



MEMORANDUM

TO: Township Board Members
Supervisor Pamela Borowski
Town Clerk Marilyn Banks

FROM: Trisha Crowley, Deputy City Attorney

DATE: March 11, 2010

SUBJECT: AGENDA - ANNUAL TOWN MEETING APRIL 13, 2010

A. Introduction: The purpose of this Report is to provide information to the Township Board concerning required items on the Annual Town Meeting Agenda.

B. Background:

1. The Annual Town Meeting is held each year on the 2nd week of April. This year's Annual Town Meeting will be held on April 13, 2010. The Town Board is required to approve the agenda of the Annual Town meeting at least 10 days prior to the meeting, which would be prior to April 2, 2010. Approval for the Annual Town Meeting agenda was an item on the March 2, 2010 Town Board meeting agenda. The meeting was recessed until March 16, 2010, in order to have time to consider any amendments to the agenda which were proposed by citizens on March 1. 60 ILCS 1/30-10(b) states:

Any 15 or more registered voters in the township may request an agenda item for consideration by the electors at the annual meeting by giving written notice of a specific request to the township clerk no later than March 1 prior to the annual meeting. The agenda published by the township board shall include any such request made by voters if the request is relevant to powers granted to electors under the Township Code.

The signatures were reviewed by the Township Clerk and the Clerk found that 15 registered voters had signed each request for the agenda item.

2. The request for additional items on the Annual Town meeting agenda is attached. The two requests are for advisory referenda questions to be submitted to voters. The two questions are as follows:

First. "Shall the City of Champaign create a committee of citizens independent of the police, to receive citizen complaints of police misconduct, establish mediation, hold public hearings, with the power to compel witnesses to testify and have documents provided to aid in the review process, and make recommendations to the mayor, city manager, and chief of police who must respond in writing; and

Second. "Do you support national legislation to provide basic health care for all Americans while containing costs through reduction of bureaucracy and while preserving the doctor-patient relationship, patient choice of doctors, and doctors' choice of their practice settings"?

The statutory requirement for adding the items to the agenda is that the request be received prior to March 1, be signed by 15 or more voters and be relevant to the powers granted to electors under the Township Code.

60 ILCS 1/30-205 provides:

By a vote of the majority of electors present at a town meeting, the electors may authorize that an advisory question of public policy be placed on the ballot at the next regularly scheduled election in the township. The township board shall certify the question to the proper election officials, who shall submit the question in accordance with the general election law.

The questions submitted are relevant to the powers of the electors in that they request the placement of advisory referenda on the general election ballot, which is one of the specific powers of electors in the Township Code.

3. At the 2009 Annual Town meeting, the electors approved placing an advisory referendum on the ballot. The question was as follows: "Shall the voters of City of Champaign Township request that the City of Champaign Township Trustees actively pursue any and all means available to them to increase the funding level for General Assistance aid to residents in extreme poverty: 1. to match the current average funding level for General Assistance among township for the cities of Springfield, Bloomington, Peoria and Urbana, and 2. by increasing property tax no more than \$25 for a median-value single family home in the first year and adjusting this for inflation in subsequent years?" Unfortunately staff failed to bring back in a subsequent Town Board meeting the Resolution necessary to forward this question on to the County Clerk for placement on the ballot. In the May 2010 Town Board meeting, a resolution to that effect will be on the ballot plus any Resolutions necessary as a result of the Annual Town meeting. These question(s) will appear on the November 2010 ballot. There is a maximum of three questions per jurisdiction, so that if the two questions are approved at the April 13, 2010 meeting, the maximum number of questions for City of Champaign Township will be on the ballot.

C. Alternatives:

1. Adopt the Agenda as presented.
2. Make changes in the Agenda attached to this Report and adopt that Agenda.

D. Discussion of Alternatives:

1. Adoption of the Agenda as proposed is recommended because the additional items submitted by electors were submitted on time and are relevant to the electors' power to put advisory referenda on the ballot. If these items are approved by a majority vote at the Annual Town meeting, the Town Board will be required at a later Town Board meeting to take the

ministerial act of voting on a resolution forwarding these items to the County Clerk. Several advisory referenda have been placed on the ballot through this method in the last several years. The Amended Agenda should be adopted by a motion to substitute the Amended Agenda, and then a vote on the motion to approve the Agenda as amended.

2. Make a change in the attached proposed Agenda. The only likely change would be to remove the items proposed by the electors. The Town Board **does not** appear to have the legal authority to remove items proposed in compliance with the statute.

Prepared by:

Trisha Crowley
Deputy City Attorney

