



MEETING MINUTES

BOARD OF ETHICS

Tuesday, April 16, 2019

7:00 p.m.

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

Members Present: Jennifer Billingsley, Vincent Thomas, Elizabeth Gustafson, Karina Bierman and LJ Ellul

Members Absent: None

Staff Present: Hugh DuBose, Assistant City Attorney

Presiding Member: Jennifer Billingsley, Committee Chair

1. **Quorum:** Chairwoman Billingsley declared that the Board had a quorum, with 5 of 5 members present and called the meeting to order.

2. **Public Comment:** The Board opened up the meeting for public comment. The following individuals provided public comment: Misty Witenberg, Nancy Sreenan, and Claire Kelly. Misty Witenberg expressed concern about the drafting of the new ethics ordinance and the Board of Ethics input in the new ordinance. She requested the Board of Ethics provide input into the new ordinance. She also requested the Board issue an advisory opinion regarding Alderman conflicts of interest. Nancy Sreenan objects to the City not implementing a rule preventing an Alderman from forwarding a constituent's email without CCing the citizen who sent the email. Clare Kelly expressed concern that all correspondence she sent went through City Counsel and requested an impartial member review correspondence. Clare Kelly also stated that all of the recommendations of the Board of Ethics were not detailed in the transmission memo or adopted by the Rules Committee.

3. **Approval of Meeting Minutes:** Chair Billingsley stated that the next portion of the meeting relates to approval of meeting minutes.

December 18, 2018 Meeting Minutes Chair Billingsley confirmed that everyone had a copy of the minutes; the Board affirmed.

Member Bierman provided comments correcting two drafting errors in the December 18, 2018 meeting minutes. Member Thomas requested that the date on the first page of the minutes be changed from 2019 to 2018.

Member Thomas moved for the Board to adopt the revised minutes of December 18, 2018 with revisions incorporated. Member Ellul seconded. The motion passes unanimously.

Discussion of Policy Related to Board of Ethics Public Comment: Chair Billingsley stated the Board of Ethics needed to formally adopt rules for public comment. The Board of Ethics has traditionally provided 45 minutes of public comment and allowed no more than 3 minutes per person. Chair Billingsley asked Assistant City Attorney DuBose to provide draft public comment language for the Board of Ethics to review at the next meeting.

Update from the Subcommittee of the Rules Committee to revise the Code of Ethics. Assistant City Attorney DuBose provided an update that the Subcommittee is working on an updated version of the new code of ethics that will be presented at its April 22, 2019, meeting. Chair Billingsley stated that the Board would like to review and comment on the new ordinance.

Member Guftason states that it would not be constructive to review a version of the ordinance that has already been significantly revised.

Chair Billingsley motions to write a letter to Chair of Sub Committee stating that the Board would like to review and provide comments on a close to final ordinance. Vincent seconds, motion passes 5-0.

Consider adoption of Guidance on Voting on Matter Relating to Oneself. Chair Billingsley and Member Bierman recused themselves from this matter. Member Guftason requested a break to in the proceedings. Chair Billingsley made a motion to recess. The motion was seconded by Member Thomas. The Board voted to recess. Board recessed. The Board resumed the meeting. Member Thomas stated that the version of the ordinance in the packet is being revised and commenting on the current version would be moot. Member Ellul asked whether the Rules Committee would vote on the ordinance on April 22, 2019, finalizing the ordinance. Assistant City Attorney DuBose confirmed that the Ethics Subcommittee of the Rules Committee will meet on April 22, 2019, but that the Rules Committee does not have a meeting scheduled for the same day. Member Thomas made a motion to table the issue. Member Guftason seconded the motion and the motion passed 3-0 with Chair Billingsley and Member Bierman abstaining.

Review and Respond to Correspondence Submitted to the Board of Ethics Financial Disclosures. Chair Billingsley stated that Staff is forwarding email to the Board promptly. She would like a dedicated a city email address for the Board of Ethics that would automatically forward correspondence to Board members.

The Board reviewed Clare Kelly's email dated December 17, 2018.

Chair Billingsley stated the Board is always the last to know about complaints and there have been situations where she learned about the complaint by reading the packet.

The Board discussed the best way to handle correspondence from the community. There Board of Ethics wants to make sure they receive every email directly. Member Thomas requested that the person sending the email receive an automatic reply. Chair Billingsley directed Assistant City Attorney DuBose to contact IT and determine if a City email account can be created that will automatically forwarded the email to the Board members.

The Board reviewed emails from Clare Kelly dated January 16, 2019, and Nancy Sreenan dated January 17, 2019.

The Board discussed how to address the Rules Committee's decision to not implement all of the Board's recommendations. Chair Billingsley suggested that they make a motion to send recommendations back to the rules committee. Member Thomas makes a motion to send advisory opinions to the Rules Committee making note that the transmission memo did not adequately address the Board of Ethic's Recommendations. Member Ellul seconded. Motion passed 4-0 with Member Bierman abstaining.

Assistant City Attorney DuBose reminded the Board of Ethics that Financial Disclosures are due May 1, 2019. The Board should contact Assistant City Attorney DuBose is they do not receive an email from the City Clerk's Office with a link to their financial disclosure form.

4. **Adjournment:** Upon motion by Chair Billingsley and second by Member Thomas, the meeting was adjourned with all voting in favor.