

Galesburg City Council Special Meeting  
City Council Chambers  
55 West Tompkins Street, Galesburg, Illinois  
May 15, 2023  
5:00 p.m.

Called to order by Mayor Peter Schwartzman at 5:00 p.m.

Roll Call #1: Present: Mayor Peter Schwartzman, Council Members Bradley Hix, Wayne Dennis, Evan Miller, Dwight White, Heather Acerra, and Steve Cheesman, 7. Absent: Council Member Sarah Davis, 1. Also Present: City Manager Gerald C. Smith, Interim City Attorney Paul Mangieri, and City Clerk Kelli Bennewitz.

Mayor Schwartzman assured the public that they would have the opportunity to speak and asked everyone to respect each other's civil liberties and to be respectful.

Paul Mangieri, Interim City Attorney, outlined for the Council and for the public that his firm as city counsel has provided notice that they will be concluding their contract with the City. However, they will continue to serve as interim city attorneys until such time as a replacement can be appointed or hired.

He noted that the item on the agenda "discussion and potential action to approve an ordinance authorizing the City Council to retain Independent Legislative Counsel," is not related to his firm's position with the City but instead is counsel that would solely represent the City Council's interests. It is his understanding that this will be something discussed this evening. Mr. Mangieri introduced Keri-Lyn Krafthefer, who is an expert in that particular area relative to legislative counsel.

Interim City Attorney Mangieri announced that the next item on the agenda is a closed session for the purposes of discussing "the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body." He noted that in this case the specific employee was the City Manager, Gerald Smith. He further stated that this session would give Mr. Smith the opportunity to address any concerns and is entitled to fairness and to have any questions presented to him outside a public forum.

The Interim City Attorney then stated that after these items, and once public comment is completed, there will be an adjournment of the Special Meeting, and then the City of Galesburg would then transition into the regular meeting that was scheduled for 5:30 p.m.

Council Member Davis entered the meeting at 5:06 p.m.

A motion was made by Council Member Acerra, seconded by Council Member Dennis, to remove agenda item #6 (*Discussion and potential action related to the appointment, employment or removal of the City Manager*).

Roll Call #2:

Ayes: Trustees Hix, Dennis, Miller, Acerra, Davis, and Cheesman, 6.  
Nays: None  
Absent: None  
Abstain: Council Member White, 1.  
Chairman declared the motion carried.

Mayor Schwartzman announced that given the number of people that have attended tonight as the presiding officer, he would be moving the public comment portion of the meeting to this moment.

Jim Jacobs addressed the Council and stated that Gerald Smith was selected to be the Galesburg City Manager after a nationwide recruitment and selection process. He was chosen among 32 applicants and came to Galesburg having excellent credentials and wide experience serving both large municipalities such as Kansas City, Missouri, where he was Director of General Services and smaller towns where he was the city manager. He further stated that Mr. Smith has over 35 years of experience working in public administration and has earned a master's degree in public administration from Northern Illinois University, as well as a bachelor of arts and urban history and political science from Elmhurst College. Furthermore, he is a credentialed manager and is certified in diversity, equity and inclusion in the workplace.

Mr. Jacobs stated that in spite of Mr. Smith's qualifications, Council Member Hix, Dennis, and former Council Cox, voted against Mr. Smith's appointment as City Manager and stated they had concerns with the salary. Mr. Cox said that it was too costly for the City and the other two Council Members stated he was starting out too close to what the previous city manager was paid a month. He maintained that those were smokescreen arguments. He stated that the City determined that the most efficient way to operate Galesburg was with the council manager form of government. Likewise, he stated that the arguments for voting against him were specious. Mr. Jacobs added that with Mr. Smith's 25 years of experience in his resume, a reasonable citizen would expect Mr. Smith would receive close to if not more than the previous city manager.

Mr. Jacobs stated that he has lived in Galesburg 73 years and that our city is not unlike cities throughout the country and that we have a deep racist past and an active racist present that permeates our institutions including city government. Evidence of that is the recent case of city employee Lisa Wilson. In February 2019, a jury ruled in favor of Ms. Wilson and gave her a six figure award, finding that she was discriminated against on the basis of her race. He asked that if the person involved with the Wilson case was hired by previous city manager Thompson, why didn't the Council at that time seek to fire him because of poor judgment and his hiring of the other employee. He believes this is a question that is pertinent to where we are today and why these Council Members are so eager to dismiss Mr. Smith, when he hasn't even been here a year when no action was taken on this incident. He stated that evidence of the racism in the City can be seen by looking around at the lack of faces of color in our workforce and the City Council.

Elvira Hunnigan addressed the Council and stated that she has worked in healthcare in the community for almost 50 years and is a retired RN, having worked at Galesburg Cottage

Hospital. She and her husband, Wendell, sponsor a scholarship at Carl Sandburg College for minority students. She stated that her reason for addressing the City Council tonight is that she wants to ask that they vote no on dismissing the City Manager, Mr. Gerald Smith. She stated that the vote on his potential firing has the appearance of being racially motivated and that there is a consensus in the black community that Mr. Smith is highly qualified. At the meetings she has attended, he has been on point when directly questioned by Council Members and believes it is reasonable for one to infer that he was not given a chance because he is black. Ms. Hunnigan stated that this smacks of Jim Crow and that Mr. Smith has worked in public administration for over 25 years and is qualified. She stated that when Mr. Smith was hired, it was in the newspaper that he managed budgets from \$5 million to approximately \$100 million. He served communities ranging in size from 5,000 to over 400,000 and would bring expertise in municipal management, economic development, capital infrastructure, planning and operational sustainability. She again asked them to vote no on dismissing Mr. Smith.

Rodney Bunch addressed the Council and stated that he feels Mr. Smith is doing an excellent job and that there has been nothing in the media stating that he's been or has done a poor job. He doesn't feel that the new members should have an opportunity to say anything about Mr. Smith or vote against him, or try to get him released from his position because they have not even worked with the man.

Pam Davidson addressed the Council and stated she was speaking for the NAACP, Branch 3016. She is truly sad for what is going on in Galesburg and that there have been numerous cases before previous city managers about discrimination and bigotry. She noted that as the President and as the only speaker of the NAACP, they will be doing an investigation on why this is even occurring, of the removal of the City Manager after the last City Manager lost Galesburg several thousands of dollars for cases of discrimination that were won against the city. She added that they cannot, and we will not stand for it.

Jerry Ryberg addressed the Council and stated that it was his understanding that City Manager Gerald Smith is doing an excellent job and therefore should stay in the position. He noted that there is a problem that some of the Council Members have and that is that the people know what they're thinking and that they don't like diversity. He urged them to keep in mind honesty, ethics, and democracy. And if you say you believe in God, then act as a Christian.

Conrad Hamilton addressed the Council and stated that he has lived in Galesburg for 30 years. He has heard a lot of rumors on social media and other places that the City Council is planning to seek a vote to terminate the contract of the City Manager. He stated that a number of people are saying that this has nothing to do actually with Mr. Smith's performance, but it is instead based upon the ideology of a few Council Members, and perhaps personal animosity towards the Mayor. Mr. Hamilton commented that if some Council Members have a problem with the Mayor then they ought to be forthright enough to state their reasons publicly and not take a dishonorable path of trying to deprive a public servant of his livelihood. Second, as someone who has been on numerous search committees in this community, he pointed out how difficult it is to hire qualified professionals and bring them to Galesburg. He added that it would be difficult to find someone with Mr. Smith's qualifications and convince them to become

Galesburg's new City Manager after the previous manager was fired without cause after less than a year.

Mr. Conrad stated that he believes some on the City Council would have the City pay for two searches within one year and feels that anyone who is advocating for this should be upfront, especially about the cost. He expressed that Galesburg voters expect their elected officials to solve problems, not make new ones.

Bernie Cowan addressed the Council and stated that he was retired from the Galesburg Fire Department and moved back to Galesburg in 2019. He stated that it is not a pleasing sight that some Council Members are trying to dismiss the City Manager and asked for everyone to do a little soul-searching. He added that the voters run the City and that Council Members don't make decisions and hopes that citizens start getting involved. He hopes that citizens get involved in the next election and that people get out and vote. He stated that of the four Council Members, one of them is a puppet taking orders.

Carl Dortch addressed the Council and stated that he was present to talk about the youth. He noted that he does not care where a youth center would be located but that one just needs to be opened. Mr. Dortch stated that he was motivated to write a speech because while leaving the last City Council meeting someone called him young and unintelligent about politics. His speech was titled *Young, Unintelligent, and Poor* and isn't necessarily only his perspective but other youth as well.

David Amor addressed the Council and stated that his original intention was to speak at the regular City Council meeting. He stated that he wanted to point out that those who are disappointed with the election results need to recognize that reality has changed. That the election, despite the unfair and inflammatory campaign materials from some candidates, was in fact a free and fair election. He noted that the people both by voting and by staying home, have effectively spoken. His intention was also to call on all parties to show restraint, to focus on policies and not on personal attacks, and to proceed in a way that would heal rather than exacerbate divisions, all in the best interest of the City.

Mr. Amor stated that putting the item regarding the City Manager on the agenda for a special meeting suggests to him that there probably is no more middle ground and that the Council seems dominated by an organized faction dedicated to a take a "no prisoners" strategy to push forward its agenda. He stated that he recognizes that some Council Members are ready to take unjustified and hurtful actions that will damage the City, potentially for decades. By considering the termination of the new City Manager, with only the flimsiest of rationales, he feels it is deeply irresponsible and will polarize our community. He further stated that it will bring the City, and the Council specifically, into disrepute for firing the first ever black City Manager on insufficient charges. He added that if there is a problem, Council should review him in a regular process. He stated that he is deeply disappointed that it has come to this point, and it seems to him that he sees both vindictiveness and a disregard for the best interests of the City in these actions.

Mr. Amor continued by stating that he agrees with the movement to move public comment on the agenda, before actions are taken by the City Council. He thinks that will yield more useful comments. He recognizes that unfortunately the Churchill as the site for a community center is now doomed but urged some amendments to the item that is on the agenda tonight regarding the sale. He proposed that any development plan submitted should include some provision for a percentage of low income housing and instead of specifying that funds go into a foreclosure fund, he implored the Council to direct the proceeds to a more open-ended fund, so that they could be used towards a community center.

Mr. Amor also stated that he agrees that the lease for The Depot should be regularized, but urged Council to recognize the good work being done there and to make the rent nominal. As for the discussion on public comment, he stated that if the start time is moved to 6 pm, he would support moving public comment earlier in the agenda. This would allow the public to address action items before they are acted upon. He urged the Council to defeat items or amend them to preserve the open and democratic character of the Council meetings.

Pastor Vince Marolla addressed the Council and stated that he is ordained into the ministry of word and sacrament in the Evangelical Lutheran Church in America. He has tried to serve faithfully for over 30 years and is here tonight because pastors in his denomination are expected to serve in this way, according to our governing documents. He stated that every Minister of Word and Sacrament shall speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice and equity for all people, working for peace and reconciliation among the nations caring for the marginalized and embracing and welcoming, racially and ethnically diverse populations. Pastor Marolla noted that in the Gospel of Matthew, Jesus commands people to feed the hungry, to provide water to the thirsty, and to provide shelter to the homeless.

He added that in the past, he has spoken about a community center that he believes would benefit the entire community and provide resources for those living beneath the federal poverty level. He feels that there are those sitting in the meeting tonight who are doing everything in their power to stop it but are the same people who were willing to put millions of dollars into a subdivision of \$300,000 homes that would benefit the wealthy. He further stated that two weeks ago, a group of Council Members pulled an item from the consent agenda and terminated the contract of the Interim Director of Public Works without any prior notification to the Mayor and others. The net effect of doing that was that without a Public Works Director, the City Manager has to work harder to do his job. He has to work harder to serve the City and people living in the areas of poverty, crumbling infrastructure, and who no longer have an advocate or somebody to take care of them. He believes this is all about race.

Pastor Marolla stated that the meeting tonight, regarding the City Manager, is another example of a lack of showing dignity and justice for a City employee. He feels that Council Members called this meeting late on a Friday afternoon, the Mayor was not informed beforehand, which shows a complete lack of respect. He added that they may not respect Peter Schwartzman, but they need to respect the office of the Mayor, and as elected officials, work in an upfront and transparent way. He feels that Mr. Smith has worked very hard to get the education and experience to serve as a Galesburg City Manager and has shared the many obstacles that have

strengthened him on his journey to Galesburg. Racist social media posts have been attributed to Council Members, who have denied making them. The same Council Members have used arrest records, not convictions, of black candidates and are stating that this is not racist. He stated that prior actions and words speak volumes about present motivations, and he encouraged the citizens of Galesburg to connect the dots.

Darla Krejci addressed the Council and stated she planned to talk about diversity and how it's a good thing and that coming from a nature background, diversity in nature is essential. She stated that she also comes from the nonprofit world and in grant writing, there always seems to be a topic that changes. When she first started writing grants, collaboration was the focus, and then it became ADA compliant. She stated that currently, the hot topic is diversity and inclusion, and that you have to prove that you are diverse within your organization and are serving a diverse community. According to Forbes magazine, a team made up of people of different ages, genders, ethnicities, sexual orientation, cultural backgrounds, and education levels is a good thing. She added that this article is talking about companies and the workforce, but it applies to a City Council or City government. The article stated that not only is diversity crucial for creativity, and social justice, but research shows that a diverse workplace is good for the bottom line. Companies with a diverse workforce are 35% more likely to experience greater financial returns than their respective non-diverse counterparts. A team that has a variety of worldview perspectives, can educate employees and clients and reach untapped customer demographics. She feels that Gerald Smith represents this kind of diversity with his background, experience, different worldview, and his skin color, which is an asset to this City.

Dillon Haptonstahl addressed the Council and stated that after attending the last meeting and seeing the agenda for this meeting, he decided to speak up for the first time. He stated that when he first started coming to City Council meetings, he was thrilled to see how much people cared about this community, especially the poor and less privileged members of society. He was excited about a community center and how it could develop skills, hobbies, passions, and a sense of purpose, worth and cultivate connection in the community. He dreamed of a version of Galesburg where people of all ages, backgrounds and financial statuses could come together as equals, sharing a welcoming atmosphere. He stated that now it seems like the majority of the Council Members don't care about anything he cares about and feels that the decisions they are making will not benefit those who need the help the most. Mr. Haptonstahl stated that it looks like most meetings will involve a quick and predictable vote by the majority and that they want to take away the voice of those who disagree by making it complicated, confusing and intimidating to step up to the podium and say what is on their minds.

Julie Jordan Brandt addressed the Council and stated that she knows many of the Council Members. She just moved to Galesburg and was excited about this community, and now she has doubts. She is disappointed in this group and is disappointed that a man with such qualifications is going to be railroaded because a few people might not like the color of his skin. She stated that she originally came to speak on behalf of the Galesburg Depot, and stated some statistics on the race demographics of Galesburg. She added that she has read numerous posts of what might occur at this meeting, and she is disappointed. She has represented the Galesburg Downtown Depot in a capacity of a volunteer for over two and a half years in the middle of the pandemic. The Depot has served our community for two and a half years by giving

their own money and hopes the City Council will support the goodwill that people are doing in our community.

Izzy Scott, a senior at Knox College, addressed the Council. She stated that she is not allowed to vote, but thinks Galesburg is a good city and has considered it a second home for four years. She stated that she was ashamed that she hasn't been paying attention during her time here when she really should have been. She has seen the care that people have for the City by how many people have shown up tonight to speak against what she considers to be an egregious act by some members of the City Council. She added that she is worried about what this motion to fire the City Manager means for the City's future, especially in the context of other business proposed by the same members of the Council. She feels that Mr. Smith is a qualified man and has only been here for eight months. She noted that this new Council met for the first time on May 1st, two weeks ago, and now plans to fire a man who's been here for eight months. She stated that she feels City Manager Smith deserves better than what has been given to him and that the people of Galesburg deserve better than what they are being given as well.

Jackie Turner addressed the Council and stated that this was the first time after 40 years in Galesburg that she has ever had to address the City Council, but this is just too important. Diversity, equity and inclusion refers to organizational frameworks that seek to promote the fair treatment and full participation of all people, particularly groups who have historically been underrepresented, or subjects to discriminate on the basis of identity or disability. She asked if the Council has asked their constituents what their concerns are and to whose best interests are they working for. She wondered how they know what's best for the community if they haven't spoken to anybody. She stated that her concern is that they only speak to people with like minds.

Cathy Wagoner addressed the Council and stated that she was pleased to have this moment to represent a different group of people. She added that she is not from the City of Galesburg, but has been associated with the city for 40 years and lives between Aledo and Alexis. She asked the Council to please consider those of who do not have a vote. She still does all her shopping in Galesburg, goes to Lake Storey, and has relatives who live in Galesburg. She taught at both Knox College and Carl Sandburg College through the years. She doesn't feel that the Council has taken into consideration the rural people who come to Galesburg and have economic impact.

Ms Wagoner stated that she loves Galesburg and used to sell Galesburg to families when she recruited for Knox College. One of the great recruiting points is that they would feel safe, feel welcome, and that it is a very inclusive city. She stated that she wants Galesburg to be that welcoming place and asked the Council to be less myopic and a little more broad-minded about people on the outside that are affected by the choices that are made today.

Michelle Smith addressed the Council and stated that her and her husband love Galesburg and are former residents, both having worked in this community. They have also served on various community groups and spent and continue to spend much of their income in the community. She stated that her last job in Galesburg was serving as the Marketing Communications Coordinator for the local economic development entity. They love Galesburg, not just because

of the great people who reside here, but also because it has also been known to be a very progressive, innovative and solid community.

Ms. Smith stated that she stands before the Council because she is concerned that our newest City Council Members are sabotaging and destroying years of progress and positive growth because of their own personal agendas. Never in her years of serving as a local journalist, and as an economic development person, has she seen such an effort by newly elected officials to counteract the positive growth in the community. She has observed, in the last 15 days, qualified individuals lose their jobs, efforts have been squelched, and an obvious resistance to support the good that has been accomplished by the previous Council has been in the forefront of these newly elected officials, as evidenced by their recent words, comments and actions.

She stated that she has heard nothing but good things about Mr. Smith, and hopes they realize they're making a huge mistake if they move forward. She asked the new members why they were trying to squelch citizens from having their freedom of speech by planning the meetings a half hour later, moving public comments to earlier in the meeting, reducing the number of time a person can speak to two minutes, and requesting all speakers to sign in and state their topic, and limiting closing comments by Council Member to two minutes. She feels that these efforts are in place to give Galesburg residents an opportunity to voice their opinion. The first amendment rights ensure that there is free and open discussion, which is what makes our democracy strong. Repression of speech is not consistent with the American ideals and practices.

Ms. Smith stated that Galesburg has become known as a fair community focused on human diversity, as well as biodiversity, and sustainability, yet several new members seem to be very verbal in their effort to squelch this effort. By serving on a City Council, members are expected to represent the body of people they represent in their respective wards and not take advantage of their position to further their own personal agenda. Each Council Member, when they take their oath of office, swears to support this constitution of the US and the Constitution of the State of Illinois and faithfully discharge the duties of the office of City Council Member to the best of their ability. Those duties include representing the people they serve in Galesburg. She further stated that the City Council requested a special meeting to approve an ordinance authorizing the City Council to retain independent legal counsel and discuss potential action related to the appointment, employment or removal of the city manager and current city legal counsel. Neither of these issues were brought to the attention of Mayor Schwartzman.

She added that she is shocked that the newest Council Members, being in office only two weeks, would sneak behind the backs of the current Mayor and two seasoned Council Members in an effort to undermine the current City Manager, who sounds like he is doing a great job. She closed by stating that the people of Galesburg have voted for them to serve their wards because they believed in them and that they would work in an ethical and professional manner to help better the wards in which they live. Apparently they have misled them into believing this because they have already used the power of their newly elected positions to promote their own personal agendas.

Carol Erickson addressed the Council and stated that she has never spoken at a City Council meeting before because she was scared, but what scares her even more is the thought that the powers that be in this current Council would limit their ability to speak. Not only would their time be limited, but they would fear that they could be interrupted as they saw happen to a speaker at the last Council meeting. She stated that her uncle was a City Council Member for many years, as was his father before him, and they were both very much respected by the people because they truly served the people and helped those in need. She grew up and into adulthood, believing that all Council Members were as sincere and caring as her uncle and grandfather, but that is no longer the case. She thanked the Mayor, the City Manager, City Attorney, and the Interim Public Works Director, Council Members and everyone else who has worked against great odds to make Galesburg a better place to live for all of its residents. Ms. Erickson stated that like many others, she also has a dream. It is her desire that one day, there will be a true sense of community in Galesburg, that all the people will cooperate for the greater good of everyone, that no one will be denied basic rights to food, shelter, clothing, warmth, and love. Her dream is that the City will operate out of a sense of unity, because they truly care about people.

Valerie Rakers addressed the Council and stated that she voted for Council Member Acerra and that if the vote happened again, she would change that vote. She stated that the reason she voted for her was that when she asked her family, who has been in the City for over 40 years, they told her that they knew her from the Knights of Columbus, she comes from a good family, she's a daughter, and she's a good person. She added that she was not seeing that right now.

Ms. Rakers stated that she works for the county and assists people with homeowner exemptions and helps the disabled, and the low income. When she started her job, there was no supervisor of assessments, so she understands what it's like to work within a county or local government with no oversight. When you leave voids in management, things fall apart, jobs don't get done, and statutes get violated. She encouraged the Council to not just go firing people and that jobs and people are important. Keeping good people in City positions is a lot harder than they think. She encouraged them to not fire the City Manager, who has not done anything to deserve it.

Reverend Andrew Jowers addressed the Council and stated that he is the pastor of Greater Heights Worship Center. He reminded the Council that they started the meeting with the Pledge of Allegiance to the flag where everyone stood, put their hand over their heart and said the pledge with the closing words "with liberty and justice for all." He is concerned that not all mean these words and that if he were to look around the city, there is a void in liberty and justice. There are no signs posted in the front of stores that say he has to use the back door. He can come to this podium as an African American male and speak, which is progress. He stated that he was present to speak on behalf of the needs of the poor and the needy in our community. He is doing this because he has been poor, but he received an education that gave him a lift. He can say he is not poor today and that he has a college education.

Reverend Jowers stated that if the Council were to listen to the ones that have come to this podium tonight, they would be inclined to go with the majority because that's what everyone says - they believe in majority rule. He asked the Council to vote no against a great rollback on

everything that was voted on by the last City Council, approved by the last Council, and debated in work sessions. He stated that he can vote today because there has been progress. Black people were not allowed to vote in this country, they were slaves, even though they invented a majority of the things that people see and take for granted today. But because they were slaves, they could not get the credit, and does not get the credit for it today.

Reverend Jowers added that these things are promised - life, liberty and pursuit of happiness. All of which was promised in the Constitution of the United States. He saw everyone raise their right hands, promise to obey the Constitution of the United States, the Constitution of the State of Illinois, and obey the ordinances of the City of Galesburg and pledge to fulfill their duty as a Council Member to the best of their ability. During this time, racist comments were interjected in the last election, and things were done that were unethical. He urged them to vote no for the termination of the recently hired City Manager. He believes this is just the beginning and that he plans to rally the citizens of this city to get involved, those thousands who did not vote are going to show up.

Tom Malik addressed the Council and stated that if had a chance to vote for Council Member Acerra, he would. He added that all he has heard at this meeting is that there should be some civility. He doesn't understand why everyone has to call people racist and thinks that we are one of the least racist countries on the planet. He stated that when he was in the Vietnam War, he was a cryptographic technician and dealt with people from the CIA, NSA and other organizations. Later, he worked full time in the Department of Environmental Protection as a first responder qualified to the specialist class. He stated that what he saw after the fall of the Soviet Union, was a man named Gorbachev who went to the Green Party, and it appears that Galesburg is now the local home of communists and extreme left socialists.

Mr. Malik read a quote from a book written by mayor Peter Schwartzman and David Schwartzman. He noted that it was published in 2019, and is called *The Earth Is Not for Sale: A Path Out of Fossil Capitalism to the Other World That is Still Possible*. He stated that in terms of the City Manager, he believes that this Council should look at the performance, and if he's performing good, keep him. If he isn't performing or doesn't meet the qualifications or standards, then that's another story, and he probably shouldn't stay. He feels this is the way it should be with any employee.

Noelle Thompson addressed the Council and stated the views she wanted to share are her own and do not in any way represent the organizations or institutions with which she is affiliated. Two weeks ago, the Council seemingly abruptly terminated the contract with the interim public works director stating that the compensation was too high. Three days ago, the Council announced the seemingly abrupt plan to consider the termination of the City Manager. Mr. Smith's contract was approved on September 26th, and at that time, those who voiced their disapproval stated that they felt his compensation was too high. The sudden dismissal or consideration of dismissal of probably the two most impactful positions in the City, and the recurring complaint about salaries and benefits sends a message to the rest of the City employees that the Council does not care about them. She stressed that she wanted the Council to be aware of the impact and the impression that they are giving by these decisions. She knows

that each of them understand how essential City workers are to the health, growth and success of our community but that their actions say otherwise.

Ms. Thompson stated that their actions indicate that City workers are expendable and that the labor, education and expertise of City workers are not worth fair compensation. She understands and appreciates fiscal responsibility, but if there's one area where they should not be cutting corners, if there's one area worth the investment, it's in the people. City employees make Galesburg function, they make it safe for her to drive to work, play at the park, and drink from her sink. On top of the work they do for all of us, they are part of our community, they build their lives here and raise their children here. Please do not treat City employees as if they are easily expendable and do not devalue the work they do for us every day.

Ms. Thompson stated they have a responsibility to attract and retain skilled, competent, experienced employees and to support them so they can continue to strengthen our city and our community. She closed by saying that she is rooting for them each to succeed but she gets the impression that at times they are rooting for the people beside them to fail. If that is their hope, that is what will happen in the community too. No one understands the stress they are under or the sacrifices they make to serve on the Council except for the people beside you. She implored them to set an example for our community by rooting for each other and supporting each other.

Dominic Venmus addressed the Council and stated his appreciation for the opportunity to speak. He thinks we can all agree that the essential right is the right to freedom of speech. He is grateful that everybody's had a chance to say something here tonight but that our freedoms don't give people the right to do what we want. They give us the right to do what we ought to do, which is to be respectful of others opinions, their time, and that people should be respectful when speaking on the relevant topic. He has heard it said that that personal attack is the last refuge of a last argument and the attacks that are occurring here tonight, particularly, the accusations of racism are unjust. He has been in business for over 40 years, and most of those years have been in a position of leadership. He added that personnel decisions are always the most gut-wrenching and difficult decisions. He stated that he suspected that every one of the Council Members feels the same way about the personnel decisions that they're entrusted to make. He encouraged the Mayor to work hard to create an environment in which discussion is based upon the intellectual and rhetorical rigor, not the volume of the voice or the grandstanding. The Council Members are charged with making serious decisions and we need to support them with serious intellectual rhetoric and keep our statements to the point and short.

Jacqueline Donaldson addressed the Council as a resident and voter in Galesburg. She is disappointed by all the news that she is hearing with the Downtown Depot, a group that has really helped her family. She is a single mother of three kids and it is hard for her since there are no resources past 5 p.m. and the best place that has opened for her family is Downtown Depot. She is also a full time student who is going back to school to get her bachelor's degree and she works as a housekeeper. The Downtown Depot has been a lifesaver for her family. She has also had the opportunity to help other families with coats and food herself.

Ms. Donaldson stated that she knows she's not the only one that has somebody in their family who doesn't have the money or the means to get a meal and she feels that people don't realize how many homeless people we have in this town that look to the Depot to get a meal on Monday.

Stephanie Grimes addressed the Council and stated that she is a lifelong resident of Galesburg. Her father, who went to Galesburg High School when it was located in this area, couldn't play baseball because the coach decided that his skin was too brown for him to be playing with the others. Her father, who lived and worked in this city, ran for election to the Council in the 1960s and was elected. He served faithfully with people such as Monte Gifford, Curt Erickson, Dwight Gooden, Rollie Paulsgrove, and others. She stated that when they had disagreements, they were able to go and take those disagreements and talk with each other, not in a way where things are put on agendas and not in a way that was disrespectful.

Ms. Grimes added that when she was a young teenager growing into adulthood, her father told her that the people who work for the City have to work ethically, honestly, and have to work for the people and for the good of the people. She stated that when she met Mr. Smith, she told him that her father would have rejoiced to see this day, and he would rejoice to see a City Manager of color. She asserted that he is not only a City manager of color, but a manager who's qualified to serve the City of Galesburg. She implored the Council to please do the honorable things, the ethical things, and do right by this City Manager who is well qualified to serve in the position. Please make sure those serious decisions are made for the right reasons and for the benefit of the city -- the citizens of Galesburg.

Angie Peterson addressed the City Manager and stated that she is not familiar with his work, but just based on what she has heard around town, he is great. Prior to him being put into office, she learned about his family history on slavery. She advised that she is Council Member Acerra's ward and is a true blue, union Democrat, and has been all of her life. She voted for her because her predecessor, who was more along her political viewpoint, was ineffective. She read a quote on a website about Council Member Acerra's comment about how efficient it would be to change the public speaking time from five minutes to two minutes. Ms. Peterson stated that what is suggested nationally is a three-minute public session and a three-minute rebuttal. So it's basically an equal opportunity.

Council Member Acerra stated that she had suggested this discussion happen in a Council Work Session but instead it appeared on a City Council agenda. She had suggested two minutes knowing and expecting that there would be debate about the topic. She noted that the Mayor has suggested the time starting later since it could be more convenient for people to make it later. She wanted to make it clear that the Council fully expected ideas from the public and assumed there would be a Work session.

Council Member White left the meeting at 6:41 p.m.

Ms. Peterson stated that she understood everything Council Member Acerra was saying, but what the article stated was that it was for efficiency purposes, and based on the United States Constitution, what the Council is attempting is impeding their ability to speak. She added that it

is a violation of their constitutional right to try to suppress their voices. She added that she lives a block away from Council Member Acerra's business and that there is an abandoned vehicle on the street that has been there for almost four weeks. She closed by saying that this is all Draconian and ridiculous. If they really think the people of Galesburg are going to stand down, the Council is wrong and they will have a fight.

Bruce Weik addressed the Council and stated that he is proud of the Ward Six Council Member who is the youngest person ever to get on the board. That Ward did good, but unfortunately, some other Wards didn't do so good and the community has ended up with a majority of right wing Republicans and he is not overly impressed.

Mr. Weik stated that somehow, the community needs to confront these Council Members and end their reign of terror sooner rather than later. He suggested they all move to Oquawka and that he can arrange for the house. God is on their side and these people are evil -- they have evil in their hearts. This Council wants to stop a building that's going to house our youth and our seniors. He added that they aren't going to quit and they are going to win Galesburg back with every ounce of strength that they have. He stated that there are approximately seven to 10 complaints to the State's Attorney, one of which will occur from this special meeting. There are numerous other places where people have filed things regarding the Council not following the law. He stated that they text one another, talk to one another in groups and they know that's not legal and they aren't about to stop. He stated that they are coming after you are going to put them in your place come hell or high water, he guaranteed it. Mr. Weik stated that everybody here, and in their heart, knows that they are on the right side.

Council Member White returned to the meeting at 6:44 p.m.

He added that if they fire Mr. Smith, almost all of those present will support him. They will support him any way they can, and if he should file a suit, the white people will help him.

Demarkus Medley addressed the Council and stated that he has been a resident of Galesburg for the past 20 years. He wanted to read a definition of equality versus equity. Equality means each individual group of people was given the same resources or opportunities. Equity recognizes that each person has different circumstances and allocates the resources and opportunities needed to reach an equal outcome. He feels that the Mayor has provided more equity for those who needed it during his tenure. He added that as a black man, black women, women of all colors, and any minority, the Mayor understood that they needed equity in order to catch up for the years of discrimination and racism that they have faced in America.

He congratulated Mr. Smith for being the first black city manager of Galesburg, which is quite an accomplishment in 2023. Black people are still having firsts, which is very unfortunate. Mr. Smith will inspire more black youth to understand that they can reach goals, that they can sit there, they don't have to walk past a hall of all white men that sit in those positions, and think that they can't be there. He understands that the Council Members have already decided what they want to do but he wanted to make it clear for those who didn't vote in this last election, they have to understand the consequences. If they don't feel like they are being represented it is because they did not vote.

He further stated that Mayor Schwartzman and his team have created minority grants for black people and for any minority to start businesses. He cannot think of another place in this country that has done that and is bringing equity to Galesburg. He hopes everyone can all work together and try to bring equity, not equality, because we need equity in order to be equal.

Collin Sevigny addressed the Council and stated that he has lived in Galesburg most of his life except that he has spent the last 12 years serving in the National Guard for the State of Illinois. He added that he has been on flood duty, on blizzard relief and as somebody who has served the people of our country, the thought that the Council wants to take the five minutes for speakers and cut it down drastically is not something that he signed up for to watch happen in his own community.

Mr. Sevigny expressed that a man transplanted his entire life to come to Galesburg to be the City Manager and to hear that the Council wants to throw him out because he's making only slightly less than the guy who had tenure, when inflation is at an all-time high, baffles him. Comments have been made from a person who has been asked to be held accountable by the LGBTQ for his remarks and then during the last election, put his opponent's arrest record out into the public, and a pamphlet two days before the election and was chastised in the newspapers. It disturbs him that this is still happening and that this is happening in his community. He stated that he did not give 12 years of his life to Illinois and remain in Galesburg to watch that type of discrimination and that type of repression happen.

Kyle Rohweder addressed the Council and stated that he was a former altar boy of St Aloysius. He stated that he doesn't buy into this whole us versus them philosophy and politics, and finds this kind of behavior to be especially abhorrent at local levels, because nobody really wins unless everyone wins. There are several members of this new City Council that are making him scratch his head, however, and he is not all convinced that any of their motives are actually rooted in any pure altruistic ideologies, or that they're even exhibiting reactionary behaviors based in reality. He noted that it is an interesting conspiracy that Dr. Schwartzman, his friend of 15 years, is some kind of Russian plant, or that he's some kind of communist Avenger.

Mr. Rohweder stated that he appreciates the perspective and wisdom of folks with experience and admires those who have worked hard and earned success. He is not offering criticism or concern out of any prejudice, but is fascinated by the audacity it takes to publicly accuse a mayor and city manager of conspiracy while literally conspiring to fire a city manager and in the process, grabbing at a constitutionally protected right to address their public concerns in a public forum. He stated that he was also a former County Board Member, and also the president of a fraternal organization that also operates by the Robert's Rules of Order. Furthermore, he likes the idea that they can disagree about how they achieve certain goals and can have a difference in opinion about how to accomplish those goals. They have to work together to resolve conflicts and it is disappointing to see these kinds of fits being thrown by people that are seemingly fueled by nothing but ego right now. He has full faith in every single person that sits in this Council right now but understands that some may have some ideologies that are different from one another.

He concluded by stating that if you do and you say racist comments, they will get called for it. He hopes they are more mindful about how they act towards people and marginalized peoples.

Joe Hicks addressed the Council and stated that he grew up in this town and likes living here. He believes in the Galesburg project, and he wants our town to succeed, but we also have so many significant headwinds and live in a region of the country that is falling behind. We live in a state that is losing population. He stated that if it turns out that the real solution that is needed to get things going is to get a new city manager, then so be it. However, he is unclear that doing this at a session that was called the Friday before is the way to make that happen. Mr. Hicks doesn't feel that this is a way to move forward and just creates another headwind to Galesburg moving forward.

Jackie Smith-Esters addressed the Council and stated that she had not planned to speak at this meeting, however, if she didn't say anything then she is not being the civic service person that she is saying that she is. She stated that she heard a Council Member say that they requested a Work Session and she feels this is a blatant lie per an email she saw in a FOIA request. She read that it was requested to go directly onto an agenda for approval.

Josh Christianson addressed the Council and stated that he has lived in Galesburg most of his life and that he loves the people here. He believes that all the members of the Council and everyone here today all feel the same and that this is a town that we love and want to live and make a better place. He stated that the failure to vote on the contract for an interim public works director is neglecting the most basic maintenance of our infrastructure and that this cost will be passed on to citizens in the form of damages to vehicles. This is just one of many ways Galesburg residents are harmed by the inaction of this Council. He is also in favor of the proposal to alter the lease of the Downtown Depot, which is a charitable organization that provides food, diapers, clothing and other household necessities to Galesburg residents in need. Galesburg has an estimated 20% of citizens living in poverty and has steadily been declining in population, currently at a rate of nearly 1% each year.

Mr. Christianson stated that he believes Galesburg would be more attractive to potential residents and businesses if we had a robust public works department that serves the needs of our most vulnerable neighbors, allowing all to meet their full potential. The last thing Galesburg needs is more vacancies on our downtown Main Street. He inquired about the Churchill building and what the timeline for Galesburg to have a city community center would be since it's been nearly a decade since our last center was sold without a bid. Our youth are in desperate need of a safe place to spend time and engage in productive and healthy activities. He stated that the former Northgate was such a place, but now the town has an even larger liquor store. He questioned why they were issued a license to open a liquor mega store. He noted that the City Council has had no action on a homeless center and that they are unable to make a decision on whether the city should purchase the site from the rescue mission. It is his understanding that this deal has been in the works for nearly a year, but that Council Members were quoted on the radio saying they didn't have enough information on the matter.

Mr. Christensen stated that in his opinion, the proposal to limit public comment is a disgusting attempt to silence warranted criticism following public outcry over recent actions and inaction

taken by this Council. This body is to serve the public and must always be receptive to comment and criticism. Any member who votes in favor of this proposal will be noted as being against free speech and being unwilling to hear valid concerns from their constituents.

John Lane addressed the Council and stated that he chose to move to Galesburg recently from elsewhere in the area and attended Knox College. He sees a thread from comments he has heard tonight through many people's speeches that being on the Council is important and nonpartisan and that previous Councils have taken seriously the responsibility of working together and understanding the needs of the City. Taking money from partisan PACs is not that and serving the agendas of local elites and conspiring outside the realm of public meetings, is actually illegal. He stated that it brings him joy to see at this meeting tonight that at the very least, the members of the Council that are coming to these meetings with an agenda are not getting to do that in the shadows.

Carrie Engebretson addressed the Council and stated that she raised their daughters in Galesburg. She thanked the Mayor and is happy to have such a great Mayor to represent our town. She stated that her husband always said that local politics are very important and she doesn't think people really get that when they don't vote, this is what happens. She addressed Mr. Smith and noted that she hopes this works out for him because she thinks it would be great for Galesburg. Ms. Engebretson expressed that there is a member on this board that has been on Twitter, spewing homophobic and transphobic comments, and she thinks it is very inappropriate.

She stated that there are gay people and trans people living here that need to be part of our community and feel welcome and that they are just as important as any of them. It is not their business what they do or who they love. She feels that this country is full of hate and it doesn't belong in Galesburg. She loves this town, loves the diversity and wants people to feel welcome. We need to accept people and we need to just be like the women tonight who are begging for you to keep the Downtown Depot open so they can eat.

Steve Abron addressed the Council and stated that he was born and raised here. He owned a barber shop for 45 years on South Henderson Street and left there to work at Hill Correctional. He has worked in the neighborhoods and has spoken for an African American group that does a lot of things for the community and helps network with the City. He stated that when he heard that Galesburg got a black City Manager, he wondered how long he would last. He noted that he himself had a difficult time getting an apprenticeship and was denied many jobs. Many people came to his aid at that time and he thanked the Galesburg community for stepping up to the plate today with their remarks.

Mr. Abron announced that they will be celebrating Juneteenth at Carl Sandburg College this year on June 17th and the whole community is welcome. He stated that they are holding the event at the college in order to have enough space for everything -- food vendors, activity for kids, and some educational classes. This will be a time for everyone to come out and mingle.

Semenya McCord addressed the Council and stated that they say that if you don't know your history, you're doomed to repeat it. And usually, that's a reference to something we don't want

repeated. She is a big fan of history and looking back and thinking about how governments and cities of nations have worked. She stated that on July 4, 1787, General Washington led the delegates in a prayer service and the Reverend William Rogers offered words of prayer. The delegates joined in the Lord's Prayer, went back to work and soon they had a document that began with "We the people of the United States in order to form a more perfect union." Ms. McCord stated that she would have given the invocation at the regular meeting and perhaps this was her way to sneak it in any way. She added that in looking into her history and the history of this country, Galesburg is as good and as strong as her lifetime living here, working here, teaching here, eating here, and sharing great times with so many people.

She stated that we all want a unified government, for all the people, a more perfect union. She is gratified that people are speaking, and that people are listening. She gave her gratitude to the city manager and his family and noted that she told Mr. Smith that Galesburg was going through a time of learning, changing, and growing. Her faith tells her that we will succeed and be better off. She apologized to the Smith family that they are having to go through this turmoil that we as a community are rushing through.

Council Member Acerra introduced Keri-Lyn Krafthefer who is an expert in municipal law and actually wrote the Illinois Municipal League's Municipal Handbook. She is part of a very well respected law firm that she contacted given what was happening locally, and the City would have a departure soon with counsel. She noted that she would like to have somebody work with the Council as a legislative body.

Keri-Lyn Krafther introduced herself and stated that she is a partner with the law firm of Ancel Glink, P.C. and that they have offices throughout the state. They represent approximately 250 public bodies with the closest to Galesburg being city attorneys for Moline, Geneseo and Silvis.

She stated that she was contacted by a Council Member because she believed at the time that the city attorneys had resigned. She does understand that at this moment, the City does have an acting city attorney but that they have given notice. She was contacted to see if their law firm was able to provide assistance to either the city or to the Council Members in their legislative capacity. She noted that sometimes councils want the ability to get a legal opinion and it might be different from the opinion of the city attorney, or of the attorneys selected by the mayor or the manager. She added that they are very respectful of the offices of mayor and city manager, because we've represented mayors and managers and disputes that they've had with councils before.

Ms. Krafthefer noted that their firm has approximately 40 attorneys, who are required to take classes on a regular basis about diversity and inclusion. She herself teaches principles of diversity and inclusion to other attorneys, especially with respect to transgender rights, both to attorneys in Illinois, in the nation and internationally. She stated that her law firm is strongly committed to anti corruption in the State of Illinois and one of her law partners was recently elected to be the Speaker of the House. She reported that what she wants to do is make sure that everyone, on whatever side of the political divide they are on, that Galesburg is acting in accordance with the law. No one at her firm is familiar with anyone on the City Council and they would just be available to advise the Council on issues that might come up, especially in the

middle of a transition with respect to the legal team. She stated that she prepared the ordinance, which is a very common ordinance for legislative counsel, which basically says that they would provide advice to counsel and not encroach upon the role that the city attorney would play. They would mostly be a supplement to the legal team, or be available to provide a second opinion.

City Manager Smith stated that being from Chicago, he is very familiar and has worked with Ancel Glink. He asserted that he has no issues whatsoever with the law firm and that they are the premier municipal law firms in the Chicago metro area. He noted that he was not sure if the City still had to retain in-house counsel and understands that Ancel Glink is offering services to counterbalance. If there are issues and questions about the in-house counsel's opinion, Council would have the ability to reach out to Ancel Glink.

The City Manager noted that if the City was to retain the services of another law firm, to balance their opinion, that's usually called Special Counsel. The City already has the ability to do that right now, and if there is a divergence of opinions on counsel, the City can always make that request for a second opinion. He again stated that he would have no problems with reaching out to Ancel Glink. City Manager Smith did note that the City needs to recruit and hire a new law firm, which is the traditional process, or however Council wishes to proceed.

Mayor Schwartzman inquired about the process of approval since the City of Galesburg typically has two readings for ordinances and that he only saw this ordinance for the first time this evening.

Interim City Attorney Mangieri stated that when the Special Meeting notice was sent out, it did make reference to consideration of the ordinance. This then does provide notice that there was to be discussion and potential action to approve an ordinance authorizing the City Council to retain independent Legislative Counsel. He believes that there was proper notice of a potential item of business. However, he did note that the City of Galesburg does have a rule that ordinances require two readings. He explained that there could be a motion made and seconded, to suspend the rules. This would require a two-thirds vote to move to adopt this. He added that there would need to be two votes -- one to suspend the rules, which would take a two-thirds vote, and then it would be up to Council to then entertain another motion for a passage that would be subject to debate. That would be determined by a simple majority.

Council Member White stated that he has not had a chance to review the ordinance. He is pleased that the City Manager is aware of the law firm and would be amenable to hiring them; however, he feels that he was left out of any conversation related to this item. He noted that he had the floor and that if he wanted, he could talk the remaining three hours of the meeting and perform an actual filibuster.

Council Member White stated that he was not consulted regarding an interim legal team and wondered if it had been discussed with other Council Members. He stated that there is something called deception, and when deception is present, everything that is done, everything that is said, is going to be scrutinized. If you deceive people, deceive the voters, you are lying, and everything that comes out of that person's mouth from that point on will be questioned.

City Manager Smith asked for clarification that if the City Council engages in their own legislative representation, whether it preempts in-house counsel.

Ms. Krafthefer stated that the Legislative Council ordinance specifically states that they will not encroach upon, replace or usurp the powers of corporation council or city attorney. She stated that the City has a legal department, which is noted in the Municipal Code, but it does not reference special counsel.

Mayor Schwartzman announced that this ordinance would appear on the June 5th agenda for its second reading.

Council Member Cheesman moved, seconded by Council Member White, to adjourn into Executive Session at 7:36 p.m. for the purposes of discussing the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body or legal counsel for the public body (5 ILCS 120/2(c)(1).

Roll Call #3:

Ayes: Council Members Hix, Dennis, Miller, White, Acerra, Davis, and Cheesman, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

During the Executive Session, Council Member Dennis moved, seconded by Council Member Miller, to return to the Special City Council Meeting at 7:42 p.m.

Roll Call #4:

Ayes: Council Members Hix, Dennis, Miller, White, Acerra, Davis, and Cheesman, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

There being no further business, the Special City Council Meeting adjourned at 7:54 p.m.

Roll Call #5:

Ayes: Trustees Hix, Dennis, Miller, White, Acerra, Davis, and Cheesman, 7.

Nays: None

Absent: None

Chairman declared the motion carried.

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Peter D. Schwartzman, Mayor

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Kelli R. Bennewitz, City Clerk