



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 23, 2014

Ms. Rosalee Dodson
Assistant Corporation Counsel
City of Bloomington
109 East Olive Street
Bloomington, Illinois 61701

RE: OMA Request for Review – 2014 PAC 31924

Dear Ms. Dodson:

The Public Access Bureau has received a Request for Review under section 3.5(a) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(a) (West 2012)) from Mr. John Kraft alleging that City of Bloomington City Council (Council) violated OMA. Specifically, Mr. Kraft alleges that the Council met for dinner before its October 13, 2014, special meeting and likely discussed public business at that dinner. A copy of the Request for Review is enclosed for your reference.

The Public Access Bureau has determined that further action is required. This office construes Mr. Kraft's Request for Review as alleging that the Council violated section 2.02(a) of OMA (5 ILCS 120/2.02(a) (West 2012)). Section 2.02(a) of OMA provides, in pertinent part:

Every public body shall give public notice of the schedule of regular meetings * * * [including] the dates, times, and places of such meetings. An agenda for each regular meeting shall be posted at the principal office of the public body and at the location where the meeting is to be held at least 48 hours in advance of the holding of the meeting. * * * Public notice of any special meeting except a meeting held in the event of a bona fide emergency, or of any rescheduled regular meeting, or of any reconvened meeting, shall be given at least 48 hours before such meeting[.]

In order to further evaluate this matter, we request the Council or its representative to respond in writing to the allegations in Mr. Kraft's Request for Review. In particular the Council should clarify whether members of the Council met for dinner before the


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special meeting on October 13, 2014. If any Council members met for dinner, please clarify what was the purpose of the Council gathering for dinner immediately before the special meeting. Please also clarify which Council members attended and the total number of members sitting on the Council. In addition, please clarify the subject of any discussion that took place during the light dinner. If any discussion of Council business took place, then please provide a detailed summary of that discussion.

As required by section 3.5(b) of OMA (5 ILCS 120/3.5(b) (West 2012)), please provide this information to our office within 7 working days after receipt of this letter. As we conduct our review of this matter, we will notify you if we need to review additional records or information. Please note that under the Act, we are required to forward a copy of any response from a public body to the requestor and provide the requestor an opportunity to reply. 5 ILCS 120/3.5(c) (West 2012). The Act also permits a public body to provide a redacted version of any response for release to the requestor. If you believe that other documents or information would be helpful to us as we review the issues, you may submit additional records or affidavits. Please provide the requested materials, any response and all additional information within 7 working days of receipt of this letter.

If you have any questions, you may contact me at (217) 782-9054 or the Springfield address below.

Very truly yours,


MATT HARTMAN
Assistant Attorney General
Public Access Bureau

Enclosure

cc: *Via electronic mail*
Mr. John Kraft
7060 Illinois Highway 1
Paris, Illinois 61944
john@illinoisleaks.com

Hartman, Matthew

From: John Kraft <john@illinoisleaks.com>
Sent: Wednesday, October 22, 2014 5:03 PM
To: Hartman, Matthew
Subject: OMA Request for Review (Bloomington, IL)
Attachments: BloomingtonIL-Special Meeting Notice 101314.pdf

PAC,

Please consider this a request for review of an alleged Open Meetings Act violation - this happens at most every special meeting of the Bloomington City Council.

Name of Public Body: Bloomington City Council

Date: October 13, 2014

Alleged Open Meetings Act Violation:

I am alleging that the city council holds an illegal meeting - no notice and no agenda - prior to its Special Meeting on October 13, 2014.

Upon reading the agenda for the 5 p.m. Special Meeting, there is a statement at the top of the paper that says "Light dinner at 4:30 p.m."

It is inconceivable that the city council would gather together for a taxpayer funded dinner (a violation of Article VIII Section 1 of the Illinois Constitution) and not discuss public business during this dinner held at city hall, and only for council members, just 30 minutes prior to their Special Meeting.

Please conduct further inquiry into the content of discussions during this dinner.

Thanks,
John Kraft
7060 Illinois Highway 1
Paris, Illinois 61944

217-808-2527
john@illinoisleaks.com

CITY OF BLOOMINGTON
SPECIAL CITY COUNCIL MEETING NOTICE
109 E. OLIVE
MONDAY, OCTOBER 13, 2014, 5:00 P.M.

Light dinner at 4:30 p.m.

1. Call to Order
2. Roll Call
3. Public Comment
4. Adjourn into Closed Session
5. Discussion Topic
 - a. Claims Settlement – Section 2(c)(12) of 5 ILCS 120
 - b. Litigation - Section 2(c)(11) of 5 ILCS 120
 - c. Purchase of Real Estate – Section 2(c)(5) of 5 ILCS 120/
6. Return to Open Session and Adjourn (*estimated time 6:45 p.m.*)