

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

February 6, 2014

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 9:05 A.M.
2. Roll call identified the following Commissioners present:
Chairwoman Velma Dicker
Secretary Shawna Huley
Commissioner Vanderbilt Blanchard

Other persons present included:

Attorneys Joseph Miller and Brian O'Connor of the law firm of Ottosen-Britz, Ltd.
Richard Wilson, Deputy Chief of Police
North Chicago Police Officer Carl Sturt, Treasurer, North Chicago F.O.P. Lodge 31
North Chicago Police Officer Raymond Hartman, President, North Chicago F.O.P. Lodge 31
North Chicago Resident Shirley J. Pritchett

3. Chairwoman Dicker opened the meeting for Public Comment.

North Chicago Police Officer Carl Sturt addressed the Commission.

- a. He advised the F.O.P. Lodge is seeking something in writing in regards to the police promotional process.
- b. He advised that the police promotional process is a critical part of moving the Department forward.
- c. He stated that F.O.P. Lodge members has a vested interest in the promotional process.

Commission's Attorney Miller addressed Officer Sturt's comments.

- a. He noted that Commission meetings were Open Meetings, and open to all to attend.
- b. He advised that the Commission would conduct the lieutenants' and sergeants' promotional exam.
- c. He noted that police promotions might have to be collectively bargained with the City, which would delay the process.
- d. He advised that ICOPS would conduct the written and oral portions of the examinations.
- e. He noted that the Commission cannot change the rules for the current promotional examinations, but might reevaluate rule for future police promotional examinations.

There was an exchange [Attorney Miller, Officer Sturt, Officer Hartman] about posting of notice for the police promotional examinations. Notice was published in the paper, as required. Notice was posted in City Hall. Deputy Chief Wilson posted another copy of the same notice on the Police Department's bulletin board in response to Officer Sturt's concern that no notice was posted on there.

There was an exchange [Attorney Miller, Officer Sturt, Commissioner Huley, Commissioner, Dicker] concerning the opening of written exam component test results. Sealed results were to be received from the vendor, and to be jointly opened by the Commission in the presence of representatives of the F.O.P. Lodge.

There was no further public comment.

4. Approval of minutes.

- a. A motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to approve the open session minutes from the November 11, November 18, November 25, and November 26, 2013 meetings as well as the January 17, 2014 meeting, as presented.

There was general discussion [the Commissioners, Attorneys Miller and O'Connor] of whether the Commission needed to or should transcribe meeting proceedings [Agenda Item VI(b)]. The eventual consensus was that the Commission would not transcribe meeting proceedings but would instead prepare meeting minutes for approval by the Commission as required by the Open Meetings Act.

There being no further discussion, a roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion to approve the identified minutes carried.

- b. A motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to approve and retain as confidential the closed session minutes from the January 17 and January 24, 2014 meetings, as presented. There being no further discussion, a roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion to approve the identified minutes carried.

5. Old Business.

a. Freedom of Information Act (FOIA) requests

- i. Attorney Miller updated the Commission on communications regarding FOIA requests submitted.
- ii. Attorney Miller stated responses had been made to all known FOIA requests.
- iii. Commissioner Huley stated she had been unable to locate for Attorney Miller copies of minutes for the period of March to November 2013.
- iv. There was general discussion [the Commissioners, Attorneys Miller and O'Connor] regarding the security of Commission records, location of records storage, limiting access to Commission records to the Commission which the Commission was unsure was true at this point.
- v. The Commission noted that the Commission's records had been relocated from City Hall to "the sub-station" in the August-September 2013 timeframe, and that the records still required much effort to properly organize and sort the documents. The Commissioners' collectively noted the inaccessibility and inconvenience caused by the relocation of the Commission's records to the sub-station, and the shared concerns about limiting access to the Commission's records at the sub-station to ensure the integrity of those records.

b. Scheduling of promotional exams.

- i. The promotional exams for police sergeant and police lieutenant are scheduled for February 13, 2014. As noted earlier, notice has been published and posted.

- ii. Results of the written exam will be sent directly by the vendor, in sealed envelopes. The Commission will open the envelopes with representatives of F.O.P. Lodge present.
 - iii. On the day of the test (2/13/2014), applicants will use a Test ID Number, so the vendor will not know the identity of any individual applicant's test. The Commission will retain a copy of the list correlating the applicants with their Test ID Number in a sealed envelope. A second sealed envelope with this list will be provided to the F.O.P. Lodge.
 - iv. The test results will be received in the sealed envelopes by the Commission's Secretary from the vendor. The sealed envelopes with results will be jointly opened by a Commission representative and representative of the F.O.P. Lodge. These parties will then jointly validate the test results and post the scores of the written test component.
 - v. Officer Hartman, President of the F.O.P. Lodge expressed satisfaction with these written exam component procedures. Officer Hartman expressed some concern about the oral examination component. He was advised that ICOPS would be conducting the oral examination component for the Commission, and expressed the F.O.P. Lodge's acceptability with that arrangement.
 - vi. Deputy Chief Wilson confirmed that notice of the promotional exam was posted on the Police Department's bulletin board.
- c. 2014 Commission meeting times/dates.
- i. The Commission discussed proposed meeting times and dates for 2014. Meetings would be scheduled for 9:00 A.M. in the West Conference Room in the City of North Chicago, 1850 Lewis Avenue, North Chicago, Illinois, on the following dates.
 - February 6, 2014
 - March 6, 2014
 - April 3, 2014
 - May 1, 2014
 - June 5, 2014
 - ~~July 3, 2014~~ July 10, 2014
 - August 7, 2014
 - September 4, 2014
 - October 2, 2014
 - November 6, 2014
 - December 4, 2014
 - ii. There was some discussion about rescheduling the meeting normally set for July 3, 2014 to July 10, 2014 to avoid conflicts with the 4th of July National Holiday.
 - iii. A motion was made by Secretary Huley, seconded by Chairwoman Dicker, to approve the Commission's 2014 meeting schedule, as amended. There being no further discussion, a roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion to approve the annual schedule carried.
- d. Invoices for Commission services.
- i. Secretary Huley mentioned she had some bills received which were pending. Chairwoman Dicker advised the Commission of an outstanding invoice she had as well.

- ii. The Commissioners asked that these items be added to the agenda for the regular meeting on March 6, 2014. The Commissioners would email Attorney O'Connor the invoice and bill details for the meeting notice and agenda.
- iii. There was a general discussion [Commissioners] about updating organizations and entities so that notices would be sent to Secretary Huley.

6. New Business.

- a. Commission's 2014 Budget Request.
 - i. Chairwoman Dicker reviewed the Commission's 2013 Budget Request.
 - ii. Chairwoman Dicker noted that 2013 was the first year that the Commission had exceeded its budget.
 - iii. The Commissioners noted that four (4) promotional exams, which are expensive undertakings, were administered.
- b. Transcribing Commission meeting proceedings.
 - i. Largely discussed by the Commission during its consideration of the meeting minutes, noted above.
 - ii. Secretary Huley provided the recently received transcript from the Commission meeting on December 11, 2013, to Attorney O'Connor to prepare formal minutes for the Commission's approval.
 - iii. Attorneys Miller and O'Connor noted that the Commission should retain copies of approved minutes in its files not only for historical reference, but also in order to comply with information requests such as FOIA requests.
- c. Police officer new hire matter.
 - i. Commissioner Dicker stated she had received a letter from the Mayor requesting that the Commission hire five (5) new police officers.
 - ii. Attorney Miller noted that the individuals should be tendered a "conditional offer of employment" to allow final validations to take place (medical exam, background checks, etc.).
 - iii. Deputy Chief Wilson asked the Commission to authorize the Department to start the background investigations on the next six (6) candidates, as past history has shown that at least one of the candidates will decline the offer of employment.
 - iv. A motion was made by Chairwoman Dicker, seconded by Secretary Huley, to tender a conditional offer of employment to the next five (5) candidates on the police departments new hire list, but to authorize the Department to begin background checks on the next six (6) candidates on the list. There being no further discussion, a roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.
 - v. Deputy Chief Wilson asked Chairwoman Dicker about obtaining additional police officer certification cards. Chairwoman Dicker indicated she had the cards and could assist the Deputy Chief.
- d. Commission notice and agenda procedures.
 - i. A motion was made by Chairwoman Dicker, seconded by Secretary Huley, for the Commission's Attorneys to prepare meeting notices and agendas and minutes, assisted by the Secretary as needed. There being no further discussion, a roll call vote was taken on the motion with the following results: Yes – 3, No – 0, Abstain – 0, Absent – 0. Motion approved.

7. Closed Session.

A motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to enter closed session at 10:24 A.M. for the purposes of discussing:

- a. Appointment and employment of specific employees of the City,
- b. Pending litigation – Lake Co. Cases 13CH3485 and 13L0948,
- c. Matters of collective bargaining, and
- d. Review of Closed Session minutes.

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

Chairwoman Dicker reconvened open session at 10:46 A.M. in the West Conference Room of the City of North Chicago

8. Action on items from closed session. Chairwoman Dicker announced there was no action on items from closed session.
9. Adjournment. There being no further business for the Commission, a motion was made by Commissioner Blanchard, seconded by Chairwoman Dicker, to adjourn at 10:47 A.M. A voice 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 March 6, 2014.

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

ATTEST:

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