

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, APRIL 6, 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, McDowell, Fischer, Holmes, and Mayor McKinney. A quorum was present.

Also present: Police Chief Eric Barden, Fire/Rescue Chief Justin Stried, Building & Zoning Director Richard Ianson, Public Works Director Ray Roberts, City Administrator David Knabel and City Attorney Michael Muthleb.

Mayor McKinney led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to approve the City Council meeting agenda as presented. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye and Mayor McKinney aye. Motion carried.

CITIZEN COMMENTS

Denise Lear, Zion, commented on the following:

1. She has been a citizen for 50 years and is appalled about how filthy the City is. She would like the City to schedule a clean-up week.
2. She is concerned with the litter that piles up on the rental properties. Properties have 1-2 dumpsters but there is still litter that flies around everywhere. She spoke with the City about the property at 18th & Lewis (across from Shirl's Drive-In). This is an empty lot being used as a dumping ground.
3. The City ordinance allow for four (4) dogs per apartment. She would like to see the ordinance amended to two (2) dogs and no vicious animals aloud.

Mayor McKinney stated Ms. Lear's comments may be addressed during Departmental Commentary or she may be contacted after the Council meeting.

Administrator Knabel stated if someone wishes to speak during Citizen Comments, they can use the "hand raiser" on the Zoom menu or physically raise their hand to be recognized.

Commissioner Holmes asked if the disclaimer on the agenda should be read prior to the start of the meeting. Mayor McKinney stated the information is available online to view. As a reminder, the Council is not obligated to answer any questions asked during citizen comments.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on March 16, 2021 at 7:00; and approval but not release of Closed Session Minutes of a meeting held on March 16, 2021 at 7:29 p.m.

The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, 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 137015 through 137223 drawn on Huntington National Bank, N.A. Total: \$937,484.92

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

RESOLUTION/ZION/MONARACH CITY, USA COMMUNITY

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that a Resolution (21-R-4) be passed proclaiming the City of Zion a Monarch City, USA community. The vote on roll call was: The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Resolution passed.

ORDINANCE/ELECTRIC AGGREGATION PROGRAM CONSULTING SERVICES

In 2013, a referendum was passed granting the City the authority to arrange for the supply of electricity for its residents and small commercial retail customers. At that time, the City Council determined that it was in the best interest of the City to engage a consultant to assist the City in implementing the program and the Northern Illinois Municipal Electric Collaborative (NIMEC) and the City entered into an agreement for electric aggregation consulting services. NIMEC successfully guided the City through the initial process and the program renewal in 2020. The agreement with NIMEC is now expired. The City's electric aggregation program is due for renewal in July of this year, and because the renewal process requires several months to implement, the City will need to receive a renewal bid in order to make a decision on an electric supplier before mid-April.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes that an Ordinance (21-O-11) be passed authorizing renewal of the agreement for electric aggregation consulting services between the City of Zion and NIMEC. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/RENEWAL OF AGGREGATION PROGRAM FOR ELECTRICAL LOAD

A memo (21-DOC-19) was received from Mayor McKinney stating that The City's current Municipal Aggregation program is due for renewal at its July term end. A renewal program requires several months to implement; thus a contract would need to be signed by early April. The ComEd rate will be re-set June 1 and analysts anticipate the new rate to be 6.7¢ for summer months and 7.2¢ for eight non-summer months. That base rate varies by +/- one half cent, meaning the ComEd rate may change from 6.2 to 7.7¢ over the next year for an average of 7¢.

The City has two options:

- Option A: Fixed rate
 - Given the lowest bid indications, projected average household saving of \$70 per year, potentially \$400,000+ cumulative savings to residents.
- Option B: "At ComEd Rate" program
 - No savings for residents, but no rate risk of paying above ComEd rates
 - Civic contribution to City (currently is \$129,462)
 - Zion retains status as an EPA Green Power Partner Community; currently ranked #99 by the EPA in terms of Green Power consumption vs. total power consumed

The Council will determine the contract term length of 1, 2 or 3 years. Bid pricing for a fixed rate program is only held firm for 24 hours, therefore final, executable bid pricing is presented today at the Council meeting.

Mayor McKinney stated Sharon Durling from NIMEC was in attendance to answer any questions the Council may have. Commissioner Fischer stated the Council received the copies of the updated current rate options available. He suggested the Council review and discuss rate options. Sharon Durling stated a fixed rate bid would offer savings to the residents. Last year they did not receive any bids that would have guaranteed savings to residents. She stated they are looking at the two year rate from Dynegy Energy who is the lowest bidder for a fixed rate. A two year term would be a rate of 6.179 which is significantly below the average rate that is expected for the ICC of 7 cents over the next twelve months. In the second year period the ComEd rate may drop a little bit lower but it looks like there is a good margin for savings. There is also the option where everyone pays the ComEd rate. This would not include savings to residents but will bring money into the City. She feels the Dynegy Energy rate looks good. This company is based in Illinois and is a good company that they have done a lot of business with. Mayor McKinney asked how residents would opt-in to the program. Ms. Durling stated in 2009 Governor Quinn signed into law a program allowing residents by majority vote to allow municipalities to go out to bid to find a benefit to the residents in the way

of competitive electric rates. Should the City decide to move forward with the program, every rate payer (residents and small businesses) in the City would receive a notice from the City giving them an opportunity to opt out if they choose not to participate. The law states that residents are automatically “opted in” to the program. Every resident has an opportunity to “opt out” and there will never be any fees to leave the program. Residents can decide to leave the program at any time. Mayor McKinney asked if small businesses had the opportunity to join the program. Ms. Durling stated by law, businesses using 15,000 KH or less are eligible. Mayor McKinney asked how residents will receive the information regarding options for the program. He stated often time’s residents are confused on what to do. Ms. Durling stated they have worked harder to make information available on the website, Facebook and social media. The letter sent to residents was designed to be clear and offers ways to get questions answered. Mayor McKinney asked what ComEd’s role was in the program and if there were any downsides. Ms. Durling stated by law, ComEd has not supplied any energy since 2007 so it is financially neutral to them. They support the concept of aggregation. The monopoly that was ComEd was broken up and rates have actually gone down. By law ComEd does all the billing and residents will continue to get the same ComEd bill. If they receive discounts they will continue to receive them along with any other assistance they received in the past. As for a downside, she does not believe there is any in the first year. In year two, there would have to be an economic collapse for the ComEd rate to fall so low. If residents decide to leave the program, she can assist in moving them back to ComEd. Residents will continue to receive one bill with Dynegy Energy listed as the supplier. Mayor McKinney asked who residents would call if the power goes out. Ms. Durling stated they would continue to call ComEd for any disruption in service. Commissioner McDowell stated the rate for 36 months is 6.086, which is significantly better than the two year rate. He asked what the pros and cons were for a two year vs a three year contract. Ms. Durling stated the difference is about eight one hundredth of a penny per KH which may be about a 50 cents difference per month. She stated the bids decline each year which tells them that the suppliers believe that power prices are going to decline. She feels it is prudent to keep a shorter leash as in three years there could be a significant change but three years is still an option for the Council.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson, that an Ordinance (21-O-12) be passed to renew the municipal electrical aggregation program in the City of Zion, accept the bid of Dynegy Energy for a 24-month term, and authorize entering into a contract with Dynegy Energy. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/MEMORANDUM OF UNDERSTANDING/ MIDWESTERN REGIONAL MEDICAL CENTER

A memo (21-DOC-20) was received from Chief Stried requesting approval of a Memorandum of Understanding to provide EMS service to CTCA (Midwestern Regional Medical Center) patients staying at their local guest quarters locations. Chief Stried stated this is a similar agreement that the City has operated under for quite some time. CTCA provides the City with a monthly payment for up to five transports from a guest quarters location for direct-admission to their hospital. Transports above five per month are charged additionally. Other than effective dates and associated names, the contract terms have not changed since the last agreement was approved.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes that an Ordinance (21-O-13) be passed authorizing and approving a certain service provider amended and restated agreement between Midwestern Regional Medical Center, LLC and the City of Zion. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/ZONING MAP PUBLICATION

Director Ianson stated the City must approve the publication of a new Zoning map if there are any changes. Current updates are the boundaries for the annexation of the Landfill.

It was moved by Commissioner Holmes, seconded by Commissioner Fischer that an Ordinance (21-O-14) be passed approving and authorizing the publication of the Official Zoning Map of the City of Zion. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/MEMORANDUM OF UNDERSTANDING/RAM DEVELOPMENT PARTNERS, LLC

A memo (21-DOC-21) was received from Administrator Knabel requesting approval of a Memorandum of Understanding with RAM Development Partners, LLC. Administrator Knabel stated now that there is an established

Enterprise Zone as well as a TIF district that covers the property boundaries, the City is in a position to move forward with aggressive pursuit of use for the vacant ballfield site. In looking at options, they considered going out for a broker to list and market the property, however, that presents the possibility that it would sit idle based on the efforts of the broker. The City wanted to be more deliberate in their marketing and, in discussions with Retail Strategies, came up with a solution to enter into a Memorandum of Understanding with RAM Development Partners, LLC who are partners of Retail Strategies. They will provide a one year exclusivity period for RAM to assess the ballfield site property, determine best use of the property and act as the developer in bringing opportunities to the area for actionable projects. The cost of these services would be borne by whatever project may come to fruition as a result. Additionally, the City will have input to ensure the project is acceptable and in accordance with the City's Comprehensive Plan. The only downside is that the property will be tied up as part of the MOU, but would not be insurmountable as any potential projects that may come up during that year could be worked through with RAM. Staff would recommend entering into this MOU as presented. Mayor McKinney stated the City has a good relationship with Retail Strategies in their quest to bring business to the City.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes that an Ordinance (21-O-15) be passed approving and authorizing a certain Memorandum of Understanding between the City of Zion and Ram Development Partners, LLC. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

2021/2022/PROPERTY/LIABILITY/WORKER'S COMPENSATION INSURANCE/OTHER INSURANCE RENEWALS

A memo (21-DOC-22) was received from Administrator Knabel regarding insurance quotes for the 2021/2022 property, liability, worker's compensation, law enforcement, automobile and umbrella policies. Administrator Knabel stated the City's Insurance Broker, Assurance, negotiated with IPRF and actually got a decrease of 4% over the prior period. The City also receives a \$74,095 safety grant from IPRF to purchase equipment that would further reduce claims in the future. Additionally, Assurance has a new program underwritten by ICRMT called the Public Risk Insurance of Illinois Program (PRII). This is an all-inclusive program that is able to be tailored directly to the City of Zion and coverage needs. They compared the renewals from individual carriers to the PRII program cost. Overall the PRII program is \$42,722 savings over the renewals from existing carriers. Additionally, the total package is a decrease over the prior year of \$35,176. The PRII program also offers a 50% grant (up to \$6,000) to supplement the IPRF safety grant. Ultimately, the results came back very favorably for all lines of coverage and Assurance and staff recommend accepting the proposals as presented with the PRII and IPRF. This proposal does not include cyber insurance. He will bring back the network security renewal at the April 20th meeting.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson to approve renewal of property, liability, worker's compensation, law enforcement, automobile, and other insurance renewals from May 1, 2021 to May 1, 2022 as presented in the premium summary provided. The vote on roll call was: Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

2021/2022 HEALTH/DENTAL/LIFE INSURANCE RENEWAL

A memo (21-DOC-23) was received from Administrator Knabel regarding insurance quotes for the 2021/2022 Health, Dental and Life Insurance policies. Administrator Knabel stated the City's Insurance Broker, Assurance Agency received quotes for Health, Dental and Life Insurance policies. The health insurance results came back at a 3.89% increase but the Broker negotiated it down to slight decrease from the prior year. This results in a savings of approximately \$65,000. All coverage levels and limits remained the same. The City is self-insured for dental claims but use Guardian as the underwriter and for processing and administering all claims. Their renewal came back as a 1.7% decrease. Life insurance is rate frozen for another year with Blue Cross, Blue Shield. Being with them for life insurance also gets us a discount on the health insurance proposal. Ultimately, the results came back favorable across the board and Administrator Knabel recommends renewing as recommended by Assurance.

It was moved by Commissioner Holmes, seconded by Commissioner Frierson, to accept the proposal of Assurance Agency for the renewal of employee medical and life insurance with Blue Cross Blue Shield of Illinois (BCBS), dental insurance with Guardian Dental, effective May 1, 2021 to May 1, 2022. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

WATER RATE STUDY PROPOSALS

Administrator Knabel stated that maintaining the water infrastructure has gotten away from them. The City recently went out for proposals for an independent water rate study. This will show if the City is charging the correct rates to maintain the City's water infrastructure. Five vendors responded with proposals. He recommends accepting the proposal from Fehr Graham. They have done some due diligence on the company and they came back with glowing reviews from their customers. Commissioner Holmes stated that the next bid after Fehr is significantly higher. Administrator Knabel stated there were also concerns from other communities due to the low pricing but they proved to be a sound company.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson, to accept the proposal of Fehr Graham to perform a water and sewer rate study for the City of Zion. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

BUDGET/STREET & BRIDGE FUND/HOTEL/MOTEL TAX FUND

A memo (21-DOC-24) was received from Administrator Knabel requesting approval of the Street & Bridge Fund and the Hotel/Motel Tax Fund. Administrator Knabel stated the funds are "stand alone" funds wherein the revenues are isolated from the General Fund budget and funds are restricted for specific purposes. Approval of the Street & Bridge budget will allow the City to go out for bid on projects and get timelier and more cost beneficial responses. Approval of the Hotel/Motel Tax budget will allow the City to communicate the availability of funds for promotion of events and allow those events to plan accordingly to operate during the fiscal year. In the past, the City has collected between \$120,000-\$140,000 a year in Hotel/Motel Tax, but last year due to COVID, the City collected just \$6,000. He has already been approached by events that will run this year but on a smaller scale.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell, to approve the budgets for the Street & Bridge Fund and the Hotel/Motel Tax Fund for May 1, 2021 through April 30, 2022. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

VARIANCE/ZION MUNICIPAL CODE/SECTION 102-206(b)(2)/2901 ELISHA AVENUE

A memo (21-DOC-25) was received from Director Ianson requesting a variance from Section 102-206(b)(2) of the Zion Municipal Code. Director Ianson stated Olmedo Brothers LLC is seeking a variance from Section 102-206(b)(2) of the Zion Municipal Code to continue use of the property located at 2901 Elisha Avenue as a multi-family residence in an R-5 single family zoning district, Zoning Docket 21-Z-1. At the January 7, 2021 Planning & Zoning meeting, the Commission recommended approval with conditions that they consolidate 2901 and 2905 Elisha Avenue to meet the minimum parking requirements. Commissioner Fischer asked how long the property has been a multi-family unit. Director Ianson stated it has been a multi-family residence since the structure was built in the mid-60s. Mayor McKinney stated the property has been abandoned for several years and has been a security issue for residents. He is happy to see someone has purchased the property and cleaned it up.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that an Ordinance (21-O-16) be passed granting a variance from Zion Municipal Code Section 102-206(b)(2) "Non-Conforming Structures and Uses" for the property at 2901 Elisha Avenue. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

PLAT OF CONSOLIDATION/2901/2905 ELISHA AVENUE

A memo (21-DOC-26) was received from Director Ianson requesting approval of a Plat of Consolidation for 2901 and 2905 Elisha Avenue. Director Ianson stated Olmedo Brothers LLC is requesting that the Council consider approving a Plat of Consolidation for 2901 and 2905 Elisha Avenue. The consolidation is necessary to meet the minimum parking requirements for the 7 unit apartment building.

It was moved by Commissioner Holmes, seconded by Commissioner Fischer, to approve Plat of Consolidation for 2901 and 2905 Elisha Avenue. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Ianson stated in regards to Ms. Lear’s concerns, he is aware of trash blowing around the neighborhoods. They have been sending out notices to residents and getting Public Service to help out when they can. A clean-up day is planned in August. Mayor McKinney stated the City was successful last year with their Electronics Recycling event. They did not go through the neighborhoods due to the lack of volunteers. He would like to try and get people to come out and help with the clean-up. Once the winter snow melts garbage beings to show up. He noted April 22nd is Earth Day. They are hoping to clean up the bike path with help from the Park District and County.

Director Roberts stated residents will start seeing contractors on 21st and 23rd Street west of Sheridan Road. They will be replacing the 1926 6-inch water main and drainage along with the sanitary. Additionally, he attended a meeting lighting and resurfacing Sheridan Road. Mayor McKinney stated he has received some calls asking about leaf pick-up. Advanced Disposal will be picking up bagged leaves from April to November. The vacuumed leaf vacuuming program will begin on April 26th and run for two weeks through May 7th. They will be picked up on the same day your trash is picked up. Tree branches and brush not placed in a thirty-two (32) gallon container or bag must be bound with biodegradable string or twine in bundles not more than four (4) feet in length, eighteen (18) inches in diameter and weighing not more than fifty (50) pounds each. Branches are not to be more than two (2) inches in diameter per branch.

Administrator Knabel reminded residents that current vehicle stickers will expire on April 30, 2021. Residents may submit their renewal applications by mail or place in the drop box in the front of City Hall. The list of fees is available on the City’s website along with the renewal application. Applications are also available in the vestibule at City Hall. Additionally, applications have been included with resident’s water bills. Once the application and payment is received, the stickers will be mailed out. Additionally, shut-off eligible residents have been sent a notice in their monthly bills. Actual shut-off notices have not yet been sent out as there continues to be a stay on evictions until the end of July. The Township is willing to provide assistance to get residents current on their water bills. Mayor McKinney stated residents may also call 211 for assistance.

Chief Barden reminded residents that the ticket for no City sticker is \$75.00, this is more than the sticker. Additionally, he reminded residents there is no parking on City streets from 2:00 am to 6:00 am. and tickets will be issued. He stated regarding dogs, if an animal is violent, residents will be ticketed. An animal with two bites in a 24 month period will be removed from the home.

Chief Stried reminded residents burning yard waste is against City ordinances. This is for the safety and health risks of residents. Burning in fires pits must follow the guidelines of City ordinances. A Blood Drive in conjunction with the Red Cross will take place on Sunday, May 2nd from 10:00 am to 3:00 pm. in the Zion Fire Department-Truck Bay.

Mayor McKinney stated the City is aware of the dumping issues. They are trying to get cameras in Hossa Park and will be working with the owner of Shirl’s to get a Ring camera on their building. He asked residents to call the City if they witness someone dumping. Additionally, he asked residents to start doing little things in the City to make it look better. Residents must make an effort to help clean things up.

ANNOUNCEMENTS

April 13	6:00 p.m.	Annual Town Meeting
April 20	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
April 22		Earth Day Clean up on the Bike Trail

CLOSED SESSION

It was moved by Commissioner Fischer, seconded by Commissioner Holmes that the Council recess to Closed Session at 8:06 p.m., pursuant to 5 ILCS 120/2 “Open Meetings”, for the discussion of filed, pending and/or probable

or imminent litigation, collective bargaining and personnel. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

It was moved by Commissioner Holmes, seconded by Commissioner Frierson to reconvene the Regular Council meeting at 8:27 p.m. with all members present. The vote on roll call was: Commissioners Frierson, aye; McDowell, aye; Fischer, 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 McDowell, seconded by Commissioner Holmes and unanimously approved the meeting be adjourned at 8:28 p.m. Motion carried.

City Clerk