

COUNCIL OF THE CITY OF DIXON, ILLINOIS
COUNCIL CHAMBERS – CITY HALL
MONDAY, AUGUST 7, 2017
5:30 P.M.

CALL TO ORDER

The meeting was called to order by Mayor Arellano.

ROLL CALL/INVOCATION

Councilmen Marx, Venier, Considine, Marshall and Mayor Arellano answered Roll Call. The Pledge of Allegiance was cited. Rev. John Trotter from Living Well Church gave the invocation.

Stacey College, the new Dixon Chamber Main Street CEO was introduced to the Council. Stacey said she is excited to be a part of this organization.

WORK SESSION – ACTUARY REPORTS FOR PENSIONS AND OTHER POST-EMPLOYMENT BENEFITS

Todd Schroeder, an actuary with Lauterbach and Amen, presented reports on Dixon's Fire Pension, Police Pension and other post-employment benefits. He explained new GASB requirements that go into effect in the next year which will require the City to show its unfunded liability on its balance sheet. This will include retiree health insurance. Overall, the funded percentage for the police and fire pensions increased over the past year.

APPROVAL OF MINUTES

Councilman Marshall moved to approve the regular and executive minutes of the Regular Council Meeting of Monday, July 17, 2017, and the regular and executive minutes of the Special Council Meeting of Wednesday, July 19, 2017. Seconded by Councilman Marx. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

APPROVAL OF TOTAL LABOR AND OUTSIDE CLAIMS

Councilman Marx moved that the total labor and outside claims in the amount of \$3,295,061.11 be approved and ordered paid. Seconded by Councilman Venier. Voting Yea: Councilman Marx, Venier, Marshall and Mayor Arellano. Voting Nay: None. Abstain: Councilman Considine. **Motion carried.**

DEPARTMENT REPORTS

Chief Langloss stated that the Police Department received a grant for Safe Passage for \$75,000.

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BOARD & COMMISSIONS REPORTS

Mayor Arellano reported that the monthly Building Permit report and the Veterans Park Board Minutes were available for inspection.

VISITOR/PUBLIC COMMENT

Spencer Aurand, a Dixon citizen, thanked the Mayor and Council for their hard work. He said he was shocked to hear about the Council letting go of the City Manager and was disappointed that there was no public announcement on why he was let go. He felt that the Council was undermining the City Manager and that the City Manager's job was to execute the vision of the Council. He went on to say that it is a risky venture for someone to take the position if every two years their future is decided by a new Council. He asked the Council to reconsider the firing of the City Manager.

Doug Carlson, a Dixon homeowner addressed the Council with concerns of a retaining wall by a culvert that is falling apart and is on City property. He went on to say that he has discussed this with previous Councils and employees and was always told that the retaining wall is his responsibility to maintain. He said the GIS website shows it is not on his property and he was not able to find any easements for this area. He believes that a catastrophic event, just like 7th and Monroe, could happen if this is not taken care of. He feels this is a severe threat to public safety.

Mayor Arellano noted that ditch work was done around College and 9th. He went on to say that a culvert would never be a homeowner's responsibility and would follow up to see who owned the land the retaining was on.

Jim Canterbury, Street Manager, said the wall was built by a homeowner many years ago. It was unpermitted work. He suggested that open ditching the area a bit more and tearing down the wall would help the situation.

RESOLUTION # 2604-17 – BANKING RESOLUTION

Councilman Considine moved to approve the banking resolution updating signature authority. Seconded by Councilman Marshall. Attorney LeSage mentioned this was needed to take the City Manager off as a signatory. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

RAYNOR LIFT STATION FORCEMAIN REPLACEMENT BIDS

Councilman Venier moved to award a contract to Martin & Company Excavating in the amount of \$95,526.70 for the Raynor Lift Station Forcemain Replacement. Seconded by Councilman Marx. Councilman Marshall asked that an updated tabulation bid sheet be

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sent to the Council. Councilman Considine asked if curb and gutter was included in the project. Public Works Director Terry Weter said no, this is only for the lift station. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

PALMYRA WATER MAIN PROJECT BIDS

The bids for the Palmyra Water Main project came back higher than expected. Water Manager Matt Heckman said that a spring bidding may result in lower cost. Televising and IDOT required traffic control were the two items that were higher than expected. The City has a grant to be used for this project and has until December 2018 to use the money.

Councilman Marshall moved to reject all bids received for the Palmyra water main project. Seconded by Councilman Venier. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

AGREEMENT FOR TRANSFER OF ENTITLEMENTS WITH US DOT FEDERAL
AVIATION ADMINISTRATION

Councilman Marx moved to approve the transfer of \$56,508 as specified by DOT. Seconded by Councilman Venier. The time frame for using the funds has expired. If the City transfers the money to DOT, they will receive the majority of it back when needed for a project. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

Mayor Arellano took off the agenda item pertaining to sending a one year extension notice to Republic in connection with the 2012 Refuse Agreement. He stated there will be a workshop at a meeting in the near future on options available to the City.

AIRPORT RUNWAY LIGHTING PROJECT

Councilman Considine moved to approve moving forward with the bidding for the runway lighting project. Seconded by Councilman Marshall. Mayor Arellano said that the FAA won't allow night approaches to the Dixon airport. The City should consider completing the lighting on one runway and obtain an optional bid on the other. The concern is that grant money will roll off, so it was suggested to bid the whole project and only execute one side for now. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

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TEMPORARY CLOSURE OF COMMERCIAL ALLEY

City Attorney LeSage mentioned that Councilman Marshall has an interest in this item. He went on to say that it isn't a contract and there are de Minimis exceptions. City Attorney LeSage said that he doesn't feel that this is a conflict of interest but would be de Minimis. Councilman Marshall will abstain from the discussion and vote for this topic.

Councilman Venier moved to approve the temporary closure of Commercial Alley on Sunday, August 13, 2017, from noon to 6:00PM. Seconded by Councilman Considine. Voting Yea: Councilman Marx, Venier, Considine, and Mayor Arellano. Voting Nay: None. Abstain: Councilman Marshall. **Motion carried.**

CITY MANAGER'S SEPARATION FROM EMPLOYMENT AND SEVERANCE
AGREEMENT AND RELEASE

City Attorney LeSage stated that the City and Counsel of Cole O'Donnell finalized the agreement this morning. He will receive 5 months of salary, 5 months of health insurance, and vision and dental insurance. O'Donnell will pay the full cost of the vision and dental insurance. He will not receive a cell phone allowance nor a car allowance. As part of this agreement, all media requests are to go through the Mayor's office.

Mayor Arellano noted that there is no criminal involvement as of this time but if something is discovered later it is addressed in the agreement how it would be handled. He also mentioned that there are some limitations to what can be said about the separation.

Councilman Marx credited Mr. O'Donnell for being the first City Manager of Dixon and help us walk down that path. He is a smart guy in technical and municipal items.

Mykola Pawchuck, of Dixon, said that the paper said that O'Donnell's vision was not the same as the Council's. Mayor Arellano said that he will work on an answer with his colleagues. Due to the nature of the agreement, statements must come from the Mayor's office. It should be a public statement that is fair to everyone. City Attorney LeSage added that the media must go through Mayor but Citizens may approach the Council Members.

Josie Whaley, of Dixon, told the Council that it cost taxpayers \$68,000 when they got rid of David Nord. This Council got what they wanted and now you want to get rid of O'Donnell. This is wasting \$128,000.

Mayor Arellano said the Council was looking for who was best qualified for the job since it was the City's first City Manager.

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Councilman Marshall moved to approve City Manager O'Donnell's separation from employment with the City of Dixon and approve the Severance Agreement and Release. Seconded by Councilman Considine. Voting Yea: Councilman Venier, Considine, and Marshall. Voting Nay: Councilman Marx and Mayor Arellano. **Motion carried.**

APOINTING INTERIM CITY MANAGER

Mayor Arellano stated that the Council wanted to have an internal candidate for the interim position and settled on Chief Langloss since he has done this previously. City Attorney LeSage said that Chief Langloss will have his Lieutenants run the police department. No one is being named as interim Chief.

Councilman Marx moved to approve Chief Langloss as the interim City Manager. Seconded by Councilman Venier. Voting Yea: Councilman Marx, Venier, Considine, and Marshall. Voting Nay: None. Abstain: Mayor Arellano. **Motion carried.**

SWEARING IN OF INTERIM CITY MANAGER

Mayor Arellano swore in Chief Langloss as interim City Manager.

PROCESS FOR SELECTION OF CITY MANAGER

Paul Greufe, HR Consultant for the City, discussed the executive search process. The benefits of doing the search in house is there is no additional cost and may be done in a timelier manner. He felt that the team could select a candidate by the end of September. He said that it would need to be decided who was on the hiring committee. The HR Team would place the recruitment ads and set up the interviews. He stated that the timeline is aggressive but reasonable.

EXECUTIVE SESSION

Councilman Considine moved that the Regular Council Meeting of Monday, August 7, 2017 meet in Executive session to discuss pending or imminent litigation pursuant to Section 2(c)(4) of the Open Meetings Act; to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees pursuant to Section 2(c)(5) of the Open Meetings Act; to discuss Collective negotiation matters between public employers and the employees or representatives pursuant to Section 2(c)(1) of the Open Meetings Act; and to discuss Sale or purchase of property pursuant to Section 2(c)(3) of the Open Meetings Act. Seconded by Councilman Marx. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

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RECONVENE MEETING

Councilman Marshall moved that the Regular Council Meeting of Monday, August 7, 2017, reconvene into Open Session. Seconded by Councilman Venier. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

HIRING COMMITTEE FOR CITY MANAGER SEARCH

Subject matter came up in executive session that needed to be discussed in open session. The Council was recommending various Dixon stakeholders to be a part of the hiring committee. This group will review the applicants, interview and recommend to Council the finalists for City Manager.

EXECUTIVE SESSION

Councilman Marshall moved that the Regular Council Meeting of August 7, 2017, meet in Executive session to discuss pending or imminent litigation pursuant to Section 2(c)(4) of the Open Meetings Act; to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees pursuant to Section 2(c)(5) of the Open Meetings Act; to discuss Collective negotiation matters between public employers and the employees or representatives pursuant to Section 2(c)(1) of the Open Meetings Act; and to discuss Sale or purchase of property pursuant to Section 2(c)(3) of the Open Meetings Act. Seconded by Councilman Venier. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

RECONVENE MEETING

Councilman Venier moved that the Regular Council Meeting of Monday, August 7, 2017, reconvene into Open Session. Seconded by Councilman Marx. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.**

ADJOURNMENT

Councilman Marshall moved that the Regular Council Meeting of Monday August 7, 2017, be adjourned to meet in Regular Session on Monday, August 21, 2017, at 5:30 p.m. in the Council Chambers at City Hall. Seconded by Councilman Marx. Voting Yea: Councilman Marx, Venier, Considine, Marshall and Mayor Arellano. Voting Nay: None. **Motion carried.** The meeting adjourned at 10:03 p.m.

Becky Fredericks, City Clerk