

Big Picture  Local Focus
Daily Herald



Suburban Chicago's Information Source Home | EZ Links | Subscriber Services | Advertise | Newspaper Ads

Thursday, September 09,

7 day search

Go

FIND A JOB
FIND A HOME
FIND A CAR

News/Home

- Cook County
- DuPage County
- Kane County
- Lake County
- McHenry County
- Illinois
- Nation/World

Ads/Classifieds

- Place an ad
- Display ads
- Autos
- Jobs
- Homes
- Personals

Obituaries

Business

Sports

Prep Sports

Entertainment

- TV listings
- Movie times
- Events
- Comics
- Crossword

Opinion/Editorial

Commitments

- Engagements
- Weddings
- Anniversaries
- Place a commitment

Food

- Recipes
- Coupons

Health & Fitness

Homes & Garden

Suburban Living

Travel

Special Sections

Resources

- EZ links
- 7 day search
- Archives search
- Photo archives
- Site map

Contact us

- Subscribe
- Your TIPS
- Subscriber services
- N.I.E.

New life for group's lawsuit against DuPage

By Robert Sanchez Daily Herald Staff Writer

Posted Thursday, September 09, 2004

A state appeals court has resurrected a watchdog group's lawsuit that claims the DuPage County Board broke the law when it supported O'Hare International Airport expansion.

The Second District Appellate Court recently overturned a DuPage judge's decision to dismiss a lawsuit by Elmhurst-based Citizen Advocacy Center.

Now the judge must decide whether the county board violated the state's Open Meetings Act when it approved a resolution favoring O'Hare expansion.

"The appellate court has said this is a valid question of whether or not there's been an Open Meetings Act violation," said Terry Pastika, the advocacy center's executive director. "So basically, the entire case starts over again."

Advocacy center officials say county board Chairman Robert Schillerstrom "spontaneously introduced" the O'Hare resolution during a January 2003 meeting. Moments later, the board passed the measure even though it wasn't on the agenda.

Originally, the trial judge dismissed the lawsuit after agreeing with DuPage State's Attorney Joseph Birkett's argument that no violation occurred because the vote wasn't a binding contract and happened in a public place.

"Our argument was you are talking about a policy that affects an entire county of nearly a million people," Pastika said. "That's not meaningless."

The appellate court's ruling supports the advocacy center's position.

Birkett on Wednesday was accepting of the appellate court's decision. In fact, he said attorneys in his office were "as surprised as anybody" to learn the board had voted on the resolution without first notifying the public.

"My assistant state's attorneys found out when it came up at the meeting," Birkett said.

Had he been given advance notice, Birkett said, his advice to the county board would have been to put the resolution on the agenda.

ADVERTISEMENT

BRING IT ON

WE WILL BEAT THE COMPETITION

Low Rate Financing for
New, Used and
Refinanced Vehicles

- Terms up to 72 months
- 100% Financing - some restrictions
- Apply Online





DUPAGE
Credit Union

www.dupagecu.com
800.323.2611

News

- [Jailed in red tape](#)
- [Police swoop in, scour F Valley for suspects](#)
- [Man drowns in Schauml pond](#)
- [Midwife ends legal battle](#)
- [School hopes jokes are](#)
- [New: Philippine-born W veterans sought](#)

Sports

- [Cubs have that sinking feeling](#)
- [Clark glad to be one of Bears' 'go-to guys'](#)
- [Bulls' crowded picture](#)
- [U.S. Open talk turns to instant replay](#)
- [Garcia good enough for](#)

Business

- [NIU's 'Apprentice' class students trump competi](#)
- [Trouble for Salton](#)
- [Bankruptcy next for Dell](#)
- [Greenspan upbeat about economy](#)
- [Daily Herald captures 3 awards in AP contest](#)

"We have always and will continue to encourage and recommend strict adherence to the notice provisions (of the Open Meetings Act) - even if things do not involve approval of a contract or the expenditure of funds," Birkett said.

"If it's a matter that's going to be considered at a meeting, put it on the agenda," he said. "That's my recommendation because it avoids litigation."

Advocacy center officials are hoping the lawsuit ends with a judge nullifying the resolution.

"We want the resolution invalidated," Pastika said. "And we want them to go back and do it correctly. We want them to put it on the agenda and vote on it again."

No matter what happens in court, Birkett said the county board has been "pretty good" about complying with the Open Meetings Act.

"They have, for the most part, followed my advice," he said. "And the county officials here all embrace open government. This is one case where they didn't adhere to their general practice, which is to put everything on the agenda."

- [E-mail story to friend](#)
- [Print story](#)
- [Return to front](#)

Big Picture  Local Focus

Daily Herald



Suburban Chicago's Information Source

Home | EZ Links | Subscriber Services | Advertise | Newspaper Ads

Friday, September 10,

7 day search Go

FIND A JOB
FIND A HOME
FIND A CAR

News/Home

- Cook County
- DuPage County
- Kane County
- Lake County
- McHenry County
- Illinois
- Nation/World

Ads/Classifieds

- Place an ad
- Display ads
- Autos
- Jobs

Homes

- Personals

Obituaries**Business****Sports****Prep Sports****Entertainment**

- TV listings
- Movie times
- Events
- Comics
- Crossword

Opinion/Editorial**Commitments**

- Engagements
- Weddings
- Anniversaries
- Place a commitment

Food

- Recipes
- Coupons

Health & Fitness**Homes & Garden****Suburban Living****Travel****Special Sections****Resources**

- EZ links
- 7 day search
- Archives search
- Photo archives

Site map**Contact us**

- Subscribe
- Your TIPS
- Subscriber services
- N.I.E.

Wood Dale balks at expansion bill

By Justin Kmitch Daily Herald Staff Writer

Posted Friday, September 10, 2004

Within a month of being told they owe the Suburban O'Hare Commission \$10,560.48 for dues from April through September Wood Dale aldermen Thursday demanded the group open their financial reports and be more fiscally accountable.

A memo dated Aug. 18 and sent to the city by the Suburban O'Hare Commission told aldermen they were already behind on three months' (one financial quarter) worth of dues

totaling \$5,280.24 and are in danger of being late for another quarter. Wood Dale City Manager Brad Townsend said he believes the city is paid in full but can't be sure unless he can compare city records to SOC records. In his response to SOC, Townsend said the organization has fallen back on a promise.

"The City of Wood Dale has not received any financial information on the operation of SOC as promised to managers and administrators at a meeting two years ago at the SOC office in Bensenville," Townsend wrote in a letter the city council authorized to be sent to the SOC today. "Also, Mayor Ken Johnson has repeatedly asked SOC officers for this information on behalf of Wood Dale for the past two years. Therefore, please provide us with a copy of the most recent financial report including the fund balance, revenues, and expenditures for the current fiscal year of the organization."

The Suburban O'Hare Commission is a consortium of communities surrounding the airport, including Addison, Bensenville, Elk Grove Village, Elk Grove Township, Elmhurst, Itasca, Maine Township, Roselle and Schiller Park. The commission has been the core of the anti-expansion efforts for years. Since 2001, Des Plaines and Park Ridge have left, as did the DuPage County Board, which left a year ago, ending its longstanding opposition to expansion.

The council agreed to pay the first debt in question if they do owe it but promised to withhold any additional payments to the organization until the financial records are produced.

Fourth Ward aldermen Dave Tolemy and Tony Zoubek said they have asked for the information consistently for several years but have been ignored and they think it's time for the organization to explain itself.

"To a point I support SOC, but to another point I don't because we have asked them repeatedly for this information every year that I've been on the council and we've never received it," Tolemy said. "I mean, what's so secret about it? We have to go

ADVERTISEMENT

BRING IT ON

WE WILL BEAT THE COMPETITION

Low Rate Financing for
New, Used and
Refinanced Vehicles

- Terms up to 72 months
- 100% Financing - some restrictions
- Apply Online





www.dupagecu.com
800.323.2611

News

- [New: Man found dead in Lake fire](#)
- [Rosemont: No mob here](#)
- [Consumer alert: Super Soaker rockets recalled](#)
- ['Bulldog' of police, fire b exits post](#)
- [Police dragnet captures carjacking suspects](#)
- [Park or swamp?](#)

Sports

- [Patriots just keep winnin](#)
- [Remember them? Marl town](#)
- [Irish defenders eager fo test](#)
- [Bears like what they see Jones](#)
- [In your face: Buehrle ba Rangers again](#)

Business

- [Defined benefits dwindle](#)
- [Study: Fewer jobs offer health insurance](#)
- [OT law stalled by House](#)
- [Nokia boosts revenue, earnings for quarter](#)
- [Oracle takeover bid jum hurdle](#)

back to our residents and tell them where the money's being spent. Show us your books."

Third Ward Alderman Christine Winger agreed, saying it's fair for the city to pay what they committed to, but also fair for them to see exactly where the money is being spent.

"I think it's fair to ask to see those fund balances, revenues and expenditures report," she said. "Until we see those I also think it's fair to hold off on that fourth installment."

No SOC officials were at the city council meeting, but Bensenville Village Manager and SOC official Jim Johnson, reached at home Thursday night, called the issue a "friendly misunderstanding" and said the city can see whatever records they would like, if they would just ask.

"There are no attempts being made to deceive or hide any information from anyone," Johnson said. "I don't believe the organization has any disputes with the city regarding this issue."

First Ward Alderman Marshall Subach, however, asked the council to keep the commitment they made to be dues-paying members of the organization at least until May 2005.

- [E-mail story to friend](#)
- [Print story](#)
- [Return to front](#)