

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MAY 21, 2024, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS**

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Mayor Pro-Tem Fischer called the meeting to order.

On call of the roll the following answered present: Commissioners McDowell, Frierson, Holmes, and Mayor Pro-Tem Fischer. Mayor McKinney was absent. 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, Finance Director Kris Conway and City Attorney Erin Kiernat. City Administrator David Knabel was absent.

Mr. 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; Holmes, aye; and Mayor Pro-Tem Fischer aye. Motion carried.

**SPECIAL PRESENTATION/OFFICER PROMOTION**

Chief Barden presented Officer Joseph Hixson with his Sergeant badge. Officer Hixson has been with the City for almost 9 years and was recently promoted to Sergeant.

**CITIZEN COMMENTS**

Mary Lou Hiltibran, Zion ESDA Director, gave a monthly report of the recent activities that ESDA performs in assistance to the City. She invited those who wish to serve as a volunteer with ESDA and be a positive influence in the City to fill out an application.

Krystal Encarnacion, Zion, shared the issues that she encountered at the Zion Park District. She asked what the City was doing for DE&I (Diversity, Equity and Inclusion) and how they handle situations regarding this. Additionally, she noted that the businesses on Rt. 173 and Lorelei have constant trash on their properties and on the parkway. She asked how they can get them to keep their properties clean.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on May 7, 2024 at 7:00 p.m.

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

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

- (b) **BILLS:** Vouchers 145906 through 146908 drawn on Huntington National Bank, N.A. Total: \$2,133,560.44.

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

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

(c) **PROCLAMATION:** Memorial Day – March 27, 2024

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

**RESOLUTION/MAINTENANCE OF STREETS & HIGHWAYS BY MUNICIPALITY/MFT FUNDS/GENERAL MAINTENANCE**

A memo (24-DOC-48) was received from Director Roberts requesting a resolution be passed as required by IDOT for the utilization of Motor Fuel Tax (MFT) funds for the general maintenance programs. Director Roberts stated the maintenance operations included are:

- HMA Patching
- Parkway Tree Removal
- Street Light Repair
- Traffic Signals

The estimated cost for the General Maintenance Operations is \$281,000.00 and is a budgeted item in the FY25 MFT Fund. Staff requests and recommends approving the IDOT Resolution for the general maintenance operations.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that a Resolution (24-R-10) be passed for the utilization of MFT Funds for the general maintenance programs (HMA Patching, Parkway Tree Removal, Street Light Repair, and Traffic Signals). The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Resolution passed.

**ORDINANCE/AGREEMENT/COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC**

A memo (24-DOC-49) was received from Administrator Knabel requesting approval of an agreement with Comcast to provide Communication Services to the City of Zion. Director Knabel noted that they have been working with Comcast on a service review of the City's network to all facilities. They received a quote that significantly expands the bandwidth. This is needed due to increased investment in technology, the needs of the body cameras, and other City functions utilizing more bandwidth throughout the City. Additionally, Fire Station #2 was not on the same network service as the rest of the City resulting in spotty phone reception and slow connections. The quote also adds them to the network. As they see the number of DDoS (Distributed Denial-of-Service) attacks on the rise, the quote adds DDoS protection for the City to cut off those attacks before they hit the network. Basically, DDoS is when someone tries to flood the network with so many simultaneous requests that it seizes up and becomes unstable. He thought it would be a good time to expand and upgrade services due to favorable pricing on the general services. Prices have come down to a point where the entire package presented is only \$493 per month over current pricing. Staff recommends approval of the proposal as presented.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (24-0-37) be authorizing and approving an agreement with Comcast Cable Communications Management, LLC for Communications/Ethernet Services and related equipment for the City of Zion. The vote on roll call was: Commissioners: McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**ORDINANCE/AMENDING CHAPTER 56/ZION MUNICIPAL CODE**

Attorney Kiernat stated that the proposed amendments include a new classification and cleaning up language in the Code that has changed at the State level. She stated that upon review of the current liquor code, she realized that there were amendments that needed to be done to the code. She noted that that there will be another update with more amendments in the future. These changes have affected the current liquor license applications which also is in the process of being amended. Commissioner Holmes asked how often the Code comes up for review. Attorney Kiernat stated that renewal applications come up every year and there have been some requested changes in the application process and they wanted to make sure the changes in the code reflected could be reflected in the

applications before they go out. She noted a comprehensive review of the Code does not happen as often but there have been changes at the State level that needed to be addressed in the Code.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that an Ordinance (24-O-38) be passed amending provisions of Chapter 56 of the Zion Municipal Code regarding liquor license classifications and application requirements. The vote on roll call was: Commissioners: McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**VARIANCE/ZION MUNICIPAL CODE/SECTION 102-206/1901 SHERIDAN ROAD**

A memo (24-DOC-50) was received from Director Ianson requesting approval of a Variance from Section 102-206 of the Zion Municipal Code to continue the Single-Family Use in the Highway Business District at the property located at 1901 Sheridan Road as petitioned by Kenneth Biedron, Zoning Docket 24-Z-11. He has lived at the property for over 20 years and now has to relocate for his new job. Due to the Legal Non-Conforming Use, he has been having an issue with trying to sell the property. At the May 2, 2024 Planning & Zoning Commission Meeting, they recommended to approve the Variance request. Commissioner Frierson stated he does not want to create any undue hardship to persons or residents now, but would like to look at that business district and see if at some point they could slowly start getting it back to all businesses instead of some of the hodge-podge single family homes that they have there.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes that an Ordinance (24-O-39) be passed granting a Variance to Section 102-206 of the Zion Municipal Code to continue the Single-Family Use in the Highway Business District for property located 1901 Sheridan Road. The vote on roll call was: Commissioner McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**ORDINANCE/SPECIAL USE PERMIT/1634 W. 23<sup>RD</sup> STREET**

A memo (24-DOC-51) was received from Director Ianson requesting a Special Use Permit from Section 70-128(2) and Section 70-114(4) of the Zion Municipal Code for an electronic message board for property located at 1634 W. 23<sup>rd</sup> Street, Zoning Docket 24-Z-12. North Shore Sign is seeking a Special Use Permit for an electronic message board at New Tech Campus and to increase the size from 8' to 12'-11" in height to match the sign at the Horizon Campus. At the May 2, 2024 Planning & Zoning Commission meeting, they recommended to approve the Special Use Permit requests.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes, that an Ordinance (24-O-40) be passed granting a Special Use Permit from Section 70-128(2) and Section 70-114(4) of the Zion Municipal Code for an electronic message board for property located at 1634 W. 23<sup>rd</sup> Street (New Tech Campus). The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**VARIANCE/ZION MUNICIPAL CODE/SECTION 102-32(c)/2821 BETHEL BLVD.**

A memo (24-DOC-52) was received from Director Ianson requesting approval of a Variance from Section 102-32(c) of the Zion Municipal Code to exceed the maximum lot coverage allowed by 1400 sq. ft. for a new garage and driveway at the property located at 2821 Bethel Blvd. as petitioned by Billy McKinney, Zoning Docket 24-Z-13. At the May 2, 2024 Planning & Zoning Commission Meeting, they recommended to approve the Variance request.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes that an Ordinance (24-O-41) be passed granting a Variance to Section 102-32(c) of the Zion Municipal Code to exceed the maximum lot coverage allowed by 1400 sq. ft. for a new garage and driveway for property located 2821 Bethel Blvd. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**VARIANCE/ZION MUNICIPAL CODE/SECTION 102-152(2)(a)(4)/3244 GIDEON AVENUE**

A memo (24-DOC-53) was received from Director Ianson requesting approval of a Variance from Section 102-152(2)(a)(4) of the Zion Municipal Code to allow a swimming pool in the side yard of the property located at 3244 Gideon Avenue, as petitioned by Luis & Frances Rivera, Zoning Docket 24-Z-14. Currently, swimming pools are

only permitted in the rear of the yard. This property does not have the rear lot size to permit this. At the May 2, 2024 Planning & Zoning Commission Meeting, they recommended to approve the Variance request.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (24-O-42) be passed granting a Variance to Section 102-152(2)(a)(4) of the Zion Municipal Code to allow a swimming pool in the side yard at the property located 3244 Gideon Avenue. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**TABULATION OF BIDS/DEMOLITION/1805 27<sup>TH</sup> STREET**

A Tabulation of Bids (24-DOC-54) was received from Director Ianson for the Demolition of 1805 27<sup>th</sup> Street. Director Ianson stated six bids were received but only four were responsive. Green Demolition requested to withdraw their bid due to an error.

Rezzar Demolition, LLC.	\$320,000
Anthem Excavation & Demolition	\$495,000
Doetsch Contractors, Inc.	\$583,000
National Wrecking Company	\$827,000

Staff is recommending that the Council reject all bids and re-advertise for the demolition because of the wide discrepancies in the overall bids. Commissioner Frierson asked Director Ianson why he believes that there was such a wide range in the bids. Director Ianson stated contractors may not have actually come out to see the site to and may have used Google Maps to calculate their bids.

It was moved by Commissioner Frierson, seconded by Commissioner Holmes that a Resolution (24-R-11) be passed rejecting bids and authorizing re-advertising for bids in connection with Demolition of 1805 27<sup>th</sup> Street. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**EQUIPMENT PURCHASE/PUBLIC WORKS DEPARTMENT**

A memo (24-DOC-55) was received from Director Roberts requesting approval of funding for the purchase two (2) dump trucks and related equipment in the Public Works Department. Director Roberts stated that due to supply chain and labor challenges, quotes and lead times for heavy trucks has increased requiring multiple Fiscal Year budgets. Fiscal Year 2024 deposits were placed for two (2) 5-yard dump trucks with snowplow attachments. Purchase of the vehicles would replace a 1996 and 1998 5-yard plow trucks.

Staff requests approval for the following fiscal years funding:

FY25	Capital Fund \$225,103.50	FY25	Water Fund \$75,034.50
FY26	Capital Fund \$147,323.62	FY26	Water Fund \$49,107.86

Total cost is \$253,284.74 for each.

The chassis were scheduled for delivery at the end of 2024 and planned to be included in the FY25 budget but the vendor has received the chassis early and is requesting payment.

It was moved by Commissioner Holmes, seconded by Commissioner McDowell that an Ordinance (24-O-43) be passed authorizing and approving the funding for and purchase of essential equipment (dump trucks and related equipment) in the Public Works Department. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**AMENDMENT/COLLECTIVE BARGAINING AGREEMENT/CLERICAL/IUOE LOCAL 150**

A memo (24-DOC-56) was received from Director Conway requesting approval of an amendment proposed by the International Union of Operating Engineers Local 150 Clerical Union.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (24-O-44) be passed authorizing an amendment to a collective bargaining agreement between the International Union of

Operating Engineers, Local 150 and the City of Zion. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

**DEPARTMENTAL COMMENTARY**

Director Ianson stated they have set a date of August 3 from 8:00 a.m. to 12:00 p.m. for the City clean-up day. The notification will be going out on social media shortly.

Director Roberts stated the Water Main Project is complete and all they left is a little bit of landscaping. He also noted that they have been getting calls on potholes. They are currently concentrating on getting the main roads done and the alleys will come next. Residents can call to get put on the list. Commissioner Frierson asked what the process was for those who call in. Director Roberts stated initially they log in all the calls. The Superintendent will then go out and look at the severity of the pothole. They will do the most dangerous first, eventually trying to get to all of them.

Chief Stried stated that they have had a busy couple of weeks tending to fires. He noted that at the last meeting he offered citizens the opportunity to sign up for CPR classes on the City’s website and as a result, they have had a recent uptick in requests for classes. He also noted that they can assist with child safety seats.

Chief Barden noted that they have recently placed the department’s policy manual online. They have received a lot of FOIA requests pertaining to department policies and felt it was best to post it online. Additionally, with prior Council approval to purchase E-bikes, officers recently graduated from the class and will be out this summer.

Director Conway noted that they have a new Administrative Assistant that started this week in the Accounts & Finance Department. She asked those who visit City Hall to stop by and say hello.

Commissioner McDowell noted that Pastor Jeff Norman was the Pastor of the Way Church in Winthrop Harbor. The Way Church recently merged with Grace Missionary Church and are now called Grace Church located on 27<sup>th</sup> Street.

Commissioner Frierson thanked Ms. Encarnacion for her citizen comments. He reminded her that the Park District is a separate taxing body that governs under their own policies. As for the City, the front office staff has been trained on customer service. He asked that if there are any concerns with the City that she please bring them to the Council for them to address.

Commissioner Holmes asked Ms. Hiltibran to share details on upcoming Memorial Day events. Ms. Hiltibran shared the following:

- There will be a Memorial Day Service on Monday, May 27<sup>th</sup> at 10:00 a.m. at Veterans Memorial Park located on Sheridan Road and Shiloh Blvd. They will be honoring all the branches of the military.
- There is a Special on PBS on Sunday night at 7:00 p.m. called the National Memorial Day Concert. Veterans are honored with real stories told by real people.

**ANNOUNCEMENTS**

March 27		City Offices Closed for the Holiday
June 4	7:00 p.m.	Zion City Council Meeting
June 18	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

**CLOSED SESSION**

It was moved by Commissioner McDowell, seconded by Commissioner Holmes that the Council recess to Closed Session at 7:46 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; Holmes, aye; and Mayor Pro-Tem Fischer, aye. Motion carried. Ordinance passed.

It was moved by Commissioner McDowell, seconded by Commissioner Holmes to reconvene the Regular Council meeting at 7:59 p.m. with all members present. The vote on roll call was: Commissioners McDowell, aye; Frierson, aye; Holmes, aye and Mayor Pro-Tem Fischer, 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 McDowell and unanimously approved the meeting be adjourned at 8:00 p.m. Motion carried.

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City Clerk