

VILLAGE OF BARTLETT
BOARD OF FIRE AND POLICE COMMISSION

Minutes of Special Meeting
Held on Tuesday, November 16, 2021
Bartlett Police Department
2nd Floor Training Room
228 South Main Street

A. CALL TO ORDER

Commissioner Kirkby called the meeting to order at 4:03 p.m.

B. ROLL CALL

Present: Commissioners Jane Kirkby, John McGuire, Guy Papa, and Kenneth Parcel (all physically present)

Absent: Commissioner John Sampey

Also Present: Deputy Chief Geoffrey Pretkelis, James Powers (Attorney for Fire and Police Commission via Zoom), and Recorder Christine Sanchez

C. PUBLIC COMMENTS

None

D. OLD BUSINESS

1. Election of Board of Fire and Police Commission Chairman
Please see Old Business item number two (2) for motion in regard to this topic.
2. Election of Board of Fire and Police Commission Secretary
A brief discussion ensued and it was determined Old Business item numbers one (1) and two (2) will be tabled until June of 2022.

COMMISSIONER PAPA MOVED, second by Commissioner Parcel to table Old Business item numbers one (1) and two (2) until June of 2022.

MOTION ADOPTED VIA VOICE VOTE

3. Discussion of revisions to the Rules and Regulations of the Board of Fire and Police Commission
Deputy Chief Pretkelis advised Attorney James Powers is present via Zoom to answer any questions the Board members have in regard to United States citizenship requirements for police officer applicants and the new purposed Rules and Regulations.

Mr. Powers informed the Board members there may be potential litigation risk in regard to requiring United States citizenship for future police applicants. He explained the new laws and amendments recently put in place included language that helps protect from discrimination against applicants based on their work authorization status. Mr. Powers

explained the Illinois Human Rights Act (IHRA), the federal Immigration Reform and Control Act (IRCA), Title VII of the Civil Rights Act of 1964, and Division 2.1 of the Illinois Municipal Code. Mr. Powers and the Board members reviewed and discussed areas of concern, such as the requirements for noncitizens being able to obtain Firearm Owners Identification (FOID) cards, as required by Bartlett Police Departments General Orders and how green card/visa status could affect noncitizen police applicants time within the United States. All Board members also discussed and agreed a primary area of concern is for the detectives to be able to conduct and attest to a thorough background investigation. The Board members discussed the above items at length and it was determined the Board will retain its original language for citizenship for police officer applicants.

The Board members asked Mr. Powers for clarification in regard to the proposed new language for the Oral Interview process in Chapter 3 Section 7. In the new language, the proposed option advises the Board will discuss the candidates oral interview performance but will independently grade each candidate for positions. It was determined that this sentence is repetitive and may be removed due to the sentence below indicating the same information. All Board members discussed the new language and agreed.

The Rules and Regulations were reviewed to ensure the language reflects five (5) total Board members. It was determined the language is correct and no other changes need to be made.

Mr. Powers informed the Board members Chapter 4 Section 4 (Staff Guidelines) is to make clear the Rules and Regulations trump any other guidelines. This was clarified so the Board does not need to point to case law, which indicates the same. Mr. Powers explained this is due to issues which the Board has encountered in the past.

E. NEW BUSINESS

1. Approval of revisions to the Rules and Regulation of the Board of Fire and Police Commission, for submission to the Village Board for discussion and final approval

COMMISSIONER PAPA MOVED, second by Commissioner McGuire to adopt the Rules and Regulations attached to the agenda:

- 1) Retain the original language for citizenship for police officer candidates
- 2) Remove the proposed language of Chapter 3 Section 7, retaining the original language

ROLL CALL VOTE:

Aye: Commissioner Kirkby, Commissioner Papa, Commissioner Parcel, and
Commissioner McGuire
Nay: None
Absent: Commissioner Sampey
Abstain: None

MOTION PASSED

2. Determination whether Executive (Closed) Session minutes should remain confidential
A discussion ensued between all members present in regard to a recently passed law requiring the review/examination of closed session minutes two (2) times per year to determine the need for continued confidentiality. Mr. Powers explained the process and requirements to all members present. The Board members then reviewed the closed session minutes listed below and determined all met the criteria to remain confidential.

COMMISSIONER PARCEL MOVED, second by Commissioner McGuire to keep confidential the Executive (Closed) Session minutes dated:

- o September 23, 2020
- o January 5, 2021
- o February 18, 2021
- o March 2, 2021
- o April 5, 2021
- o May 5, 2021
- o May 19, 2021
- o August 5, 2021
- o August 16, 2021

MOTION ADOPTED VIA VOICE VOTE

F. EXECUTIVE SESSION

No report

G. ADJOURN

COMMISSIONER MCGUIRE MOVED, second by Commissioner Papa to adjourn.

MOTION ADOPTED VIA VOICE VOTE

The meeting adjourned at 5:23 p.m.

Respectfully Submitted By:

Christine Sanchez

Christine Sanchez / Recorder
November 29, 2021