

**PUBLIC WORKS/PUBLIC UTILITIES
COMMITTEE OF THE WHOLE**

**THURSDAY, FEBRUARY 4, 2016
7:30 P.M.**

CITY COUNCIL CHAMBERS

CALL TO ORDER

A Public Works/Public Utilities Committee of the Whole Meeting was held on Thursday, February 4, 2016 at 7:43 p.m. in the Council Chambers.

ROLL CALL

PRESENT: 5 ALDERMEN: Schneider, Jones, Williams, Munda, Manousopoulos
ABSENT: 1 ALDERMAN: Woszynski

Also present were City Clerk Figgs, City Treasurer Tarka, Finance Director Kasperek, City Attorney Odelson, Purchasing & Personnel Director Vallis, Public Works Commissioner Manousopoulos.

Public Comment

There was no public comment.

#1: Discussion of contract/
Republic Services/waste &
recycling

Discussion of the contract with Republic Services for waste collection and recycling.

At this time in the meeting, Alderman Munda called on Purchasing & Personnel Director Vallis to get a breakdown on the contract with Republic Services.

Vallis - statement

Purchasing & Personnel Director Vallis: "Aldermen, what I can tell you by direction of the council, we were directed to go out for Request for Proposals for Solid Waste Proposal and Recycling.

The progress began in June, 2015 and to start a recycling proposal sometime in August, 2015. It was determined that we wanted for a waste disposal.

Then there was an issue of adding a recycling component and submissions of Request of Proposals draft, eventually came up with a RFP draft that the council wanted and that included both recycling and non-recycling of garbage pickup.

Vallis - statement (con't)

Those Request for Proposals finally went late fall of 2015. Two different Waste Disposal Companies submitted, Waste Management, a current vendor submitted a Request for Proposal and also Republic Services submitted a Request for Proposal.

Request for Proposals included both Solid Waste Disposal and Recycling. Somewhere in the area, I don't have the dates off hand, maybe late November it was. A committee of myself, Treasurer Tarka, Finance Director Kasperek and Public Works Commissioner Bill Manousopoulos met with both of the vendors that submitted a Request for Proposals.

We discussed those various proposals with both vendors. Subsequent to that, there was a recommendation made by the committee to the city council in December, 2015 with the options that were available.

During that committee meeting, the committee recommended that the plans be forwarded to the council for a vote. To my knowledge, the full council voted on that at a council meeting and moved forward from there."

Alderman Munda: "Thank you Director Vallis for breaking down to the council.

At this time in the meeting comments were not audible.

Alderman Jones: "So we had, when you submitted the proposal part of it was the recycling?"

Director Vallis: "Both reflects the proposal, included a five year package, without recycling and including recycling. That was by both vendors."

Alderman Jones; "You were at the December 8 meeting, correct?"

Director Vallis: "Yes sir."

Alderman Jones: "At the December 8 meeting, there was a recommendation by the Committee of the Whole to recommend to the full council that two options be submitted.

That letter of intent and contract be drawn, at also a letter of intent with two options to the city council, correct?"

Director Vallis: "The options were already submitted as I recall it. And to my recollection, at the December 8, that the committee was going to recommend to the council of the whole, to recommend Republic, who was the lowest bidder with the recycling component.

Subsequently, to my understanding, that occurred."

Alderman Jones. "Ok, so there are no copies of the motions that were made at the meeting tonight."

Alderman Munda; "There are." (His comments were not audible)

Alderman Jones: "This is not the motion that comes from the City Clerk, this is a memo from the City Attorney's office."

I am talking about the motions that we get after each meeting from the city clerk's office. Where are those motions at?"

Alderman Munda: (Comments were not audible)

Alderman Jones; "It would have been nice to have these before the meeting, when I requested these minutes. Because now we are going back to try and recall minutes and motions that were made at a meeting, now cipher through all of this about the correct motion made at the meeting."

The issue why we are here, is the motion that was made, at usually after each meeting, there is a motion that the clerk's office sends to every aldermen who made that motion, what the motion contained.

Here you are saying these are official minutes?"

City Clerk Figgs: "The minutes are not official minutes and will be approved at the next council meeting."

Alderman Jones: "So these are unofficial minutes. So where is the motion that you send out?"

City Clerk Figgs:(Comments were not audible)

Alderman Jones; "This is what I am talking about, so why isn't this attached to it?"

City Clerk Figgs; "It is the same motion that reflected in the minutes."

Alderman Jones; "So the minutes that we have as a draft, are not official minutes, because they will be on the next council meeting."

City Clerk Figgs; "That is correct."

Alderman Jones: "The issue why we are here, partly because the Mayor wasn't given the authority from the city council to sign the contract, because even as the motion says and as Attorney Odelson's clearly points, it says letter of intent, we had two options."

Ald. Jones - statement

So the two options were supposed to come back to the city council and we were supposed to approve the options with or without the recycling.

No where in the motion, did it say direct the City Attorney to prepare a contract and authorize the Mayor and City Clerk to sign the contract.

In the memo, it says that we directed the Mayor to sign and then Republic. So Attorney Odelson are you saying that you directed the Mayor to sign the contract.'

Alderman Jones: "In you memo at the bottom, it says Mark Sterk, one of the City Attorney's drafted the contract and after a number of changes the Mayor called and asked if she should sign the contract, since the former contract was expiring and the city council gave approval on the former agreement.

We directed the Mayor to sign and then Republic to sign the contract. Who is we?"

City Attorney Odelson: "Mark and myself."

Alderman Jones: "So you directed the Mayor, without city approval to sign the contract that we didn't give her the authority to sign."

City Attorney Odelson: (Comments were not audible)

Director Vallis: "By the time the contract was final, Republic was already moving forward."

Alderman Manousopoulos: (Comments were not audible)

Director Vallis: "They said from square that they needed a couple weeks, and I moved forward with cooperation of Republic.

I can tell you we started that process, knowing that the motion was made and accepted and we moved forward mid-January."

City Attorney Odelson: "We made some changes to the contract."

Director Vallis: "Correct. Things moved forward, quite frankly on the motion that was approved."

Alderman Jones; "Let's deal with the motion and then deal with the contract. Did you see this contract?"

Director Vallis: "Yes, sir."

Alderman Jones: "So this is the official contract, correct?"

Director Vallis: "Yes."

Alderman Jones: So this contract has the 6th of December signed by the Mayor. It is hand written changes. At the top of the page, it has changes on there. Who wrote those changes on there?"

Director Vallis: "I don't know."

Alderman Jones: "You don't know whose handwriting that is?"

Director Vallis: "No I do not. I didn't get this contract late in January."

Alderman Munda: "(Comments were not audible)"

Alderman Jones; "Is that a 10 or a 6?"

Director Vallis: "Was that the day the council approved, it was in or about that time."

Alderman Manousopoulos: "I think it was signed, if I am not mistaken.
(Comments were not audible)"

City Attorney Odelson: "(Comments were not audible)"

Alderman Jones; "Going back to the we and you guys giving the Mayor the authority to sign that, without council approval."

City Attorney Odelson: "No, hold on I didn't get your approval."

Alderman Jones; "You had a letter of intent."

City Attorney Odelson: "It is called contract law. (Comments were not audible)"

Alderman Jones: "You had a letter of intent, you didn't have a contract."

City Attorney Odelson:"I know what the difference is Alderman."

Alderman Jones: "I know you know what the difference is, I am asking you a question. So just answer the question. The question was you said gave her the authority without the city council giving her authority, correct."

City Attorney Odelson: "No, I gave her the direction to sign, it was the finished between Republic and the city, per the direction of the city council."

Alderman Jones: "So you relied on a motion that didn't authorize the Mayor and the Clerk to sign it?"

City Attorney Odelson: "Yes."

City Clerk Figgs: "I didn't sign the contract."

Alderman Jones; "Let me finish with my questions with him first."

Alderman Munda: "Alderman Jones you have the floor now and then City Clerk Figgs. (Comments were not audible)"

Alderman Jones: "My question to you Attorney Odelson, the motion didn't say authority given to the Mayor and authorize the Mayor and City Clerk to sign the contract."

Your firm directed her to sign the contract, without authority. It can be easily remedied, if that is the case. The goal is not to dissolve the contract, the goal is to move forward.

It can be remedied by putting back on the agenda, correct."

Attorney Odelson: "I don't know how to quite answer that. If the council wants to put back on the agenda, I don't think there is anything to rectify."

Alderman Jones; "In the past, we have had stuff on the agenda where we authorized the Mayor and City Clerk to have that. To be consistent, to remedy it put it back on the agenda to say that language."

Attorney Odelson: "This does not have to go back on the agenda."

Alderman Jones: "Before I get into the recycling part of it, I think the Clerk had a question."

City Clerk Figgs: "I do not sign the contract, I attest the Mayor's signature, I do anything wrong."

Alderman Munda; (Comments were not audible)

Alderman Jones: "First of all, I didn't say you did anything wrong. Let me finish. What I said the motion did not contain authorization as we had the language before that says we authorize the Mayor and City Clerk to sign the document."

I never said you did anything wrong. Don't put words in my mouth. What I said was, the same thing that was contained in the motion.

Because we all should be concerned about making sure this is correct, ok. I didn't say anything to you. Now getting back to what you said."

City Clerk Figgs: "I have a right to speak."

Alderman Jones: "You do have the right to speak. I didn't say you didn't."

City Clerk Figgs; "Thank you."

Alderman Jones: "Apparently, the City Clerk gave the Deputy Clerk the authority to sign the contract in front of the mayor. However, the motion didn't contain."

City Clerk Figgs; "I attest her signature."

Alderman Jones; "On December 10, did you authorize your Deputy Clerk."

City Clerk Figgs; "The Deputy Clerk can sign in my absence to attest the signature."

Alderman Jones: "On December 10, did you authorize Roseann Bonato sign the contract."

City Clerk Figgs; "The Deputy Clerk has the write to attest in my absence."

Alderman Jones: "That is not my question. Did you authorize her to sign your name."

City Attorney Odelson: (Comments were not audible)

Alderman Jones: "This is not a court room."

Alderman Munda;" (Comments were not audible)

Alderman Jones: "Alderman, wait a minute, so nobody is saying that the Deputy Clerk or anyone did anything and nobody is saying that the City Clerk did anything wrong.

I know what is in state statutes, so you don't have to go through all of that. I have a simple question for the clerk about the contract."

Alderman Munda: (Comments were not audible)

Alderman Jones: "You know what alderman, I love this contract, let's not go any further, let's move on. There is no need to belabor this point anymore, because you guys had questions about the contract.

Let's move forward and move on, we got Republic and we got the answers and the documents in front of us. If you want to remedy it, make a motion to remedy it at the next council meeting, because I am not going to be a part of any of this any further.

If we got to approve it or put agenda, but they do have a valid contract and let's move forward."

Alderman Munda: "I have a few more questions myself in the contract."
(Comments were not audible)

Alderman Manousopoulos: "We have sat here over 40 minutes discussing who signed what and do they have the authority. We haven't go to the things that we really need to discuss.

We are just killing time, whether if Roseann Bonato signed the document or not, it is nonsense. Let's get down to whether we are going to do recycling or not, or drop offs in each ward or whatever we are going to do.

I think we need to forward and get out of this stage that we are stuck in."

Alderman Munda: "If that is the case, I would like to move forward and call on Finance Director Kasperek to give us a breakdown on the recycling program."

Alderman Manousopoulos: "Before you start John, when we made the motion, we did go with Option with recycling and garbage. That is correct.

The motion was to authorize the City Attorney to send a letter of intent and draw up a contract and come back to the full city council for approval. That didn't happen,

What happened is it went to the City Attorney, who drew the contract, the Mayor signed the contract, without the city saying sign the contract.

Now Republic Services left that meeting, there were several other questions that everybody had. There was so many questions and nobody could answer them.

That is why it was supposed to come back to us to have a final decision made. None of that has happened.

The Mayor signed the contract, next thing Republic is delivering toters, everyone is calling why do we have to recycle, I don't want to recycle.

It is a great idea and no it is not. So here is where we are at, the Mayor signed the contract, we need to discuss if we are going to do recycling or we are not going to do recycling and who is going to pay for it and how much will it cost."

Finance Director Kasperek: "Council members and Attorney and also given to department heads a breakdown, this is detail and little more detail of a breakdown of what was submitted to you on December 8, when as a committee we basically just gave you the prices that were in the contract, the RFP's.

It was very evident and no questioning that Republic was the low bidder. With that being said, what I did on this here, as you will going left to right, I have refuse and yard waste and then you can see what the Waste Management fees were and Republic fees were.

If you go more toward the middle, I say refuse, yard waste recycling. Again Waste Management and Republic, and as you can see, just perusing these numbers Republic Services was the lower bidder.

What I then did, if you move down a little, I actually tried to cost this out. Let's understand, all of this is going to be used as estimate, because we don't have hard numbers yet.

Right now, last time I had a conversation with Bill Manousopoulos, George and Gerry, I think we were sitting around 9,100 trash totes. But there is also another 9,100 recycling totes out there as well.

I am just using that at this point for an assumption of cost. If you take the rates above for both Waste Management and Republic, you will see if you use 9,100 totes, Waste Management would be just under 1.8 million and Republic Services was at \$1,719.00. The difference is \$70,000.

Looking over to the next column and using the same assumptions of 9,100 totes per month times 12 and take the rates above and we can see what Waste Management for recycling on year 1, \$2,293,200 and Republic Services would be \$2,041.120. That difference of \$262,000.00.

Basically then what I am continuing on, if you notice where I have the letter A, the net difference columns. What I am saying is this is the net difference that represents the cost differential between Waste Management and Republic Services as you can see the Republic Proposal is less costly.

So if we were to take just using refuse yard waste, the 5 year contract based on the bid 9,100 totes, the net difference was a saving for a lesser cost of \$359,268.00.

(At this time in the meeting comments were not audible)

Alderman Munda: "Let the record show, that Alderman Schneider has no opinion."

Alderman Jones: "You guys, I retract all my emphasis that said that the contract wasn't valid. We had a valid contract. The motion is to direct the City Attorney to negotiate it, that is your wishes.

So make the motion, if that is what you are saying you want the City Attorney to negotiate possible changes to the contract. Make that motion. But that is my statement."

So we have a valid contract, we have recycling, go ahead and make the motion to direct City Attorney to make the changes."

Alderman Munda: "We have the ability now to just erratic, if that should be the wishes. Alderman Manousopoulos offered an option of letting it go for 90 days and re-visiting to see if it works.

There still are some questions about the recycling program What happens if someone puts garbage in the recycling toter. Also is there a separate container for twigs and grass clippings.

If someone wants extra toters, what would it cost. If we allow to go, understand they are going to start billing and we have to eventually figure out how to pay for that additional service.

It is either going to reflect as a increase in the rate on refuse, which directly result, we all know what is going on. Brother Joe is going to be up here with his water people saying that the water rates increased again.

Because the refuse bills reflects on the water.

(His comments were not audible)

Director Vallis: "Some of the questions, recycling for Calumet City is new. And some of the questions that you have. It is a new community to recycling.

For what it is worth, those are normal questions. One of the obligations that we as a community, the public has been good so far in helping us, the responsibility that we all have is educate our public as to the new process and the advantages of recycling and saving the planet, getting things out of the landfill.

Especially not that are garbage goes there, but we are sitting right in the backyard of a garbage dump right in our own community.

There are a lot of advantages and I really want to caution you that I understand that some of the people and some of the residents are going to be a little gun shy.

You guys have to decide what you need to decide and I understand the financial component.

But when it comes to recycling itself, it is important that we show a united front and we educate our public to recycle for all the good reasons we know recycling is worthwhile.

I know there is a cost involved in that. But we can't just blow off. We are here. Look at the communities around you, South Holland recycles, Lansing recycles, Hammond recycles, Chicago recycles.

I do understand the financial part of it. I get it."

Alderman Jones: "Quite honestly, the public don't give a care about recycling. Number one, this city council didn't take the time to educate our community and our residents about recycling, its benefits, its drawbacks, and how much it is going to cost

So when you have residents calling and complain about water bill and complaining about recycling. They are not going to take the time to recycle, when they are worried about other things and how much it takes to recycle."

Director Vallis: "Believe me, I understand. We all know each other up here. I know that. You have to deal with that.

But we just can't discount that educate process and get our community involved."

Alderman Munda: (Comments were not audible)

Alderman Jones: "One of your suggestions are things you can probably can consider is making it a pilot program in the wards that do like it.

(Comments were not audible), because every ward is not going to recycle.

If it is a pilot program and it catches on and as Alderman Nick suggested giving it 90 days, but if you want to try that is you."

Alderman Munda: "I agree with you Alderman Jones. "I don't think the community is going to be receptive to it and I don't believe that they are going to collect that recycling enough for us to pay that amount of money for over 5 years."

Alderman Manousopoulos:"You are just being so negative. You are not even giving them a chance."

Alderman Williams: "I can say, I walked around the neighborhood this weekend and the only thing that my residents had to say is why do I have to separate my garbage to put it in the can.

With that being said, I don't think they really want recycling. I don't think they really care about it.

I do have a question, didn't years ago, public works have spots for people that wanted to drop off plastics and glass"

Commissioner Manousopoulos:"There were certain areas around the city. But I also know that Republic that a section that were separate drop off points in each ward."

Alderman Williams: "Why wasn't that option explored?"

Commissioner Manousopoulos: "That was brought to the council and presented."

Commissioner Manousopoulos: "That was brought to the council and presented."

Alderman Williams; "To have different drop off spots?"

Commissioner Manousopoulos: "Yes that was an option that everyone alderman would have a spot that they would designate for recycling to drop off and then we would see what it did from there."

Alderman Munda: "Was there a charge for that?"

Commissioner Manousopoulos: "That I don't recall."

Alderman Munda: "Does anyone in the meeting recall?"

Attorney Odelson: "If I may just suggest that Alderman Manousopoulos suggestion would legally would help us out if you try it for 90 days and it doesn't work and least then I could go back and say we tried it for 90 days and the residents just don't want to do it.

If that is the case. That will give us a better standing to say to Republic we want to opt out, if that is what the council wants us to do and then we negotiate with them."

Alderman Schneider: "What if they like it, and we are in a position of not having enough money to pay for it?"

Attorney Odelson: "We just had that discussion."

Alderman Schneider; "Let me give my two cents, so I don't offend you Alderman Munda. You have been waiting my knowledge.

Thank you for recognizing me. I agree with George 100 percent, but at the same time this is a just another situation we have gotten into that we have not informed the residents enough, we have not thought it out enough, just like the water bills, just like the share the roads signs.

It just leads to more questions, more confusion. I agree with George like the two toters, we should be able to fit all and it should balance out.

But again, of course, too many questions, too confusing."

Alderman Munda; "It is a dangerous time to take money and resources and invest them in the community to take that glass out of the garbage can and put it in the recycling.

This is not the time, things are getting crazy and the spending. With these proceedings the Mayor needs to stop moving on her own.

It is certain matters that call for council not only approval but council discussion, things probably would have been better served.

Moving forward that it is important that we come to an agreement tonight on how we want to move forward.

There are two options so far that I have heard and Alderman Manousopoulos's option to try it out for a while or eradicating it completely at a later time to get through budget to know where are.

I think we should eradicate this program immediately and retract the contract in writing with Republic, get the toters out of the alley, go through budget, find out how we are going to pay for everything else and come back to the table.

Alderman Williams: "We are already in a contract."

Alderman Manousopoulos: "It would make more sense to go through it a little while and gives us an upper leg to go back to them."

Alderman Munda: "At that point, would we be in breach?"

Attorney Odelson: "If you do that, I think you would be in breach, with Republic sitting here, I wouldn't have very much to go back and say we want out.

If you give you it a few months, and if you are correct and the residents don't want then we have a reasonable approach to Republic that we tried it and it didn't work. What is it going to get us out of that portion of it.

Then I would have something to work with. Right now you would be breach. I really wouldn't suggest it."

Alderman Williams: "As of right now we are in the contract, we have to pay for it, no questions asked."

Attorney Odelson: "Yes, that is correct. Alderman, I would suggest that you monitor your wards and see what the feeling is and we can come back and if it doesn't work, we will give them 60 day notice and we will negotiate that provision out.

At least that will give me something to work with to go back."

Alderman Munda: "Monitor our portion of it and report back and then Republic count the tonnage."

Attorney Odelson: "Yes, it is in the contract and that would help to."

Alderman Munda: (Comments were not audible)

Alderman Munda: "It will cost \$60,000 a month, to find out if recycling is a valid program."

Alderman Jones; "Let me ask Republic one question, in other communities does Republic provide assistance by doing robo calls or flyers to residents to help them recycling.

Republic Services: (Comments were not audible)

Alderman Jones: "Unless the city council has a robust, media marketing campaign to alert residents and get them involved or activate it, you know."

Attorney Odelson: "Maybe Republic can assist in some way in how they educate other communities and give that assistance to us."

Finance Director Kasperek: (Comments were not audible)

Republic Services: (Comments were not audible)

City Clerk Figgs repeated motion: Alderman Munda moved, seconded by Alderman Manousopoulos, to move forward with recycling for a period of 90 days for a sample how program works and have it monitored by Republic Services for collection aldermen feedback.

All aldermen were in favor.

Review of invoice/Tierra Environmental

Review of invoice from Tierra Environmental for vacuuming and jetting of storm basins in various locations.

Alderman Jones; "These items were, there is a process where the Mayor asked the departments to give things through committee. These invoices came in from Tierra and Calumet City Plumbing, item #4.

I will turn this over to Billy Manousopoulos to explain item #3. The amount and the location so we can make a recommendation.

Billy Manousopoulos: "Comments were not audible."

Alderman Jones: "What was the total amount, Billy?"

Billy Manousopoulos: "The total amount to approve work to vac and jet storm basins at various locations is in the amount of \$8,655.00."

Attorney Odelson: "Could I suggest, you can go ahead and put it on the agenda submit to the Commissioner getting you the bills and making sure the work was done at the particular locations."

Alderman Jones: "Yes and as he stated one of my requests was to make sure they got a letter from Tierra just to back it up.

Alderman Jones moved, seconded by Alderman Munda, to the approve the invoice from Tierra Environmental which will be provided by Director Manousopoulos for vacuuming and jetting of storm basins in the amount not to exceed and include the \$8,655.00 at the next agenda with the letter.

MOTION CARRIED

Review of proposal/Calumet City Plumbing/1300-1400 Review of proposal from Calumet City Plumbing Co, Inc. for work to be done on 1300-1400 block of Forest Place.

Alderman Jones: "There is one more thing on the agenda. I promise to be quick. The next item on the agenda is a proposal from Calumet City Plumbing for work to be done at the 1300-1400 block of Forest Place.

Billy Manousopoulos: "This is for a proposal from Calumet City Plumbing for work at the 1300-1400 block of Forest Place. We would like the committee's recommendation to go ahead with the work."

Alderman Jones: "These accounts, would this would an emergency?"

Billy Manousopoulos: Comments were not audible.

Alderman Jones: "These accounts have enough balance in it for this item."

Billy Manousopoulos. "Yes."

Alderman Jones: "You heard Commissioner Manousopoulos, any questions, if not."

Alderman Jones moved, seconded by Alderman Manousopoulos, to place or recommend to the full city council to accept the proposal from Calumet City Plumbing not to exceed \$6,400.00 for work to be done at the 1300-1400 block of Forest Place.

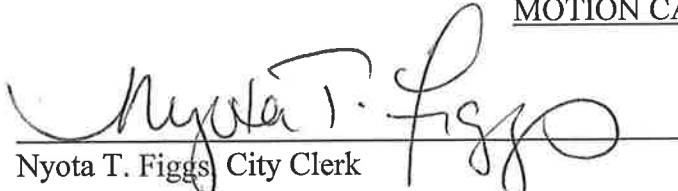
MOTION CARRIED

Alderman Jones: "\$6,400.00, you will email that to the clerk's office, ok."

ADJOURNMENT

Adjournment was at 9:19 p.m. on a motion made by Alderman Manousopoulos and seconded by Alderman Munda.

MOTION CARRIED


Nyota T. Figgs City Clerk

/NF