As the result of an executive order issued by Governor J.B. Pritzker suspending in-person attendance requirements for public meetings, the BOE members and City staff will be participating in this meeting remotely. Due to public health concerns, residents will not be able to provide public comments in-person at the meeting. Those wishing to make public comments may submit written comments in advance or provide public comments by phone or video during the meeting. Persons wishing to submit written comments or make public comment during the meeting must sign up by 6:30 PM on July 1, 2020, at https://forms.gle/nz41Dz816S63mqXk8.

Join Zoom Meeting
https://zoom.us/j/91053171219?pwd=ckU1SXpGVHNacTBxc2lRMGcwcW90QT09

Meeting ID: 910 5317 1219
Password: 320651
One tap mobile: +13126266799, 91053171219# US (Chicago)

AGENDA

1. CALL TO ORDER / DECLARATION OF QUORUM

2. DESIGNATION OF ACTING CHAIR

3. SUSPENSION OF THE RULES: Member participation electronically or by telephone.

4. APPROVAL OF MEETING MINUTES
   a. March 3, 2020 (open and executive sessions)

5. OLD BUSINESS
   a. Hearing on ethics complaint 19-BOE-006 (Complainant Daniel Coyne)
   b. Findings and Order on the BOE’s Jurisdiction on Ethics Complaints 19-BOE-007 & 8 (Complainants Misty Witenberg and Devon Reid)

6. EXECUTIVE SESSION – pursuant to 5 ILCS 120/2(c)(4) and (15)
   a. Ethics Complaint 19-BOE-006 (Complainant Daniel Coyne)
   b. Findings and Order on the BOE’s Jurisdiction on Ethics Complaints 19-BOE-007 & 8 (Complainants Misty Witenberg and Devon Reid)
The next BOE meeting will be announced on the BOE website. Additional information will be provided on that meeting agenda.
MEETING MINUTES
BOARD OF ETHICS
Tuesday, March 3, 2020 at 7:00 p.m.
Lorraine H. Morton Civic Center
2100 Ridge Ave, Room 2404

Members Present: Carrie VonHoff, Suzanne Calder, Mark Sheldon, and Clark Chipman
Members Absent: None
Others Present: Yordana Wysocki, Counsel for the Board of Ethics
Presiding Member: Carrie VonHoff, Acting Chair

1. Call to Order/Declaration of Quorum: The meeting was called to order at 7:02 PM. Carrie VonHoff declared that the Board had a quorum, with 4 of 4 members present and called the meeting to order.

2. Designation of the Acting Chair: Member VonHoff volunteered to act as chair of the meeting. Member Calder moved to appoint VonHoff as Acting Chair and Member Sheldon seconded. Motion was unanimously approved.

3. Approval of Meeting Minutes from November 19, 2019: The Board considered the minutes from the November 2019 meeting. No member had any comments. Ms. Misty Witenberg submitted written comments about the November 19, 2019, minutes and those comments will be filed with the minutes. Member Sheldon moved to approve the minutes, the motion was seconded by Member Chipman, and all voted in favor to adopt the minutes.

4. New business:
   a. Ethics Complaint 19-BOE-006 brought by Complainant Daniel Coyne. Acting Chair VonHoff listed the materials that the Board had regarding his Complaint and asked Mr. Coyne if he wished to stand on his written submissions or present any additional information verbally. Mr. Coyne said he would stand on his written submission.
   b. Ethics complaints 19-BOE-007 & 8 brought by Complainants Misty Witenberg and Devon Reid. Acting Chair VonHoff asked if the Complainants were present. Ms. Witenberg was present; Mr. Reid was not. Acting Chair VonHoff noted that Ms. Witenberg filed a motion to disqualify Board Counsel Yordana Wysocki and offered Ms. Witenberg five minutes to present additional materials or argument. Ms. Witenberg did so, and Ms. Wysocki made a verbal response. Member Sheldon moved to deny Ms. Witenberg’s motion for disqualification, Member Chipman seconded, and the Board approved the motion unanimously by voice vote. Ms. Witenberg asked for clarification on whether the Board was denying both parts of her motion, and Member Sheldon answered, yes. Acting Chair VonHoff identified the materials that the Board had regarding the complaints and asked if Ms. Witenberg wished to stand on her written
submissions or present any additional information verbally. Ms. Witenberg presented additional argument. Ms. Wysocki asked whether Ms. Witenberg was still pursuing her complaint against Ms. Masoncup as Ms. Masoncup was no longer an employee of the City. Ms. Witenberg said that she was. Member Calder asked what remedy Ms. Witenberg was requesting against Ms. Masoncup. Ms. Witenberg stated the remedy would be a fine for an ordinance violation.

5. **Executive Session:** Acting Chair VonHoff asked for a motion to go into executive session to discuss the written submissions and oral presentations on this Board’s jurisdiction to consider Ethics Complaints #19-BOE-006, 007, and 008, pursuant to the Open Meetings Act:

   (1) Section 2(C)(4) to consider evidence presented in open hearing to a quasi-adjudicative body provided the body prepares and makes available for public inspection a written decision, and,

   (2) alternatively, Section 2(C)(15) to consider professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body’s field of competence.

Member Sheldon so moved, and Chipman seconded the motion.

Ayes: Carrie VonHoff, Suzanne Calder, Mark Sheldon, and Clark Chipman
Nays: None
Abstain: None
Motion Approved.

The Board went into executive session at 7:35 PM.
The Board came out of executive session at 8:30 PM.

Acting Chair VonHoff asked for a motion finding that Mr. Coyne met the jurisdictional requirements in that Alderman Rainey is a person covered by the Code and the conduct alleged is conduct covered by the Code, therefore the Board of Ethics has jurisdiction over the complaint. Member Sheldon so moved, and Chipman seconded the motion.

Ayes: Carrie VonHoff, Suzanne Calder, Mark Sheldon, and Clark Chipman
Nays: None
Abstain: None
Motion Approved.

Acting Chair VonHoff requested a motion to take the jurisdictional question in Ms. Witenberg’s complaint under advisement with a written opinion to be discussed at the next Board meeting. Member Calder so moved, and Chipman seconded the motion.

Ayes: Carrie VonHoff, Suzanne Calder, Mark Sheldon, and Clark Chipman
Nays: None
Abstain: None
Motion Approved.

6. **Public Comment**: Public comment was heard, with 3 minutes allotted to each speaker. Acting Chair VonHoff read a written comment received by the Board from Mike Vaskko into the record. Comments were provided in support of a finding of an ethics violation in both complaints which was the subject of the meeting.

7. **Adjournment**: Upon motion by Member Calder and seconded by Member Sheldon, the meeting was adjourned with all voting in favor. The meeting was adjourned at 8:48 PM.
Please accept this note as my official ethics complaint against Evanston Alderwoman Ann Rainey, 8th Ward. On or about April 1, 2019 Alderwoman Rainey politically campaigned while being compensated by the City of Evanston and while using City of Evanston property (Evanston Rules Committee Video 3:57-7:54 and Evanston City Council Video 28:35-32:40).

**Contextual Timeline of Rainey Ethics Violation**

I have had the honor of teaching Evanston children anti-bullying skills during the month of October where we unpacked several strategies to recognize bullying, to resist bullying, and to report bullying. It was in this frame of mind that I realized my need to practice what I teach—Alderwoman Ann Rainey’s bullying behaviors are not only unhealthy but they have crossed the ethical line codified in Evanston’s Ethics Statutes. Hence, it is my civic duty to report Alderwoman Rainey’s specific bullying behavior to our Ethics Board for discernment (April 1, 2019 Political Campaigning during Rules Committee and City Council).

As you listen and view Alderwoman Rainey’s unethical behaviors of April 1, 2019, you will hear reference to several previous public comments of Robert Bady and Dan Coyne (March 10, 2019 YouTube Video), Ann Rainey (March 14, 2019 Ridgeville Park District Board of Commissioner meeting), Dan Coyne (April 1, 2019 public comments), Alderwoman Rainey (April 1, 2019 Politically campaigning), Beth Stare (October 14, 2019 public comments Evanston City Council Meeting), and Alderwoman Rainey (October 14, 2019 Evanston City Council Meeting). For your convenience, the following links are listed along with their corresponding dates for your review:

1. March 10, 2019: Evanston Live Interview Rob Bady and Dan Coyne
2. March 14, 2019: Ann Rainey Public Comments at Ridgeville Park District March 14, 2019 (Minutes) part I pg 1 and part II pg 7
3. April 1, 2019: Evanston Rules Committee—Dan Coyne public comments Evanston Rules Committee Video 0:33-3:51
4. April 1, 2019 Evanston Rules Committee—Alderwoman Rainey Politically Campaigning Evanston Rules Committee Video 3:57-7:54
5. April 1, 2019 Evanston City Council Meeting—Coyne public comments Evanston City Council Video 28:35-32:40
6. April 1, 2019 Evanston City Council Meeting—Alderwoman Rainey Politically Campaigning Evanston City Council Video 28:35-32:40
7. October 14, 2019 Evanston City Council Meeting—Beth Stare Public Comments (Evanston City Council Meeting October 14, 2019 20:24-24:00)
8. October 14, 2019 Evanston City Council Meeting—Alderwoman Rainey Warning To Beth Stare and Her Crew (Evanston City Council Meeting October 14, 2019 2:23:15-2:26:53)

**Clarification of What This Complaint Is Not About**
Please understand that this ethics complaint is not about:

1. Alderwoman Rainey’s racist public comments at Ridgeville Park District Commissioner meeting on March 14, 2019 where she stated that blacks were stupid for wanting a port-a-potty in our parks. She and every other public speaker have the constitutional right to state their opinion, even when the words are hateful and racist.

2. Alderwoman Rainey’s public comments regarding (at the dais of Evanston’s City Council Chambers) her denial of voicing racist comments at the Ridgeville Park District Board of Commissioner meeting on March 14, 2019. She has every right to speak, even when her words are untrue.

3. Alderwoman Rainey’s political campaigning for or against any political candidate during her private-time, i.e., not during her paid Evanston-time and/or use of Evanston property. I personally feel encouraged when citizens speak up regarding their particular political opinions, including Alderwoman Rainey’s voice.

4. Alderwoman Rainey’s threatening remarks from the dais toward Beth Stare on October 14, 2019. Although I believe Alderwoman Rainey’s comments during City Council’s 10.14.19 meeting were unethical, were a clear example of blatant bullying, and continue to be deeply disturbing, I am not officially reporting her unethical behavior to your board at this time.

Please understand that this ethics complaint is totally focused on this writer’s perspective and belief that any officer/employee of Evanston shall not use Evanston property and/or compensated-time to politically campaign for/against any political candidate. It is this writer’s intent to fully engage our Evanston Ethics Board in helping guide Alderwoman Rainey, Evanston City Council, and our Evanston Community on best practices for ethical behaviors.

**Specific Ethics Code Violations/Definitions**

1. According to Chapter 10 of Evanston’s Code Title 1: General Administration (1.10.2.C), it appears that part of your board’s purpose is to assist in this complaint as follows: “To evaluate, make findings of fact and issue advisory opinions for the City Council on questions of possible unethical conduct or conflict of interest. When the possible unethical conduct or conflict of interest concerns the prohibited political activities or gift ban provisions of this chapter, the Board may recommend to the City Council that the matter be referred to the law department for appropriate action pursuant to 5 ILCS 430/1-1 et seq. Such deliberations may be initiated by the Board or upon request, given due cause.”

If you agree that this ethics complaint fits within your scope of authority and after you evaluate and make findings of facts, please discern how to best forward Alderwoman Rainey’s behaviors to the City Council and/or Rules Committee. Given this writer’s belief that Alderwoman Rainey’s behaviors concern prohibited political activities, please rule out the need to refer this complaint to Evanston’s Law Department pursuant to 5 ILCS 430/1-1 et seq.
2. According to Evanston’s Code 1.10.4 (B), Alderwoman Rainey is covered by the Evanston Ethics Chapter 10 because she is an elected and paid officer/employee of the City of Evanston: “Persons Covered By This Chapter. The provisions of this Chapter shall apply to any officer or employee of the City, whether elected or appointed, paid or unpaid, including members of boards and commissions appointed by the City Mayor or City Council.”

3. According to Evanston’s Code 1.10.5, Alderwoman Rainey’s April 1, 2019 behaviors during the Rules Committee and City Council Meetings are prohibited political activities:

4. Definitions
(a) Campaign for Elective Office “Any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office…”
(b) Candidate “A person who has filed nominating papers or petitions for nomination or election to an elected office…”
(c) Compensated Time “With respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his/her employment, but for purposes of this chapter, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, “compensated time” includes any period of time when the officer or employee is on premises under the control of the employer and any other time when the officer or employee is executing his/her official duties, regardless of location.”
(d) Officer “A person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his/her official capacity.”
(e) Political Activity “Any activity in support of or in connection with any campaign for elective office…”
(f) Prohibited Political Activity “7. Soliciting votes on behalf of a candidate for elective office …”
“12. Campaigning for any elective office…”

5. Activities Prohibited
“1. No officer or employee shall intentionally perform any prohibited political activity during any “compensated time,” as defined herein. No officer or employee shall intentionally use any property or resources of the City in connection with any prohibited political activity.”

Given the above highlighted Evanston Code of Ethics definitions and rules, it is this writer’s opinion that:
1. Evanston’s Ethics Board has authority to evaluate, to hear evidence, and to refer facts of unethical behaviors to the Evanston Rules Committee and/or the Evanston Law Department.
2. Alderwoman Rainey is an officer of the City of Evanston and as such is under the Ethics Rules of Evanston.
3. On or about April 1, 2019, Alderwoman Rainey politically campaigned during the Evanston Rules Committee meeting by publically speaking against two candidates—Mr. Robert Bady and myself on the evening before the general election (Ridgeville Park District Candidates—Cook County Clerk Election Results).
4. On or about April 1, 2019, Alderwoman Rainey politically campaigned during the Evanston City Council Meeting by speaking for two candidates—Ms. Martha Gaines/Mr. Matt Mitchell and against two candidates—Mr. Bady and myself (Ridgeville Park District Candidates—Cook County Clerk Election Results).

Words Transcribed of Alderwoman Rainey’s Unethical Behaviors
1. April 1, 2019 Evanston Rules Committee:
“Alderman Braithwaite, I think this is one of those times when an Alderman gets to respond. There’s a provision where Alderman get to respond. May I have that privilege? So, you had to have been there. I think those of you who know me and know Dan Coyne know that he is a provocateur. And what you heard right now you would have had to been there. As a matter of fact many members of the Ridgeville Board objected to his use of that camera during that board meeting because there was a motion that he not be allowed to use that camera because that Ridgeville board had use their own camera. However, he knew that I was coming to respond to a vicious, hateful video that was placed online and mentioned me several times for some ungodly reason, I don’t even know. His point was that the Ridgeville Board was racist and all sorts of things because they would not allow port a potties in parks. And my comments were directed mostly to Mr. Coyne, not to Mr. Bady. Mr. Bady sorta goes along for the ride with Mr. Coyne. And what I said was that black people, white people any people of any color, race, creed, or ethnic background or income level did not want port a potties in their backyard. I said that anybody who wants a port a potty in their backyard is stupid. I stand by that comment. If you want a port a potty in your backyard you have a screw loose, quiet frankly. And I suggested that the way to go was to raise money through a referendum. To go to the taxpayers and say, as a matter of fact, my comments were almost exactly, you are not raising enough money in the Ridgeville Park District to really provide for decent infrastructure. The way to go the Ridgeville, the Ridgeville members, I’m one of them. I’m a taxpayer in Ridgeville. Perhaps we support raising more money to provide ourselves with better infrastructure. What have the two of you done in the last six years to provide for us? You have done nothing but complain, complain, complain, complain that the board does nothing. You are the majority on the board. You’ve done nothing. Do something. As a matter of fact, I was really good. You should have been there. You really should have been there. And they continue to complain. That was my argument. Not that Bab Bady was a bad guy but that their whole approach was bad. And I stood by every word I said. As usual, Dan Coyne is wrong.”

2. April 1, 2019 Evanston City Council Meeting:
“Yes um, I would like to respond to Coyne’s diatribe which is the second time this evening he has read the same abusive, blatant, uh misinterpretation of my comments at the Ridgeville Park District Board meeting. I went to the board meeting in response to a crazy, crazy um video that was on Facebook which mentioned me several time. He and Bob Bady did a video and I was really addressing Dan Coyne’s comments, not so much Bob Bady who really goes along for the ride with Dan Coyne. And what I said was very different than from what he said. What I said
was why are you complaining so much? You’ve been the, you have been the majority on the board of Ridgeville Park District. You are arguing that the board has been racist in disallowing port a potties in the backyards, in the little parks that are in the Ridgeville Park Districts. Why don’t you, why don’t you have a, a referendum where you can raise taxes? I’m, I’m part of the Ridgeville Park District, I would be willing to pay more. Your infrastructure is lacking. I believe Ridgeville Park District members deserve more in terms of their infrastructure. I don’t believe any black person or any white person, or any person of any creed, color, of anything wants a port a potty in their back yard. Anybody who wants a port a potty in their backyard is stupid. I stand by that comment. Who wants a port a potty in their backyard? Nobody wants a port a potty. My argument was that anybody who has been on the board of Ridgeville for six years and continues to argue and who has been in the majority continues to argue that nothing has been done shows a total lack of leadership, which I, I hammered home, and hasn’t gotten anything done—shame on them. They need to put on their big boy pants and stop sitting on their big boy butts and do something. Get your leadership skills together and do something. Raise some money, the people in Ridgeville, the Ridgeville District deserve more. That’s exactly what I said, I stand by every word—every single word. If you want more, if you want to do more, act, act. Don’t complain that nobody’s done anything in Ridgeville. Do it, do it, do it now. I stand by that completely. Why everything has to be twisted and made ugly but at least he got to come on the night of the election. Maybe he got a vote or two, I don’t know but good luck to the good people that are running. Bad luck to him.”

3.
October 14, 2019 Evanston City Council Meeting:
“I want to address a citizen comment tonight. Um, it’s not only Alderman that have to be careful about their speech. I am sick and tired of hearing people come up to this podium and accuse me of being racist at Ridgeville Park District meetings. I have probably been to 3 or 4 district meetings in my entire life and the woman who came here tonight was not even at the meeting that she’s talking about. She viewed a Youtube or something. I want to tell you very clearly what the comment was. I had watched a presentation by two Ridgeville Commissioners. As a Ridgeville taxpayer, and this is how I prefaced my remarks. A Ridgeville taxpayer for probably 45 years, I went to this meeting purposefully to speak to the issue of the video that I saw on Youtube. I was embarrassed by the video because it was two people talking about how they had not been successful in their term as Commissioners to produce things they thought they should have been able to produce. And I stood up and spoke very clearly saying I am not here as an Evanston Alderman, I’m here as a 45 or 40 some years taxpayer to the Ridgeville Park District. And I said one was white and one was black. And I said to them put on your big boy pants and get us the kind of infrastructure we as Ridgeville Park District’s taxpayers and users deserve. That’s what I said. And I was accused of
calling a black man a boy. And that's what all these comments are about and I am not threatening but I am warning this woman who came tonight and other members of that crew that speak about my being a racist because of those comments, that I've had it up to here. And I am not going to tolerate that and I am especially disappointed that many of the people saying these things are women. Women taking down other women. Stop it and you know who you are. Just stop it. Thank you.”

4. March 14, 2019 Rainey Public Comments at Ridgeville Park District:
Part I-- 8th Ward Alderwoman, Ann Rainey: “I’m here as a member of the Ridgeville Park District. Good evening, my name is Ann Rainey, I live at 1209 Hull Terrace. I’ve lived in the Ridgeville Park District since 1977. I usually only come to tell you what the city has done and partnerships we’ve made with Ridgeville Park District, but I’m coming here tonight in the manner in which people come to City Hall in Evanston to complain. I hate doing it, but I just couldn’t stay home. I saw the “Jim Crow, Dan Coyne, Rob Bady” video on facebook where people were accused of being racist, where the Ridgeville Park District was accused of being racist, where the Ridgeville Park District was accused for the last six years of doing absolutely nothing for the people in the Ridgeville District. And I thought, how curious… two people, Dan and Rob, who were members of the Ridgeville Park District Board, who in fact along with Ann Covode, created a majority of the Park District Board, and they were complaining about having nothing been done in this district, and I’m thinking, well that is not a real good indication of your leadership. If you couldn’t get things done, when most of the time you had three votes, that doesn’t speak very well of this Board. So, I want to pick out a few items in the video that concern me the most and reflects on why you have to be careful what you say when you’re speaking to a large crowd of people that facebook offers you, a really good audience. One of the things you talked about was losing the basketball court at Reba Place, Reba Park. You said you lost that because the condo building next to it, to the west of it, was a rental that went condo, you all tried to buy it as Reba Place Development, but lost it, probably to a higher bidder. And that, of course, led to the beginning of the gentrification of the neighborhood. Well let me just tell you, I did a really brief study of the neighborhood since that time. The adorable two-flats to the east of that location are still there, they look great. Your two buildings to the west of the condominium are still there. There is absolutely nothing that reflects gentrification because of the conversion of that building in that March 14, 2019 Monthly Board Meeting Minutes -- APPROVED 2 of 7 neighborhood, not one thing. The neighborhood looks just as nice as it looked then, the only difference is, there’s not a double-hoop basketball court. The reason that hoop was taken down is not because of racism on this Board, it was because the neighbors complained, and complained, and complained because they couldn’t take it anymore. That’s why that hoop was removed, that’s why. Let me move on. I don’t want to dwell on it. One of the things that Rob mentioned, and I quote, he came to me years ago and he said, “Ann, what do you know about the Ridgeville Park District?” And Ann said, “Gee, I don’t really know anything.” To this day, I really don’t know how you guys operate. So if somebody came to me today and said, Ann, could you explain to me… I would say, George, Sarah, I really don’t understand how they operate. So he and Dan are talking to this woman who is videotaping them, and he said “she said, go right ahead and run,” and so I did.” So then he says, “then I find out that she has given money to renovate Brummel Park. So I guess she really did know.” Well, let me just tell you, to this day, I don’t know how Ridgeville runs, so that was a true story, I didn’t mislead you. However, then, and now, I do know one thing. I know about capital improvements. I know how to fund them, I know how to… so that’s what that was all about. I love Brummel Park, that’s my favorite park. It’s not a City park, it’s a Ridgeville park. I love that little park, and I saw that things were not so good, so I got together with Brian, and we did a complete renovation of that park, remember? I mean, it took a long time, neighbors were all involved, we planned it out, and then later, we also did a refurbishing of the tot lot over there, the tot area. We had catalogues, people met and picked out this and that, and so, I know
about that kind of thing, and I will continue to do that kind of thing. There’s nothing I wouldn’t do for Ridgeville parks, but, you know, those little kind of innuendos, they are not necessary. And they are beneath you, to go on public TV and say that kind of nonsense. You don’t have to do it. I am going to challenge you, anybody who is running for the Ridgeville Park Board… oh, one more thing… Porta-potties. Not wanting Porta-potties, this is a big issue on this video. Any Black person who wants a Porta-potty in their backyard… they’re stupid. Nobody wants a Porta-potty in their backyard. I don’t want a Porta-potty, you don’t want a Porta-potty, you don’t want a Porta-potty, nobody wants a Porta-potty. I challenge you… the new members of the Board… put a referendum on the November ballot. Eight to ten dollars a month is chicken feed. We need to be paying more for Ridgeville. We deserve more than Porta-potties. We deserve something in those equipment boxes. We don’t deserve equipment boxes. We need something next to the new bathrooms, that we’re going to build, with the money that the people who put their big boy and big girl pants on with a referendum, we’re gonna build some bathrooms and some storage areas, and we’re gonna have real bathrooms and real storage facilities to put new equipment in. You’ve been sitting around on your big boy butts for six years. You’ve done nothing, you admitted it. You can do more than bringing pizza to the parks. Pizzas to the park don’t get you bathrooms, they don’t get you equipment, they don’t get you programs. Shame on you. You need to apologize to everybody in Ridgeville for that disgusting, low-life, video. Thank you.”

Part II-- 8th Ward Alderwoman, Ann Rainey: “Rob, I appreciate your comments, I think it was a teachable moment and I appreciate your comments. Dan, I think you’re totally clueless to think that for one moment that I was offended by any of your comments, you just missed the point so badly. I’ve heard you call yourself “a white-this,” “a white-that,” you know, you are just a clueless person. And I don’t know why people who are so meaningful even associate with you. You need to get in touch with yourself. You do need some of this training and workshop, but don’t keep pointing to everybody else, saying that they need it. You are the person most in need. I am telling you that it is very unfortunate, and if you think, for one minute the vicious, hateful comments you make on facebook and behind the scenes about me aren’t delivered to me by others, you’re wrong. Your Christianity takes a huge plunge when you make those writings, because they’re on paper and they’re delivered to me. Shame on you. Shame, shame. Shame, shame. You have no business running for public office, no business at all.”

Thank you for your service and your consideration in this matter.

Sincerely,

Dan Coyne
827 Monroe St.
Evanston, IL 60202
847-644-1711
coynedaniel@comcast.net
ANN RAINNEY, JUNE 29, 2020 BOARD OF ETHICS

DOCUMENTARY EVIDENCE

Coyne’s complaint

Please accept this note as my official ethics complaint against Evanston Alderwoman Ann Rainey, 8th Ward. On or about April 1, 2019 Alderwoman Rainey politically campaigned while being compensated by the City of Evanston and while using City of Evanston property (Evanston Rules Committee Video 3:57-7:54 https://www.youtube.com/watch?v=5VkNYXbVLKg&feature=youtu.be and Evanston City Council Video 28:35-32:40). Please watch both videos and then please read what I said.

It is so disingenuous to say this complaint is not about the Ridgeville Park District Meeting in March. The Commissioner came to a city Rules committee meeting made up of all 9 aldermen and read his lies about what I supposedly said at the Ridgeville meeting and then a few minutes later went to the Special City Council Meeting, mind you, the night before his election, (who does that?) He insisted on reading the exact same speech. He attacks my integrity and blatantly lies and I defend myself. I have that right under city ordinance. Then seven months later, he decides I was campaigning for candidates on taxpayer’s money at the Rules Committee and at the City Council meeting.

He came to the meeting and grandstanded and frankly I did a terrible job of defending myself. I did a wonderful job at controlling myself after what I heard. It was an embarrassing and humiliating evening. However, the last thing that happened was that I campaigned on taxpayer’s time. I was attacked in so many ways by this out of control person. I attempted to defend myself and that was it. Period. It is shameful that this is being given credence and at the taxpayers expense. There is no violation of any ordinance and my constitutional rights are guaranteed.
Citizen Comment Part 1: 8th Ward Alderwoman, Ann Rainey: “I’m here as a member of the Ridgeville Park District. Good evening, my name is Ann Rainey, I live at 1209 Hull Terrace. I’ve lived in the Ridgeville Park District since 1977. I usually only come to tell you what the city has done and partnerships we’ve made with Ridgeville Park District, but I’m coming here tonight in the manner in which people come to City Hall in Evanston to complain. I hate doing it, but I just couldn’t stay home. I saw the “Jim Crow, Dan Coyne, Rob Bady” video on facebook where people were accused of being racist, where the Ridgeville Park District was accused of being racist, where the Ridgeville Park District was accused for the last six years of doing absolutely nothing for the people in the Ridgeville District. And I thought, how curious... two people, Dan and Rob, who were members of the Ridgeville Park District Board, who in fact along with Ann Covode, created a majority of the Park District Board, and they were complaining about having nothing been done in this district, and I’m thinking, well that is not a real good indication of your leadership. If you couldn’t get things done, when most of the time you had three votes, that doesn’t speak very well of this Board. So, I want to pick out a few items in the video that concern me the most and reflects on why you have to be careful what you say when you’re speaking to a large crowd of people that facebook offers you, a really good audience. One of the things you talked about was losing the basketball court at Reba Place, Reba Park. You said you lost that because the condo building next to it, to the west of it, was a rental that went condo, you all tried to buy it as Reba Place Development, but lost it, probably to a higher bidder. And that, of course, led to the beginning of the gentrification of the neighborhood. Well let me just tell you, I did a really brief study of the neighborhood since that time. The adorable two-flats to the east of that location are still there, they look great. Your two buildings to the west of the condominium are still there. There is absolutely nothing that reflects gentrification because of the conversion of that building in that March 14, 2019 Monthly Board Meeting Minutes -- APPROVED 2 of 7 neighborhood, not one thing. The neighborhood looks just as nice as it looked then, the only difference is, there’s not a double-hoop basketball court. The reason that hoop was taken down is not because of racism on this Board, it was because the neighbors complained, and complained, and complaining, and
complained because they couldn’t take it anymore. That’s why that hoop was removed, that’s why. Let me move on. I don’t want to dwell on it. One of the things that Rob mentioned, and I quote, he came to me years ago and he said, “Ann, what do you know about the Ridgeville Park District?” And Ann said, “Gee, I don’t really know anything.” To this day, I really don’t know how you guys operate. So if somebody came to me today and said, Ann, could you explain to me... I would say, George, Sarah, I really don’t understand how they operate. So he and Dan are talking to this woman who is videotaping them, and he said “she said, go right ahead and run,’ and so I did.” So then he says, “then I find out that she has given money to renovate Brummel Park. So I guess she really did know.” Well, let me just tell you, to this day, I don’t know how Ridgeville runs, so that was a true story, I didn’t mislead you. However, then, and now, I do know one thing. I know about about capital improvements. I know how to fund them, I know how to... so that’s what that was all about. I love Brummel Park, that’s my favorite park. It’s not a City park, it’s a Ridgeville park. I love that little park, and I saw that things were not so good, so I got together with Brian, and we did a complete renovation of that park, remember? I mean, it took a long time, neighbors were all involved, we planned it out, and then later, we also did a refurbishing of the tot lot over there, the tot area. We had catalogues, people met and picked out this and that, and so, I know about that kind of thing, and I will continue to do that kind of thing. There’s nothing I wouldn’t do for Ridgeville parks, but, you know, those little kind of innuendos, they are not necessary. And th are beneath you, to go on public TV and say that kind of nonsense. You don’t have to do it. I am going to challenge you, anybody who is running for the Ridgeville Park Board... oh, one more thing... Porta-potties. Not wanting Porta-potties, this is a big issue on this video. Any Black person who wants a Porta-potty in their backyard... they’re stupid. Nobody wants a Porta-potty in their backyard. I don’t want a Porta-potty, you don’t want a Porta-potty, you don’t want a Porta-potty, nobody wants a Porta-potty. I challenge you... the new members of the Board... put a referendum on the November ballot. Eight to ten dollars a month is chicken feed. We need to be paying more for Ridgeville. We deserve more than Porta-potties. We deserve something in those equipment boxes. We don’t deserve equipment boxes. We need something next to the new bathrooms, that we’re going to build, with the money that the people who put their big boy and big girl pants on with a referendum, we’re gonna build some bathrooms and some storage areas, and we’re gonna have real bathrooms and real storage facilities to put new equipment in. You’ve been sitting around on your big boy butts for six years. You’ve done nothing, you admitted it. You can do more than bringing pizza to the parks. Pizzas to the park don’t get you bathrooms, they don’t get you equipment, they don’t get you programs. Shame on you. You need to apologize to everybody in Ridgeville for that disgusting, low-life, video. Thank you.

Call of the Commissioners:

Bady: Rob Bady apologized to the community and agreed it was a poor choice to post the aforementioned video. He expressed that he understood that it came off as divisive and feels it was a mistake. Rather, he wants to extend goodwill and love to people. Rob also apologized, specifically, to Martha Gaines as she was mentioned by name in the video. He clarified that he
does not believe and did not say in the video that anyone on this Board is racist; during his term, he has tried to be a good partner on this Board. He expressed that, “in his skin” as a person of color, it can and has been difficult at times to experience conversations when everyone else on the Ridgeville Board is white. However, he is not trying to hurt anyone, and wished that he could take some things back that were said.

Martha Gaines thanked Rob Bady for his apology. She noted that a lot of people will see the video that was posted and won’t necessarily see his apology that was made tonight. She expressed that she didn’t appreciate the video and felt that it included slanderous words which were hurtful and damaging.

Ann Rainey also thanked Rob Bady.
Dan Coyne peddled his ethics complaint to the press before I heard from the City of Evanston– I received the news from Evanston Now before I received notice from the City of Evanston. By Bill Smith on November 11, 2019 - 7:56am

Hugh DuBose <hdubose@cityofevanston.org> Mon, Nov 11, 2019, 11:19 AM

This was to be expected.

Official seeks to punish another for criticizing him

By Bill Smith on November 11, 2019 - 7:56am

Dan Coyne.

Dan Coyne, a Ridgeville Park District board member, says he's filed an ethics complaint against Evanston Alderman Ann Rainey because she criticized him during a City Council meeting.

Coyne claims a section of the city’s current ethics code bars elected officials from engaging in "any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office."

However, while the code uses that phrase in defining "campaign for elective office" it defines "prohibited political activity" with a series of more specific examples -- which generally are phrased in terms of prohibiting actions in support for a candidate and are silent regarding voicing opposition to one.
Formstack Submission For: Inquiry-Complaint Form
Submitted at 11/10/19 4:19 PM

Fwd: Inquiry-Complaint Form

Hugh DuBose <hdudose@cityofevanston.org>  
Mon, Nov 11, 2019, 11:19 AM

to me, Michelle

Hi Alderman Rainey,

We received the below Board of Ethics Complaint from Dan Coyne. I am forwarding it to you for your information. The law department will complete its jurisdictional analysis within 14 days per the Code of Ethics.

Kind regards,
Hugh

---------- Forwarded message ----------
From: <noreply@formstack.com>
Five years ago my calling out of Ridgeville Park District’s institutional racism resulted in collective reflection among board members, city leaders, and stakeholders. My July 1, 2020 Evanston Board of Ethics complaint against Alderwoman Rainey is self-evident that our work of creating anti-racist institutions has only just begun.