

**Evanston City Council
Closed Session Minutes
Aldermanic Library
Monday, March 23, 2009**

PRESENT: Aldermen Bernstein, Holmes, Tisdahl, Rainey, Hansen,
Wollin, Jean- Baptiste, Moran, Wynne

STAFF: Joellen Daley, Interim First Asst. Corporation Counsel
Elke Tober-Purze, Interim City Manager Rolanda
Russell, Chief Eddington, Chief Berkowsky

PRESIDING: Mayor Lorraine Morton

START: 11:45 pm

Mayor Morton asked if there were any corrections to the minutes, hearing none she accepted the minutes as presented.

Interim City Manager Mrs. Russell explained where the negotiations were with the Fire Fighters and Police, whether they settle or go into arbitration. Ms. Joellen Daley stated she was looking for some direction.

Litigation

Ms. Daley stated they started negotiations with 2 bargaining groups. The biggest stumbling block they are facing is the economic items. She passed out materials that showed their comparables. The Sergeants refused the negotiations. If we go to arbitration we will need to go with outside legal counsel which would cost \$40,000 and could go higher if arbitration proceeds longer than a day. We are proposing to go to negotiations and ask

for a 1 year contract with a 1% COLA which would cost us \$75,000 to settle if we have it retroactive to March 1, 2009.

Alderman Bernstein suggested that we settle and not go to arbitration, because it will cost us more.

Ms. Daley stated we have an arbitrator who feels we can get what we want.

Alderman Rainey asked if you have already decided we are going to arbitration.

Ms. Daley replied no, the Fire Fighters have said they are going into arbitration.

Alderman Rainey then asked who's at the negotiation table, and Ms. Daley replied, she, the Chief, Angela McCray and Sara Bagley. Alderman Rainey then asked if they have ever been at the negotiation table before, Ms. Daley answered no.

Alderman Rainey asked, have you and Ms. Daley answered yes many times before these negotiations.

Chief Berkowsky stated the funding for the operation would have to come out of their funds which would be the overtime accounts, and if he dropped below the 26 members he would then have to hire back or decrease somewhere else. The Chief also stated the \$75,000 had to come out of his budget so he had to create a source for the funds to come from. The only other option he had was to take it from the overtime and when that ran out he would have to come back to Council and ask for more money to support the current staffing or cut personnel.

Alderman Bernstein stated if we settle we do it with money we don't have, and if we go to arbitration it will cost us more money that we don't have.

Ms. Russell remarked about the conversation she had with Mr. Lyons that showed the expenses were 1\$ million less than what we expected and now we have the money to use if we have to.

Alderman Bernstein wanted to know what the Fire Fighters were looking for. The answer was a 5% increase. Mayor Morton asked where do they think we will get the money.

The question was then asked if we settle what will be the outcome, and what will we owe.

Ms. Daley stated she had nothing to offer so she was asking for direction from the Council. She would settle at 3% because that's the current, but if we could work something out less than 3% it would set the stage for the others.

The final consensus from the Council was to give Ms. Daley the authority to offer up to 2.5% and nothing over for a 1 year contract, as Ms. Russell tied everything together from all of the input from the Council's discussions.

First Assistant Corporation Counsel Ms. Purze gave an update on the Horemis case that is going into arbitration on April 23 & 24, 2009 for wages. The Federal case is in limbo. She recommended that the arbitration go forward. She then reported on the situation with the selling of the Chiaravalle School. She explained the options if they failed to make an installment to the City. Option (1): to bring an action against them or, Option (2): The City could elect to have a reconveyance of the property. She also talked about the recent Jason Paul arrest on St. Patrick's Day for a suspended license, alcohol, and drugs. Mayor Morton said the police report did not include the information that Ms. Purze just gave the Council. The police report stated he was stopped for traffic violation. Ms. Purze also stated this was mentioned because it was related to the case he has filed against the City. Ms. Purze also briefly mentioned the Eckersall Vs. Benjamin case which was dismissed and the others were continued.

Personnel

Redacted

Redacted

Respectfully submitted,
Rodney Greene
City Clerk

**A CD RECORDING OF THIS MEETING IS AVAILABLE IN THE
CITY CLERK'S OFFICE, ROOM 1200.**