

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 20, 2022, 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 McDowell, Frierson, Fischer, Holmes and Mayor McKinney. A quorum was present.

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

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

AGENDA CHANGES

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

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

CITIZEN COMMENTS

Kathy Champine, Zion, stated she recently read a book that stated people of color are reluctant to call 911. In the book she noted that communities could do a better job providing housing, education, counseling for domestic violence, jobs and transportation to jobs. She asked what can be done to better deescalate police confrontations. She suggested the possibility of sending counselors with officers to domestic violence calls.

Mary Lou Hiltibran, Zion ESDA Director, presented a plea for citizens of Zion and those who drive through Zion. She was recently involved in an accident where the traffic lights were out. They had to put the stop signs out. She watched numerous people run right through the stop sign. She suggested people leave home a little earlier and care for their local citizens.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on September 6, 2022 at 7:00 p.m., approval but not release of Closed Session Minutes of a meeting held on September 6, 2022 at 8:15 p.m.

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

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

- (b) **BILLS:** Vouchers 141482 through 141577 drawn on Huntington National Bank, N.A. Total: \$299,807.45.

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

ORDINANCE/ZION POWER STATION ISFSI PARCEL AGREEMENT

Administrator Knabel stated this agreement is in regards to the pad and building where the nuclear waste is stored on the lake. Five years ago, the evaluation of the property was challenged to continue to reduce the value because of the decommissioning. We were somewhat limited by State assessment laws to only value it as a concrete pad with a small building on it. We negotiated with them at that time for a market value of \$15 million annually for five years. The agreement has since expired and they came back asking to challenge the value again. This time the City had leverage with the legislation that was passed by the State allowing the casks to be taxed as real property. While they were in the process of trying to determine an evaluation of that, they knew that because of the State assessments they would be able to negotiate a value between \$15 million and \$25 million. They also locked in the taxes that are being paid at the current rate on the value. The goal was to continue to have rates decrease over time but they wanted to be sure the rates didn't increase over time. It is an assurance that the rates will not increase for them but as rates decrease it will continue to lock in the tax value for us. After back and forth negotiations, he feels as though they have a win, win situation. All the other taxing bodies will approve this agreement with their Boards. Commissioner McDowell asked if this would affect any other legislation. Administrator Knabel stated this was independent of any other funds that could come Federally.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that an Ordinance (22-O-51) be passed authorizing and approving a Zion Power Station ISFSI Parcel Agreement. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

VARIANCE/ZION MUNICIPAL CODE/SECTION 102-61

A memo (22-DOC-90) was received from Director Ianson requesting a Variance from Section 102-61(a)(2) from the Zion Municipal Code, Zoning Docket 22-Z-15. Director Ianson stated Janette Iverson is seeking a variance to continue the non-conforming use of the lower dwelling unit at 3066 Sheridan Road. In the Highway Business District, dwelling units are permitted only on floors above the main floor of the building. She would like to continue to use the main floor for the business and the lower dwelling unit for her living space. At the September 1, 2022 Planning & Zoning Commission meeting, they recommended to approve the Variance.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that an Ordinance (22-O-52) be passed a granting a Variance from Section 102-61(a)(2) from the Zion Municipal Code to continue the non-conforming use of the lower dwelling unit at the property located at 3066 Sheridan Road. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

MITIGATION RATE UPDATE/FIRE RECOVERY, USA

A memo (22-DOC-91) was received from Chief Stried requesting approval of mitigation rate updates from Fire Recovery, USA. Chief Stried stated that Fire Recovery, USA is the agency they use to recover some costs associated with responding to certain incidents in the City, such as vehicle accidents. The rates have remained the same for over five years, and FRUSA has recommended this update to bring rates closer to industry standards. Currently the City only seeks to recover costs for vehicle crash responses (2-3 per week on average), and Hazardous Materials incidents which are rare.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes to approve the mitigation rate updates from Fire Recovery, USA. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Ianson stated on behalf of Director Roberts, he is reminding residents of the hydrant flushing that will continue until the end of the week. Mayor McKinney stated he has seen Public Works crews out cleaning the storm drains.

Chief Stried noted that flyers were available detailing information for the Fire Department Open House on October 8 from 9:00 a.m. to 12:00 p.m.

Chief Barden stated they have had a couple busy weeks and thanked the Fire Department for their assistance in their officer involved incident. Additionally, he thanked the Police Department for their courage in the ability to process a very deadly situation and to think about what they had to do very quickly with the restraint that they held. He praised them for their professionalism in their willingness to charge into a gun fight situation. He stated it is a challenge and risk that most probably will never understand how difficult it is to do something like that without hesitation and without cause for the community. Mayor McKinney confirmed that the video of the incident is available online. Chief Barden stated a portal has been created on the Police Department tab to view videos. Mayor McKinney stated he has heard through the community that they appreciate the transparency from the Police Department regarding the video. It has helped curb some of the fears that people have about police interaction. Chief Barden stated it is a challenge and it can be frustrating to not be able to discuss the incident as he believes that the community deserves to receive the information. He stated the intention for transparency is not exclusive to this incident. He stated it is a challenge when they have to retain the videos in situations like officer involved shootings. The State mandates a number of things and often times videos cannot be released right away as to not complicate the case.

Administrator Knabel also thanked Chief Barden for his professionalism over the past few weeks as well. He brought in the Council and others including activists and the families involved in order to be transparent. He also noted the following:

- The Climate & Equitable Jobs Act (CEJA) passed in 2021 has language that includes funding for nuclear communities. The Department of Commerce & Economic Opportunity (DCEO) has put out a Request for Information (RFI) for community input on how to use the funds to develop the Community Grant Program. He will be submitting his input and information to DCEO at the end of the month.
- Zion Trick or Treating will be on October 30th from 2:00 p.m. to 5:00 p.m.
- The November 1, 2022 City Council meeting will be cancelled due to early voting. It was noted that the County runs all elections and the voting sites must follow their rules.

Commissioner McDowell thanked the Police Department for their handling of the officer involved shooting.

Commissioner Fischer confirmed that of the \$1,370,480 that will be received through the ISFSI Parcel Agreement from 2022-2026, the City will receive \$191,000 annually.

Commissioner Holmes also thanked the Zion Police Department for their work on the incident. She received calls from residents commenting on the incident.

Mayor McKinney each year Americans observe National Hispanic Heritage Month (September 15-October 15). He recently saw celebrations in Chicago spill into the streets. He also saw flags being flown locally. He hopes to see more celebrations from different cultures in the future. He remarked on Zion being a diverse community. Additionally, he noted that today was National Voter Election Day.

ANNOUNCEMENTS

October 4	7:00 p.m.	Zion City Council Meeting
October 18	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
October 28	4:00 p.m. to 6:00 p.m.	Halloween Trail of Treats Shiloh Park
October 30	2:00 p.m. to 5:00 p.m.	Zion Trick or Treating
October 31 – November 5	9:00 a.m. to 5:00 p.m. M-F 9:00 a.m. to 2:00 p.m. Saturday	Early Voting at Zion City Hall

November 1

City Council Meeting Cancelled
Due to Early Voting

CLOSED SESSION

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that the Council recess to Closed Session at 7:30 p.m., Pursuant to 5 ILCS 120/2 "Open Meetings", for the discussion of filed, pending and/or probable or imminent litigation, sale or purchase of real estate, collective bargaining, legal counsel and personnel. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Fischer, 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 7:50 p.m. with all members present. The vote on roll call was: Commissioners McDowell, aye; Fischer, aye; Frierson, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

ORDINANCE/REDEVELOPMENT AGREEMENT/IMPERIEN, LLC

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (22-O-53) be passed authorizing and approving a Redevelopment Agreement between the City of Zion and Imperien, LLC and allowing the Mayor, City Attorney or Administrative to make any minor adjustments necessary. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

ORDINANCE/CONVEYANCE OF PROPERTY/PRESIDIO STORAGE, LLC

It was moved by Commissioner Frierson, seconded by Commissioner Fischer that an Ordinance (22-O-54) be passed authorizing and approving the Conveyance or Disposition of Certain Real Property located within the Redevelopment Project Area for the City of Zion and allowing the Mayor, City Attorney or Administrative to make any minor adjustments necessary. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Fischer, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

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 8:52 p.m. Motion carried.

City Clerk