

## **MINUTES OF A REGULAR MEETING**

### **URBANA CIVILIAN POLICE REVIEW BOARD**

**DATE:** July 25, 2012

**TIME:** 5:30 p.m.

**PLACE:** Urbana City Council Chambers  
Urbana City Building  
400 South Vine Street  
Urbana, Illinois 61801

**MEMBERS PRESENT:** Scott Dossett, Diane Gottheil, Grace Mitchell, James McNeely, Ivy Williams

**STAFF PRESENT:** Todd Rent, Human Relations Officer

**OTHERS PRESENT:** Michelle Brooks, Assistant City Attorney; Durl Kruse

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#### **1. CALL TO ORDER, ROLL CALL, AND DECLARATION OF QUORUM**

The meeting was called to order at 5:35 p.m. by acting Chair, Grace Mitchell. Roll was taken and a quorum was declared present.

#### **2. CLOSED SESSION**

The Closed Session as noticed on the agenda for this meeting was not undertaken.

#### **3. RESUME OPEN MEETING**

As the above Closed Session was not undertaken, this agenda item becomes null and void.

#### **4. CHANGES TO THE AGENDA**

Mr. Rent proposed that a new item "A" be added under the heading of New Business, to wit: A statement to the Board by Assistant City Attorney Michelle Brooks regarding Open Meetings Act requirements regarding closed sessions. Item "A" as listed on the agenda would therefore move to item "B", and item "B" as listed on the agenda would move to item "C".

Mr. Dossett asked if new item "C" could be deferred until a later meeting, when Chair Costello could be present. Mr. Rent responded that he would nevertheless like to brief the board on the rationale underlying the proposed changes.

There was no objection.

**5. APPROVAL OF MINUTES**

**A. May 2, 2012 Regular Quarterly Meeting**

Mr. Dossett made a motion to approve the draft minutes of the May 2, 2012 meeting as presented. Mr. McNeely seconded the motion. A voice vote was taken. All were in favor. The motion carried unanimously.

**B. Public report of decision regarding minutes from October 26, 2011 closed session**

This agenda item was discussed under the heading of New Business, item “A” however no official action was taken at this meeting.

**6. STAFF REPORT**

Mr. Rent presented to the Board an update on the case status of all pending citizen police complaints.

**7. PUBLIC PARTICIPATION**

There was none.

**8. OLD BUSINESS**

There was none.

**9. NEW BUSINESS**

**A. A statement to the Board by Assistant City Attorney Michelle Brooks regarding Open Meetings Act requirements regarding closed sessions**

Assistant City Attorney Michelle Brooks addressed the Board with regards to a procedural error that took place during the course of the October 26, 2011 appeals hearing closed session. Specifically, Ms. Brooks stated that when the Board undertook a vote to render its findings in that case, it did so in closed session. Ms. Brooks pointed out that upon review by acting City Attorney Curt Borman, it was found that, according to the Illinois Open Meetings Act, said vote should have been undertaken in open session. Ms. Brooks stated that the remedy to this error is that a retake of the vote should be placed on the agenda for a future meeting, either at the next regular meeting or at a special meeting held specifically for this purpose. At that meeting, the Board should take the same vote again, this time in open session.

Ms. Brooks addressed comments and questions from the Board. Following discussion, it was the consensus of the Board that this remedy is to be undertaken at the next appeals hearing – pending at the time of this meeting – which was anticipated to occur before the next regular quarterly meeting.

B. Outreach Update

Mr. Rent briefly updated the Board on opportunities for public outreach, specifically citing potential meetings with members of the Ministerial Alliance of Champaign-Urbana and Vicinity, and the Champaign County N.A.A.C.P. Comments and questions from the Board were addressed by Mr. Rent.

Mr. Rent also encouraged board members to utilize their own networks of contacts for further outreach opportunities.

C. Vote on Proposed Amendment(s) to Administrative Rules and Procedures.

Having presented the proposed changes to the Civilian Police Review Board Administrative Rules and Procedures to the Board, Mr. Rent initiated the discussion of the same.

The Board discussed the proposed changes. The discussion began with a question as to whether or not action on this agenda item should be deferred to a later meeting, at which Chair Costello could be present. The Board discussed this question, after which Mr. McNeely made a motion that the Board proceed with discussion and action on this agenda item at this meeting. General discussion continued, following which Ms. Gottheil seconded the motion. A voice vote was taken. There were four “aye” votes and one “nay” vote. The motion carried four to one.

Discussion of this agenda item continued. By consensus it was decided that language should be added to the section concerning the utilization of a hearing officer stating the following: that, while the hearing officer’s essential function was as chair of an appeals hearing, the hearing officer would have no voting capacity and would not participate in deliberations. All other proposed changes were accepted as presented.

At the conclusion of the discussion Ms. Gottheil made a motion that the Board enact the proposed changes to the Administrative Rules and Procedures, incorporating the language regarding the specific capacities and duties of the hearing officer as aforesaid. Mr. McNeely seconded the motion. Acting Chair Mitchell called for a roll-call vote. Roll was taken and the votes were as follows:

Dossett – nay	McNeely – aye
Gottheil – aye	Williams – aye
Mitchell – aye	

The motion carried four to one.

**10. ANNOUNCEMENTS**

Mr. Rent reminded the Board that all members must complete Illinois Open Meetings Act training by December 31, 2012. It was noted that a link to this web-based training would be e-mailed to the members of the Board.

**11. ADJOURNMENT**

With no further business to come before the Board, Mr. Dossett made a motion that the meeting be adjourned. Ms. Gottheil seconded the motion. A voice vote was taken. All were in favor. The meeting was adjourned at 6:22 p.m.

Respectfully submitted,

Tony Weck, Recording Secretary