

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 2, 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, Holmes, Frierson and Mayor McKinney. A quorum was present.

Also present: Police Chief Eric Barden, Building & Zoning Director Richard Ianson, City Administrator David Knabel, Public Works Director Ray Roberts and City Attorney James Vasselli. Fire/Rescue Chief Justin Stried was 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; Holmes, aye; Frierson, aye and Mayor McKinney aye. Motion carried.

**CITIZEN COMMENTS**

William Bremner, Zion, stated he recently reviewed a copy of a Peoria newspaper that published a list of High School nicknames and the Zion-Benton Z-Bees were amongst those listed in the article. Additionally, he asked that the City recognize the 246th Birthday of the United States Marine Corps on November 10, 2021 by sending birthday wishes to the Commandant of the Marine Corps in Washington DC. He also asked that the message be relayed to the Zion Township Board members so they may send similar greetings.

Sharon Lewis, Zion, wanted to issue a complaint against a Zion Police Officer for targeting African American children by pulling them over and harassing them. She stated her daughter recently visited her and was pulled over and the officer forced her out of the car to search it. She wonders how many African American children have been pulled over and harassed.

Raymond Gilmore, a resident that lives in Cyprus Park Subdivision, commented on the following:

- He would like to go ahead with the offer of a picnic table.
- The entrance of the subdivision is being used for a turn-a-round and feels it should be resurfaced and charged to the County for the construction vehicles that mess up the road.
- He would like to revisit the idea of child-proof, self-locking gates for residents to keep the animals inside their yards so as not to chase down seniors.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on October 19, 2021 at 7:00 p.m.

The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, 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 138978 through 139080 drawn on Huntington National Bank, N.A. Total: \$692,336.60.

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

**ORDINANCE/SURPLUS PROPERTY/POLICE DEPARTMENT**

A memo (21-DOC-100) was received from Chief Barden requesting that a 2010 Ford Explorer VIN #1FMEU7DE8AUA28286 be declared as surplus property and be auctioned through Clinton Auto Auction. Chief Barden stated that the Ford Explorer was used in the patrol and CSO capacity, and the vehicle is high mileage and will require extensive repair to remain serviceable.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (21-O-68) be passed declaring a white 2010 Ford Explorer VIN # 1FMRU7DE8AUA28286 as surplus property and auctioned through Clinton Auto Auction. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/SURPLUS PROPERTY/POLICE DEPARTMENT**

A memo (21-DOC-101) was received from Chief Barden requesting that a variety of Conducted Energy Weapons (CEW) be declared as surplus property and be traded back to Axon Enterprises for a reduced purchase price on new CEW equipment. Chief Barden stated a full description of each CEW, to include the make, model and serial number is included. These CEW's are property of the police department and assigned to officers on each shift. Commissioner Fischer asked what the lifespan was on the weapons. Chief Barden stated it is dependent on the usage. Currently they are getting a few years out of them. As they get more of them they will be used less often. They are able to be replaced under the warranty which can prolong the lifespan. Commissioner Fischer noted that they are rechargeable so there is a limited life span on the battery. Chief Barden stated the manufacturer is not making them anymore so they are no longer serviceable. They are finding the batteries are unable to hold a charge for an entire shift.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes, that an Ordinance (21-O-69) be passed declaring CEW's as surplus property and traded back to Axon Enterprises for a reduced purchase price on new CEW equipment. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/MEMORANDUM OF UNDERSTANDING/LAKE COUNTY SHERIFF'S  
OFFICE/POLICE DEPARTMENT**

A memo (21-DOC-102) was received from Chief Barden requesting approval of a Memorandum of Understanding (MOU) between the Lake County Sheriff's Office (LCSO) and the City of Zion Police Department. It is at the request of the LCSO to consolidate the use of the body-worn cameras for officers assigned to the Lake County Special Investigations Group (SIG) under one umbrella. This will come at no cost to the City of Zion and any and all requests for evidence gained will be handled by the LCSO, and the LCSO will be responsible for managing and maintaining the body worn cameras within Illinois State Statutes.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (21-O-70) be passed approving and authorizing a certain Memorandum of Understanding between the City of Zion, on behalf of the Zion Police Department, and the Lake County Sheriff's Office. The vote on roll call was:

Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/PURCHASE/BODY CAMERAS/AXON ENTERPRISES**

A memo (21-DOC-103) was received from Chief Barden requesting approval of the purchase of body-worn cameras (BWCs) and associated equipment from Axon Enterprises Inc. to be used by the Zion Police Department. Chief Barden stated on July 6, 2021, the Council approved funding for body-worn cameras and interview room camera technology as part of the City budget. The police department is currently under contract with Axon Enterprises for BWCs, however the initial agreement with Axon for BWCs did not provide for a camera refresh during the 5-year contract for the Body 2 BWCs. Staff recommends entering into a new 5-year contract for new and updated Body 3 BWCs. There are several benefits to the new contract. The Body 3 camera has GPS technology, gun-shot detection and live streaming capability to allow supervisors to view video feed remotely in real time. The new contract would terminate any and all contracts previously held with Axon. Additionally, the attached quote provides for a new interview room camera surveillance system. This system integrates seamlessly with other Axon technology allowing all case evidence to be held in one singular program. Staff has researched this and recommends the continued use of Axon in both BWCs and interview room surveillance for ease of use with other police agencies as well as the Lake County State's Attorney's office.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer, that an Ordinance (21-O-71) be passed approving and authorizing purchase of body cameras and associated equipment from Axon Enterprises, Inc. to be used by the Zion Police Department. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/PURCHASE OF TASER & EQUIPMENT/POLICE DEPARTMENT**

A memo (21-DOC-104) was received from Chief Barden requesting approval of the purchase of Tasers and associated equipment from Axon Enterprises Inc. to be used by the Zion Police Department. Chief Barden stated on July 6, 2021, the Council approved funding for less lethal weapon technology as part of the City budget. The police department currently uses the industry leader in conducted energy weapon (CEW) less lethal manufacturer Axon Enterprises. This product is commonly known as the Taser. The Zion Police Department is currently using Axon and with Council approval will continue to use them due to seamless integration with the body-worn cameras, evidence.com, drones and virtual reality training services provided by Axon. Additionally, the attached quote includes a virtual reality package. This package will allow for on-shift, real world like scenario training to learn from allowing greater repetition for training with each of the officers. Staff recommends approval of the five year agreement with Axon Enterprises, Inc. to provide for conducted energy weapons as well as virtual reality training.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (21-O-72) be passed authorizing and approving purchase of Tasers and associated equipment from Axon Enterprises, Inc. to be used by the Zion Police Department. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/REDEVELOPMENT AGREEMENT/ABYGROUPS, INC.**

A memo (21-DOC-105) was received from Administrator Knabel requesting approval of an agreement with AbyGroups, Inc. for TIF incentives related to the construction and operation of a Popeye's restaurant at the location of the old Dunes Theatre property. Administrator Knabel stated while delayed by the State, the developer has since changed attorneys. Upon review by the new attorneys, there were provisions of the original contract that did not align with the actual structure of

the development. These provisions were addressed in the revised agreement for Council approval. It was noted that nothing changed related to the scope of the project itself or the incentive amounts. The primary changes were in how the incentives were to be paid. Originally, it was through reimbursement as increment is realized annually on the tax rolls, but now switched to an escrow and reimbursement draw down process. Additionally, some provisions related to allowing the developer to finance their portion of the project were addressed in this agreement while excluded in the original. The agreement as presented now aligns with the structure of the project and puts it back on track.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes, that an Ordinance (21-O-73) be passed approving and authorizing a certain revised Redevelopment Agreement between the City of Zion and AbyGroups, Inc. or its Designee. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

**KEY CARD/FOB INSTALLATION BIDS**

A Tabulation of Bids (21-DOC-106) was received from Director Ianson regarding the bids for the Key Card & FOB Installation. Director Ianson stated the City received two bids, only one was responsive for the Installation of the Key Card & FOB Systems for all City Buildings.

<b><u>Bidder</u></b>	<b><u>Base Bid Amount</u></b>	<b><u>Alternate Bid Amount</u></b>
S & S Systems, Inc.	\$52,428.01	\$43,231.60

Staff recommends the only responsible bidder, S & S Systems, Inc. for the base bid of \$52,428.01. Funding for the project was included in the FY21-22 Capital Budget. Commissioner Frierson asked how long the bid period was open. Director Ianson stated 15 days.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that the bid for the Key Card & FOB Installation be awarded to S & S Systems, Inc. for the base bid of \$52,428.01. The vote on the roll: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried.

**ENGINEERING SERVICES/STP GRANT/CHRISTOPHER BURKE ENGINEERING**

A memo (21-DOC-107) was received from Director Roberts requesting approval of a proposal for professional engineering services for the STP Grant for Galilee Avenue. Director Roberts stated the Lake County Council of Mayors has announced a call for work for the FY2022-FY2026 STP Shared Fund Program. This program provides Federal Funding for 80% of the construction engineering and construction costs. The proposed project is for the resurfacing of Galilee Avenue from 21<sup>st</sup> Street to 33<sup>rd</sup> Street. The estimated cost of the project is \$1,790,155.00. Potential Federal Funding is estimated at \$1,386,924.00. The City’s estimated shared cost is \$403,231.00. Staff is requesting approval of the proposal for design engineering and project application submittal to Christopher Burke Engineering of Rosemont, Illinois in the amount of \$56,500.00. Commissioner Fischer asked if this request is for the funding for the application submittal. Director Roberts stated they must have the design done to submit with the application. Once submitted, the applications will be voted on by CMAP and the Lake County Council of Mayors.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer to accept the proposal for design engineering and project application submittal from Christopher Burke Engineering in the amount of \$56,500.00. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried.

**SPRINKLER SYSTEM WAIVER/2250 SHERIDAN ROAD**

A memo (21-DOC-108) was received from Chief Stried requesting the Council approve the waiver of a sprinkler system requirement for 2250 Sheridan Road. Attorney Vasselli stated on behalf of Chief Stried, that a waiver of a sprinkler system requirement is being requested following a Change of Use inspection of 2250 Sheridan Road. This is in reference to Section 903.6.2 bullet pint 3 of the 2006 International Fire Code, as amended in Section 34-43 of the City Code, regarding sprinkler system requirements for “expansion, interior alterations, or remodeling” of occupancies. Bullet point 3 states “A project that entails a change in “Use Group” for any part of the building” would require the sprinkler system requirement. This building is a former tax preparation office, which has been proposed to change into a daytime COVID-19 testing site. The occupancy does have an alarm system, will not operate overnight and is up to current fire code requirements otherwise. Chief Stried believes it is unreasonable to require a sprinkler system addition given the small size of the workspace in comparison to the rest of the strip mall, and the proposed use of the occupancy. It is not his intention that this particular opinion or vote will become precedential in nature; as this is based on the merits of this specific situation itself only. Attorney Vasselli stated he has reviewed this and is in agreement.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to approve the waiver of the sprinkler system requirement for 2250 Sheridan Road. The vote on roll call was: Commissioners Fischer, aye; McDowell, aye; Holmes, aye; Frierson, aye and Mayor McKinney, aye. Motion carried.

**INSURANCE RENEWALS/GENERAL LIABILITY/LAW ENFORCEMENT  
LIABILITY/AUTO/EQUIPMENT/EXCESS UMBRELLA**

A memo (21-DOC-109) was received from Administrator Knabel requesting approval of the proposal for the insurance renewal of the general liability, law enforcement liability, auto and equipment insurance and excess umbrella policy. Administrator Knabel stated the City’s brokers, Assurance, went out to market for the City’s insurance, which is set to expire at the end of the month. The total renewal is up 3.5% or \$11,214 annually. After reviewing the information returned, it is the recommendation of Assurance and staff to renew as presented in the proposal.

It was moved by Commissioner Fischer, seconded by Commissioner Holmes to approve the insurance renewal for the City’s general liability, law enforcement liability, auto and equipment insurance and excess umbrella policy as presented. 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 the demolition of the building on 2771 Galilee is 90% complete. They are waiting on the final grading and asphalt.

Director Roberts stated the adjustments to the 2020 Road Program have been completed by Payne & Dolan.

Administrator Knabel stated the City re-implemented water shut-offs in October. There had previously been a stay on shut-offs for the past 18 months. Everyone who is eligible for shut-offs has received notices over the past year. In October there were 700 accounts eligible for shut-off. The City has been working with the Township to provide outreach to residents. He encouraged residents to contact the Township for assistance before December. Mayor McKinney suggested residents can also contact the United Way by calling 211 for assistance.

Chief Barden stated Shop with a Cop will take place again this year at Walmart. He stated if citizens would like to donate or offer assistance, they can contact the Coalition of Healthy Communities. Additionally, he asked that citizens slow down as they will be issuing tickets.

**ANNOUNCEMENTS**

November 16	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
November 25, 26		City Offices Closed for Holiday

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner Fischer, seconded by Commissioner McDowell and unanimously approved the meeting be adjourned at 7:36 p.m. Motion carried.

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City Clerk