



BOARD OF ETHICS MEETING

Tuesday, August 21, 2018

7:00 p.m.

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2404

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. PUBLIC COMMENT

3. APPROVAL OF MEETING MINUTES

July 24, 2018

4. NEW BUSINESS

Election of Vice-Chair

Discussion of Open Meetings Act

5. OLD BUSINESS

Motion for Rehearing filed by Misty Witenberg.

ADJOURNMENT

Next Meeting: September 18, 2018 at 7:00 p.m. in Room 2404



MEETING MINUTES

BOARD OF ETHICS

Tuesday, July 24, 2018

7:00 p.m.

Lorraine H. Morton Civic Center
2100 Ridge Ave, Room 2403

Members Present: Vincent Thomas, Elizabeth Gustafson, Karena Bierman, and Jennifer Billingsley

Members Absent: N/A

Staff Present: Mario Treto, Jr., Deputy City Attorney

Presiding Member: Jennifer Billingsley, Committee Chair

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1. **Quorum:** Interim Chairwoman Billingsley declared that the Board had a quorum, with 4 of 4 members present and called the meeting to order.
 2. **Appointment of Interim Board Chair:** Former Board Chair Kelda Harris-Harty's term expired on June 11, 2018. Board member Bierman moved that Billingsley be appointed Interim Chair and Thomas seconded. All voted in favor of Jennifer Billingsley as Interim Board Chair.
 3. **Public Comment:** The Board opened up the meeting for public comment. There were no individual present during the meeting. Electronic mail was sent to the Board members by Misty Witenberg and was distributed at the public hearing. Board member Thomas raised his concern with accepting public comment via electronic mail and asked that the Board consider amending the Board of Ethics Rules to address his concern. The documentation received from Misty Witenberg was received and placed to file.
 4. **Minutes:** Board member Bierman moved to accept the meeting minutes of June 19, 2018 as proposed and Board member Thomas seconded. Motion passed with three ayes and Board Member Gustafson abstained as she was not present during the meeting.
 5. **New Business:** Deputy City Attorney Mario Treto, Jr. provided the Board with an update regarding the new appointment. A new member is being considered for approval to be appointed on a City board by their employer. Once they are approved by their employer, the City will move forward with the appointment.

3. **Old Business:** Chairwoman Billingsley presented the review and approval of advisory opinion for Complaint 18-BOE-0001 filed by Misty Witenberg. Chairwoman Billingsley raised that Misty Witenberg also filed a Motion for Rehearing. Board members discussed the content of the Motion and stated that there is no new information to be considered. Board member Bierman stated that with regards to the complaint against Michelle Masoncup, Masoncup did not influence her thinking on the entire complaint at all. Chairwoman Billingsley agreed. Chairwoman Billingsley raised that another concern from the Motion is the belief that quorum was not achieved at the last meeting due to the fact that K. Harris-Harty's term expired in the midst of a hearing. The Board also continued to discuss the role of a City attorney providing support to the Board. Board member Gustafson raised that there may be a conflict of interest where a City attorney provides support to the Board of Ethics while they are representing the municipal corporation. Chairwoman Billingsley stated that the attorneys represent the best interests of the municipal corporation. In discussing overall access of the Board of Ethics to the general public, Board member Gustafson requested that the complaint form be made more user friendly. The Board discussed reviewing of the form. Board member Bierman also explained the difference between something falling within the jurisdiction of the Board of Ethics and looking at complaints in light of the adopted City of Evanston Code of Ethics. She also gave a comprehensive overview of the different types of complaints the Board of Ethics has historically received.

Chairwoman Billingsley asked for a motion to approve the advisory opinion for Complaint 18-BOE-0001 filed by Misty Witenberg. Board member Bierman moved approval with Chairwoman Billingsley seconding. The motion passes with a vote of 2-0, with Board members Gustafson and Vincent abstaining.

Second item for discussion is regarding the Board of Ethics Rules. The Board members discussed previous changes that were proposed by the Board of Ethics, including the creation of a Sargeant of Arms and a Vice-Chair. Consistent with the comprehensive review of other boards and commissions, the Board of Ethics will be reviewing the Code of Ethics and the Administrative Rules and Procedures.

Board member Bierman proposed that all board members be on the same page by having Deputy City Attorney Treto provide to the membership the Code of Ethics in paper form so everyone has the exact same document, along with the Board of Ethics Administrative Rules and Procedures.

The Board requested that Deputy City Attorney Treto provide to the group an Open Meetings Act primer. He agreed to provide that he will provide to the entire Board of Ethics.

4. **Adjournment:** Upon motion by Board member Thomas and second by Board member Bierman, the meeting was adjourned with all voting in favor.