



Village of Caseyville

909 South Main Street
Caseyville, Illinois 62232

Phone: 618-344-1234

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SPECIAL BOARD MEETING

MINUTES

March 5, 2014

LEN BLACK
Mayor

ROB WATT
Village Clerk

WALTER ABERNATHY
Trustee

RICK CASEY, JR.
Trustee

KERRY DAVIS
Trustee

G.W. SCOTT, SR.
Trustee

RON TAMBURELLO
Trustee

BRENDA WILLIAMS
Trustee

BRIAN RADER
Supt. of Public Works

JOSE ALVAREZ
Chief of Police

Call to Order:

The Special Board Meeting of the Village of Caseyville was called to order at 9 P.M. by Mayor Leonard Black. The meeting was held on Wednesday, March 5, 2014 in the Council Chambers at 909 South Main, Caseyville, IL 62232.

The meeting opened with the Pledge of Allegiance and silent prayer.

New Business:

- Motion was made by Brenda Williams, seconded by Kerry Davis to approve Ordinance #1405 – An Ordinance Amending Ordinance #715 Pertaining to Board Of Police Commissioners of the Village of Caseyville.

No questions on the motion.

Voting on the motion: All yeas and no nays - Motion passed

- Motion was made by Brenda Williams, seconded by Kerry Davis that Chief Alvarez remains the Caseyville Police Chief with no suspensions, reprimands, penalties or meet alone with Mayor Black until March 19th, 2014.

Questions on the motion:

- The Village Attorney asked if this will be on the Agenda for the March 19th, 2014 Board Meeting.
- Mayor Black asked why he couldn't meet with Chief Alvarez alone and Trustee Brenda Williams stated that every time he met with him he fired him. Mayor Black mentioned he could do that anytime without a meeting.

- The Village Attorney stated that he did not think you could make an Ordinance banning the Mayor from meeting with the Chief.
- Mr. Jimmy Alvarez clarified that the motion was not that the Mayor could not meet with Chief Alvarez; he just couldn't do it alone. Mayor Black stated he was fine with that.

Voting on the motion: All yeas and no nays - Motion passed

Miscellaneous:

- A question was posed to the Attorney concerning the start of the meeting with the Pledge of Allegiance and Silent Prayer. Ms. Candi Eaves requested the Board take the time to say the Pledge and ask for the Silent Prayer. The Village Attorney agreed and those items were taken care of.
- Brian Eaves asked what Ordinance #1405 was and Brenda Williams gave a detailed explanation of what the Ordinance was and what was being changed.
- A member from the crowd asked what the vote was on Ordinance #1405 and the Mayor told them that it was all Yeas.
- Trustee Kerry Davis gave an explanation on what the Special Meeting was about to clear up the confusion. The explanation is as follows:
 - 3 or more Trustees can call a Special Meeting within 48 Hours. We had an Ordinance that needed to be changed and the issue of the suspension of Chief Alvarez.
 - The reason why the Special Meeting was called was because if the Board didn't do this or address the suspension tonight then the Chief would be suspended until the next Regular Board Meeting.
 - The Trustees and Trustee Kerry Davis, as a Trustee, had not heard the complaints rendered on Chief Alvarez. He has seen complaints concerning a different direction the Police Department needs to go in but has not seen any specific complaints about any wrongdoing other than what he has heard nor has the other Trustees.

- Trustee Kerry Davis stated that in all fairness that the Village Board needed to hear from all parties.
 - Found out that there was a court order from a judge stating the Village Board could not take any action regarding Chief Alvarez's employment. Hearing was scheduled on March 7th, 2014.
 - When Board adjourned, miscommunication on the fact that should have gone into the Special Meeting not Executive Session.
 - To be fair to Chief Alvarez, the Village Board cannot discuss this in open session and will have to call a closed session for personnel matters and sit down with the Chief to explain to the Board what the complaints are and how he is going so they know what direction they need to go.
- A citizen thanked Trustee Kerry Davis for this thorough explanation and being straightforward with the crowd.
 - After Trustee Kerry Davis asked the crowd to politely leave, the Village Attorney explained that the Board could not go into closed session due to the fact that it was not identified on the Meeting Agenda. He mentioned that it would be a violation and did not think it was right to go into the Closed Session.
 - Trustee Kerry Davis pointed on that the discussion of the suspension of Chief Alvarez was on the agenda and would have done it on those circumstances.
 - The Village Attorney explained that he had no part in the making of the agenda and did not know who made the agenda. Despite that, since it wasn't added to the Agenda then the Village Board could not go into Closed Session.
 - The Attorney clarified that the temporary restraining order did not stop the Village Board from determining the status of Chief Alvarez. If the Village Board decided to terminate Chief Alvarez than it would not take effect until after the hearing on March 7th, 2014.

- Village Resident John Buckley commented, to the Village Attorney, how he can figure out what to do if he does not know what to do. The Village Attorney responded by stating that they are figuring it out and the he knows what to do.
- Trustee Kerry Davis commented that the Village Board does not need to take action to reinstate Chief Alvarez because the Court Order states he is still Chief of Police until March 7th, 2014. Mayor Black agreed and stated to wait until after court with the Village Attorney stating that the Board could do that.
- Village Resident Candi Eaves asked if the Village Board reinstated Chief Alvarez does that waive the court proceedings. She also wanted to know if Chief Alvarez is reinstated by the Village Board how long will that last or will it be another 3 days before he is fired. Other residents stated they were tired of this.
- Village Resident John Buckley stated that the regular Village Attorney, John Gilbert, should be here to answer questions that know what's going on. The Village Attorney stated this was not a legal question and explained that if Chief Alvarez is reinstated he is the Chief. If the Board wants to terminate him than they can. Various residents commented on the Board was not involved that they wanted results.
- Trustee Kerry Davis spoke that the Village Board was attempting to resolve this issue this evening but Legal Counsel stated we could not do it that way. He mentioned he was disappointed they couldn't and understood that the residents were disappointed too.
- Discussion of another Special Meeting was discussed amongst the Village Board members and it was determined that the Village Board, as a whole, should be at the meeting. Trustee Brenda Williams asked a question that since the Village Board did not know the outcome of the hearing on March 7th, 2014, she didn't want the Police Department to be without a Chief. This was answered that he was still the Chief and the restraining order states that he is still the Chief until the outcome of that hearing. It was mentioned that he could possibly not be the Chief through the weekend and until the Village Board made their decision.
- The Attorney mentioned that the only thing that will be determined at the hearing was if the temporary injunction was

made permanent which would not allow the Village to terminate him after that. He will still be the Chief of Police until the Village Board is able to meet again to make that determination. Trustee Kerry Davis wanted it made very clear that Chief Alvarez would not be suspended or dismissed until the Board approves it.

- Ms. Candi Eaves stated that she understands that no matter what the findings are on March 7th, 2014 that Jose Alvarez is still Chief of Police until the Village Board meets again. She mentioned that she wanted that to extend to March 19th, 2014.
- During the discussion of the Special Meeting Chief Jose Alvarez asked if the Village Board could vote on him getting his secretary back. He was informed that it was not on the agenda and that it would be voted on at the March 19th, 2014 Regular Board Meeting. Chief Alvarez stated that he was getting farther and farther behind at the Police Station and he was getting concerned about that. He mentioned he was just asking about it and thanked the Village Board for their answer.

Adjournment

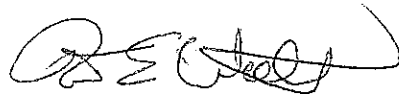
There was no additional business to bring before the Board. A motion was made by Kerry Davis, seconded by Rick Casey, Jr., to adjourn the meeting.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

Meeting adjourned at 9:25 p.m.

Respectfully Submitted by



Rob Watt
Village Clerk