

**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

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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.