

**REGULAR MINUTES  
EAST DUBUQUE CITY COUNCIL**

261 Sinsinawa Avenue  
East Dubuque, IL 61025

**MONDAY**

February 4, 2019

6:00 p.m.

**Please Stand for the Pledge of Allegiance**

1. **19-0201 Call to Order – Acting Mayor Robey– Alderman Arling, Alderman Degenhardt, Alderman Digman, Alderman, Havner, Alderman Robey, Absent: Alderman Vanostrand.**
2. **19-0202 Speakers from the Floor:**
  - Dawn Stepflug: Noticed that there is an agenda item concerning comments from the floor during the meetings and would like to see this continue.
    - Alderman Robey: Agreed, it's nice to have different points of view that may not be thought of. Just ask that people keep thing polite.
    - City Manager Herrig: Just wanted to clarify that the Mayor is the one that that should call on someone that would like to speak, not me.

**NEW BUSINESS:**

3. **19-0203 Discussion and Possible Action to Accept Findings on Administrative Fee and Disbursal of Funds / Acting Mayor Robey, Interim City Manager Herrig, Police Chief O'Connell **ROLL CALL****
  - Mayor Robey: Reviewed the ordinance and where the funds were being appropriated; they are going into the general funds.
  - Alderman Arling: Should we take a look at raising the fee or implementing an impound as some other cities do? What fund does this fee go to?
  - Alderman Robey: Obies and Leibold currently alternate months for any city related towing/storage. The fees accrued from this go to the General Fund. If it is decided that this is moved to the Police funds, then it will become restricted as to what it can be used for. The fee has been the same since 2011.
  - Alderman Havner: Think the fee should be raised \$50.00
  - City Attorney Terry Kurt: The council could put together an ordinance that would map out the years for raising the fee so that a new ordinance would not have to be made yearly.
  - CM Herrig: Will prepare the ordinance reflecting the raise and present to council for review.
  - End of Discussion.
4. **19-0204 Discussion and Possible Action on Review Recruitment and Selection Process for Replacement of Police Chief / Acting Mayor Robey, Interim City Manager Herrig **ROLL CALL****
  - CM Herrig: Reached out to two agencies for information and quotes for services to find a suitable replacement for the Chief of Police position. Both companies come highly recommended. Both have a base fee with add on's. The Extra Assessment Fee came highly recommended from other companies that were reached out to in regards to the services.
  - Alderman Robey: Wonder if the Illinois based company would be more familiar with Illinois law?

- City Attorney Kurt: You would want either company to specifically look at a candidate that is familiar with Illinois law.
- Alderman Digman: Initially, I am sticker shocked as bot quotes are around \$20,000. Have concerns with placement guarantee and wonder if there is any reduction in pricing as we are a smaller community?
  - CM Herrig: There is no reduction in price for our smaller sized community. This was a question that was asked.
- Alderman Havner: Is there any recourse if the person placed in the position does not work out? (GovHR USA has a 24 month guarantee.)
- CM Herrig: By using one of these services, it will show the community that we have done our due diligence to find the best most suitable replacement for the position, as none of us are qualified to interview for this position. Yet, there is also the possibility of a scenario that whoever gets hired for the position might not work out and the City is out a large amount of money.
- Alderman Degenhardt: Seems like new guys come in and learn and leave
  - Alderman Arling: I disagree; there are quite a few officers that have made a life and career here in East Dubuque.
- CM Herrig: Would like to know the opinions of some of the police officers that are here at tonight's meeting.
  - Mickey: Most of the guys that come through here can go to the Sheriffs office and make more money right off than here.
  - Luke: It all comes down to pay. The officers can start out making up to three dollars more an hour at the sheriff's office as opposed to East Dubuque. Yes, there are full-paid benefits for the employee and the wage reflects that, but there are mostly two income families out there that both companies they work for offer insurance. I could make the switch and go on my wife's insurance and make more money.
- Alderman Robey: Ask Moulder about their guarantee.
- Dawn Stepflug: What is the "expectation" of the firm?
  - CM Herrig: Well, the painful truth is that none of us here have the background in what it takes to find a suitable replacement for this position. These firms specialize in this sort of thing.
  - Alderman Robey: They also show that they will provide up to five candidates for the position.
- Pat: Since it never hurts to ask, maybe see if they end up hiring an officer that is local, if they would give a price break.
- End of discussion.

**5. 19-0205 Discussion and Possible Action to Review Provisions of 230 ILCS 40/75 Revenue Sharing; Local Government Video Gaming Distributive / Acting Mayor Robey, Interim City Manager Herrig**

**ROLL CALL**

- Alderman Robey: The ordinance does not specifically state what fund the gaming revenues are to go to and get deposited into the general fund. The PD and Fire Departments both have ways to generate revenue where the public works does not. Since the gaming has come to town, it has always been the general consensus that the monies generated would go to road repair/replacement etc. This has not been the case, as there have been a few times that other, rather large and unexpected projects have arisen and the monies were spent on those instances.
- Alderman Arling: Could we look into creating an account that these funds can be appropriated to, or at least a portion? This money was always supposed to go to this

being as it is the worst thing about our town and is in dire need of repair, but it keeps getting spent on other things. This will force it to happen. Seems like we have come to depend on this money for other things that it wasn't meant for and this money was never in our budget before.

- City Attorney Terry Kurt: Other municipalities that I work for have a contingency fund within their budget so certain monies do not "get lost" in the general fund.
  - Alderman Arling: Would like to set up something like a contingency fund so we can take advantage of the money for our roads.
- CM Herrig: Have been closely looking at the budget in the past week and would like to meet and have a more in depth discussion on the entire budgeting processes. During that time, we can take a better look at everything and decide if there are any changes for appropriation.
- Motion made by Alderman Arling to Table until after the Budget meeting, seconded by Alderman Robey; five ayes, motion carries. ROLL CALL: Alderman Arling, Alderman Degenhardt, Alderman Digman, Alderman, Havner, Alderman Robey, Absent: Alderman Vanostrand

**6. 19-0206** Discussion and Possible Action on Court Appointed Fees and Restrictions / Acting Mayor Robey, Interim City Manager Herrig ROLL CALL

- Alderman Robey: This is clarification that this fund cannot be used to pay for the New Police Chief search, but it can be used towards salaries in the PD and not just for equipment.
- End of discussion.

**7. 19-0207** Discussion and Possible Action on Establishing Administrative Policy for Contact with City Attorney Kurt on Municipal Matters / Acting Mayor Robey, Interim City Manager Herrig ROLL CALL

- CM Herrig: Received an invoice from the City Attorney regarding legal advisement for an employee. This was work related. Looking to the council for direction as to the policy and procedures of this or for a guideline as to who is able to use the City Attorney and under what circumstances.
- Alderman Robey: Have the Attorney instruct the employee to contact the City Manager or Mayor for direction
  - Alderman Digman: What if the employee has legal matters to discuss that involve both the CM and Mayor?
  - City Manager Herrig: Feels that the attorney should then instruct the person to address the council for permission.
- End of discussion.

**8. 19-0208** Discussion and Possible Action on Possible Representative and Attendance at Northwest Illinois Economic Development Meeting / Acting Mayor Robey, Interim City Manager Herrig ROLL CALL

- Alderman Robey: Looking for a council member to attend these meetings. Alderman Vanostrand expressed interest in attending.
- CM Herrig: All members are welcome to attend these meetings
- Alderman Arling: Would like to appoint and make it count as meeting pay. Would like to see the CM be the appointed representative and have the responsibility of making the council members aware of the meetings and invite to attend. Would personally volunteer to go to some of these meetings as well.

- Motion made by Alderman Arling to appoint the City Manager to attend the Northwest Illinois Economic Development Meeting as Representative for the City of East Dubuque, seconded by Alderman Degenhardt, five ayes, motion carried. ROLL CALL: Alderman Arling, Alderman Degenhardt, Alderman Digman, Alderman, Havner, Alderman Robey. Absent: Alderman Vanostrand

**9. 19-0209 Discussion and Possible Action to Approve Request for Payout of Sick Leave / Acting Mayor Robey, Interim City Manager Herrig ROLL CALL**

- Alderman Robey: Background on this is that under the Union contract, employees are allowed to sell back their unused sick days on a 2 for 1 basis. An employee is asking to do just this.
- Alderman Arling: Questioning if we are supposed to pay out more than the 720 hours. The contract states that they are not limited to 720, what is the limitation. Would also like to look at the 90 day accumulation and what this means exactly. Have no problem with paying it out; just want to make sure it is being done correctly.
- Motion made by Alderman Arling to Approve Request for Payout of Sick Leave, seconded by Alderman Digman, five ayes, motion carries. ROLL CALL: Alderman Arling, Alderman Degenhardt, Alderman Digman, Alderman, Havner, Alderman Robey. Absent: Alderman Vanostrand

**COUNCIL & COMMITTEE REPORTS:**

**10. 19-0210 Staff Reports: Interim City Manager Report, Acting Mayor Report, and Alderman Report**

- **City Manager Report:**
  - City Manager Report 02/04/19
  - IPADS
 

At the last meeting we discussed using the IPADS. Because of the short time between meetings, we did not have time to make the changes but we plan on sending out the packets on the IPADS for the 2/19 meeting. We will also send hard copy for your benefit. When you become accustomed to the change we will discontinue the paper copies at your request. We will continue to give paper copies to anybody who wants them. The goal will always be to get you the information in the format that works best for you.

    - Alderman Arling: Please look into the cost Microsoft Office program that are on the iPads, this is a very expensive program that will probably not be used by any of the Alderman.
  - President's Day
 

Just a reminder that our next meeting will be on Tuesday 2/19 due to President's Day.
  - Administrative Towing Fee
 

At the last meeting we discussed the administrative towing fee. We have provided some research in your packet. The fee started in 2010 and is limited to vehicles involved in a crime. We have collected app. \$21,000 since 2010 and is averaging app. \$2,350 per year. Receipts for the first nine months of this year are \$500. Neither the minutes nor the ordinance specify any restrictions for the money. It has been used for the general support of law enforcement and with an annual budget of \$600,000 for police; this amount does not represent a large sum.
  - Chief of Police Search
 

I emailed you the information on search firms and have included it in your packet. We discussed using the restricted funds for the expense and our research shows that is not possible. We have included the research for your review. At

first glance, the fees may seem high but keep in mind this individual will be responsible for running the most expensive department we have. Also, our police department is our most visible representative of the city and our operations. If we are successful in finding a good candidate and they stay as long as Chief O'Connell, the cost figures out to about \$1,000 a year. I am comfortable with either firm as they both come highly recommended.

- Video Gaming Research

At the last meeting we discussed the video gaming revenues. In checking the minutes and the ordinance, I don't see any restriction on the funds. Although it may have been discussed at the time to use the money for streets, it did not make it into the minutes or the ordinance. We have included the research for your review. Keep in mind that the operations of the city are funded by many things other than property tax. If you place restrictions on how you want the money spent, you will reduce the funds available for essential services including police and fire protection. That would force you to reduce those services. I plan on reviewing all revenues and expenses when we present the budget. Since our budget is totally new to me, this will help me to learn and understand our operations. I appreciate your questions on our finances because it helps me to learn more about how we do things and there is no such thing as a dumb question!

- City Attorney Policy

I recently had a discussion with Terry Kurt on his invoice. There were a couple of items that I did not recognize. Terry explained them to me very well and that led to a discussion on who could request Terry to do work on the city's behalf. I do not know if you have had a policy in the past but I previously worked with a policy where the Mayor and City Manager were authorized to request legal work. That would funnel all requests that result in a bill thru city hall. Also, that way Terry would know he is authorized to incur expense on our behalf. Without a policy, some members of the city council may question why we were paying Terry for legal research that they were not aware of. It would also allow us to discuss as a group what we need from Terry. This would also funnel all requests from our employees thru this office. I think we should put a policy in place to reflect your wishes. I would appreciate your guidance on a policy.

- Northwest Illinois Economic Development

Included in your packet is a thank you from Lisa McCarthy of NWILED on your recent decision to rejoin her organization. She also mentioned a meeting on 3/14 that you might want to attend. I have included information on dates and times for future meetings. I also included information about NWILED's current Board and Staff members so you could see their names. We can discuss at the meeting who you would like to represent us at the various meetings.

- Council Procedures

I have mistakenly been letting people speak from the audience during meetings. This tends to slow our meetings down. Since we allow speakers from the floor at the beginning of the meeting, it is probably a bad practice to allow interaction with the crowd through the rest of the meeting. I have included an article on best practices for your review. It is totally up to the city council how they want to receive public input. If we only allow comments at the beginning of the meeting, perhaps Mayor Robey could remind the audience at the next meeting.

- Fred Freiburger Request

Fred has submitted a request for sick time payout. It is in compliance with the union contract. I recommend you approve the request.

- On-Line Utility Bills  
At the last meeting, you inquired about online utility bills. I couldn't remember what Bellevue's website had for options. I checked after the meeting and we did offer both online bill-paying and the ability to look up your billing history on-line. Keep in mind that software system cost Bellevue \$400,000. Bellevue does have seven utilities so a similar system for East Dubuque would probably be less. Once we tackle some of our immediate problems, we can look into options for the future.
- Jo-Carroll Fiber Project  
Thought you would like to know that I received a phone call from Jo-Carroll that they have received app. 130 inquiries from the East Dubuque area about their project. They also wondered what we were doing to promote the project because they had app. 66 inquiries since our council meeting on 1/28. They were pleasantly surprised by the number. The word must be getting out! Keep up the good work!

#### **Committee of the Whole Reports-None**

- **Alderman Report:**

- Alderman Arling: Please look into the cost of the Microsoft Office program that is installed into each of the Ipads. This is a very expensive program that most do not use. Thank you to the community for really expressing their opinions about the Fiber.

**11. 19-0211 Consent Agenda** (City Council Minutes 1-28-2019, Committee of the Whole 1-28-2019, Public Safety Report(s), Warrants, Zoning, and Correspondence)

- Motion made by Alderman Arling and seconded by Alderman Havner to Consent Agenda (City Council Minutes 1-28-2019, Committee of the Whole 1-28-2019, Public Safety Report(s), Warrants, Zoning, and Correspondence) five ayes, motion carries. ROLL CALL: Alderman Arling, Alderman Degenhardt, Alderman Digman, Alderman, Havner, Alderman Robey. Absent: Alderman Vanostrand

**12. 19-0212 Adjourn**

- Motion made by Alderman Degenhardt and seconded by Alderman Digman; five ayes, motion carries. ROLL CALL: Alderman Arling, Alderman Degenhardt, Alderman Digman, Alderman Havner, Alderman Robey. Absent: Alderman Vanostrand.

Breanna Arling  
City Clerk, East Dubuque