until mid to late April. State Statute, under the Fire Department Promotion Act, allows the Board of Fire and Police Commission to make a temporary appointment not to exceed 180 days. As a housekeeping measure, he is requesting that the City Council authorize the Fire and Police Commission to temporarily promote Lieutenant Tim Urbanik, the most senior and only currently eligible lieutenant, to the rank of battalion chief for an initial period of 90 days effective January 30, 2021. The temporary promotion allows them to fill the vacancy while completing the promotional testing process for battalion chief. Once the Final Promotion Eligibility Register for Battalion Chief is completed, a request will be made to permanently promote Tim Urbanik to battalion chief.

It was moved Commissioner Frierson, seconded by Commissioner McDowell to approve the temporary appointment of Tim Urbanik to battalion chief. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried.

**PROMOTION/LIEUTENANT/FIRE/RESCUE DEPARTMENT**

A memo (21-DOC-7) was received from Chief Lewis requesting approval to fill one lieutenant position and request the name of the next candidate on the current Lieutenant Eligibility List from the Board of Fire and Police Commissioners. Chief Lewis stated with the vacancy created by the recent temporary and eventual promotion of Lieutenant Tim Urbanik to battalion chief, he requests that the Council authorize the Fire and Police Commission to promote Firefighter/Paramedic Tom Bailey, the next candidate on the currently published Final Promotion Eligibility Register for Lieutenant to fill the vacancy. If approved, the effective date for the promotion would be January 30, 2021.

It was moved Commissioner Frierson, seconded by Commissioner Fischer to approve filling one lieutenant vacancy and request the name of the next candidate on the current Lieutenant Eligibility List from the Board of Fire and

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

**REQUEST TO FILL VACANCIES/FIRE/RESCUE DEPARTMENT**

A memo (21-DOC-8) was received from Chief Lewis requesting approval to fill two (2) firefighter/paramedic positions and request the names of the next two candidates on the current Firefighter/Paramedic Eligibility list from the Board of Fire and Police Commissioners. Chief Lewis stated in late December a probationary member of the department tendered his resignation effective January 3, 2021 after almost 6 months of employment. In an attempt reduce additional overtime, after learning of the resignation another probationary member was immediately transferred to fill the vacancy on the affected shift. Additionally, with the recent promotions resulting from the appointment of a new Fire Chief, there is a second firefighter/paramedic vacancy. With the cancellation of the January 5<sup>th</sup> Council meeting he has asked Human Resource Director Karin Graves to begin the process of working with the Fire and Police Commission to fill the vacancies in an effort to minimize any overtime incurred by the loss of personnel. Although out of order for the efficiency of time, he is requesting the Council authorize the Fire & Police Commission to release the next two names and hire the next eligible candidates from the Final Eligibility Register for Firefighter/Paramedic Candidate to fill these vacancies. The hiring of the candidates will bring the department back to 21 personnel which is full staffing under the current MOU.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes to approve filling two (2) Firefighter/Paramedic vacancies and request the names of the next two (2) candidates on the current Firefighter/Paramedic Eligibility List from the Board of Fire and Police Commissioners. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, 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 Holmes and unanimously approved the meeting be adjourned at 8:03 p.m. Motion carried.

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City Clerk