

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 17, 2024, 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 Frierson, Fischer, McDowell, Holmes, and Mayor McKinney. A quorum was present.

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

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

**AGENDA CHANGES**

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

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

**CITIZEN COMMENTS**

Michael Dobrow, resident of Round Lake Park, lifelong resident of Lake County and currently served as the Governmental Affairs Director for Main Street Organization of Realtors Association, gave his opinion on why to oppose the mandatory installation of fire sprinkler updates relating to Item 7(g) on the agenda. He asked that the Council exempt the sprinkler updates.

Nancy Kuhlman, Zion, shared that it is terrible to bag her own leaves. It takes a lot of time and energy to bag the leaves and feels it is a terrible burden. She also voiced her issue with getting a bill for an increase in the garbage rates. She noted the piles of leaves around the City that will not get picked up have the possibility of clogging the sewers.

Erik Hoffer stated he is a member of the Northern Illinois Sprinkler Advisory Board. They are an educational group that works with fire departments throughout the State providing free training to work with the fire sprinkler systems. Additionally, they help villages and cities understand the value that they provide in the community. He gave his opinion on why he feels it is necessary to approve the sprinkler updates relating to Item 7(g) on the agenda.

**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 December 3, 2024 at 7:00 p.m.; approval but not release of Closed Session of a meeting held on December 3, 2024 at 8:14 p.m.

The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, 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:

- (a) **BILLS:** Vouchers 147364 through 147439 drawn on Huntington National Bank, N.A. Total: \$508,280.87

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

**ORDINANCE/TAX LEVY 2024**

A memo (24-DOC-102) was received from Director Conway regarding the Tax Levy and the SSA Levy. She noted that at the last meeting a Public Hearing was held to determine what the levy amount would be. She recommends approval of a levy amount of \$8,210,379 for 2024.

It was moved by Commissioner Fischer and seconded by Commissioner McDowell that an Ordinance (24-O-100) be passed providing for the levy and taxes for the City of Zion, Lake County Illinois, for tax levy year 2024 to be collected in the year beginning January 1, 2025 and ending December 31, 2025 in the amount of \$8,210,379. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/TAX LEVY 2024/BRIGHTON PONDS SUBDIVISION SSA #1**

It was moved by Commissioner Fischer and seconded by Commissioner Frierson that an Ordinance (24-O-101) be passed providing for the levy and taxes for the City of Zion, Lake County Illinois, for tax levy year 2024 to be collected in the year beginning January 1, 2025 and ending December 31, 2025 in and for the Brighton Ponds Subdivision Special Service Area No. 1 in the amount of \$10,080. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/LEASE RENEWAL/18TH STREET RIGHT-OF-WAY**

A memo (24-DOC-103) was received from Director Ianson stating that Lucienne Ventures, Ltd., is requesting to renew the lease agreement with the City for the use of the 18th Street right-of-way containing approximately 2,430 square feet for access to tenant parking.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (24-O-102) be passed authorizing renewal of a lease between the City of Zion and Lucienne Ventures, Ltd. for approximately 2,430 square feet situated on the 18th Street right-of-way, adjacent to 1721 North Sheridan Road for the purpose of having paved access to tenant parking. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/RIGHT-OF-WAY LEASE RENEWAL/ADJACENT TO 2260-2264 SHERIDAN ROAD**

A memo (24-DOC-104) was received from Director Ianson requesting the renewal of a lease between the City of Zion and MJK Group, LLC for property consisting of approximately 1,584 square feet situated on the 23rd Street right-of-way, adjacent to 2260-2264 Sheridan Road, to provide for five (5) additional tenant parking spaces.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer, that an Ordinance (24-O-103) be passed authorizing renewal of a lease between the City of Zion and MJK Group, LLC for property consisting of approximately 1,584 square feet situated on the 23rd Street right-of-way, adjacent to 2260-2264 Sheridan Road, to provide for five (5) additional tenant parking spaces. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

**ORDINANCE/LEASE/22<sup>ND</sup> STREET RIGHT OF WAY (NEAR 2175 SHERIDAN ROAD)**

A memo (24-DOC-105) was received from Director Ianson requesting the renewal of a lease between the City of Zion and Rubullah Mahdee of Rampro Service Corp. for the use of the 22<sup>nd</sup> Street right-of-way containing approximately 2070 square feet for access for parking. Commissioner Fischer asked if it was possible to approve parking leases with the City for longer than one year. Attorney Vasselli stated it is currently on the agenda as an annual lease and prefers to approve it as such but will check into it for the future.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (24-O-104) be passed authorizing renewal of a lease between the City of Zion and RamPro Realty Group LLC/Rubullah Mahdee for the 22<sup>nd</sup> Street right-of-way, which is near 2175 Sheridan Road for access to parking. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **DISPOSAL OF SUPPLUS PROPERTY/BUILDING DEPARTMENT**

A memo (24-DOC-106) was received from Director Ianson requesting that a vehicle in the Building Department be declared as surplus property. Director Ianson stated that the Fleet Maintenance Department has deemed that a 2004 Ford Freestar Mini Van, VIN #2FMZAA50604BB08060 would be too costly to repair and is no longer safe for operation. Staff requests and recommends that the vehicle be declared surplus and scheduled to be auctioned. The vehicle will be sold "as is" and the minimum bid will be determined by Staff and the City Administrator.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (24-O-105) be passed authorizing and approving the disposal of surplus property, a 2004 Ford Freestar Mini Van, VIN #2FMZAA50604BB08060 and be scheduled to be auctioned. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **AMENDING ZION MUNICIPAL CODE/BUILDINGS AND BUILDING CODE REGULATIONS**

A memo (24-DOC-107) was received from Director Ianson requesting to adopt the International Building Code 2021 with amendments, International Existing Building Code 2021 with amendments, International Residential Code with amendments, Mechanical Code 2021 with amendments and International Energy Code 2021 with no amendments. Director Ianson stated the State has required that certain building code standards be adopted or followed effective January 1, 2025. The baseline codes are the International Building Code including Appendix G, International Existing Building Code and International Residential Code, published in the current year or preceding nine calendar years. One of the main changes to the International Residential Code is that it will require automatic fire sprinkler systems in new, one- and two-family dwellings and townhouses. The average cost in the Chicagoland is 2-3% of the construction costs. Additionally, he highlighted some of the changes that will take place. Commissioner McDowell noted that they are required to update the building codes and adopt a new building code but questioned if they are able to carve out any sections of that code. Director Ianson stated he believes that they can exempt specific items. Commissioner McDowell asked even if they are not home-rule, they could still adjust the International Building Code for 2021. Director Ianson indicated they could. Commissioner Frierson asked if the sprinkler requirements would not apply to existing construction including renovations. Director Ianson stated it is for new construction only. Chief Stried added that they will also be doing Fire Code amendments next month. He noted there would be a clause that if there is a fire or remodel or demolition over 51% of value or square footage that would kick in a retrofit of a suppression system but nothing for existing. Commissioner Frierson asked if there is research on what the impact could be for insurance costs. Chief Stried stated every situation is a little bit different based on the company used by the homeowner along with where they are located in proximity to a fire station or fire hydrant but on average it is a 5-25% decrease on insurance premiums. Commissioner McDowell asked about the human life factor in the sprinkler code. Chief Stried noted that it is also a safety initiative for the residents and the firefighters. The notion that building construction is safer now than in the past is false. The lightweight constructions materials used for many homes these days is stick built homes. Gusset plates are what most roof truss assemblies are commonly secured together with these days, and they can fail when exposed to heat within about 6 minutes as research has proved this. New construction takes minutes to burn and sprinklers can make the difference in a life. Commissioner McDowell noted coming up with the building code knowing the building materials and knowing the construction methodology, in order to get the same level of safety, fire suppression is required, that is why it is in the code.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that an Ordinance (24-O-106) be passed amending Sections of the Zion Municipal Code regarding Buildings and Building Code Regulations. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **SECOND AMENDMENT/REDEVELOPMENT AGREEMENT/IMPERIEN LLC**

Attorney Vasselli stated that they are looking for approval of a Second Amendment to the Redevelopment Agreement between the Developers, Imperien. They are asking for more time to do their due diligence to September 1, 2024 to secure end users and to solidify their development. A representative from Imperien was present and indicated they were thrilled that the City closed on the property. The Second Amendment is important to them because it works to restore the equitable interest in the property up to this point from May 1st onward.

It was moved by Commissioner Fischer, seconded by Commissioner McDowell that an Ordinance (24-O-107) be passed approving and authorizing a Second Amendment to a Redevelopment Agreement between the City of Zion and Imperien LLC. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **REDEVELOPMENT AGREEMENT/ZION PARK DISTRICT**

Attorney Vasselli stated the Zion Park District is the owner and authorized user of the real property located at 2400 Dowie Memorial Drive. The proposed Redevelopment Agreement is to incentivize not to exceed \$300,000 for additional construction costs. He noted this is a valid use of TIF funds. It is for the reduction of amelioration of blight, the enhancement of the tax base and improve general welfare of the community.

It was moved by Commissioner McDowell, seconded by Commissioner Fischer that an Ordinance (24-O-108) be passed approving and authorizing a Redevelopment Agreement between the City of Zion and the Zion Park District. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **HVAC RENEWAL CONTRACT**

A memo (24-DOC-108) was received from Director Ianson requesting approval of the HVAC Maintenance Contract for the City. Director Ianson stated Northern Weathermakers has had the maintenance contract for City facilities for the past 13 years. During this time, they were able to maintain the City's aging equipment. He recommends renewal of the annual contract in the amount of \$17,302.00.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (24-O-109) be passed authorizing and approving a maintenance agreement with Northern Weathermakers HVAC, Inc. for HVAC services for City facilities. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

### **ORDINANCE/SPECIAL USE PERMIT/1716 27<sup>th</sup> STREET**

A memo (24-DOC-109) was received from Director Ianson requesting a Special Use Permit from Section 70-128(2) of the Zion Municipal Code to replace an existing sign. Director Ianson stated Matt Laska of North Shore Sign is seeking a Special Use Permit to replace the existing sign with an electronic sign for Central Middle School located at 1716 27<sup>th</sup> Street, Zoning Docket 24-Z-22. At the December 5, 2024 Planning & Zoning meeting, they recommended to approve the Special Use Permit.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell, that an Ordinance (24-O-110) be passed granting a Special Use Permit to replace an existing sign for an electronic sign for the property located at 1716 27<sup>th</sup> Street. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **ORDINANCE/SPECIAL USE PERMIT/1809-1827 LEWIS AVENUE**

A memo (24-DOC-110) was received from Director Ianson requesting a Special Use Permit from Section 102-60(5) of the Zion Municipal Code to build and operate a daycare center. Director Ianson stated Shelly Swansey of Joyful Steps Learning Center is seeking a Special Use Permit to operate a daycare/after school center, Zoning Docket 24-Z-24. They will be offering early childhood development programs, family workshops, Pre-K teacher training programs and before and after school programs. At the December 5, 2024 Planning & Zoning meeting, they recommended to approve the Special Use Permit with the condition that they close on the properties and consolidate the lots.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer, that an Ordinance (24-O-111) be passed granting a Special Use Permit for a daycare/after school center for the property located at 1809-1827 Lewis Avenue with the condition that they close on the properties and consolidate the lots. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

### **ORDINANCE/VARIANCE/2611 ELIM AVENUE**

A memo (24-DOC-111) was received from Director Ianson requesting a Variance from Section 102-32(c) of the Zion Municipal Code to exceed the maximum lot coverage allowed. Director Ianson stated Ezequiel Sanchez is seeking a Variance to exceed the maximum lot coverage allowed by 1082 feet for additional parking, Zoning Docket 24-Z-25. The parking would be for family vehicles and two work pick-up trucks. At the December 5, 2024 Planning & Zoning meeting, they recommended to approve the Special Use Permit with the condition that he does not operate a business out of the home and limit the pick-up trucks to two only.

Commissioner Frierson stated he noticed comments regarding the pickup trucks and whether or not the trucks were going to be full or not. He asked if there was anything they could do to help mitigate this to insure scrap would not be stacked up over the course of several days or week. Director Ianson stated he does not know how they can control this. Commissioner Frierson suggested adding an additional condition for a 72-hour time limit to guarantee the trucks will be emptied.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer to grant a Variance to exceed the maximum lot coverage allowed by 1082 feet for additional parking for the property located at 2611 Elim Avenue with the condition that he does not operate a business out of his home and limit the pick-up trucks to two only. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer to amend the initial motion to add the additional condition of the truck not being filled more than seventy-two (72) hours. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

It was moved by Commissioner Frierson, seconded by Commissioner Fischer, that an Ordinance (24-O-112) be passed granting a Variance to exceed the maximum lot coverage allowed by 1082 feet for additional parking for the property located at 2611 Elim Avenue with the conditions that: 1) he does not operate a business out of his home 2) limit vehicles to two pick-up trucks 3) the commercial vehicle must be emptied of commercial goods within seventy-two (72) hours. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried. Ordinance passed.

#### **APPROVAL/2025 CITY OF ZION ANNUAL HOLIDAYS AND MEETING CALENDAR**

It was moved by Commissioner Fischer, seconded by Commissioner Frierson, to approve the City of Zion Annual Holidays and Meetings Calendar for 2025. The vote on roll call was: Commissioners Frierson, aye; Fischer, aye; McDowell, aye; Holmes, aye; and Mayor McKinney, aye. Motion carried.

#### **DEPARTMENTAL COMMENTARY**

Director Ianson noted that the demolition of 1805 27<sup>th</sup> Street is complete. All equipment will be hauled out tomorrow and they will finish seeding and putting down straw. Mayor McKinney noted that the property looks so much better and is looking forward to seeing something new and creative go there along with the Early Start school that's going to be across the street.

Director Roberts noted the following:

- The IEPA has accepted the inventory list for the Lead Line Services. Residents can go on the City's website and check for lead line information. This will take them to a map of the City where residents can put in their address to show them the inventory they have. The site also includes an overall inventory list in the City. He noted they have discovered 27 lead pipes along with 16 galvanized. There is also additional lead line information for citizens to read. He also reminded residents that the City looked at pipes leading from the City main to the water meter but this does not mean there isn't any lead on resident's internal pipes. If a resident is still concerned about the pipes in their homes, they will have to hire a plumber. If they have copper lines, there could still be lead in the solder of the copper lines. He noted residents can have that tested themselves or they can call Public Works and they can provide information for several laboratories within the County. This can cost between \$150-\$200 or, they can go to Home Depot and get a self-test for about \$20 (although this may not be as accurate). Additionally, residents can also use a Brita filter. He noted that those who are cooking with or drinking water should use cold water not hot water.
- He reminded residents that the leaf program has been cancelled by contract by the garbage company. He noted that if they had decided to keep the program, there would have been a 48% increase on top of the already imposed garbage rate increase. The City was already in a deficit in the Waste Fund from absorbing increases over the years. Leaves can be bagged up or be put in a yard waste container. Residents can also hire a contractor to take the leaves away. Commissioner Fischer noted that he attended a SWALCO meeting and asked about other leaf vacuuming programs. All major waste haulers are getting away from leaf vacuuming programs.

Director Roberts noted that the cost of the labor was high as they were having a hard time getting seasonal employees to do the work. Additionally, maintenance on the machine is very expensive. He also inquired about a one-time pickup, but that would have cost between \$60,000 to \$70,000. This would not have been cost effective and the expense would have to be put back on the homeowners. The Building Department is writing tickets for piles of leaves left in the parkway because it can cause flooding issues. Public Service has been raking them out of the streets, curbs and gutters. Commissioner Frierson confirmed that if residents do not have a contractor, they can bag their leaves and store them until April 1st.

Fire Chief Stried thanked the Council for their support of the safety initiatives, noting that they were sorely needed. They have been following codes from 2000 and 2006 and will be seeking future approval of updates. Additionally, he wished everyone Happy Holidays.

Police Chief Barden noted the following:

- Shop with a Cop was a huge success with very good participation from the school district. They also included Beach Park as there were students who live in Zion but attend Beach Park schools.
- They recently hired a new officer who will be attending the academy in January. This puts them back to being fully staffed.
- He congratulated his officers for their significant amount of work on a case over the last few years regarding an individual from Zion that was involved in a number of violent crimes. He has been charged and found guilty of those crimes and sentenced to 40 years in DLC for his crimes. A lot of work was put into the case along with help from the City of Waukegan and City of Kenosha.
- He wished everyone a Happy Holiday Season and encouraged them to drive safe and to not drink and drive as Officers will be enforcing DUIs.

Commissioner McDowell shared information regarding the Elf Network in collaboration with the Zion Township, Santa's volunteers and many other organizations. They will be providing 80 students with Christmas gifts. Additionally, he noted that Township staff also took families portraits. Distribution of gifts will take place on December 19 at Christ Community Church.

Commissioner Holmes wished everyone a Happy Holiday Season.

Commissioner Frierson thanked Director Ianson for his work on updating the Building Codes, and thanked Chief Stried for his explanations. Additionally, he wished everyone Happy Holidays and encouraged them to enjoy their families and stay safe.

Mayor McKinney shared the following:

- He wished everyone a Merry Christmas, Happy New Year and Peace on Earth.
- He thanked those who participated in Shop with a Cop.
- He thanked those who participated in the Elf Network. He noted that 200 Lettermen Jackets were given out at the High School by the Athletic Director and the Boosters Club.
- The Park District Tree Lighting Ceremony was a great event along with the Laser Light Show.
- He thanked business owner, Roger Whitmore from Whitmore's Automotive Service for donating 1300 toys to Toys for Tots.
- He noted there is a lot to be thankful for. The generosity and caring of the people in Zion are what makes the community strong.
- He noted they are making progress with crime
- He is thankful for the Council and their support. The Department Heads and employees deserve credit for providing services on a shoe string budget. Additionally, he appreciates residents that come out to the meetings to bring issues to the Council.

### ANNOUNCEMENTS

December 24, 25, 31 & January 1

City Offices Closed for the Holiday

January 7

City Council meeting cancelled for the Holiday

January 21

6:00 p.m.

Zion Township Board Meeting

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 8:06 p.m. Motion carried.

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City Clerk