

**REGULAR MEETING
EAST DUBUQUE CITY COUNCIL**

261 Sinsinawa Avenue
East Dubuque, IL 61025

**RESCHEDULED
MONDAY**

January 28, 2019
6:00 p.m.

Please Stand for the Pledge of Allegiance

1. **19-0110** Call to Order – Acting Mayor Robey: Alderman Arling, Alderman Digman, Alderman Robey, Alderman Degenhardt, Alderman Vanostrand. Absent: Alderman Havner

2. **19-0111** **Speakers from the Floor**
Patrick Winders - Patrick Winders updated the city council on the Port of East Dubuque project. He recently spoke to the Northwest Illinois Economic Development Board. They awarded seed money to his project and a letter of support. He will be working with City Manager Herrig and Mike Jansen of IIW in the future and will be developing a five year budget plan. The city council thanked Patrick for his efforts on behalf of the city.

Dawn Stelpflug - Dawn questioned who would be held accountable for the recent mistake with the audit and described the error as a misappropriation of funds. City Manager stated that the mistake was not a misappropriation of funds but rather a misclassification of revenues. He indicated that all revenues were accounted for and no funds were missing. The error occurred over 14 years ago and was missed by numerous individuals over the years including auditors, city managers, city council members, and mayors. Mayor Robey indicated the problem had now been corrected and the funds had been moved to the proper accounts. Council member Arling also reinforced that the mistake had been corrected.

NEW BUSINESS:

3. **19-0112** **Discussion and Possible Action to Approve Revised Fiscal Year 2018 Audit Report, Findings, Conditions and Management's Discussion and Analysis Report and Authorize the City Manager and City Treasurer to Sign Letter of Confirmation to the Findings of Fiscal Year 2018 Audit / Acting Mayor Robey, Jeremy Woolf, O'Connor Brooks & Company**
Mayor Robey asked for a motion based on the presentation by O'Connor Brooks & Company that had been made at the Committee of the Whole Meeting.
Motion by Degenhardt to approve the Revised Fiscal Year 2018 Audit Report, Findings, Conditions and Management's Discussion and Analysis Report and Authorize the City Manager and City Treasurer to Sign Letter of Confirmation to the Findings of fiscal Year 2018 Audit. Seconded by Arling. Roll Call Vote. 5 Ayes, 1 Absent (Havner).

4. **19-0113** **Discussion and Possible Action on Promotion of Jo-Carroll Energy Fiber Project and Benefits of Fiber-to-the-Home / Acting Mayor Robey, Interim City Manager Herrig**
City Manager Herrig asked if anyone had any ideas on how to promote the Jo-Carroll Energy Fiber Project. The city will be adding something to our utility bills in the future in addition to our web page. A visitor mentioned placing the information on Facebook and other social media. Further discussion followed but no action was taken at this time.

5. 19-0114 **Discussion and Possible Action on Council Procedures / Acting Mayor Robey, Interim City Manager Herrig**
City Manager Herrig mentioned that after the last meeting there had been a question on when to use roll call votes. City Attorney Kurt indicated that some towns use roll call votes on all city matters. It would clear up any confusion if East Dubuque adopted that practice. After further discussion, it was moved by Digman and seconded by Vanostrand to adopt the policy of using roll call votes on all motions in the future. Roll Call Vote. 5 Ayes, 1 Absent (Havner).
6. 19-0115 **Discussion and Possible Action on Membership with NW Illinois Economic Development / Acting Mayor Robey, Interim City Manager Herrig**
City Manager Herrig presented a letter from Northwest Illinois Economic Development (NWILED) that invited East Dubuque to join their organization. East Dubuque had been a member up to 2016 but had not been involved since then. City Manager Herrig indicated that NWILED was one of the first organizations to reach out to him when he was hired. Council member Digman felt that with the help they had provided to the port project and the Enterprise Zone application already that he felt the City should join. Council member Arling indicated it would be helpful to have information on meeting dates and times so council members could attend. After further discussion it was moved by Arling and seconded by Digman to join NWILED at a cost of \$2,500 per year. Roll Call vote. 5 Ayes, 1 Absent (Havner).
7. 19-0116 **Discussion and Possible Action for Acceptance of Chief of Police Resignation and Discussion Replacement Process / Acting Mayor Robey, Interim City Manager Herrig**
Mayor Robey stated that a retirement letter had been received from Chief of Police Steve O'Connell. In the letter, Chief O'Connell indicated he would be retiring effective 4/30/19. Discussion followed on the best way to find a new Chief of Police. The city council debated the merits of hiring internally as opposed to seeking outside help. Council member Degenhardt indicated a desire to give existing officers a chance to be promoted. It was also stated that hiring an outside firm would insure impartiality and transparency. After further discussion it was moved by Arling and seconded by Robey to accept the resignation of Chief of Police Steve O'Connell and to direct City Manager Herrig to research possible firms that could help with a search process for a new Chief of Police. Roll Call Vote. 5 Ayes, 1 Absent (Havner).
8. 19-0117 **Discussion and Possible Action on Public Works Director Contract / Acting Mayor Robey, Interim City Manager Herrig**
City Manager Herrig read a letter that he had recently given to Public Works Director Mark Fluhr. The letter indicated that he did not plan on renewing the Public Works Director contract when it expired on 4/30/19. Herrig explained that this was no reflection on Public Works Director Fluhr and in fact Herrig complimented Fluhr for his work ethic and management abilities. Herrig stated that he would not be recommending contracts for any employee in the future including himself. After 4/30/19, Fluhr will become an employee at will and will be paid hourly with overtime for his hours over 40 each week. After further discussion it was moved by Vanostrand and seconded by Robey to not renew the Public Works Director Contract when it expires on 4/30/19 and to proceed as indicated by City Manager Herrig. Roll Call Vote. 4 Ayes (Degenhardt, Digman, Robey, VanOstrand) Nay (Arling), Absent (Havner).
9. 19-0118 **Discussion and Possible Action on Salary Proposal for the City of East Dubuque / Acting Mayor Robey, Interim City Manager Herrig**
City Manager Herrig presented a salary proposal that he would like to adopt for all employees of the City of East Dubuque. The proposal would utilize numbers provided by the Bureau of Labor Statistics and would be based on the Cost of Living Index. Herrig indicated that the goal was to have a system that was utilized for all employees equally and to avoid arbitrary rationale for

future pay increases. Discussion followed on the merits of the proposal. The city council agreed to table the proposal at this time but instructed Herrig to use the proposal as a guideline for budget preparation. The council will review the proposal as well as benefits at that time.

10. 19-0119 Discussion and Possible Action to Approve Request Payout for Comp Time Earned / Acting Mayor Robey, Interim City Manager Herrig

City Manager Herrig presented a request from Public Works Director Fluhr for a payout of some of his accrued comp time. The city council has allowed this in the past and agreed that Fluhr was entitled to the payout. It was moved by Arling and seconded by Digman to approve the comp time payout request from Public Works Director Mark Fluhr. Roll Call Vote. All Ayes.

COUNCIL & COMMITTEE REPORTS:

11. 19-0120 Staff Reports: Interim City Manager Report, Acting Mayor Report, Alderman Report

City Manager Report 1/22/19

- I continue to get acclimated to my duties and have been welcomed by many citizens. I have also had the opportunity to meet with many regional partners and have discussed a multitude of opportunities for our city. My first month in December didn't seem very busy but since 2019 started, we have really been busy. Lou Ann and Joan continue to be a tremendous resource for me as we work on many different things each day.

DMATS Meeting

- I attended two DMATS meetings on 1/10/19. DMATS stands for Dubuque Metropolitan Area Transportation Study. You probably already knew that but I am still getting used to it. The first meeting was a Technical Advisory Board meeting and the second was Policy Board meeting. East Dubuque has a seat on both Boards and Geoff previously represented you on both. Mayor Robey has appointed me as his proxy since both meetings are normally during the day. DMATS is the official group representing the Tri-State region on all transportation issues and the federal funding for our area is channeled thru them. Each meeting has representatives from Iowa, Wisconsin, and Illinois on all three levels of government; municipal, county, and state. There were two items at the meetings that I wanted to share with you and both of them dealt with the Julien Dubuque Bridge. They will be completing a lighting upgrade in 2019. It will take four to six weeks and begin sometime in April. In order to complete the project safely they will reduce the bridge to one way traffic from 6 AM to 3 PM each day. Illinois bound traffic will have to use the Wisconsin bridge during those times. They have determined there is more Iowa bound traffic during those hours which accounts for the one way decision.

We also discussed the upgrade to the Julien Dubuque Bridge that some of you have talked to me about. They explained that Iowa and Illinois only work on one bridge project at a time. It takes anywhere from five to eight years to do a bridge project from the beginning to completion. The next bridge is the I-74 Bridge in the Quad Cities. Next after that will be the I-80 Bridge in the Quad Cities. Our bridge is currently in third place but that could change based on inspections. Based on the five to eight years previously mentioned, that would put us somewhere between 15 and 24 years for a completed new bridge. They also mentioned that the original plans involved an additional new bridge to the south of the present one and then also utilizing the existing structure to provide four lanes. But because of the projected age at construction, it is possible they will have to build two bridges and demolish the existing structure. The project could possibly cost as much as \$1 billion at the time of construction. They indicated that Iowa has acquired all of the necessary ROW and Illinois has a small number of parcels to still purchase.

Two interesting side notes on bridge maintenance. Illinois and Iowa alternate on bridge maintenance responsibility and then split the costs 50/50. Iowa has responsibility for the Julien Dubuque Bridge. Also, the City of Dubuque accepted responsibility for keeping the sidewalk free of snow and ice and covers the expense out of their budget.

Port Study

- I attended a Port Study meeting on 1/14/19. The states of Illinois and Iowa have jointly funded a study of existing port facilities on both sides of the river. The study is just beginning with a scope of services proposal being prepared which when approved will be sent out to prospective consultants. When a consultant is hired, the actual study should take approx. 14 months. A side benefit to the meeting was meeting Jeff Woods. Jeff is the Director of Business Development and Marketing for Alliant Energy Transportation. Alliant owns and operates IEI Barge Services. He shared that they would be a willing partner in expansion of their operations in the future and we agreed that we will need to have discussions in the future.

I have also spoken with Mike Jansen of IIW Engineers about the Port of East Dubuque project that Patrick Winders has been working on. Mike and I have agreed that later this spring we should host a meeting of all of the relevant individuals and agencies that have ownership or regulatory authority over our riverfront. We would then consider and present to you the idea of a comprehensive study on our riverfront that would guide us forward in development. These items are just conceptual at this point and the goal would be to determine if they can become reality. I have also met with Patrick and we had a great discussion. He has invested a tremendous amount of time into his idea and is well versed on the project. His enthusiasm on improving East Dubuque is much appreciated.

Jo-Carroll Energy Fiber Project

- After our meeting this week, I thought I would add this to the agenda to see if the city council had any additional thought or ideas on the project and how we could help to promote the project to our citizens.

Roll Call Votes

- After the last meeting there was some discussion about the need for roll call votes when it comes to spending city funds. I had questions from some members of the audience and some of you. In checking with Terry, I believe we are correct on how we handled things. I am told that it is considered best practice to do roll call votes on major matters. Terry indicated that in his role as city attorney for another community, they do roll call votes on all matters. I would not have any issue with roll call votes on all matters if you prefer. I have added it to the agenda for further discussion.

Audit

- We have included a copy of the revised audit for your review and consideration. Jeremy Woolf from O'Connor Brooks will be at our 5:00 PM Committee of the Whole Meeting to present his findings and answer your questions. We will then take action at our regular meeting to approve the revised audit. Terry will also be at our 5:00 PM meeting. I have asked him to give us a legal opinion on our resolution of this matter so our citizens are assured that we have handled this matter correctly.

Chief of Police Resignation and Discussion on Hiring Replacement

- Chief of Police Steve O'Connell has submitted to us his resignation effective April 30th, 2019. We need to accept his resignation and then discuss how you want to handle hiring

a new Police Chief. If it is acceptable to you, I will gather information on different options and present it to you at 2/4/19 meeting. If you want to move quicker on this matter, we could have a special meeting on 1/28/19.

Public Works Director Contract

- Included in your packet is a notice to Mark Fluhr indicating that I do not intend to renew his contract. This no reflection on Mark or his abilities. I have indicated to you in the past that I do not think it serves the citizens to have employment contracts and do not intend to have them for anybody, including me, in the future. Mark is an excellent public works director and hope he is with us for many years to come. I have spoken with Mark about this and he only wants to be treated fairly. I have assured him that I and you will do that!

Storm Water Projects

- I have spent a considerable amount of time this week on storm water issues. This has involved reviewing the Jo Daviess County Multi-Jurisdictional All Hazards Mitigation Plan (which is over 400 pages!) and discussing it with Charles Pedersen, Director of the Jo Daviess County Emergency Management Agency. I have also reviewed with Travis Freese of WHKS Engineering the Wisconsin Avenue Drainage Improvement Study which was done in 2016. I have also discussed our needs with Mark Fluhr. Based on our discussions, it is obvious we have projects to do. I have also spoken with Rick Pohlman who is the Manager of the Division of Capital Programs for the Illinois Department of Natural Resources. He was very helpful and I have shared our 2016 study with him. That study indicated \$3.4 million in improvements which included detention basins and improvements to the Wisconsin Avenue Drainage System. We will continue to work on those projects in the future. A more immediate project would be improvements to our storm pumps. They are inadequate at this time and not very dependable. We will probably be listing their replacement and improvement as a capital project in the next budget. Estimated cost is \$150,000. Initial analysis would show the 1/2 cent sales tax as a funding source. This project would not be glamorous in any way but would provide protection and peace of mind for a number of our citizens.

Pipeline Project

- I continue to work closely with Precision Pipeline on their project. I have found them to be very responsible and responsive when I contact them. We have dealt with flood plain elevations, truck safety, and power line heights so far and all of these issues were handled to our satisfaction. I try to stop down at the site 2 or 3 times a week and have visited with some of our citizens in that area to determine their level of satisfaction with Precision. So far, other than some minor things, our citizens are impressed with the quality of the company. They anticipate the site will be ready by 1/19 and that approx. 250 workers will be here within 4 weeks. At the time of my last visit they had brought in 3 office units and had installed the temporary fuel storage. The site is leveled and they are putting 12 inches of rock in the parking areas and 18 inches of rock in the road areas.

Northwest Illinois Economic Development

- Included in your packet is a letter from Lisa McCarthy of Northwest Illinois Economic Development. She met with me recently concerning things her agency has done and will continue to do for our community. She indicated that we had previously been a member but had dropped our membership in 2016. I asked her to send me a letter requesting a contribution. We paid \$1000 in 2016 but have paid as much as \$2000. Her request is for

\$2500. I would tell you Lisa was one of the first people to reach out to me when I started and has been extremely helpful on a number of things in my short time here. Her work on the Enterprise Zone alone could be a tremendous benefit to us in the future. I would recommend we rejoin her agency with a contribution at this time.

Comp Time Payout

- I have included a request from Mark for payout of comp time. Mark has earned the comp time and this is a reasonable and legitimate request and would recommend you approve the payout. When I work on benefits in the future, I do plan on standardizing all employee benefits including comp time.

Mayor Robey complimented the public works department on their snow removal efforts. He indicated he had received compliments from our citizens. He also mentioned that Precision Pipeline was looking for rental properties for their workers and if anyone had rental units available they could share that information with City Hall and they would pass it along to Precision Pipeline. Mayor Robey indicated he would like staff to investigate the possibility of purchasing a sewer jetter. He feels we could justify the purchase based on the amounts we are paying for the service. City Manager Herrig indicated he would investigate the options available. Council member Arling inquired about the city's administrative towing fee. He asked about the history on the fee and its justification. He also asked if the funds received were restricted. City Manager Herrig indicated he would research the matter and report back.

Council member Digman asked about the status of upgrading the city street lights to LED. Part of the city had been completed and he was wondering when the rest would be installed. Public Works Director Fluhr will follow up on this.

Committee Reports: Ordinance, Budget, Local Improvements, Planning, Civil Service, and Utilities Committee

- 12. 19-0121 Consent Agenda** (City Council Minutes 1-7-2019, Public Safety Report(s), Warrants, Zoning, and Correspondence) It was moved by Degenhardt and seconded by Arling to approve the consent agenda. Roll Call Vote. 5 Ayes, 1 Absent (Havner).
- 13. 19-0122 Adjourn**
There being no further business to come before the council it was moved by Vanostrand and seconded by Digman to adjourn. Roll Call Vote. All Ayes. Meeting adjourned at 7:25 pm.

Loras Herrig
Interim City Manager

