

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 1, 2021, 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, McDowell, Frierson, Holmes and Mayor McKinney. A quorum was present.

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

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

AGENDA CHANGES

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

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

CITIZEN COMMENTS

Raymond Gilmore, Zion, shared his frustration with speeding in his neighborhood in the Cyprus Park subdivision. He asked that the City consider installing speed bumps, speed signs or possibly lighted stop signs in the subdivision. They would also like a bike trail that connects to 27th Street in their subdivision. He also questioned why the street drains are not hooked up to the City of Zion system. Currently the Homeowners Associated (HOA) is taking care of the drains. He would like the City to start maintaining the drains. He stated the agreement between the City and the Homeowners Association happened a long time ago. Times have changed and the HOA wants the City to take care of it now. He also asked that the City address the detention pond.

Krystal Encarnacion, Zion, stated she is a resident of the Anderson Trail subdivision. She is here to advocate for funding to fix the streets. The HOA as taken care of the streets over the years and they are in need of repair. They have received an estimate from Total Pavement for \$41,000 to repair the streets. She is asking for some help with the funding for the repairs.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on May 18, 2021 at 7:03 p.m.

The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Frierson, 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 137557 through 137633 drawn on Huntington National Bank, N.A. Total: \$462,474.65.

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

ORDINANCE/INTERGOVERNMENTAL AGREEMENT/ILLINOIS OFFICE OF THE COMPTROLLER

A memo (21-DOC-39) was received from Chief Barden requesting approval of an Intergovernmental Agreement with the Illinois Office of the Comptroller (IOC). Chief Barden stated in February of 2016, the City Council approved an agreement between the IOC and the City of Zion regarding access to the Comptroller's Local Debt Recovery Program. The proposed Intergovernmental Agreement (IGA) will provide the City access to the program for purposes of collection of both tax and non-tax debts owed to the City of Zion. The Illinois General Assembly specifically provided for the ability of the local unit to utilize the system when it amended Section 10.05 and added Section 10.05d to the State Comptroller Act (PA. 97-632; 15 ILCS 405/10.05 and 10.05d). The City of Zion currently has in excess of \$3.1 million in uncollected debts. Adoption of the IGA would allow the partnership with IOC to help reclaim a portion of those debts.

It was moved by Commissioner Fischer, seconded by Commissioner Frierson, that an Ordinance (21-O-26) be passed approving and authorizing and Intergovernmental Agreement with the Illinois Office of the Comptroller regarding access to the Comptroller's Local Debt Recovery Program. The vote on the roll: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/TEXT AMENDMENT/ZION MUNICIPAL CODE/SECTION 30

A memo (21-DOC-40) was received from Chief Barden requesting a text amendment to the Zion Municipal Code, Section 30 regarding Environment. Chief Barden stated he is requesting the text amendment to better define the guidelines for noise in the ordinance. The police department responds to and addresses issues of noise complaints, loud parties, music, fireworks, loud and unruly gatherings and other nuisance related complaints involving excess noise. The amendment allows for an enforcement arm for violations and provides an avenue to address persistent problems within the community. Commissioner McDowell asked if they would continue to provide an exception for Exelon as the power plant is no longer in effect. Attorney Vasselli stated he does not have an objection in removing the item. He does have a concern with the contents of any prior documents that may have been signed related to this issue. Commissioner McDowell stated he does not see this as a huge issue but as long as they are making changes to the ordinance they may consider updating this section. He also referred to Section 30-63 and questioned why the boundaries vary, re: 50 ft, 75 ft and 100 ft. for different entities and wonders if they should keep them all the same. Chief Barden stated he does not have an issue with amending the language to be consistent using 75 ft. Commissioner McDowell also questioned the language at which days and times noise trespassing is permitted. He wonders if they should be consistent and have same times for all days. Mayor McKinney stated citizens want to have get togethers on the weekends and this document provides the protocols to have an event. He would like people to have respect for their neighbors. Commissioner McDowell stated the ordinance does not prohibit get togethers. It prohibits trespassing on other people's property. Noise should not be at a volume that inhibits your neighbors. Mayor McKinney asked if there are devices that can measure volume. Chief Barden stated they can measure at a certain point of a property line. He reminded the Council that they will not immediately be issuing a ticket. There will be initial warnings before a ticket will be issued. He stated in looking at choosing times for the ordinance, they wanted to allow a little more freedom on weekends which allows parties to continue to a reasonable time. They did take into consideration businesses that are near residential areas. Commissioner Fischer stated these things are well defined in the document. Trying to allow only one time period forces people to restrict their events. Commissioner McDowell stated in the past, most people were off during the weekend but now that is not the case. He referred to Section 30-63-d Exceptions. He questioned making an exception for construction noise and allowing it to go on at all hours. Chief Barden stated construction is defined further in another section of the ordinance. Certain items are not considered construction. You will still be able to mow your lawn. Commissioner McDowell stated they can come back to it later for further discussion. Commissioner Frierson agreed that the larger section of construction was clearly defined. Commissioner Fischer stated there will always be exceptions but he does not see a need to change the times in the ordinance. Commissioner Frierson asked if they would be approving the change of the boundaries to 75 ft. Commissioner Fischer stated latitude is given to churches and he would hate to have to put a restriction on churches. Regarding the issue with Exelon they are no longer operating with a storage pad. Commissioner Frierson stated he would like to come up with a summary of the ordinance to put on the website and social media to make it easier for citizens to understand. Mayor McKinney stated there may be a possibility of putting the information on Blackboard. Over the past year, noise from cars and speakers has been a disturbance to residents. Commissioner McDowell stated it is a good ordinance and they must let residents know they are being much more specific in the new ordinance. Mayor McKinney stated they will summarize it in a way that will make it easier for the public to understand. They must get back to having respect for neighbors. If needed, they can look at amendments at a later date. They can take a look at the items related to Exelon and construction. Attorney Vasselli stated he can review the Exelon exception and come back to the July 6 meeting with amendments if necessary for the Council to review.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer, that an Ordinance (21-O-27) be amending Chapter 30 of the Zion Municipal Code regarding Environment as presented. The vote on the roll: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**MEMORANDUM OF UNDERSTANDING/ZION PROFESSIONAL FIREFIGHTERS
ASSOCIATION IAFF LOCAL 1999**

A memo (21-DOC-41) was received from Chief Stried requesting approval of a Memorandum of Understanding (MOU) with Zion Professional Firefighters Local 1999. Chief Stried stated the MOU is in regards to supplementing the Paid-on-Premise program with contracted personnel. The POP numbers have yet to be where they need to. The MOU is necessary due to language in the labor agreement that states that the IAFF Local 1999 must agree to use contract personnel as part of the program.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (21-O-28) be passed approving and authorizing a certain Memorandum of Understanding between the City of Zion and the Zion Professional Firefighters Association IAFF Local 1999. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed

PERSONNEL SERVICES AGREEMENT/METRO PARAMEDICS, INC.

A memo (21-DOC-42) was received from Chief Stried requesting approval of Personnel Services agreement with Metro Paramedics, Inc. Chief Stried stated Metro will provide two Firefighter/Paramedics to supplement the Paid-on-Premise (POP) program. This will attempt to contain some of the overtime costs, as not all of the POP slots are able to be filled on a daily basis.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (21-O-29) be passed authorizing and approving a certain Personnel Services Agreement between the City of Zion and Metro Paramedics, Inc. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

MEMORANDUM OF UNDERSTANDING/VISTA HEALTH SYSTEMS/NORTH LAKE COUNTY EMS

A memo (21-DOC-43) was received from Chief Stried requesting approval of a Memorandum of Understanding (MOU) with Vista Health/North Lake County EMS. Chief Stried stated the request from Vista Health/NLC EMS is administrative in nature only, and a non-monetary item. As part of Vista Health/NLC EMS's accreditation process, they are required to have a current MOU with EMS providers that assist paramedic and EMT students with in-field ride time experience. The MOU addresses the recent changes within both agencies. Staff recommends approval of the MOU.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (21-O-30) be passed authorizing and approving a certain Memorandum of Understanding between the Zion Fire/Rescue Department and Vista Health System/North Lake County EMS. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

INTERGOVERNMENTAL AGREEMENT/SOLID WASTE AGENCY OF LAKE COUNTY (SWALCO)

A memo (21-DOC-44) was received from Director Roberts requesting approval of an amendment to the Intergovernmental Agreement Establishing the Solid Waste Agency of Lake County. Director Roberts stated the SWALCO board is requesting and requiring all members approve the amendment to the Intergovernmental Agreement. The amendment addresses the qualifications necessary to serve as an Alternate Director on the SWALCO Board of Directors, and adds another option for members to consider an immediate past Mayor or Village President. The qualifications for Director remain unchanged. The Alternate Director may attend any meeting of the Board of Directors and may vote as Director in the absence of the Director from that member or if there is a vacancy in the position of Director from that member. The term of the Alternate Director shall be the same as the term of the Director from the appointing member. Staff recommends approval of the amendment to the Intergovernmental Agreement.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that an Ordinance (21-O-31) be passed amending the Intergovernmental Agreement Establishing the Solid Waste Agency of Lake County, Illinois. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/EQUIPMENT USE AGREEMENT

Mayor McKinney stated the attached agreement allows the City's summer lawn crew to utilize his riding lawn mower which he will temporarily loan to the City. All he asks is that the City provide the fuel and return it in good condition.

It was moved by Commissioner McDowell, seconded by Commissioner Holmes that an Ordinance (21-O-32) be passed Approving and Authorizing a certain Equipment Use Agreement between the City of Zion and William M. McKinney III. The vote on roll call was: Commissioners McDowell, aye; Fischer, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, abstain. Motion carried. Ordinance passed.

PERFORMANCE BOND RELEASE/SHEPHERD'S POINT

A memo (21-DOC-45) was received from Director Roberts requesting the release of performance bonds for Shepherd's Point subdivision. Director Roberts stated REO Funding Solutions is requesting the release of two (2) performance and maintenance bonds for Shepherd's Point subdivision. The bonds were established in 2014 for a combined total of \$157,248.00. REO Funding Solutions sold the development in 2018. Both bonds are not transferable. The new owner will be required to establish a new Letter of Credit prior to the issuance of construction and occupancy permits. Staff requests and recommends the release of Performance Bonds K09125942 (\$84,435.50) and K09125930 (\$72,812.50).

It was moved by Commissioner Fischer, seconded by Commissioner Frierson to approve the request of REO Funding Solutions to release Performance Bonds K09125942 (\$84,435.50) and K09125930 (\$72,812.50). The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

TABULATION OF BIDS/2021 HMA PATCHING PROGRAM

A Tabulation of Bids (21-DOC-46) was received from Director Roberts for the 2021 HMA Patching Program. On May 14, 2021 the City held a bid opening for the 2021 HMA Patching Program. Director Roberts requests and recommends awarding the bid to the lowest responsible bidder, Chicagoland Paving Contractors, Inc. from Lake Zurich, Illinois in the amount of \$151,700.00. Funding for the project has been budgeted from the Motor Fuel Tax Fund. Copies of the bid tabulations are on file in the City Clerk and Public Works offices. Commissioner Fischer asked if the contractor has been used before. Director Roberts stated they have used this contractor for the last three years. Mayor McKinney asked how much patching will get done. Director Roberts stated 810,000 square yards. Due to the amount of the lowest bid it allows for another 2,000 yards.

It was moved by Commissioner McDowell, seconded by Commissioner Holmes that the bid for the 2021 HMA Patching Program be awarded to Chicagoland Paving Contractors, Inc., Lake Zurich, Illinois in the amount of \$151,700.00. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye; and Mayor McKinney, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Ianson stated they are still accepting applications for the grass cutter and grass cutter Supervisor positions. Please visit the City website to apply. They have had a very low response and are having a hard time finding help. Mayor McKinney stated there are many businesses that are having a hard time finding people to apply for jobs.

Director Roberts responded to the following:

- Cyprus Park –
 - They will take a look at installing flashing speed signs. As for speed bumps, they are not allowed on municipal streets as they damage City snowplows. They barely have enough equipment to continue servicing the City. Much of the Public Works fleet is 15-20 years old.

- Bike Trail – The trail does reach over 27st street and is a public utility easement. It is not City property. This is actually part of Cyprus Park Phase 2 and has a private owner. He suggested contacting the owner of the property. As for funding they could possibly reach out to the Park District for a joint effort.
- Detention ponds – He reminded residents that these subdivisions would not have been approved without the ownership being taken over by the HOAs. In order for a subdivision to be approved, the Council at the time would approve it through a PUD process. This states that the City would not be responsible for the maintenance or costs of the pond in the subdivisions. The City did not want to have to take on the burden of the cost of the maintenance. The release of the ponds does not go out to the City of Zion. They go out to Kenosha Road into the ditch line which is County property.
- City Storm - There is not a storm close to 27th Street and installing one would be a major project.

Anderson Trail -

They have the same situation as Cyprus Park in having private roads. The HOA has ownership of their roads according to the PUD. The Superintendent of Operations has been out to look at the roads and he did not see any pot holes. He does not have enough funding to maintain City roads let alone private roads. The City Council may choose to change this in the future but his recommendation would be not to as they are already in a deficit to try and maintain the roads they have. Ms. Encarnacion stated they try and patch the pot holes when they can to try and keep them from getting too large. She is not asking for all the funding just partial funding to help with the roads. Director Roberts stated they put it in a request to the Council and he or Director Ianson can walk them through the process. He reminded Ms. Encarnacion there would be a fee. Mayor McKinney asked if the detention pond was the responsibility of the County. Director Roberts stated the initial approval or disapproval of the drawings goes through Lake County Storm Water Management. The maintenance of the ditch line is the responsibility of Lake County DOT.

HR Department – Karin Graves stated there are several full-time and part-time job opportunities available at the City. These jobs are posted through Facebook Boost, Indeed and the City website. She asked the community for help in getting the word out in helping to fill the positions.

Chief Stried stated he has been doing some research on fire sprinklers for businesses. He was not aware that due to COVID-19 businesses will be allowed to have a full right off of sprinkler systems. They often get complaints of the cost of the sprinkler systems. He stated there is help out there to lower the costs for both new construction and retro fitting for updates to the systems. There is talk of expanding it to residential but currently is available for businesses only. He will be happy to share the resources with the businesses. Mayor McKinney asked that Chief Stried share the information with Economic Development Coordinator Sonolito Bronson so that she can reach out to the businesses. Chief Stried also addressed the dangers of fireworks and the hazards they can create for people, pets, homes and vegetation. Residents must be very careful with dry grass conditions caused by the continued drought.

Chief Barden commented on the following:

There have been complaints from other residents in Cyprus Park. They have collected data while doing five hours of direct patrol and issued only two violations; talking on a cellphone and running a stop sign. They have looked into speed bumps but after speaking with Director Roberts they cannot install them due to damage to the roads and City equipment. They have also looked in to more tech related avenues. They have used both marked cars and unmarked cars and have not seen the violations. Unfortunately, they cannot be in the area all the time but will continue the patrols.

Regarding the newly approved noise ordinance, staff will be meeting to discuss how they will be ticketing for the violations. They will first be giving ample warning to the community about the new ordinance. He stated he appreciates the Council trying to curb these issues to bring peace back to the community. If residents want to host a party, the goal should be to talk with your neighbors and let them know. Mayor McKinney stated they will continue to market the ordinance and get the message out. The Council's job is to help all citizens everywhere but still need help to resolve issues. They want to continue to keep communication open with residents and let them voice their issues.

Commissioner McDowell asked if there will be a 4th of July celebration in Zion. Mayor McKinney stated he will speak with Park District Executive Director Marilyn Krieger. He understands it has been difficult to find vendors as some have gone out of business or the prices are way too high. He hopes to have an answer by the next Council meeting.

Commissioner Frierson stated with the cooperation of taxing bodies, the library and park district are opening up free programs open to the community. He encouraged the residents to stay safe and enjoy the summer.

Commissioner Fischer thanked all those that attended the Memorial Day celebration. It was a good event that brought out a lot of people.

Commissioner Holmes stated the Park District is still working hard on trying to get fireworks. She cautioned people to continue to be cautious even as places begin to open up.

Mayor McKinney assured citizens that present issues to the City Council that they are being heard. They continue to try and connect residents with resources for their issues.

ANNOUNCEMENTS

June 15	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
July 5		City Offices Closed for the Holiday
July 6	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 McDowell and unanimously approved the meeting be adjourned at 8:22 p.m. Motion carried.

City Clerk