

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

June 5, 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 9:00 A.M.

2. Roll call identified the following Commissioners present:

Chairwoman Velma Dicker
Commissioner Vanderbilt Blanchard

Roll call identified the following Commissioner absent but expected:

Secretary Shawna Huley

Other persons present included:

Attorney 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

3. Chairwoman Dicker opened the meeting for Public Comment. No public comment was offered.

4. Approval of minutes.

a. A motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to approve the open session minutes from the May 2, 2014, special meeting as presented. There being no discussion, a roll call vote was taken on the motion with the following results: Yes – 2 (Dicker, Blanchard), No – 0, Abstain – 0, Absent – 1 (Huley). Motion to approve the identified minutes carried.

b. Consideration of the closed session minutes from the May 2, 2014, special meeting was tabled until the July 10, 2014 regular meeting as approval for these minutes was not identified on the meeting agenda.

5. Old Business.

a. Discussion/possible action on Freedom of Information Act (FOIA) requests.

Attorney O'Connor and Chairwoman Dicker noted that no new FOIA requests had been received and that Attorney Joe Miller had responded to all FOIA requests received to date. Consensus of the Commissioners to remove this item from the July 10, 2014, meeting agenda, unless and until additional FOIA requests required the Commissioners attention.

Commissioner Huley arrived at 9:09 A.M. Commissioners Dicker and Blanchard and Attorney O'Connor advised Commissioner Huley of business that had transpired prior to her arrival.

- b. Discussion/possible action on invoices for Commission services. Secretary Huley advised there were 2 outstanding invoices.

From the Sun Times Media in the amount of \$24.00 for notice of the Police Lieutenant Promotional exam. The Commissioners had approved payment of this invoice at the February 6, 2014, meeting.

From Dyer Police Dept. in the amount of \$490.00 for the Chief's participation in the oral interview selection component of the Police Lieutenant Promotional exam process. The Commissioners had approved payment of this invoice at the April 3, 2014, meeting.

Secretary Huley and Chairwoman Dicker noted they would follow-up with the City to ensure that invoices approved for payment were in fact being paid in a timely manner.

6. New Business.

- a. A discussion was held on the keeping of the Commission's records and files at the police sub-station located in North Chicago. The Commission discussed possible ways to secure the Commission's records from unauthorized access by members of the public or the City of North Chicago, as well as the need to better organize the Commission's records and files at that location.
- b. The Commissioners discussed the possibility of altering the regular meeting schedule from the previously approved and announced monthly meeting generally on the first Thursday of each calendar month to quarterly meetings generally on the first Thursday of the first month of each calendar quarter (i.e., January, April, July, and October). Attorney O'Connor noted that amending the announced annual regular meeting schedule required notice of that amendment, and although the Commission had worked through many issues since January 2014, that there remained some uncertainty. Attorney O'Connor suggested retaining the current regular monthly meeting as approved and announced, but if the Commissioners determined there was not sufficient business to warrant holding a meeting that the Commissioners could notify Attorney O'Connor, who would prepare a notice of cancellation for any meeting deemed not necessary. General consensus by the Commissioners to proceed with Attorney O'Connor's recommendation, while retaining the option of moving to regular quarterly meetings in calendar year 2015.
- c. The Commissioners discussed legal expenses incurred by the Commission for consultation with private citizens, not authorized to consult with Commissioners' legal counsel. Attorney O'Connor explained that in some instances, he and Attorney Miller might need to communicate with non-Commissioners. For example, persons submitting FOIA requests, or the City's attorney regarding litigation or collective bargaining matters. The Commissioners agreed that attorneys needed latitude, but directed that attorneys should not consult with private citizens on Commissioners' business without authorization of the Commissioners. Attorney O'Connor explained that he and Attorney Miller had discussed this point and would comply with the Commissioners direction.
- d. The Commissioners discussed possible revision of the Commission's rule and regulations, specifically regarding (1) residency, (2) original appointments, and (3) termination. Attorney O'Connor noted that he believed Attorney Miller had a copy of

the current Commission's rules and regulations, and would work to have proposals on these topics for the July 10, 2014, meeting.

- e. The Commissioners discussed compliance with the Open Meetings Act (OMA). There was general acknowledgement that the Commissioners were and diligently strived to remain OMA compliant. Consensus of the Commissioners to remove this item from the July 10, 2014, meeting agenda, unless and until additional OMA concerns required the Commissioners attention.
 - f. The Commissioners discussed the Final Police Lieutenant Promotional List. Commissioner Huley provided Ofc. Diez's Member 4 cop of his DD-214, which Attorney O'Connor and Commissioner Blanchard confirmed that Ofc. Diez's military service was "Honorable" and for a period of four years, confirming his eligibility for military service promotional points. With that confirmation made, the earlier Commissioners approval to post the Final Police Lieutenant Promotional List conditioned on that verification had been met, and the Final Police Lieutenant Promotional List was authorized for posting.
 - g. The Commissioners noted that the Commission had received copies of all records from the Commissioner's former attorney, Bill Franks.
 - h. Attorney O'Connor advised there was no need to go into closed session for an update on the status of pending federal civil rights litigation in *Carr v. City of North Chicago*, Case No. 11 CV 8836, as he could do so in open session. Attorney O'Connor advised that Attorney Miller continued working closely with City Attorney Chuck Smith regarding responses to subpoenas issued in the case. Attorney O'Connor noted that he or Attorney Miller would update the Commissioners as developments arise in this matter.
7. Closed Session. None needed.
8. Action on items from closed session. Not applicable.
9. Adjournment. There being no further business for the Commission, a motion was made by Chairwoman Dicker, seconded by Commissioner Blanchard, to adjourn at 10:03 A.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 July 10, 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