

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

December 11, 2013

Held in the West Conference Room of the City of North Chicago,
1850 Lewis Avenue, North Chicago, Illinois

1. Chairwoman Dicker called the meeting to order at 9:00 A.M.

2. Roll call identified the following Commissioners present:

Chairwoman Velma Dicker
Secretary Shawna Huley
Commissioner Vanderbilt Blanchard

Other persons present included:

Attorney William Franks
North Chicago Police Officer Carl Sturt representing North Chicago F.O.P. Lodge 31
North Chicago Police Sergeant Valiza Nash
Advocate Patricia Axelrod
Charles January, a citizen of North Chicago
North Chicago Police Lieutenant Kurt Nash
Preacher [NFN] Howard, a citizen of North Chicago
Ralph Peterson, a citizen of North Chicago
Thelma Harris, former Commissioner and a citizen of North Chicago
Felicia Nash, President of the City's Police Pension Fund

3. Old Business.

a. Police promotional examination.

- i. Chairwoman Dicker addressed the issue of selecting a police promotional examination date in January 2014.
- ii. Attorney Franks clarified that that a new date was needed after postponing the test that had been scheduled for December 3rd.
- iii. Officer Sturt advised the Commissioners that he had personally spoken with two sergeants and one officer about rescheduling the promotional test to January, and they told Officer Sturt that they would be ready for the test by mid-January.
- iv. General discussion [Chairwoman Dicker, Secretary Huley, Attorney Franks, Commissioner Blanchard] concerning questions related to the test including:
 - i. selecting a test date in January 2014, as noted in the Commission's prior meeting,
 - ii. the vendor(s) whom the Commission would use to facilitate the test, and
 - iii. the impact of the announced test postponement from the originally established test date of December 3, 2013.
- v. Attorney Franks noted that test and study materials were already distributed, and that the Commissioners would need to address eligibility of any new police officers for the test based on the new test dates. Attorney Franks recommended no change in test vendor, Police Consultants, at this point in the process because the test materials have been prepared and corresponding study materials distributed. Attorney Franks noted that the Commissioners might consider other vendors, such as IO Solutions in addition to Police Consultants for future tests.

- vi. A motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to set the police promotional examination for 10:00 A.M. on January 15, 2014. There being no further discussion, a roll call vote was taken on the motion with the following results: Yes – 2 (Dicker, Blanchard), No – 1 (Huley), Abstain – 0, Absent – 0. Motion approved.
- b. Appointment of new police officers. A motion was made by Secretary Huley, seconded by Commissioner Blanchard, to accept the Mayor's November 6, 2013, correspondence requesting the Commission hire 7 officers on the entry level eligibility list. There being no discussion, a roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.
- c. Freedom of Information Act request from North Chicago Police Officer, Sergeant Cecala.
 - i. Attorney Franks advised the Commission that he had received a FOIA request (not further identified) from Sergeant Cecala from the City of North Chicago.
 - ii. Attorney Franks advised that he had responded to Sergeant Cecala's FOIA request by the required deadline (Monday, date not identified) by personally meeting with Sergeant Cecala and delivering to Sergeant Cecala a copy of "the letter" as well as "the notice of the meeting."
 - iii. Attorney Franks provided Secretary Huley a copy of the letter provided to Sergeant Cecala for the Commissioner's files.
 - iv. Attorney Franks advised that he had taken additional steps to secure written records from "the meetings" (presumably included in Sergeant Cecala's FOIA request).
- d. Public Comment.
 - i. A general discussion [Chairwoman Dicker, Attorney Franks, Secretary Huley] ensued relating to public comment at Commission meetings as required by the Open Meetings Act.
 - ii. Secretary Huley made the motion, seconded by Commissioner Blanchard, for (a) the Commission to use a sign-in sheet for members of the public desiring to address the Commission, (b) any persons addressing the Commission to identify themselves by stating name and address, (c) to limit comments to four minutes and to items on the meeting agenda, (d) that public comment is an opportunity for the public to address the Commission not a question and answer session, and (e) that public comment be held after old and new business matters of the Commission had been addressed. There being no discussion, a roll call vote was taken on the amended motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.
- e. Brief recess followed to allow members of the public desiring to address the Commission to sign-up on a sheet provided by Chairwoman Dicker.
- f. Return to the police promotional examination.
 - i. Attorney Franks noted that several candidates would need to sign a waiver of the 90-day study period for the examination set by the Commission for January 15, 2014.
 - ii. Officer Sturt identified Sergeants Marquard and Sergeant Nash as needing to sign waivers.
 - iii. Attorney Franks noted that the Commissioners needed the executed waivers prior to administering the examination.
 - iv. Chairwoman Dicker advised Attorney Franks that the Commission (she) had a list of candidates who "are going to come in and sit for the exam."
 - v. Chairwoman Dicker advised Sergeant Nash that the completed waiver could be submitted to any Commissioner.

- vi. Chairwoman Dicker made the motion, seconded by Commissioner Blanchard, that candidates who are newly eligible for the promotional examination due to the rescheduled date sign a waiver acknowledging the rescheduled testing date and of the 90-day study period for the examination. There being no discussion, a roll call vote was taken on the amended motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.
- g. Lake County State's Attorney's correspondence concerning a reported violation of the Open Meetings Act on November 8, 2013.
 - i. Attorney Franks distributed to the Commissioners copies of the State's Attorney's letter along with an attorney-client privileged letter on the topic.
 - ii. Attorney Franks suggested the Commissioners review both letters.
 - iii. No discussion on the letters followed, and no action was taken by the Commission.
- h. Return to the police promotional examination.
 - i. Chairwoman Dicker made a motion, seconded by Commissioner Blanchard, to investigate alternate vendors for future police and fire promotional examinations.
 - ii. Chairwoman Dicker noted that after the current police promotional examination is finished, anticipated future Commission examinations would include:
 - i. Entry level police officers in 2015,
 - ii. Police promotions in 2017,
 - iii. Entry level firefighters in 2015, and
 - iv. Fire promotions in 2016.
 - iii. Chairwoman Dicker suggested the time to investigate alternate vendors would be four or five months prior to the examinations. She noted that technology changes impacting vendors' services.
 - iv. Attorney Franks noted the Commissioners could elect to table the matter until a future meeting.
 - v. Chairwoman Dicker made a motion, seconded by Commissioner Blanchard, to table investigation of alternate vendors for future police and fire promotional examinations to a future date. There being no discussion, a roll call vote was taken on the amended motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.

4. New Business.

- a. Chairwoman Dicker's Proposal regarding the Commissioners' hiring process.
 - i. These were originally prepared in March 2012 and shared again today with the Commissioners to review.
 - ii. No action was taken on the proposal.
- b. Procedure for posting meeting notices and agendas.
 - i. General discussion [Attorney Franks, Secretary Huley, Chairwoman Dicker] concerning the Commissioners procedures for preparing and posting meeting notices and agenda.
 - ii. Secretary Huley made a motion, seconded by Chairwoman Dicker, for the Secretary to serve as the primary contact for preparing and forwarding meeting notices and agendas to the City Clerk's office for posting, backed-up by the Chairperson as needed, to ensure compliance in a timely fashion with the Open Meetings Act. There being no discussion, a roll call vote was taken on the amended motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.

5. Public Comment.
 - a. Patricia Axelrod. Offered comments to the Commissioners:
 - i. General comments concerning the Open Meetings Act, and
 - ii. Concerning the Commissioners meeting on November 8, 2013, and resulting police promotion.
 - b. Charles January. Offered comments to the Commissioners:
 - i. Expressing concern regarding police officer educational requirements of 60 college credit hours by four years of fact termination being unrealistic,
 - ii. Expressing concern that police officers and firefighters did not have the same educational requirements,
 - iii. Expressing concern that the State's Attorney's and Attorney General's offices were involved with the Commissioners as relates to the Open Meetings Act, noting that action is warranted only if a criminal matter is involved,
 - iv. Expressing concern that the City's attorney and F.O.P. are attempting to influence Commissioners' policies as to hiring and promotion when the Commissioners were intended to independent so as to be free from undue influence, and
 - v. Expressed concern that the Commissioners' records are not secured solely for Commissioners' access and reports that individual police officers and firefighters had and could access the Commissioners' records, and that access by these individuals or the City other than the Commissioners was improper.
 - c. Lieutenant Kurt Nash. Offered general comments to the Commissioners.
 - d. Preacher [NFN] Howard. Offered comments to the Commissioners:
 - i. General comments relating to Lieutenant Nash's promotion and subsequent assignments,
 - ii. Expressing concern on a report that a police officer, Parish, had been hired without involvement of the Commissioners, and
 - iii. Expressing concern about the City's Police Chief and his role in the recent promotion to lieutenant.
 - e. Ralph Peterson. Offered comments to the Commissioners relating to the recent promotion of Lieutenant Nash.
 - f. Thelma Harris. Offered general comments to the Commissioners expressing appreciation and thanks for her recent opportunity to serve with the Commissioners.
 - g. Felicia Nash. Offered comments to the Commissioners:
 - i. Expressed the Pension Fund's Board's appreciation for its efforts relating to appointment of entry level officers and promotion of experienced officers,
 - ii. Shared the Pension Fund's Board's desire to see medical evaluations and physical agility tests for experienced officers much as they are done for entry level officers, and
 - iii. Expressed the Pension Fund's Board's appreciation for the physical agility test, which enables the Pension Fund's Board to better understand and evaluate applicants and members.
 - h. There was no further public comment.

6. Closed Session. There was no closed session.

7. Actions Arising from Closed Session. Not applicable.

8. Adjournment. There being no further business for the Commission, a motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to adjourn at 12:50 P.M. A roll

call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion carried.

Respectfully submitted,

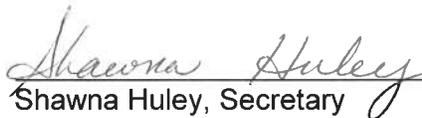
Brian J. O'Connor
One of the Commission's Attorneys

Approved by the Commission on April 3, _____, 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

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