



ROGER W. HOLMES
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P.O. Box 2459
Springfield, IL 62705

DATE: February 15, 2022

INSPECTOR GENERAL'S REPORT TO THE CITY COUNCIL

2021-OIG-2

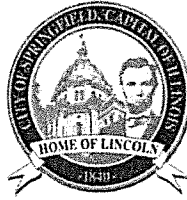
I was contacted by a Complainant regarding her neighbor parking on an unapproved gravel parking area at the neighbor's residence which was alleged to be noncompliant with City Code. Complainant was particularly adamant because Complainant had received a warning, but no citation, from a City Inspector regarding Complainant parking on a noncompliant gravel surface.

Complainant texted photographs to me repeatedly showing violations of the neighbor parking on the noncompliant gravel surface. I forwarded each of these to the City Inspector involved and encouraged Complainant to send the photos directly to the City Inspector. I continued to receive photos for several months but have heard nothing further from Complainant and was assured by the City Inspector that an investigation was ongoing.

There being no further contact from Complainant my investigation ended and this matter is now closed.

Respectfully submitted,

Roger W. Holmes, Inspector General



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INSPECTOR GENERAL'S REPORT TO THE CITY COUNCIL

2021-OIG-3

I was contacted by an anonymous Complainant who did not leave a name regarding a particular City employee who was alleged to be using a false address to show City residency when, in fact, the Complainant claimed that the employee lived in a different county. With the assistance of Jim Kuizin of the HR Department the Respondent was contacted and asked to show proof of residency. The respondent was very evasive and claimed not to be able to find documentation proving residency such as a driver's license.

I researched the property at the address that the Respondent claimed to live in Springfield with Respondent's family of four. When viewing the residence on the Sangamon County Property Tax website the address was listed in a name totally different from the Respondent and had an owner-occupied exemption indicating that the name showing on the tax records was occupying the house. The current owner, who is not the Respondent, has owned the property since at least 2012.

I viewed the property on Google Earth and the structure did not appear large enough to be occupied by the named owner and an additional family of four.

I was arranging for surveillance of the City employee/Respondent to determine the employee's destination after leaving work whether it be the stated address or the out of county address as alleged by Complainant. Just prior to starting this surveillance I was advised that the Respondent voluntarily terminated her employment with the City so no further action was taken.

The most important take away in this matter is to send a message to any employee who might be flaunting the City Residency Rules by using a false address and to assure them that fellow employees who are compliant are watching and reporting violations which I will continue to aggressively investigate in the future.

Respectfully submitted,

Roger W. Holmes, Inspector General



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INSPECTOR GENERAL'S REPORT TO THE CITY COUNCIL

2021-OIG-4

I was contacted by a Complainant who wished to remain anonymous regarding remarks made by Alderman Joe McMenamain to the media on July 28, 2021, the day after Union protesters disrupted a Committee of the Whole meeting on July 27, 2021.

In remarks to the media, Alderman McMenamain compared the Union disruption of the meeting to the January 6, 2021 U.S. Capitol Insurrection and gave his opinion that the Union protesters need to be arrested for disorderly conduct.

I reviewed audio of the July 27, 2021 Committee of the Whole meeting and at approximately 17:10 into the meeting, while the counsel was discussing purchasing defibrillators, the audio tape recorded the sounds of shouting by several male and female voices, "We want a fair contract." The disruption lasted for several minutes and then the voices and shouting ceased. Immediately thereafter on the tape Alderman McMenamain states that he had never seen anything like this demonstration and called it, "unacceptable." Alderman John Fulgenzi, who was chairing the Committee of the Whole replied, "I agree." Thereafter the discussion regarding purchasing defibrillators resumed.

The Complainant felt that the comments made by Alderman McMenamain comparing the demonstration to the U.S. Capital Insurrection and encouraging the arrest of the Union demonstrators were comments unbecoming an Alderman.

Having heard only the audio portion of the exchange it is clear that the Union demonstrators interrupted an orderly Committee of the Whole meeting and prevented the Committee of the Whole from continuing its discussion on the purchase of defibrillators.

While the demonstration may rise to the level of criminal disorderly conduct it should be noted that no arrests were made and the State's Attorney did not file any charges against the demonstrators.

While some may take exception to the drawing of a parallel of the U.S. Capital Insurrection and Alderman McMenemy expressing his opinion that the demonstrators should be arrested, those comments are within fair political discourse and constitute protected speech.

Based upon the foregoing conclusions, no further action is recommended and I have closed this investigation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Holmes", with a long horizontal flourish extending to the right.

Roger W. Holmes, Inspector General



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INSPECTOR GENERAL'S REPORT TO THE CITY COUNCIL

2021-OIG-6

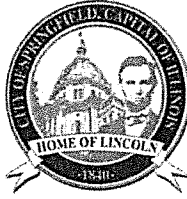
I was contacted by a Complainant who provided their identity but wished to remain anonymous regarding a concern that a City employee was conducting a business in a nearby community while on City time. I contacted Jim Kuzin of the City HR Department who reached out to the employee in question and compliance was obtained and permission was granted for the City employee to have secondary employment so long as it did not interfere with fulfilling City work responsibilities and hours.

I contacted Complainant and asked if Complainant would keep a log of when the City employee was conducting business in the nearby community and despite assurance that a log would be kept, the Complainant never contacted me again and did not respond when I reached out.

Therefore, I have closed this investigation without taking any action and have closed my investigation.

Respectfully submitted,

Roger W. Holmes, Inspector General



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DATE: February 28, 2022

INSPECTOR GENERAL'S REPORT TO THE CITY COUNCIL

2020-OIG-11

In the fall of 2020 I was contacted by a Complainant who specifically requested that his name be made public regarding his concerns with the 2015 CWLP Coal contract with Arch Coal and its Viper Mine. Greg Doolin of Chicago contacted me and visited with me in Springfield in person and thereafter engaged in multiple telephone conferences, a high volume of e-mails and a massive number of documents. It was Mr. Doolin's contention that the City Council was misled by the Mayor and Corporation Counsel and Doug Brown and John Davis of CWLP into a contract with Arch which was not beneficial to the City. Mr. Doolin died in January of 2022.

I conducted multiple interviews with parties involved, including an Alderman and the author of a report commissioned by the City of Springfield.

Historically, since 1980, the City has dealt with the Elkhart mine known in 2015 as the Viper Mine owned by Arch Coal. When the contract came up for renegotiation in 2015, Mayor Langfelder commissioned Ely Consulting of Springfield to provide an evaluation of coal procurement. Thereafter Ely and additional parties retained by Ely issued a comprehensive evaluation of the current status of the coal contract and made recommendations for the City to have a favorable outcome in its current negotiations. In its report, Ely noted that in the 35 years since beginning a relationship with the Elkhart mine in 1980, there had never been a comprehensive evaluation of the contract in the nature requested by Mayor Langfelder.

The Ely Report made a detailed analysis of market factors and competitive bidding. Ultimately it recommended against a 10-year extension to the contract with Arch and recommended, instead, that the City enter into a short term 4-year contract reasoning that a long-term contract would make the Elkhart Mine very marketable and competitors could purchase the mine and close it thus limiting competition in future coal contracts and that with the Elkhart Mine closed the City would be "held hostage" by the new purchaser.

It was widely known that Doolin wanted to purchase the Elkhart mine. If CWLP terminated its contract with Arch, Doolin could have purchased the mine at a very favorable

price, slashed its workforce by two-thirds and made a profit selling coal to the mine's remaining two customers.

The Ely Report opined that if the City entered into a 4-year contract with Arch that the mine could be profitably operated by Arch during that 4-year period ensuring that the mine would not close but that it would not be so profitable that it would be an acquisition target and the local market would remain competitive. Ultimately, the City followed the Ely recommendation.

Prior to voting on the new contract with Arch, a City Council Committee of the Whole meeting occurred on March 22, 2016 and I have thoroughly reviewed a multi-hour recording of that meeting. During the meeting Doug Brown of CWLP made a comprehensive presentation comparing the options available to the City, including an RFP from Foresight Coal who had its spokesman, Roger Dennison, present at the meeting, who also gave a presentation. It is very significant to note that during the lengthy meeting a full cross-section of the Aldermen asked the presenters at least 22 significant, insightful questions and significant discussions ensued regarding these questions.

I learned after my first meeting with Mr. Doolin that he had attempted to have the coal contract investigated by a number of parties who commenced and subsequently closed investigations. Most significantly the FBI interviewed witnesses at Mr. Doolin's request and closed its investigation with no action taken. The Illinois Attorney Generals' Office conducted an investigation over a 15-month period and again, after conducting interviews and investigations, closed its file without taking any action. In 2017 Michael and Jennifer Frakes filed suit in the Circuit Court of Sangamon County against Arch Coal, Inc., Mayor Langfelder, Corporation Counsel Zerkel, Doug Brown and John Davis of CWLP as 2017-MR-1027. While Mr. Doolin denied that he financed the Frakes' litigation, he received a call from Mr. Frakes while in my office. Subsequently, on March 21, 2018 the Frakes voluntarily dismissed their lawsuit.

It appears then, that Mr. Doolin considered my investigation to be a last-ditch attempt to prove that the City was victim to a scheme to approve the coal contract which he felt was not favorable to the City.

After thorough investigation, my conclusions match those of the FBI and the Illinois Attorneys' General. I find that no indicia of wrongdoing exists on the part of any of the named respondents in my investigation. The City ultimately signed a favorable contract with Arch Coal and its Viper Mine and absolutely no indication of wrongdoing emerged in my investigation. Therefore, this investigation is closed without any recommendation of further action.

Respectfully submitted,

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Roger W. Holmes, Inspector General