



**ETHICS COMMISSION
MEETING MINUTES
TUESDAY, FEBRUARY 1, 2022 AT 5:30 P.M.
CITY HALL COUNCIL CHAMBERS
111 SOUTH CAPITOL STREET PEKIN, ILLINOIS 61554**

CALL TO ORDER

Commission Member Privett called the meeting to order at 5:32 p.m.

ROLL CALL

Present: Commission Member Susan Stuart and Commission Member Joe Privett

Absent: Commission Member Chairperson Thomas Ivey.

ALSO PRESENT: Ex-officio Member City Manager Mark Rothert and Ethics Advisor Corporation Counsel Katherine Swise.

APPOINTMENT OF CHAIRPERSON

Motion by Commission Member Stuart that Commission Member Privett be appointment Chair pro tem in the absence of Thomas Ivey, second by Commission Member Privett. Motion carried by voice vote.

APPROVAL OF AGENDA

Motion by Commission Member Stuart to approve the February 1, 2022 Agenda, second by Chair pro tem Privett. Motion carried by voice vote.

APPROVAL OF MINUTES

Motion by Commission Member Stuart to approve as written the Commission Meeting minutes dated January 6, 2022, second by Chair pro tem Privett. Motion carried by voice vote.

PUBLIC COMMENT

John McNish voiced concern that the Ethic Advisor represented the Commission when a Council Member was the Respondent to a Complaint filed.

No other comments were heard.

NEW BUSINESS

Filing of Case # FY22-002 Complainant: Kristine Cupi Respondent: Karen Hohimer

EXECUTIVE SESSION:

Motion by Commission Member Stuart, second by Chair pro tem Privett to move to Executive Session under 5 ILCS 120/2 (c)(4) regarding Case # FY 22-002 for evidence or testimony presented in closed session or hearing where authorized by law. Motion carried by voice vote. The Commission adjourned to Executive Session at 5:41 P.M.

Returned to open session 6:29 p.m. All Commission Members were present except Commission Member Ivey.

NEW BUSINESS

Action coming out of closed executive session: making a finding as to the existence of probable cause to proceed with a public hearing regarding Case #FY22-02

Motion by Commission Member Stuart, second by Chair pro tem Privett that the Commission finds:

1. The Complaint is sufficient.
2. The Complaint does not create probable cause to proceed with a hearing on this matter.
3. This matter should be referred to the Mayor to speak to the Respondent and address the matter as he sees fit.

On roll call vote Commission Member Stuart and Chair pro tem Privett voted Aye. Motion carried.

Motion by Commission Member Stuart, second by Chair pro tem Privett to approve the following:

WRITTEN DECISION RE PROBABLE CAUSE

This matter is before the Commission for determination of probable cause. After reviewing the allegations of the Complaint, the Commission makes the following findings:

1. The Complaint is sufficient in that it meets the procedural requirements of the City Code, i.e. it is in writing, notarized, and filed with the Commission within 1 year of the date of the alleged violation.
2. Even assuming the statements in the Complaint are true, the Commission finds it does not rise to the level of a violation of the City Code or the Code of Ethics and Conduct and does not warrant a full hearing.
3. The Commission further finds that the Complaint alleges, if anything, a de minimus violation that is better handled by the Mayor than by a full hearing before the Ethics Commission.

Based on the above findings, the Commission makes the following Finding:

- A. The Complaint is sufficient.
- B. The Complaint does not create probable cause to proceed with a hearing on this matter.
- C. This matter should be referred to the Mayor to speak to the Respondent and address the matter as he sees fit.

Dated this 1st day of February, 2022.

Joe Privett, Chair pro tem
City of Pekin Ethics Commission

On roll call vote Commission Member Stuart and Chair pro tem Privett voted Aye. Motion carried.

ADJOURN

No other business to come before the Commission, motion by Commission Member Stuart, second by Commission Member Privett to adjourn. Motion carried by voice vote.

Meeting adjourned at 6:30 P.M.

Respectfully submitted
City Clerk
Sue E. McMillan