

Village of Skokie
Officers Ethics Commission Meeting Agenda
June 7, 2023
7:00 p.m. Conference Room D&E – Village Hall
5127 Oakton Street, Skokie, IL

- I. Call Meeting to Order
- II. Roll Call
- III. Motion to Approve Minutes of May 3, 2023, Meeting of Officers Ethics Commission
- IV. Motion to Approve Rules Regarding Hearing Procedures
- V. Public Comment
- VI. Evidentiary Hearing on Ethics Complaint Dated 4/12/23 Filed by James Johnson Regarding Alleged Violations of the Skokie Code of Ethics Involving Assistant Corporation Counsel James McCarthy
- VII. Executive Session
- VIII. Adjournment

OFFICERS ETHICS COMMISSION OF THE VILLAGE OF SKOKIE RULES
REGARDING HEARING PROCEDURES

General Hearing Procedures

- 1) Consideration of Preliminary Matters
- 2) Unless the Chair decides to alter the order of presentation, the general order of presentation will be as follows:
 - a) Opening Statements by or on behalf of the Complainant and Respondent
 - b) Complainant's Presentation of Witnesses and Evidence (All witnesses shall be sworn in)
 - c) Cross Examination of Complainant's Witnesses by Respondent
 - d) Questions by Commission of Complainant and/or Witnesses
 - e) Respondent's Presentation of Witnesses and Evidence (All witnesses shall be sworn in)
 - f) Cross Examination of Respondent's Witnesses by Complainant
 - g) Questions by Commission of Respondent and/or Witnesses
 - h) Rebuttal by Complainant
 - i) Closing Statements by or on behalf of the Complainant and Respondent

Adopted this 7th day of June, 2023 by a roll call vote as follows:

Chairman Minkus	Aye _____	Nay_____
Richard Lanford	Aye_____	Nay_____
Leonard Matanky	Aye_____	Nay_____

Jonathan Minkus- Chairman

DRAFT

MINUTES OF THE MAY 3, 2023 MEETING OF THE SKOKIE OFFICERS ETHICS COMMISSION

The meeting was called to order at 8:00 PM. There was a roll call of members of the Commission (Chair Jonathan Minkus, Leonard Matanky, Richard Lanford) and attorney James Ferolo of Klein, Thorpe and Jenkins.

The minutes of the meeting on March 2, 2023 were approved unanimously. There was a motion to approve the presented Rules on Public Comment, it passed (2 ayes-Minkus and Matanky, 1 abstention-Lanford).

The Commission reconsidered the sufficiency of the Ethics complaint dated 4-22-21. It was initially dismissed by the Commission but had to be reconsidered pursuant to the provisions of the Illinois Open Meetings Act.

It was clarified that this is not an evidentiary hearing; the purpose of the meeting was to determine the legal sufficiency of the Complaint under the the Ethics Ordinance.

Trustee Johnson made a statement describing what was alleged in the Complaint and stating that the allegations constituted violations of the Prohibited Political Activities and Gift Ban Provisions of the Ethics Code.

On 4/12/23 Trustee Johnson filed a new allegation alleging that James McCarthy, Skokie Assistant Corporation Counsel campaigned against the referenda for electoral reform in November of 2022 on compensated time which is a violation of the Prohibited Political Activities Provisions of the Ethics Code.

Michael Dorf, representing Mr. McCarthy re: the complaint dated 4/12/2022 asked that the Complaint be dismissed because the Ethics Code according to Mr. Dorf does not apply to Officers of the Village.

A motion was made to recess into executive session pursuant to Section 2(c)(4) of the Open Meetings Act to deliberate. The Motion was approved unanimously by a roll call vote.

The open portion of the Commission meeting reconvened at 8:55.

The decision on the second complaint dated 4/12/23 was given first. The Commission voted unanimously to find that the complaint sufficiently pled a violation of the Ethics Code and that there is probable cause to proceed to a hearing.

Fourteen days were given to the parties to provide witness lists and exhibits to one another that will be presented at hearing or until May 17. The hearing on the complaint was set for 7:00 PM on Wednesday, June 7th.

As for the first complaint, dated April 2021, a motion was made and approved unanimously by the Commission to dismiss the Complaint for failure to plead a violation of the Skokie Code of Ethics. A second motion was made and approved unanimously to authorize Chairman Minkus to execute a written decision drafted by Counsel for the Commission that was consistent with the Commission's deliberations and reasoning.

Public comments followed . . .

Trustee Mr. Johnson said that people need to know just *how* to find, submit and sufficiently substantiate an allegation of an ethics violation. Please examine the Village's process and devise a good allegation form.

Judy M. and Kim P. both questioned the Commission's choosing not to pursue the question raised if any of us know Mr. Lorge personally.

Attorney and resident Jerome Brozak referred to the first complaint and expressed worry over the opinion being misused.

Robert Kewsill – the Commission members should be bound by a higher ethical standard. He stated that the members should all disclose personal relationships with the persons involved in allegations.

Matthew Levy – resident – “we need to find a way to keep Skokie's stability but be more transparent in its dealings.”

Meeting was adjourned by a unanimous vote at 9:15 PM.

MINUTES APPROVED THIS 7TH DAY OF JUNE 2023 BY THE SKOKIE OFFICERS
ETHICS COMMISSION

Rev. Richard Lanford, Secretary