



CITY COUNCIL EXECUTIVE SESSION
 Monday, August 13, 2012
 Lorraine H. Morton Civic Center
 Aldermanic Library

Present: Alderman Braithwaite Alderman Wilson
 Alderman Holmes Alderman Fiske
 Alderman Tendam Alderman Burrus
 Alderman Rainey Alderman Wynne

Others Present: City Attorney Grant Farrar, City Manager Wally Bobkiewicz, Marty Lyons, Assistant City Manager, Joe McRae, Assistant City Manager, Richard Eddington, Chief of Police, Bill Obert,

Presiding: Mayor Elizabeth B. Tisdahl

Mayor Tisdahl called the meeting to order at 10:10 pm.

COLLECTIVE BARGAINING

Mr. Lyons stated he met with the Police for about 4 hours, and they were at 3 and 4% and the FOB are leaning more towards the contract we have with the other which is 2 1/4. He stated there will be some discussion over the details of the contract and that they will be meeting again after Labor Day. They have talked about moving forward and going into mediation. This is when they will decide what they need and don't need. They also had some good talks about operations time off and some agreements on non-compensation issues. Chief Eddington stated the FOB is more sophisticated than the Teamsters. They are not in a rush and they are a new group and they will not be stampeded into a decision. He also stated the results may not be exactly what we want and he just wanted to prepare the Council. Chief Eddington responded to the question, "Who are the FOB?" as he explained there are two factions the Sgts., and then the rest of the officers.

LITIGATION

Mr. Farrar stated that Bill Obert was here to give a brief update on the Kerr vs Evanston case. Mr. Obert stated there was an independent witness who was also an Evanston employee who observed the plaintiff and knew that the plaintiff would be hit. Mr. Obert stated the testimony of Mr. Corey will be very persuasive in this case. He also gave the possible monetary amounts associated with the case. Mr. Farrar then explained the reason for bringing this case stating there is a \$750,000 demand on the table and his recommendation is to offer nothing, because he feels confident the case would be won. Reasons for his boldness are: 1) Plaintiff will not be able to testify in support of his case due to his unfortunate injuries, 2) there is no "I" witness to support his case, 3) there is a strong contributory negligence argument, 4) with the reconstruction of the accident by

MINUTES

August 13, 2012

Officer Sampson, 5) the plaintiff will not have any expert testimony.

Mr. Farrar then gave an update of the 1801 – 1805 Church Street with options to force the responsible parties (Chevron-Texico Gas Station) to remediate the site. There was a discharge of contaminants from one of the chemical tanks in mid 60's. Dan Cheavis will be involved as well and let the two fight it out. He is looking for a December 1st deadline for Chevron to commit in writing to remediate the property or we will file a repro action. He will pursue the option if it is the will of the Council and he will keep the Council apprised.

PERSONNEL

Mr. Bobkiewicz stated they have settled with Fire and they approved the contract. He also stated they settled for AFSME. He asked Mr. Lyons to give further information on the issue. Mr. Lyons stated that AFSME is at 2 ½, 1.75. They will take the 2 ½ % and run, and the steps for the pay ranges are smaller (4.2%) lower on the construction pay schedule. There will be a minor increase on longevity of 1%, for 25 years of service or more, so anyone starting new will come in at a lower pace. AFSME did not want anything to do with health.

Mr. Bobkiewicz stated on September 10th he will be bringing to the Council the contracts for Fire and AFSME. He suggested for the rest of the staff to give a 2% merit increase only, and no cost of living increase.

MINUTES

The minutes from the July 23rd Executive Session were approved and the session ended at 10:40 pm.

Submitted by,

Hon. Rodney Greene/City Clerk