

AN ORDINANCE AMENDING ARTICLE III, "FREEDOM OF INFORMATION," OF THE CITY CODE OF THE CITY OF ROLLING MEADOWS, COOK COUNTY, ILLINOIS

Whereas, Article III, entitled "Freedom of Information," currently sets forth the procedures and regulations relating to Freedom of Information Act ("Act") requests; and

Whereas, Public Act 096-0542, effective January 1, 2010, revises certain portions of the Act; and

Whereas, it has been determined that it is necessary for the City to amend its Freedom of Information Ordinance in order to be in compliance with State statute.

Now, Therefore, Be It Ordained by the City Council of the City of Rolling Meadows, Cook County, Illinois, as follows:

Section One: Section 2-1017, of Article VIII, "Freedom of Information," of Chapter 2, "Administration," is hereby deleted in its entirety and replaced with the following:

Sec. 2-1017. Request Procedures for Inspection or Copying of Public Records.

- (a) The City shall make available to any person for inspection or copying all public records, except as otherwise provided in Section 2-1022 of this Article and except as such disclosure would be inconsistent with the public policy of the state as set forth in 5 ILCS 140/1. Notwithstanding any other law, the City may not grant to any person or entity, whether by contract, license, or otherwise, the exclusive right to access and disseminate any public record as defined in the Freedom of Information Act, 5 ILCS 140/1 *et seq.*
- (b) Subject to the fee provisions of Section 2-1021 of this Article, the City shall promptly provide, to any person who submits a request, a copy of any public record required to be disclosed by subsection (a) of this Section and shall certify such copy if so requested.

- (c) Requests for inspection or copies shall be made in writing and directed to the City. Written requests may be submitted to a public body via personal delivery, mail, telefax, or other means available to the City. The City may honor oral requests for inspection or copying. The City does not require that the request be submitted on a standard form or require the requester to specify the purpose for a request, except to determine whether the records are requested for a commercial purpose or whether to grant a request for a fee waiver. All requests for inspection and copying received by the City shall immediately be forwarded to the City's Freedom of Information officer or designee.
- (d) The City shall, promptly, either comply with or deny a request for public records within five (5) business days after its receipt of the request, unless the time for response is properly extended under Subsection (e) of this Section.
- (e) The time for response under this Section may be extended by the City for not more than five (5) business days from the original due date for any of the following reasons:
 - (1) The requested records are stored in whole or in part at other locations than the City Hall Building, 3600 Kirchoff Road, Rolling Meadows, Illinois.
 - (2) The request requires the collection of a substantial number of specified records.
 - (3) The request is couched in categorical terms and requires an extensive search for the records responsive to it.
 - (4) The requested records have not been located in the course of a routine search and additional efforts are being made to locate them.
 - (5) The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 2-1022 of this Article or should be revealed only with appropriate deletions.
 - (6) The request for records cannot be complied with by the City within the time limits prescribed by Subsection (d) of this Section without unduly burdening or interfering with the operations of the City.
 - (7) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of the City having a substantial interest in the determination or in the subject matter of the request.

- (f) When additional time is required for any of the above reasons, the City shall, within five (5) business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request.
- (g) Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the City and there is no way to narrow the request and the burden on the City outweighs the public interest in the information. Before invoking this exemption, the City shall extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions. If the City responds to a categorical request by stating that compliance would unduly burden its operation and the conditions described above are met, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the City. Such a response shall be treated as a denial of the request for information. Repeated requests from the same person for the same records that are unchanged or identical to records previously provided or properly denied under the Act shall be deemed unduly burdensome under this provision.
- (h) Public records will be made available for inspection and copying pursuant to this Article at 3600 Kirchoff Road, Rolling Meadows, Illinois, between 9:00 a.m. and 1:00 p.m. and between 2:00 p.m. and 4:30 p.m., Monday through Friday, except holidays. Any request to inspect or copy or for a copy of a public record pursuant to this Article shall be made to the City Freedom of Information Officer.

Sec. 2-1018. Request Procedures for Inspection or Copying of Public Records for Commercial Purposes.

- (a) The City shall respond to a request for records to be used for commercial purposes within twenty-one (21) working days after receipt. The response shall (i) provide to the requester an estimate of the time required by the City to provide the records requested and an estimate of the fees to be charged, which the City may require the person to pay in full before copying the requested documents, (ii) deny the request pursuant to one or more of the exemptions set out in 5 ILCS 140/7, (iii) notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions, or (iv) provide the records requested.
- (b) Unless the records are exempt from disclosure, the City shall comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes.

- (c) It is a violation of the Freedom of Information Act, 5 ILCS 140/1, et seq., for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the City.

Sec. 2-1019. Dissemination of Information about City.

The City shall prominently display at the City Hall Building, 3600 Kirchoff Road, Rolling Meadows, Illinois; make available for inspection and copying; and send through the mail, if requested, each of the following:

- (1) A brief description of itself, which will include but not be limited to a short summary of its purpose; a block diagram giving its functional subdivisions; the total amount of its operating budget; the number and location of all of its separate offices; the approximate number of full-time and part-time employees; and the identification and membership of any board, commission, committee, or council which operates in an advisory capacity relative to the operation of the City or which exercises control over its policies or procedures or to which the City is required to report and be answerable for its operations; and
- (2) A brief description of the methods whereby the public may request information and public records, a directory designating the Freedom of Information officer or officers, the address where requests for public records should be directed, and any fees.

Sec. 2-1020. List of Records Available from City.

The Freedom of Information officer shall maintain a list of documents or categories of records that the City shall immediately disclose upon request.

Sec. 2-1021. Fees.

- (a) When a person requests a copy of a record maintained in an electronic format, the City shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the public records in the specified electronic format, then the City shall furnish it in the format in which it is maintained by the City, or in paper format at the option of the requester. The City may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium. The City will not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records. Except as statutorily provided, the City shall not charge fees applicable to copies of public records when furnished in a paper format when furnishing the public records in an electronic format.
- (b) Except when a fee is otherwise fixed by statute, the City may charge fees reasonably calculated to reimburse its actual cost for reproducing and certifying

public records and for the use, by any person, of the equipment of the City to copy records. No fees shall be charged for the first fifty (50) pages of black and white, letter or legal sized copies requested by a requester. The fee for black and white, letter or legal sized copies shall not exceed fifteen (15) cents per page. If the City provides copies in color or in a size other than letter or legal, the City will not charge more than its actual cost for reproducing the records. In calculating its actual cost for reproducing records or for the use of the equipment of the City to reproduce records, the City will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records. Such fees will be imposed according to a standard scale of fees, established and made public by the City. The cost for certifying a record shall not exceed One Dollar (\$1.00).

- (c) Documents shall be furnished at a reduced charge, taking into consideration the amount of materials requested and the cost of copying them, if the person requesting the documents states the specific purpose for the request and indicates that a reduction of the fee is in the public interest. Reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit. For purposes of this section the term “commercial benefit” shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public.

Sec. 2-1022. Exemptions.

- (a) That which is exempt from inspection and copying under 5 ILCS 140/7 and 5 ILCS 140/7.5 shall be exempt from inspection and copying under this section.
- (b) This section does not authorize withholding of information or limit the availability of records to the public, except as stated in 5 ILCS 140/7 and 5 ILCS 140/7.5, or otherwise provided in this article.

Sec. 2-1023. Nonexempt Materials Contained in Exempt Records.

When a request is made to inspect or copy a public record that contains information that is exempt from disclosure, but also contains information that is not exempt from disclosure, the City shall redact the information that is exempt. The City shall make the remaining information available for inspection and copying.

Sec. 2-1024. Notice of Denial of Request for Public Records.

- (a) When the City denies a request for public records, it shall notify the requester in writing of the decision to deny the request, the reasons for the denial, including a detailed factual basis for the application of any exemption claimed, and the names

and titles or positions of each person responsible for the denial. Each notice of denial by the City shall also inform such person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor. Each notice of denial shall inform such person of the right to judicial review pursuant to 5 ILCS 140/11.

- (b) When a request for public records is denied on the grounds that the records are exempt under Section 2-1022 of this Article, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority. Copies of all notices of denial shall be retained by the City in a single central office file that is open to the public and indexed according to the type of exemption asserted and, to the extent feasible, according to the types of records requested.
- (c) Any person making a request for public records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the City fails to act within the time periods provided in Sections 2-1017 and 2-1018 of this Article.

Sec. 2-1025. Appeal of Denial of Request for Public Records.

Any person denied access to inspect or copy any public record may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than Sixty (60) days after the date of the final denial. The request for review must be in writing, signed by the requester, and include (i) a copy of the request for access to records and (ii) any responses from the public body.

Sec. 2-1026. Injunctive or Declaratory Relief in Denial of Request for Public Records.

Any person denied access to inspect or copy any public record by the City may file suit for injunctive or declaratory relief.

Section Four: This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Rolling Meadows, Illinois.

Section Five: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

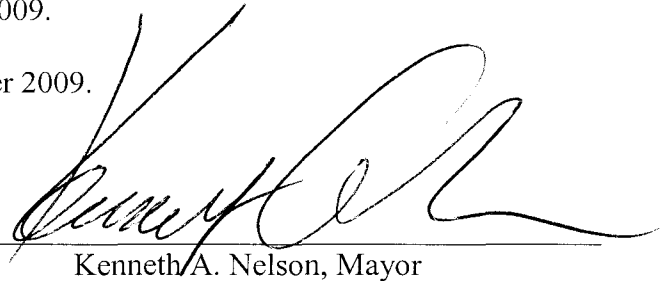
YEAS: Pitzferro, Lusk, Buske, Judd, Adams, D'Astice, Larsen

NAYS: 0

ABSENT: 0

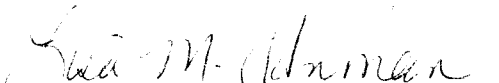
Passed this 15th day of December 2009.

Approved this 15th day of December 2009.



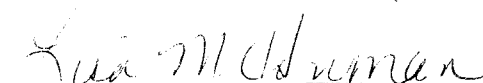
Kenneth A. Nelson, Mayor

ATTEST:



Lisa M. Hinman, City Clerk

Published this 16th day of December 2009.



Lisa M. Hinman, City Clerk

**A RESOLUTION TO APPROVE THE
2010 ROLLING MEADOWS LIBRARY BUDGET**

WHEREAS, the annual budget for the Rolling Meadows Library was approved by the Library Board on October 6, 2009.

WHEREAS, on October 29, 2009, notice of public hearing on the budget was given by publication of notice thereof in a newspaper of general circulation in the City as required by law; and

WHEREAS, the corporate authorities of the City of Rolling Meadows held a public hearing on said proposed budget at 7:30 p.m. on December 1, 2009 at the Municipal Building, 3600 Kirchoff Road, Rolling Meadows, Illinois.

BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ROLLING MEADOWS, ILLINOIS, AS FOLLOWS:

SECTION ONE: that the annual budget for Fiscal Year 2010 for the Library of Rolling Meadows, Cook County, Illinois, a copy of which is attached hereto, and incorporated herein by reference, is hereby approved and adopted.

AYES: Lusk, Buske, D'Astice, Larsen

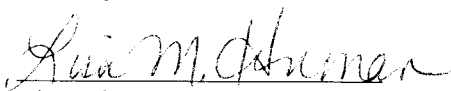
NAYS: Pitzaferro, Judd, Adams

ABSENT: 0

— Passed and approved this 1st of December, 2009


Kenneth Nelson, Mayor

ATTEST:


Lisa Hinman, City Clerk

Rolling Meadows Library
2010 Budget

	2008 Actual	2009 Budget	2010 Budget	% Over Previous Year's Budget	\$ Over Previous Year's Budget
4000 INCOME					
4000 Income					
4111 General Operating (includes reserve funds)	\$ 3,418,959	\$ 3,332,429	\$ 3,429,069	2.90%	\$ 96,640
4111.01 Personal Prop. Replacement Tax	\$ 74,880	\$ 76,485	\$ 64,397	-15.80%	\$ (12,088)
4112 IMRF / FICA					\$ -
4113 Capital Projects (from Capital Resv. Fund)	\$ -		\$ 100,000		\$ 100,000
4114 Local Library Working Cash Fund	\$ -				\$ -
4114.01 Library General Resv. Working Cash Fund	\$ -				\$ -
4115 Per Capita Grant	\$ 29,788	\$ 29,788	\$ 25,022	-16.00%	\$ (4,766)
4116 Interest Income	\$ 31,583	\$ 43,952	\$ 5,432	-87.64%	\$ (38,520)
4117 Liability Insurance					\$ -
4118 Advanced & Reimbursed					\$ -
4119 Fines & Fees	\$ 45,285	\$ 43,502	\$ 43,640	0.32%	\$ 138
4119.01 Staff Vending Machine	\$ 2,433	\$ 2,291	\$ 2,712	18.38%	\$ 421
4121 Petty Cash Checking		\$ 138		-100.00%	\$ (138)
4199.021 Friends' Donations & Other	\$ 22,857	\$ 20,000	\$ 20,000	0.00%	\$ -
4199.03 Prior Years' Taxes (Late Receipt)	\$ -	\$ 5,000	\$ 5,000	0.00%	\$ -
Total 4000 Income	\$ 3,625,785	\$ 3,553,585	\$ 3,695,272	3.99%	\$ 141,687
50000 EXPENSES					
51000 Personnel					
51010 Payroll	\$ 1,792,628	\$ 1,940,246	\$ 1,949,655	0.48%	\$ 9,409
51020 IMRF	\$ 190,829	\$ 208,099	\$ 230,038	10.54%	\$ 21,939
51030 FICA	\$ 137,897	\$ 146,708	\$ 146,537	-0.12%	\$ (171)
Total 51010 Payroll, IMRF, FICA	\$ 2,121,354	\$ 2,295,053	\$ 2,326,230	1.36%	\$ 31,177
51040 Health Insurance					
51040.01 Health	\$ 283,551	\$ 241,149	\$ 276,664	14.73%	\$ 35,515
51040.02 Dental	\$ 1,673	\$ 5,616	\$ 6,065	8.00%	\$ 449
51040.03 Employee Assistance Program	\$ 1,525	\$ 1,525	\$ 1,750	14.75%	\$ 225
Total 51040 Health Insurance	\$ 286,749	\$ 248,290	\$ 284,479	14.58%	\$ 36,189
Total 51000 Personnel	\$ 2,408,103	\$ 2,543,343	\$ 2,610,709	2.65%	\$ 67,366
52000 Materials For Patrons	\$ 427,001	\$ 410,415	\$ 415,083	1.14%	\$ 4,668
53000 Operating Costs					
53011 Programs For Youth	\$ 8,153	\$ 9,226	\$ 8,615	-6.62%	\$ (611)
53012 Programs For Adults	\$ 4,507	\$ 9,188	\$ 8,775	-4.49%	\$ (413)
53013 General & Administrative Programs	\$ 6,010	\$ 7,669	\$ 7,250	-5.46%	\$ (419)
53022 Professional Development & Dues	\$ 17,883	\$ 18,380	\$ 14,833	-19.30%	\$ (3,547)
53030 Transportation	\$ 5,605	\$ 3,391	\$ 3,302	-2.62%	\$ (89)
53040 Office/Operating Supplies	\$ 48,267	\$ 71,358	\$ 63,501	-11.01%	\$ (7,857)
53050 Contract Services, General	\$ 73,990	\$ 80,535	\$ 77,515	-3.75%	\$ (3,020)
53050.01 City Services	\$ 31,800	\$ 33,390	\$ 35,060	5.00%	\$ 1,670
53050.04 Liability & Workers' Comp. Insurance	\$ 49,722	\$ 54,680	\$ 80,558	47.33%	\$ 25,878
53060 Contract Services, Technology	\$ 27,845	\$ 58,095	\$ 64,087	10.31%	\$ 5,992
53070 Contract Services, Maintenance	\$ 59,199	\$ 61,570	\$ 61,221	-0.57%	\$ (349)
53310 Maintenance/Repair, NonContract & Other 53099.99	\$ 23,008	\$ 13,691	\$ 13,440	-1.83%	\$ (251)
53320 Improvements To Building	\$ 23,007	\$ 28,000	\$ 155,460	455.21%	\$ 127,460
53400.01 Machinery & Equipment, Info. Tech.	\$ 105,873	\$ 56,776	\$ 21,444	-62.23%	\$ (35,332)
53400.02 Machinery & Equipment, Library Equipment	\$ 21,966	\$ 12,500	\$ 3,000	-76.00%	\$ (9,500)
53500.01 Staff Vending Machine	\$ 1,765	\$ 1,378	\$ 1,419	2.98%	\$ 41
Total 53000 Operating Costs	\$ 508,600	\$ 519,827	\$ 619,480	19.17%	\$ 99,653
TOTAL 50000 EXPENSES	\$ 3,343,704	\$ 3,473,585	\$ 3,645,272	4.94%	\$ 171,687
Lib. Gen. Reserve Fund Rebuilding (Working Cash Fund)	\$ 30,000	\$ 30,000	\$ 20,000	-33.33%	\$ (10,000)
Capital Reserve Fund Rebuilding	\$ 50,000	\$ 50,000	\$ 30,000	-40.00%	\$ (20,000)
BUDGET EXPENDITURES	\$ 3,423,704	\$ 3,553,585	\$ 3,695,272	3.99%	\$ 141,687
Minus Advanced & Reimbursed	\$ (249)				\$ -
TOTAL BUDGET EXPENDITURES	\$ 3,423,455	\$ 3,553,585	\$ 3,695,272	3.99%	\$ 141,687