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Route 53/120 Land Use Committee Violates Illinois Open Meetings Act
Improper procedures may negate all past recommendations to Illinois Tollway

HAWTHORN WOODS, IL – On Thursday, November 5, 2015 the Chicago Metropolitan Agency for Planning (CMAP) facilitated a two-hour meeting from 2:30-4:30pm at the University Center of Lake County in Grayslake that violated the requirements of the Illinois Open Meetings Act (OMA). During this meeting, which was not properly noticed, a vote was called, and then challenged, to make a land use recommendation to the Illinois Tollway regarding the proposed Route 53 future land use strategy. The IL Route 53/120 Land Use Committee members and Finance Committee members have met since early 2014 to discuss the expansion of the IL Route 53/120 Corridor. According to Joseph Mancino, Mayor of Hawthorn Woods, the Land Use Committee Meeting #8 is a significant violation of the Illinois Open Meetings Act and it is not the first.

“This meeting was problematic on many levels. Throughout this entire process, from the formation of the BRAC committee through last week’s illegal meeting, this entire public process has been encumbered with flaws, violations of state statutes, violations of the Illinois Open Meeting Act, and closed member participation,” reports Mancino. The Mayor has requested clarification of meeting minutes, BRAC and CMAP agenda availability and public notification requirements, and public posting of agendas at all meetings that meet the requirements as mandated by the Illinois Open Meetings Act. “I also requested an appointment to represent my community on one of these subcommittees, but was denied representation for my community of Hawthorn Woods on the panel,” comments Mancino.

The Illinois Open Meetings Act is an Illinois state law that requires meetings of public bodies be open to the public except in certain specific, limited situations where the law authorizes the public body to close a meeting. OMA also provides that the public must be given advance notice of the time, place and subject matter of the meetings of public bodies. The “public bodies” covered by OMA include, but are not limited to, all legislative, executive, administrative or advisory bodies of the state, counties, townships, cities, villages, incorporated towns, school districts, and municipal corporations. It also includes all committees, subcommittees, and subsidiary bodies of public bodies. As such, the IL Route 53/120 Land Use Committee is subject to the Illinois Open Meetings Act.

The Illinois Open Meetings Act states the public body must post an agenda for the particular meeting at the principal office of the public body, at the location where the meeting is to be held, and on the public body’s website at least 48 hours in advance of the meeting. On Thursday afternoon, the Land Use Committee’s agenda was nowhere to be found at the University Center of Lake County. “When I publically asked where the location of the published agenda was, there was a passing of responsibility to own up to the mistaken process,” says Mancino. “We have observed this same violation at previous meetings of both the Land Use Committee and the Finance Committee.” Furthermore, so as to provide clear information to the public as to the actions under consideration by public bodies, the Illinois Open Meeting Act states agendas should contain sufficient information regarding the general subject matter of the final action that is to be taken by the public body. Thursday’s agenda contained the ambiguous wording, “Consideration to Finalize Report.”

As a result of these numerous violations, the Village of Hawthorn Woods challenges the entire Route 53 process. Mancino declares, "As a public entity funded by taxpayers' dollars, we expect lawful processes to be followed." The Village of Hawthorn Woods is requesting an investigation into the Committee's process and has filed a Request for Review with the Public Access Counselor into the apparent Illinois Open Meetings Act violations. In addition, the Village requests the Tollway withhold any further budgetary funding of this process, including the Environmental Impact Study, until the public is assured there will be a revised process of public input that will be compliant with the law.

ABOUT THE VILLAGE OF HAWTHORN WOODS

In 1958, Hawthorn Woods became Lake County's 31st municipality and distinguished itself as an upscale, friendly community that placed a high value on the protection of natural resources. Hawthorn Woods is recognized for its beautiful open spaces and park amenities as well as great schools, friendly business districts, and professional services. A full service Police Department, Public Works Department, Finance Department, Community Development Department, and Parks and Recreation Department all work together to provide excellence in service to the citizens, visitors, and business community of Hawthorn Woods. For more information, visit www.vhw.org.

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