

**The City Council of the City of Du Quoin**  
**Minutes of Monday, June 14, 2021 Executive Session**

**Minutes:**

The Executive Session Minutes of the City Council of the City of Du Quoin, County of Perry, held on this 14<sup>th</sup> day of June in the year 2021, said meeting held in the City Clerks Office of the Du Quoin City Hall.

**Executive Session:** Pursuant to 5 ILCS 126/2(c)(1) of the Open Meetings Act for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body.

Motion and vote to enter into Executive Session at 6: pm.

**Motion:** Commissioner Kirkpatrick      **Second:** Commissioner Karnes

**Ayes:** All      **Nays:** None

**Present:**

Individuals attending: Mayor Alongi, Commissioners Jill Kirkpatrick, Charles Genesio, Michael Ward, and Bob Karnes. City staff present included City Attorney Aaron Atkins, City Clerk Ruth Hale, City Treasurer Stephanie, Cravens, Chuck Novak, and Attorney Rhett Barke.

The Mayor addressed the council and announced the reason for the session was to discuss the resignation of Phil Schimanski and his replacement.

Mike Ward addressed the council about the shortage in the Fire Department as well that left us in violation with the Department of Insurance. And that needs addressed as well, maybe not tonight. He then mentioned that there are 3 candidates on the list. He said only 1 candidate is on the traditional list as it is a really hard test. There are two others on the lateral transfer list. All three are interested. All are fine men. He wished they could hire all three. The problem with one is he has a brother that works for the City and we have a nepotism policy. The council has used the policy at least half a dozen times in the last six years. As a council, do we want to go there when we already told people they couldn't work here because we have a policy. Especially since this man is on the lateral transfer and didn't test for the position. Is it morally and ethically right to do this when others have been denied the opportunity to work for us? It is not the right thing to do. As the policy stands right now, you are not to work anywhere in the City. We can have a discussion on this but this is where I stand.

Bob Karnes said it is not nepotism. He mentioned husbands and wives working in the school system. Ward responded that this is not the school board. We have a nepotism policy. Karnes said because of a community of our size it is going to happen time after time. The Mayor responded that currently there are relatives working in the City. He then read the policy, "A member... in so far as possible, without a majority vote of the council,...". Nepotism is when a person votes for a member of their immediate family to benefit financially. Aaron Atkins then clarified what nepotism means. He also explained that the hiring policy has a provision where the City recognized small town relationships. He researched opinions that did not forbid brothers working in the same department. Genesio said he disagreed, the ordinance said an employees family could not be hired.

Mike Ward said he mentioned previously that the lateral transfer policy would be a problem as well because there would be a problem with nepotism. The Mayor disagreed. He asked Aaron if the Merit Board found this person qualified, what if we step over them to hire. Commissioner Kirkpatrick said the Merit Board has no power to tell the City who to hire, they may make the list but have no power. Aaron agreed. Aaron said he research nepotism in our Ordinances and asked Rhett Barke for assistance. There is no additional policy, it is ultimately in the council's lap. The Council does have to go the list and cannot retest until the one on the list turns the City down twice. The lateral list would be dependent on the Merit Board.

The Mayor asked Aaron if the Council was in their power to hire the brother of an officer. Aaron said yes. Genesisio said the Ordinance says, "in so far as possible", what does that mean? Mike said that isn't fair based on what we've done in the past. We've turned down others because we didn't research. The Mayor asked who we didn't hire. Mike said he made his boy not apply. The Mayor said that is nepotism. Mike said Dale Spencer wanted to hire his granddaughter. The Mayor said again, that is nepotism. Karnes said it is Reid Bastien, might as well say it. Genesisio said he can't be hired because of the Ordinance. And if the council chooses to side step that, he looks dirty, smells dirty and it is dirty. Genesisio said that this is Mike's hire and he didn't know why we aren't even here.

Mike said he still thinks its nepotism. The Mayor reiterated that it is not nepotism. Genesisio said, it still says what it says.

Jill said, we just put on display that the commissioner has a right to recommend hires. So if Mike comes to us and recommends his hire that is different. It's his hire. We just put it on public display. And it does define family member in a different issue. Either is ethical to do this with family members or it is not.

The Mayor said John A Logan realized that a nepotism policy was preventing them from hiring because it is small communities and had to change their policies. Aaron confirmed that he had been researching the same and came across the same issue in Colp. They needed a clerk so the Mayor wanted to hire her sister at a \$100 a month. No one else wanted the job but he had to research if it was possible. It was legal. There are not enough people sometimes that are qualified to do the job.

Mike then asked if anyone had promised any of those young men that they may get the job. The Mayor said he did not talk to anyone. Bob said he talked to Randee Bastien and told her that he would be for Reid. Jill admitted that one of the applicant's was married to her third cousin and through the grapevine asked if he was interested and he said yes.

The Mayor asked if Mike had talked to any of the candidates. He said he talked to two of them. One of the candidates is most likely not interested. If that candidate turns down again, the City could retest. And the council does not have to go down the list, they can skip names.

The Mayor mentioned nepotism and the hiring of Les Vancil and Will Denton. Les Vancil was Genesisio's first cousin and Denton's was related to Vancil. Genesisio asked Rhett if he should abstain from voting for Les and he said no. Aaron agreed. Genesisio said but now he's bothered that we were bringing up this person that shouldn't be considered. Karnes said he may, that there is a loophole. Genesisio said but now you're saying if we don't interview him we're going to get sued? For following our own policy? Karnes said but that's not what the policy says. It either needs taken out or a nepotism policy put in.

The Mayor said we have never interviewed before. So why now? Mike said we meet with the one we want to recommend. The Mayor said so why interview now? Jill said she recommended it because she

didn't know the procedure, so don't do it. Aaron said not to interview. The Mayor said don't go overboard.

Mike said we shouldn't be in this situation. Like the situation with the young lady and her grandmother. We got some openings coming up in other departments. Genesio said we have to be careful and not change to benefit one person. Bob said somewhere down the line we need to change it and make it black and white.

The Mayor asked if everyone is in agreement that Mike brings one name to the table. They agreed.

Mike said he will talk to Steve.

The Mayor asked if he needs to hire a fireman too. Mike said he has a fire chief that is concerned with budget and he needs to talk to him. The Mayor said does he have it in his budget or do we revise the budget? How long do we have? Mike said we have until one disgruntled person calls the State. The Mayor asked him to bring to the council the state law that says we have to have so many in order to meet the ISO rating. The Mayor asked him to have Dave Durkota write a letter to each council member and bring the person before the council for hire.

Genesio had a question about three people leaving the sewer plant. There needs to be a training period to see if the person goes out there has no idea of what there are getting into. There is no provision in the City Code for an employee to leave one department and go work for a period of time. And say they don't like it. From a Union issue, or City issue, would it be acceptable to go down the turn sheets to see if they are interested to go work maybe 2 or 3 days a week to see if they are interested in working out there. Karnes said they did that at the County.

The Mayor asked if Perradotto was retiring. Genesio said he may be. The Mayor said he can't come back in the same capacity. Genesio said he could come back as a contractor. Aaron said to get a written opinion from IMRF. Genesio said Lacy could decide if wants to go out. He just needs to test. He has 9000+ hours. Genesio doesn't want to get into any union issues. What he doesn't want is to hire someone that works for six months and then decide they don't want it.

Bob said it's a good idea.

The Mayor summarized that Mike would bring a man for hire and that Durkota would write a memo to each council member. Aaron reminded that Ruth would look at the Budget as well for the hire. The council recanted that Durkota had previously requested a hire. The Mayor stated that one thing they cannot cut short is our Public Safety. Mike said we may need to hire some part-timers in the meantime. The Mayor said being short one out of seven is worse than one out of ten.

Motion and vote to exit Executive Session with no action reported and resume regular Council Meeting at 8:04 pm.

**Motion:** Commissioner Kirkpatrick      **Second:** Commissioner Karnes

**Ayes:** All      **Nays:** None

Respectfully submitted,

*Ruth Hale*

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Ruth Hale, City Clerk