



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 31, 2018

Via electronic mail
Ms. Diane Benjamin
blnnews@yahoo.com

RE: OMA Request for Review – 2017 PAC 51301

Dear Ms. Benjamin:

The Public Access Bureau has received the attached response letter to your Request for Review from the Town of Normal.

You may, but are not required to, reply in writing to the public body's response. If you choose to reply, you must submit your reply to this office within seven (7) working days of your receipt of this letter. 5 ILCS 140/9.5(d) (West 2016). Please send a copy of your reply to Mr. Brian Day as well. Please contact me at the Springfield address listed below or by calling (217) 782-1699 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sandra Cook", is written over the typed name.

SANDRA COOK
Assistant Attorney General
Public Access Bureau

Attachment

cc: *Via electronic mail*
Mr. Brian Day
Corporation Counsel
11 Uptown Circle
Post Office Box 589
Normal, Illinois 61761
bday@normal.org



January 24, 2018

[Delivered electronically to scook@agt.state.il.us]

Sandra Cook
Assistant Attorney General
Public Access Bureau
500 S. Second Street
Springfield, IL 62706

RE: OMA Request for Review – 2018 PAC 51301

Dear AAG Cook:

The Town of Normal has received a Request for Review for 2018 PAC 51301. This Request for Review is about the adequacy of the notice of the Town Council's budget discussions.

Diane Benjamin alleges that members of the Town Council met to discuss public business without providing proper notice of the meeting. Benjamin is right about the meeting; she is wrong about the notice.

On January 18, 2018, members of the Council held a workshop to discuss the Town budget. All seven Councilmembers attended. The workshop was for discussion purposes only. The Council took no final actions, nor did it conduct any formal business. No votes were taken. No quorum was required for the discussions, and no roll call was taken.

Because the workshop would involve at least a majority of a quorum, the Town posted notice both at City Hall, where the workshop occurred and on the Town's website. The notice included the time, place, and date of the workshop. It also included item that it was a budget discussion workshop.¹ The notice was placed in both locations on November 29, 2017, well in excess of the Open Meetings Act's notice requirement.²

1. Because there was no business conducted, there was no agenda other than the general description of the topic of discussion included on the notice.
2. The statute requires notice be given at least 48 hours before the meeting. See, 5 ILCS 120/2.02. The Town provided notice about 1,200 hours before the meeting.

"Committed to Service Excellence"

11 Uptown Circle • Post Office Box 589 • Normal, Illinois 61761-0589
Telephone (309) 454-2444 • Fax (309) 454-9609 • TDD (309) 454-9630
www.normal.org

S. Cook

1/24/18

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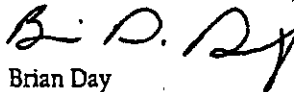
The physical notice was placed in the glass case at City Hall, where all Town meeting notices are located. The web-site notice was included in the schedule of events, located on the front page of the Town's website.

The workshop was open to the public, held from the hours of noon-6pm on a Thursday, and held at City Hall. The time and place were open and convenient, as required under §2.01 of the Open Meetings Act.

In response to the Town's notice, members of the press and members of the public attended. In fact, from her request for review, it appears that Ms. Benjamin heard about the budget workshop from a story by a reporter who attended. The meeting was hardly covert.

The Town gave sufficient notice of the meeting. Enclosed are copies of the notices that the Town produced. If you have any additional questions on this matter, please contact me at 309-454-9507 or at bday@normal.org.

Yours sincerely,



Brian Day
Corporation Counsel

Encl.

cc: Mayor
City Manager
Town Clerk

Bryant, Hattie

From: Angie Huonker <ahuonker@normal.org>
Sent: Wednesday, January 24, 2018 1:03 PM
To: Brian Day
Subject: Benjamin AG Complaint
Attachments: Council - Multiple Events - 2017 - 11.29.17.docx

Attached is a PDF of the first bulletin board posting, put up on 11/29/17 which remained on every weekly posting to date. It is still on the board as of today 1/24/18.

Web Calendar links below.

January Calendar of Events:

<http://www.normal.org/calendar.aspx?Keywords=&startDate=01/01/2018&enddate=01/24/2018&CID=14&showPastEvents=false>

Link to Actual Event (posted 11/29/17):

<http://www.normal.org/Calendar.aspx?EID=4648&month=1&year=2018&day=24&calType=0>

Angie Huonker

City Clerk

Town of Normal | 11 Uptown Circle Normal, Illinois 61761 | Ph: 309.454.9509 | ahuonker@normal.org

NOTICE

PURSUANT TO THE OPEN MEETINGS ACT, notice is hereby given the Normal Town Council has been invited to several events in which a majority of the Council may be present. These events include:

Economic Vision Luncheon
Thursday, November 30, 2017 – 11:30 a.m.
The Radisson Hotel
8 Traders Circle
Normal, IL 61761

Annual Jaycees Christmas Parade
Saturday, December 2, 2017 – 10:00 a.m.
Kicks Off at Kingsley Junior High School
Normal, IL 61761

Illinois Bicentennial Flag Raising Ceremony
Monday, December 4, 2017 – Noon
McLean County Museum of History
200 N. Main Street
Bloomington, IL 61701

Holiday Children's Party at the Museum
Sunday, December 10, 2017 – 12:00 pm
Children's Discovery Museum
101 E. Beaufort Street
Normal, IL 61761

President & Mrs. Dietz Holiday Open House
Sunday, December 10, 2017 – 2:00 pm
1000 Gregory Street
Normal, IL 61761

Council Strategic Plan Follow Up
Tuesday, December 5, 2017 – 4:00 pm
11 Uptown Circle
Normal, IL 61761

Annual Employee Holiday Lunch
Wednesday, December 13, 2017 – 11:00 am
Marriott Hotel & Conference Center
201 Broadway Avenue
Normal, IL 61761

BN by the Numbers
Thursday, December 14, 2017 – 11:30 a.m.
Bone Student Center – Prairie Room
Illinois State University
Normal, IL 61710

Town Employee Night at Normal Theater
Wednesday, December 27, 2017 – 6:30 pm
Normal Theater
209 W. North Street
Normal, IL 61761

Budget Work Session
Thursday, January 18, 2018 – Noon
Normal City Hall, Council Chambers
11 Uptown Circle
Normal, IL 61761

Chamber of Commerce Gala
Saturday, January 27, 2018 – 5:00 pm
DoubleTree Hotel & Conference Center
Bloomington, IL 61701

Town of Normal
Angelia Huonker
Town Clerk
Dated this 29th day of November, 2017.