



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

January 24, 2018

*Via electronic mail*  
The Honorable Chris Koos  
Mayor  
Town of Normal  
11 Uptown Circle  
Normal, Illinois 61761  
ahuonker@normal.org

RE: OMA Request for Review – 2018 PAC 51301

Dear Mayor Koos:

The Public Access Bureau has received the attached Request for Review under section 3.5(a) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(a) (West 2016)) from Ms. Diane Benjamin alleging that Town of Normal City Council (Council) violated OMA in connection with a meeting held on January 18, 2018. A copy of the Request for Review is attached.

Citing a newspaper article, Ms. Benjamin's Request for Review stated that at least four of the seven members of the Council held a meeting on January 18, 2018, for the purpose of discussing public business. She alleged that the Council failed to give proper notice or post an agenda for the meeting.

We have determined that further action is warranted. In order to further evaluate this matter, we request that the Council, or its representative, provide copies of any notice, agenda, and minutes (draft form, if necessary) for the January 18, 2018, gathering for this office's confidential review, together with a detailed written response to Ms. Benjamin's allegation; if notice and an agenda for the gathering were posted, please specify when and where. If the Council asserts that the gathering did not constitute a "meeting" subject to the requirements of OMA, please provide an explanation that describes the purpose of the gathering and identifies the members who attended.

The Honorable Chris Koos  
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As required under section 3.5(b) of OMA (5 ILCS 120/3.5(b) (West 2016)), please provide this information to our office within seven (7) business days after receipt of this letter. As we review this matter, we will notify you if we require additional records or information. Please note that under OMA, this office is required to forward a copy of any response to the requester and to provide the requester with an opportunity to reply. 5 ILCS 120/3.5(c) (West 2016). The Act also permits the Township to provide a redacted version of its response for release to the requester. Accordingly, **if you claim that any portion of your written response is confidential, please send two versions of your response letter: a complete copy for this office's confidential review and a redacted version suitable for this office to forward to the requester.**

Please contact me at (217) 782-1699 if you have questions or would like to discuss this matter. Thank you.

Very truly yours,



SANDRA COOK  
Assistant Attorney General  
Public Access Bureau

Attachment

cc: *Via electronic mail*  
Ms. Diane Benjamin  
blnnews@yahoo.com

**Public Access**

51301

**From:** Bloomington Normal News <blnnews@yahoo.com>  
**Sent:** Friday, January 19, 2018 1:17 PM  
**To:** Public Access  
**Subject:** Request for Review

I am asking you to declare a meeting of the Normal Town Council illegal because no agenda was posted.

The only notice of this meeting appeared in the press: [http://www.pantagraph.com/news/local/government-and-politics/normal-to-cut-jobs-programs-for-m-deficit/article\\_4dd86157-44b1-57ad-b068-df901479331c.html#tracking-source=home-top-story-1](http://www.pantagraph.com/news/local/government-and-politics/normal-to-cut-jobs-programs-for-m-deficit/article_4dd86157-44b1-57ad-b068-df901479331c.html#tracking-source=home-top-story-1)


Note the caption on the picture says it occurred Thursday - that would be 1/18/2018. In the press it is called a Budget Work Session.


The article has comments from the Mayor and three Trustees for a total of 4. I don't know if more members attended, the Council consists of seven members: <http://www.normal.org/1135/Meet-the-Council>


Since we do know over half attended, the meeting should have been posted and an agenda made available.


No meeting notice or agenda was posted on the Town site: <http://www.normal.org/Archive.aspx?AMID=47>


**City Council Agendas**


 [January 16, 2018](#)

 [January 2, 2018](#)

 [December 18, 2017](#)

 [December 4, 2017](#)

 [November 20, 2017](#)

 [November 6, 2017](#)

All scheduled council meetings are live streamed and posted on the Town website, this one was not. The picture was taken in the Council Chambers.

Please advise.

Diane Benjamin  
BlnNews.com

309-724-8520

NORMAL — Normal residents can expect their solid waste collection bills to nearly double over the next three-plus years.

The City Council plans to raise the town's \$18 monthly solid waste collection fee to \$24 on April 1, the first of a series of annual hikes ending at \$32 in 2021, to help fight a looming budget deficit.

Those increases would move the town's solid waste collection program from operating constantly in the red to breaking even, and it still would compare favorably to private services that offer similar rates, said City Manager Mark Peterson.

"A lot of folks probably don't understand this is subsidized," said council member R.C. McBride. "We're working toward eliminating that subsidy inside of four years."

Mayor Chris Koos said the town could consider reducing trash collection services or contracting them to a private company, but council members said they oppose both options.

"To do anything different than what we're doing is inviting chaos. We've established an expectation of high service," said council member Jeff Fritzen. "Who wants to go backward for \$12 a month?"

Peterson said cutting services is a complicated process as well. For instance, going from weekly to biweekly collection would not halve fees, and there are several categories of waste to consider, including bulky and yard waste.

"Privatization in this instance I think is a terrible idea. ... I don't think there's any way we could expect a similar level of service for anywhere near a similar cost," said McBride. "(Residents) are probably going to wind up paying more for less ... and we'll still be the ones getting the complaints."

"Any variation of this is not going to be popular," agreed Koos. "We're telling the public one of two things: We're going to raise the cost of your services, or we're going to raise the cost of your services and cut your services."

Peterson said the town is making a concession, however: It will default to monthly billing rather than bimonthly, a frequent resident request. Residents also can pay online.

"That's going to make it easier in a household budgeting situation to deal with that (increase)," said Fritzen.

The council also discussed more community-based options like drop-off locations for waste and leaf-burning that could drive down costs, but Peterson said those don't solve the immediate funding issue the town is facing.

The increase is the latest in a series of cost increases for Normal residents. Sewer rates will more than double over the next five years as part of a planned overhaul of the decaying system, water rates increased last year and sales tax went up by a percentage point on Jan. 1, 2016.

"I'm not happy about having to pay more myself or having to raise these rates, but I do think it's the right thing to do," said McBride.

## Public Access

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**From:** Bloomington Normal News <blnnews@yahoo.com>  
**Sent:** Friday, January 19, 2018 1:43 PM  
**To:** Public Access  
**Subject:** Fw: Request for Review

Add this press article to my complaint. It was written by the same reporter and posted today too, so it has to be referring to yesterday's budget session. [http://www.pantagraph.com/news/local/government-and-politics/normal-to-nearly-double-solid-waste-collection-fee/article\\_9b2ec2d1-820f-550b-91c5-7574d4c92736.html#comments](http://www.pantagraph.com/news/local/government-and-politics/normal-to-nearly-double-solid-waste-collection-fee/article_9b2ec2d1-820f-550b-91c5-7574d4c92736.html#comments)

One additional Trustee is mentioned, total of five.

Diane Benjamin

----- Forwarded Message -----

**From:** Bloomington Normal News <blnnews@yahoo.com>  
**To:** Public Access <paccess@atg.state.il.us>  
**Sent:** Friday, January 19, 2018, 1:17:11 PM CST  
**Subject:** Request for Review

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