

**MINUTES OF THE OPEN SESSION OF THE SPECIAL MEETING OF
THE BOARD OF FIRE AND POLICE COMMISSIONERS OF
THE CITY OF NORTH CHICAGO**

November 11, 2013

Held in the First Floor (West) Conference Room of the City of North Chicago,
1850 Lewis Avenue, North Chicago, Illinois

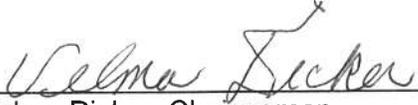
1. Commission's Attorney William Franks called the meeting to order at 9:00 A.M.
2. Roll call identified the following Commissioners present:
Commissioner Shawna Huley
Commissioner Vanderbilt Blanchard
Commissioner Velma Dicker

Other persons present included:
Attorney William Franks
Second Ward Alderman Bonnie Mayfield
3. Approval of minutes.
 - a. Tabled pending review of minutes by recently appointed Commissioners Huley and Blanchard.
4. Old Business.
 - a. Welcome to Commissioners Huley and Blanchard.
 - b. Election of officers for the Commission. A motion was made by Commissioner Blanchard, seconded by Chairwoman Dicker, for Commissioner Dicker to serve as Chairman (Chairwoman) and Commissioner Huley to serve as Secretary. A roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion carried.
 - c. Chairwoman Dicker provided Secretary Huley and Commissioner Blanchard a historical overview of recent Commission history and actions.
 - d. Relevant Commission laws. Attorney Franks reviewed and provided a general overview of several laws which the Commissioners will need to refer to and comply with.
 - i. The Board of Fire and Police Commissioners Act.
 - ii. The Fire Department Promotions Act.
 - iii. The Uniformed Police Officers Disciplinary Act.
 - iv. The Open Meetings Act (OMA).
 - v. The Freedom of Information Act (FOIA).
 - e. Attorney Franks reviewed and provided background relating to communications from and with the Lake County State's Attorney's office alleging OMA violations related to the Commission's promotion to fill a vacancy made at the October 8, 2013, meeting.
 - i. Attorney Franks and Chairwoman Dicker confirmed that the City Clerk posts notices of meetings for the Commission. Attorney Franks noted that posting should include both the paper copies in City Hall as well as electronic copies on the City's website.
 - ii. Chairwoman Dicker confirmed that the meeting on October 8, 2013, was held at the City's substation to enable the Commission to review the personnel files and

- records of the three candidates, all of which had recently been moved from City Hall to the substation.
- iii. Attorney Franks acknowledged that the original notice and agenda for the October 8, 2013, meeting did not state that the meeting was to be held at the substation. Attorney Franks stated that he tried twice to post the notice at the substation, but no one was present to allow him access to the substation.
 - iv. Attorney Franks distributed a two-page summary of OMA prepared and distributed by the McHenry County State's Attorney's office to the Commissioners.
 - v. Attorney Franks discussed the Commission's possible and recommended responses and actions to remedy the concerns identified by the Lake County State's Attorney's OMA inquiry.
 - vi. Attorney Franks noted that he routinely did not attend Commission meetings nor did he prepare the notices and agendas for Commission meetings for the past three years.
- f. FOIA requests.
- i. Attorney Franks reviewed and provided background relating to a FOIA request from an unnamed officer identified in the October 8 meeting requesting documents from the Commission's meeting on October 8, 2013.
 - ii. Attorney Franks reviewed and provided background relating to a FOIA request from City of North Chicago's attorney Chuck Smith for meeting minutes and notices from 2012 and 2013. Attorney Franks notified Attorney Smith that he was unable to immediately comply because the Commission's files were in disarray after the recent relocation of the files from the lower level of City Hall to the substation.
- g. Document Storage.
- i. General discussion about the relocation of the Commission files from the lower level of City Hall to the substation that has caused difficulty for Commissioners' review of documents, along with problematic access to those records by persons other than the Commissioners.
 - ii. At Commissioner Blanchard's request, Alderman Mayfield explained that the City aldermen were not were not aware of the file relocation and the resulting difficulties for the Commission.
 - iii. Attorney Franks advised the Commission to evaluate (1) whether all the Commission's files had been relocated to the substation, and (2) whether the file storage space in the substation was adequate in terms of size and accessibility given the difficulties and challenges highlighted by Chairwoman Dicker. Attorney Franks noted if the space was inadequate that he would advise the City of North Chicago of the Commission's file storage deficiency.
- h. City labor relations. Attorney Franks reviewed and provided background information relating to correspondence he had received from City attorney Chuck Smith dated November 21 concerning Commission impartiality in the promotional process. General discussion followed on how the Commission could satisfy City and labor concerns while retaining its legal authority over the hiring, promotional and disciplinary processes.
- i. Attorney Franks reminded the Commissioners that each will need to file the annual statements of economic interest by February 2014.
 - j. Chairwoman Dickers review correspondence from the Illinois Fire and Police Commissioners Association seeking annual renewal at a cost of \$375, which would be reduced by \$50 if paid early.

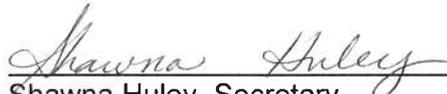
- k. Brief discussion of the impact of military preference points on the October 25th final entry-level police list, including eligibility for preference points, the maximum point allowance, and inability of certain candidates to bypass a candidate to whom military preference points have been awarded.
 - l. Brief discussion on the language in letters notifying test candidates that they had not met the requirements for consideration for employment as a police officer with the City.
5. Closed Session. There were no items for closed session.
6. Action on items from closed session. Not applicable
7. Adjournment. There being no further business for the Commission, a motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to adjourn. A voice call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion carried.

Approved by the Commission on Feb. 6, 2014.



Velma Dicker, Chairwoman
City of North Chicago
Board of Fire and Police Commissioners

ATTEST:



Shawna Huley, Secretary
City of North Chicago
Board of Fire and Police Commissioners