

MINUTES  
GENERAL COUNSEL COMMISSION  
SPECIAL MEETING OF JANUARY 25, 2016

Present: Councilwoman and Chairwoman Mary Bartolotta, Councilman Daley, Councilman Nocera, Councilwoman Salafia, and Councilwoman Kleckowski (via phone). Staff: General Counsel Brig Smith, Deputy General Counsel Kori Wisneski, and Kathleen Morey, Director of Human Resources.

Members of the Public: Gail Petras, Sindhu Natarajan, Nanda Nair, Sadhana Alla, Jen Hobart, Bill Sheedy, Christine Bourne, Rob Kronenberger, Geen Thazhampallath, Marie Norwood, Joe Barone, Justin Carbonella, Rick Miano, Jeff Daniels, and Dr. Havlicek.

**Call to Order:**

Meeting was called to order at 7:03 p.m.

**Public Comment:**

President of the UPSEU Union, Geen Thazhampallath, spoke on behalf of the TA. He explained that the City and the Union worked very well together and the Union believes that the TA represents a favorable contract for all. The Union already voted and approved the TA with overwhelming support.

**Approval of Minutes:**

Councilman Daley made a MOTION to approve the Minutes from the October 19, 2015, Regular Meeting. The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

**New Business:**

**A. Ordinance – Purchasing (78-10)**

Attorney Wisneski addressed the Commission and provided background information on the history of the recent changes to Section 78-10. She explained that the Commission is reviewing this ordinance again because there has been some confusion post-revision as to what is required by the language that a department must obtain three quotes “whenever possible.” Since the most recent revision, the departments, including the OGC, have been reading his language too stringently according to the Council, so another revision is needed to make sure that the language of the ordinance coincides with the Council’s intent. Attorney Wisneski explained that the Finance Department was suggesting that language be added to state that “Departments are encouraged to obtain three quotes.” Councilman Daley stated that this language was not strong enough. The Commission agreed that it preferred to use the word “practicable” instead of “possible” because it implied a lower hurdle than “possible” but not so low that it obliterated the need to obtain quotes under certain circumstances. A discussion ensued that the substitution of the word “practicable”

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would provide the departments with some flexibility, so that they would not need to go through a futile exercise of getting three quotes, proposals, or estimates when the department knows that there is really only one vendor who can do the job well.

Councilman Daley made a MOTION to approve the ordinance with changing “possible” to “practicable.” The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

#### **B. Ordinance – Heating Ordinance (178-6)**

Attorney Wisneski explained that it came to the attention of the Health Department and the Office of the General Counsel that this ordinance contradicts state statute. Under state law, a landlord must be able to bring heat to at least 65 degrees during the winter months, otherwise it is a danger to human life. Our ordinance contains a qualifier that a landlord must be able to bring the heat to 65 degrees unless the weather outside is less than 5 degrees. This qualifier is not allowed under Connecticut law, so this ordinance requires revision.

Councilman Daley made a MOTION to approve the ordinance. The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

#### **C. Discussion re: Pension Ordinance (74-32)**

There was a discussion about the status of the revision to the pension ordinances. Attorney Smith explained that the Pension Board instituted a review of the pension ordinances and hired Robinson + Cole to help with that review. R+C has provided the pension board with a revised Pension Plan, which would then necessitate eliminating the ordinances. There is a new Pension Board in place and this issue needs to be revisited. Attorney Smith was not sure whether the new members of the Pension Board would want to continue on the path of a new pension plan or whether it would want to revise the ordinances. He intended to take this up with the pension board in future meetings. Attorney Smith further explained that a revision of our current ordinances is necessary as there are several items that require IRS updating and a fresh look. The ordinances or pension plan should mirror how our pension system works. There was some discussion about the trust document that went through Council last month. That document is separate from the pension plan and is in the process of being signed.

Councilwoman Bartolotta, who also sits on the pension board, asked that the OGC provide all relevant documents to review the current pension plan and the work already done by R+C. Attorney Smith stated that he would provide that information to the Pension Board. She also asked that this matter remain on the GCC agenda for next month.

#### **D. Job Description – Fire Chief**

Discussion re: both D&E: Much discussion ensued regarding the changes to the Deputy Fire Chief’s education and experience requirements. Councilwoman Bartolotta wanted to understand the reasons behind those changes, which seemed to lessen the education requirements from what they were previously. Chief Kronenberger explained that the experience requirements for Deputy

Fire Chief and Fire Chief should not be identical and he wanted to make sure that he could recruit from within. Councilman Daley expressed that while education is important some of the fire training would be more important. There was also some discussion about the salary grade for the Deputy Fire Chief. Chief Kronenberger explained that the Deputy Fire Chief only makes \$2,000 more than the Fire Marshall currently and the Fire Marshall has the ability to receive overtime. He felt that he would have a difficult time enticing individuals to apply for the DFC position at the current salary grade. Must discussion ensued on this topic. As for the qualifications, FC Kronenberger suggested that instead of a bachelor's of science, a good compromise might be the ability to obtain a Fire Officer IV certification within a certain amount of time of appointment. All councilmembers were in agreement with this suggestion. The following motions came out of this discussion.

Councilman Daley made a MOTION to approve the Fire Chief Job Description with the changes, a fix of one typo, but no change in salary. The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously.

#### **E. Job Description – Deputy Fire Chief**

Councilman Daley made a MOTION to approve the Deputy Fire Chief Job Description with the changes to language as read by Attorney Wisneski and the proposed salary change to grade 18, as discussed. The Motion was seconded by Councilman Nocera. The Motion passed with one abstention from Councilwoman Bartolotta. She explained that she was not in agreement with the increase of the salary change. She felt that it should wait until after the Segal Study is considered and acted upon.

#### **F. Job Description – Youth Worker**

Director Carbonella explained the need for this worker and the division of services in his office. Previously, the job required a master's degree, but did not pay enough for the required qualifications. As a result, recruitment in the past has been difficult. Director Carbonella was changing the education and experience qualifications in an effort to address those prior problems and to expand the recruitment. Much discussion ensued about the need for this individual to have more years of experience, especially with the type of services that he/she would provide to our youth. Councilman Nocera and Councilwoman Kleckowski made comments on the record to this effect. Councilwoman Bartolotta asked questions about the proposed change from 40 to 35 hours. Ultimately she asked that the hours be changed back to 40 working hours and Director Carbonella had no concerns with that change.

Councilman Nocera made a MOTION to upgrade the Youth Worker position to 40 hours worked, change the qualifications of the position to require 4 years of experience at a salary grade 8, and to include the proposed changes that appear in red. The Motion was seconded by Councilwoman Bartolotta. The Motion passed unanimously.

#### **G. MOU – Senior Animal Control**

Attorney Wisneski clarified to the Commission that money has already been appropriated

for a supervisor ACO position. The Union and City, in accordance with the Council's November resolution, negotiated a salary grade for this supervisor position and have agreed upon an MOU. Given the language of the November resolution and the fact that the Council already appropriated the money, Attorney Wisneski opined that no further action was necessary from Council and that the City should proceed with signing the MOU and opening up the recruitment. There was some confusion as to whether it needed to go back on the Council agenda. Attorney Wisneski stated that she would raise this with F&G, but her opinion was that no further action was required.

#### **H. UPSEU Contract TA**

Attorney Wisneski briefed the Commission on the UPSEU TA and summarized the proposed changes and fiscal impact. Councilman Daley congratulated both sides on a very successful negotiation and successor agreement.

Councilman Daley made a MOTION to approve the UPSEU TA. The Motion was seconded by Councilman Nocera. The Motion passed unanimously.

#### **Old Business**

#### **Other**

Councilman Daley made a MOTION to discuss topic 6D, Segal Waters Job Study, ahead of any other item under "Other". The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

- A. Segal Waters Job Study – Discussion re: Timeline:** There was a discussion about next steps. As explained by Attorney Smith, the consultant will be coming to City Hall on February 22 for two workshops. One workshop will be for employees and another will be for the Council. The employee workshop is currently scheduled for 4:30 p.m. and the other workshop will take place at 7:00 p.m. The intent would be that the Council would then take the study up at the March Common Council meeting. Councilwoman Bartolotta allowed 466 members to express some of their concerns during this portion of the meeting. They wanted to know whether the report would include revisions based on their comments. Attorney Smith explained that documents were provided to the consultants, which included employee grievances, but he did not expect the consultants to be changing their report at this time. The employees also stated that they did not feel that one workshop would be enough to address all of their concerns. Staff explained that this was not going to be a one-on-one discussion with the consultant, but rather the consultant would be presenting its report and there would be some questions. Both employees and the Commission asked if a summary of grievances had been prepared and whether the consultant had responded yet. Director Morey explained that she was working on one and hoped to be finished within a week.

Councilwoman Bartolotta explained that she wanted a response from the consultants before the February 22 workshops. Councilwoman Salafia asked for a link to the

Segal report.

Councilman Daley made a MOTION to discuss topic 6C, Segal Waters Job Study, ahead of the last two items under "Other." The Motion was seconded by Councilman Nocera. The Motion passed unanimously.

- B. HR Module for ECM:** Nanda Nair of Prime AE made a presentation to the Commission on the need for an electronic management system for HR. He went through our current processes and how those processes could be improved upon with his company's services. Questions were posed to Director Morey about the current processes. Councilman Nocera asked what the price of Prime's services would be. Nanda explained that his estimate was under \$10,000 to review what needed to be accomplished. After that piece was done, he would provide a detailed estimate with the price for full services. The Commission requested the written estimate and stated that this would require review from F&G and an appropriation. No further action taken at this time.
- C. Vacancy Report:** Report dated 1/25/16 was reviewed – No action required.
- D. Legal Bills:** None to Report

### **Adjournment**

MOTION to Adjourn by Councilwoman. The Motion was seconded by Councilman. Motion was unanimous and meeting ended at 9:59 p.m.