

Galesburg City Council Regular Meeting
City Council Chambers
55 West Tompkins Street, Galesburg, Illinois
March 6, 2023
5:30 p.m.

Called to order by Mayor Peter Schwartzman at 5:30 p.m.

Roll Call #1: Present: Mayor Peter Schwartzman, Council Members Bradley Hix, Wayne Dennis, Kevin Wallace, Dwight White, Jaclyn Smith-Esters, Sarah Davis, and Larry Cox, 8. Also Present: City Manager Gerald C. Smith, Interim City Attorney Leslie Day, and City Clerk Kelli Bennewitz.

Mayor Schwartzman declared a quorum present.

The Pledge of Allegiance was recited.

The Mayor asked for a moment of silence in lieu of an invocation.

Council Member Smith-Esters moved, seconded by Council Member White, to approve the minutes of the City Council's regular meeting from February 20, 2023.

Roll Call #2:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

Proclamation: Recognition of GHS Student Gauge Shipp for State Wrestling Title

Proclamation: Women's History Month

CONSENT AGENDA #2023-05

All matters listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion.

23-3006

Approve a two-year contract with Aramark, Inc. for facility services for the City. Various prices include items such as shop towels, nylon mats, wet mops, etc.

23-3007

Approve the bid from JIMAX in the amount of \$27,900 to remove the existing wood waste from the oversize brush drop off site located on Pickard Road.

23-4022

Approve waiving normal purchasing policies and approve the purchase of one bulk delivery of phosphate inhibitor from Hawkins, Inc. at a cost of \$0.795 per pound.

23-5001

Receive the 2022 Annual Fire and Police Commission Report.

23-8004

Approve bills in the amount of \$604,537.06 and advance checks in the amount of \$358,109.05.

Council Member Cox inquired about the sanitary sewer fee for the Churchill building and Elizabeth Varner, Parks & Recreation Director, stated that it is likely for the water from the steam traps.

Council Member Smith-Esters moved, seconded by Council Member Dennis, to approve Consent Agenda 2023-05.

Roll Call #3:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried by omnibus vote.

PASSAGE OF ORDINANCES AND RESOLUTIONS**23-1002**

Council Member Smith-Esters moved, second by Council Member Wallace, to approve Ordinance 23-3692 on final reading authorizing the issuance of General Obligation Bonds, Series 2023 of the City of Galesburg, in the amount of \$5 million for the use of a community center.

Raphaliata McKenzie, Speer Financial, addressed the Council and stated that the City had a public competitive sale for its \$5 million General Obligation Bonds and received 29 bids from five bidders. The best bid received was from Robert W. Baird & Co., Inc. at an interest rate of 3.3211%. This would equate to an interest payment of approximately \$720,000 annually.

Council Member Cox stated that it has been alluded to that the City will need to avoid arbitrage, which is when the bond proceeds are not spent quickly enough and therefore interest earned on the bonds may have to be paid back to the federal government. He noted that the City would need to spend approximately \$500,000 within six months, \$2.25 million within 12 months, \$3.75 million within 18 months, and all the \$5 million within two years, in order to avoid arbitrage.

Council Member Cox inquired if City Manager Smith had notified the Council Members that these bonds would be considered arbitrage bonds if the City does not make payments in the time required. The City Manager stated that this process is standard, and his staff is ready to move forward and believes the line of questioning is political.

Council Member Cox stated that he was concerned that Council Members were not made aware of potential delays and believes the bond sale should have been delayed until it was understood what was in the document. City Manager Smith stated that there is always a chance of delays

and that he did let Council know about the timeline via email but encouraged them to move forward.

Council Member Cox asked if any of the bonds could be reallocated to other projects. Ms. McKenzie stated that if that was a possibility that she would recommend reaching out to bond counsel.

Roll Call #4:

Ayes: Council Members Wallace, White, Smith-Esters, and Davis, 4.

Nays: Council Members Hix, Dennis, and Cox, 3.

Absent: None

Chairman declared the motion carried.

23-1003

Council Member Dennis moved, seconded by Council Member Smith-Esters, to approve Ordinance 23-3693 on final reading amending Section 113.043 (A) of Chapter 113 of the Galesburg Municipal Code regarding the limitation on the number of Class A-1 liquor licenses from twenty-six to twenty-seven.

Roll Call #5:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

23-1004

Council Member Wallace moved, seconded by Council Member White, to approve Ordinance 23-3694 on final reading amending Section 110.070 of Chapter 110 of the Galesburg Municipal Code regarding amending the billing cycle for false alarms to the calendar year.

Roll Call #6:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

23-2014

Council Member Smith-Esters moved, seconded by Council Member White, to approve Resolution 23-11 approving the transfer of two properties, 349 West Brooks Street and a vacant lot located behind 407 W. Brooks Street, to Knox College.

Roll Call #7:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

23-2015

Council Member Smith-Esters moved, seconded by Council Member Davis, to approve Resolution 23-12 in support of Tax Increment Financing.

Roll Call #8:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

BIDS, PETITIONS, AND COMMUNICATIONS**23-3008**

Council Member Dennis moved, seconded by Council Member Cox, to approve the bid from Sports Interiors to install new lighting for the indoor tennis courts at Lakeside Recreation Facility in the amount of \$72,282. The project is slated to begin in April, and the current lights will be kept for replacement purposes.

Roll Call #9:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

PUBLIC COMMENT

Mayor Schwartzman stated that there has been a question of how an item gets on an agenda. He stated that as Mayor, he has the authority, as well as the request of three Council Members. He asked that these requests be communicated through him or the City Manager. Furthermore, he also noted that there is a timing issue of posting the agenda 48 hours prior to the meeting.

Robert Cain addressed the Council and thanked them for all that they do and for acting as one body to get things accomplished.

Andrew Jowers, Ward Six, addressed the Council and thanked them during this stressful time in our nation and state. He has seen negative signs around town, as well as some positive ones. He hopes that we can all be civil, kind, considerate, empathetic and have a willingness to work together. He stated that he had the privilege of writing an article for The Register-Mail regarding change vs. progress that will be out soon.

Reverend Jowers also stated that a lot of good has happened and that elections are coming up. Change is inevitable, and he believes some people are threatened by that. He applauded Council Member Cox for what he is doing and believes we are a Christian nation but have differing opinions.

Brenda Perry addressed the Council and stated that she lives in Whiting Hall and would like to request that an enclosed bus shelter be looked at for their residents.

CITY MANAGER'S REPORT

MISCELLANEOUS BUSINESS (AGREEMENTS, APPROVALS, ETC.)

23-4023

Council Member Smith-Esters moved, seconded by Council Member Davis, to approve the proposal submitted from GovHR in the amount of \$31,200 to complete a Compensation, Classification and Organizational study for exempt and non-represented employees.

Council Member Cox stated that in December, Administration brought salary changes for six employees and suggested that this process be followed for other employees. He believes that HR, the City Manager, and other key Directors could help employees with any salary change requests for consideration at no cost to the City.

City Manager Smith noted that the last time a compensation study was done was in 1988, and that they are typically done every five years. He noted that since the labor market has tightened significantly, proper classification and compensation is crucial for the recruitment and retention of qualified employees. This study would be paid from contingency funds.

Council Member Smith-Esters believes that the City needs to be as equitable as possible and that employees need to know that the City Council cares about them and wants them to stay. She feels that the study is needed and way overdue.

Council Member Davis stated that many employees may not know they are underpaid and simply stay for fear of being unemployed or people will leave and new employees will need to be paid at a higher salary regardless. She firmly believes in fair pay for all people.

Council Member Cox stated that employees should be told we want and value their input, similar to the scenario for the six employees that recently had an increase. Council Member Wallace agreed that those six employees were underpaid and undervalued. Council Member Cox noted that the City could purchase salary data; however, the City Manager stated that the data is not there at this time because all cities are currently working through a compensation study similar to this one.

Council Member Smith-Esters stated that she is in favor of the Strategic Plan, which states that we want a workforce that is aligned with the diversity of the community. The Mayor agreed and noted that the City has a good track record with GovHR. Council Member White stated that the City needs to be fair and is in favor of hiring a professional to perform the study.

Roll Call #10:

Ayes: Council Members White, Smith-Esters, and Davis, 3.

Nays: Council Members Hix, Dennis, Wallace, and Cox, 4.

Absent: None

Chairman declared the motion failed.

23-4024

Council Member Smith-Esters moved, seconded by Council Member Davis, to approve a settlement agreement from a pending workers' compensation case of Ms. Haynes related to an injury sustained in March 2020. In exchange for a release of claims, Ms. Haynes will be compensated \$11,840.40 and an MSA established in the amount of \$804.09.

Roll Call #11:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

23-4025

Council Member Smith-Esters moved, seconded by Council Member Dennis, to approve a settlement agreement and mutual release in Knox County Case, Bondi v. Gunther Construction/City of Galesburg, et al., The settlement agreement would dismiss all pending claims and the City of Galesburg would be reimbursed \$74,015.84, for its attorneys' fees.

Roll Call #12:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

23-4026

Council Member Smith-Esters moved, seconded by Council Member Davis, to approve a professional services agreement with Farnsworth Group for Programming and Schematic Design for the Community Center in the amount of \$76,000.

Council Member Cox stated that the Mayor reported to WGIL that this item was going to be removed from the agenda and then later, three Council Members requested to keep it on. Because of the confusion, Council Member Cox moved, seconded by Council Member Dennis, to table item 23-4026 until May 1, 2023.

Roll Call #13:

Ayes: Council Members Hix, Dennis, Wallace, and Cox, 4.

Nays: Council Members White, Smith-Esters, and Davis, 3.

Absent: None

Chairman declared the motion carried.

Mayor Schwartzman asked City Manager Smith to send a memo to Council outlining the ramifications of delaying this item.

Council Member White moved, seconded by Council Member Smith-Esters, to sit as the Town Board. The motion carried.

TOWN BUSINESS

23-9004

Trustee Dennis moved, seconded by Trustee Davis, to approve Town bills and warrants to be drawn in payment of same.

Fund Title	Amount
Town Fund	\$533.77
General Assistance Fund	\$5,002.10
IMRF Fund	\$1,352.81
Social Security/Medicare Fund	\$4,650.22
Liability Fund	
Audit Fund	
Total	\$11,538.90

Roll Call #14:

Ayes: Trustees Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

Council Member Smith-Esters moved, seconded by Council Member White, to resume as the City Council. The motion carried.

CLOSING COMMENTS

Council Member Hix thanked City Clerk Bennewitz for her assistance in electronically attending meetings while he was out of town.

Council Member Dennis congratulated Gauge Shipp on his state title championship.

Council Member Wallace also congratulated Gauge Shipp on an accomplishment that the whole City can get behind. He also thanked the Mayor for the proclamation celebrating Women's History Month. He noted that women should be acknowledged in our society and treated equally. He also believes that there is a misconception on union vs. non-union positions and that employees have been lost due to a lack of compensation and believes that as a whole, the City needs to come up to par.

Council Member White was glad to see people at the meeting and making their voice heard. He also stated that residents need to stay involved and know what's going on in their city. If people don't stay involved, the people who run the city will take it over.

Council Member White left the meeting at 7:01 p.m.

Council Member Smith-Esters invited residents to participate in "309 Random Acts of Kindness," on March 9th. She stated that this is a collective effort for the entire region, 9,486 square miles, in the 309 area code to perform acts of kindness. She noted that there are volunteer opportunities listed on the City's website and asked that people use the hashtag #Iam309 and post photos on social media of their activities, interactions, thoughts, or ideas.

Council Member White returned to the meeting at 7:03 p.m.

Council Member Davis stated that she wanted to talk about something that is happening on a national and local level. Yesterday, she heard the news that people at a major conservative political conference are calling for the genocide of transgender people. She stated that this is disgusting and that her fiancé, a transgender, and her had to read that there are people in this country who are advocating for them to not exist, which means murder and genocide. She added that unfortunately the City still has someone sitting on this Council to whom transphobic hateful comments have been attributed. This person has yet to take accountability or apologize, which is unacceptable.

Council Member Davis stated that this is not imagined and that no one is making up victimhood. Transgender people are already murdered at alarming rates -- the average life expectancy of a transgender black woman is less than 40 years old. She hopes that everyone pays attention to the people who are in leadership locally, statewide, and nationwide. She added that there is an election coming up locally, and that there is an opportunity to vote for someone who upholds disgusting rhetoric like this or to vote for someone who doesn't.

Mayor Schwartzman stated that once again the meeting is not streaming (three meetings in a row) and that this is unacceptable. He noted that it is an issue with Granicus, but that the City needs to make sure people are able to stream the meetings. The audio and possibly the video of the meetings will be archived and available.

The Mayor stated that this Council decided to table the agenda item for architectural services for Churchill, and he is not opposed to that decision and believes this can wait another month or two. He wanted to clarify the article where it was eluded that he has changed his mind about the Churchill building, and noted that it is not a bad representation of his personal views on this based on the time he has spent discovering information. He reminded the public that he does not vote. He believes that Churchill is the location for a community center based upon the research that has been done by City staff and meetings with organizations over the last three months. Staff has conducted over 20 in person interviews with these individuals and based upon these contacts, we recognize that there is an amazing need for space for groups to congregate, as well as rent or lease space. This is something the City had not planned for initially and was looking at refurbishing and renovating the smaller (north) portion of the building, or potentially a new building. He stated that with this information, an expanded building is necessary and that there is no way the City could afford a larger, brand-new building that would accommodate all the needs. For these reasons, he suspects that Churchill is the site. He again noted that this could change and that the City has not committed money to Churchill.

Mayor Schwartzman stated that the City had a very successful bond sale and that it needs to be clarified that this money will not be used for any other projects in the community. The Council that takes seats in two months after the election should know this very clearly.

He also once again congratulated Gauge Shipp on his remarkable achievement. As people see his name on the signs coming into town, he hopes they can be proud. He also stated that he is a

great role model beyond being a great wrestler. He also stated that his coach, Coach Leibach, was a former student of his at Knox College and stayed in the community.

The Mayor thanked Anthony Law and the Women of Character from Carl Sandburg College for being in attendance. He also reminded the public of the new website, We Are Galesburg, and that he plans to honor many local women with stories and pictures. He asked the community to be safe and conscientious of students who will soon be on Spring break.

Council Member Wallace stated that he recently spoke to Fire Chief Hovind about the train derailments across the nation and asked about the City's preparedness program. He hopes that something will be put out soon to the public so that they know what the City would do in a similar situation.

Council Member Cox moved, seconded by Council Member Smith-Esters, to adjourn into Executive Session at 7:13 p.m. for the purposes of discussing litigation (5 ILCS 120/2 (c)(11).

Roll Call #15:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

During the Executive Session, Council Member Dennis, seconded by Council Member Davis, to adjourn the Executive Session at 7:55 p.m.

Roll Call #16:

Ayes: Council Members Hix, Dennis, Wallace, White, Smith-Esters, Davis, and Cox, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

Peter D. Schwartzman, Mayor

Kelli R. Bennewitz, City Clerk