



EXECUTIVE SESSION
February 13, 2017

CITY OF EVANSTON, ILLINOIS
ALDERMANIC LIBRARY
Lorraine H. Morton Civic Center
2100 Ridge Avenue, Evanston, IL

Present: Alderman Holmes Alderman Fiske
Alderman Braithwaite Alderman Tendam
Alderman Wilson Alderman Rainey
Alderman Miller Alderman Revelle

Others Present: Marty Lyons, Assistant City Manager Wally Bobkiewicz, City Manager, Bob Gustafson, Risk & Safety Manager, Grant Farrar, Corporate Counsel, Richard Eddington, Police Chief

Presiding: Mayor Elizabeth B. Tisdahl
The meeting was called to order at 9:07 pm.

Personnel

a. Workers' Compensation Settlement

Mr. Gustafson presented his report on Worker's Compensation for one individual: Jeffrey Devroy a former Police Officer, who suffered a medial meniscus tear of the fibular head on August 2, 2011. He is retired. There is a settlement demand for \$74,796.35, and Mr. Gustafson suggested a settlement up to \$37,398.18. The reason for the higher amount over \$25,000 is because they are expecting a knee replacement sometime later and to close out the medical rights we went to the higher amount. After his report Mr. Gustafson left the room.

b. Police Officer Retirement Issues

City Manager, Bobkiewicz stated under law Police Officers have a mandatory retirement age of 65 in Illinois, and there are three who will be reaching that age soon. The first is Kathy Defrancisky whose situation changed drastically when she was hit by a truck, and her condition looks good she is still off of work. Once she is able to return to work then she will retire at that time. There are two other officers who we have not at this time made any written notification to, and he is going along with what he and the Chief had discussed. There is another peace officer who will be turning 65 soon, and that is the Chief, Richard Eddington. While working with legal and looking at other municipalities and who they deal with similar situations, we are hoping the Chief will remain as Chief without the distinction of Peace Officer. He will not be able to arrest on his own, but he will be able to still carry his gun under a different situation. He is licensed to carry and will retain that status. Police Chief, Eddington then left the room after the City Manager completed his report.

Labor Negotiations/Pending Litigation:

Mr. Farrar deferred the issues of FOP to Mr. Lyons to discuss later. He then moved onto the issues with IAFF. The issues are with the Health Plan changes and recalibrated costs. They have engaged the services of a mediator which will happen on February 23rd for the second set of discussions. They are looking at a 3 year term with a 2.5% per year increase. We are at a 2% term range. Then there will be the elimination of annual sick time payout. Then also calculation of employer contribution to the health savings accounts.

Mr. Lyons then reported on the FOP negotiations. He stated they are going to give on health plan and some others such as sick-time and hold the line on wages. We're fairly competitive on wages with most other communities, and we need to get off the 100% and get down to probably 90%. We also are looking at eliminating annual sick time payout. As for AFSME is dragging behind and they really want to talk about non-economics first before they talk about economics for wage demands. Health care should be identical across the board, and there is not a lot of language change and all contracts are up late spring.

Mr. Farrar discussed the status of the Robinson v. City of Evanston, and the Evans v. City of Evanston & Robinson. Ms. Kenya Evans is suing the City of Evanston and Ms. Robinson for retaliatory discharge. One charge is against Ms. Robinson alleging posing a hostile work environment, calling her some derogatory names and physiological trauma. There is enough proof and other witnesses that support some of those statements. There is enough there that Ms. Robinson will have some liability issues. Issues for her departure were: 1) performance; 2) record keeping; 3) gross insubordination; 4) violations of ethics; 5) conducting business on city time; 6) doing business on city resources. This matter is still in continuation and he will keep the council updated as things progress.

As for the James Park matter a significant ruling in favor of five of the 6 claims the city has and the judge granted us permission to refile the Local Ordinance count. We have sit down with NICOR & COMED's Attorneys and stated they need to start paying, and after 4 years of stonewalling they have told us where the infrastructure is. There is a 24 foot pipe that goes up Dodge Ave. the whole length of James Park. They were told they need to pay for the last set of testing. We are going to open up and look down the pipe with a telecam to extract samples and this should nail down the causation. Alderman Rainey stated she should have been informed because she has been taking so much heat from the residents, and she felt blindsided and it was not fair. She has requested a full blown report of the where we stand right now. The discovery price comes in about \$250,000.00 which includes the new pipe.

Minutes:

There were no minutes to be approved, and the meeting ended at 9:39 P.M.

Submitted by,
Rodney Greene, MMC/ City Clerk