

To:
citycouncil@cityblm.org;

You forwarded this message on 7/25/2014 8:12 PM.

Ladies and Gentlemen,

I have read through your proposed text amendment to public comment during public meetings (Chapter 2, Section 85).

While I appreciate your attempting to comply with the Open Meetings Act, I find it hard to believe that a city the size of Bloomington, Illinois cannot allow a minimum of 30 minutes for public comment. It certainly appears that the purpose of your 15 minute time limit is to restrict public comments contrary to the legislative intent of Section 2.06 (g) of the Open Meetings Act which is to provide for all persons the opportunity to address the public officials under the rules established and recorded.

The OMA gives public bodies the opportunity to establish rules, but those rules must be reasonable. Fifteen minutes for public comment in a city as large as Bloomington is unreasonable in my opinion. Are you really wanting to tell the people that elected each one of you that you cannot afford to spend more than 15 minutes to hear their concerns? Is it reasonable to you?

Section (a) of your proposed amendment includes a statement that I believe violates the OMA:

"...and special meetings of the City Council not designated as work sessions."

Section (i) of the proposed amendment includes a statement that I believe violates the OMA by reinforcing Section (a):

"...This shall include work sessions of the City Council even though no public comment period is provided at work sessions...."

The rules you propose in Sections (a) and (i) do not follow reasonableness and certainly do not follow Attorney General binding opinions in reference to public comment.

Section 2.06 (g) of the Open Meetings Act applies to each and every meeting open to the public. It does not exclude "work sessions" when talking about the right to speak at an open meeting. I am assuming your "work sessions" are meetings open to the public.

I understand that some public comment might be unpleasant to listen to, but it is one of the privileges of public office. A former Attorney General wrote an opinion in 1975,

and has been referred to in an Appellate Court decision, *WSDR, Inc. v. Ogle County* dating back some 33 years ago:

****However, public officials are subject to criticism for action they take in fulfilling their duties as public officials and anyone who undertakes a public office or membership on a public body should be aware that his actions will be subject to criticism. Anyone who is unwilling to subject himself to such criticism by the public should not accept public office or membership on a public board..."*

Finally, I am asking that you allow 30 minutes for public comment at every meeting open to the public. That should not be too much to ask.

Thanks for your consideration of this matter of public importance,

John Kraft
XXXXXXXXXXXX
XXXXXXXXXXXXXX

217-xxxxxx