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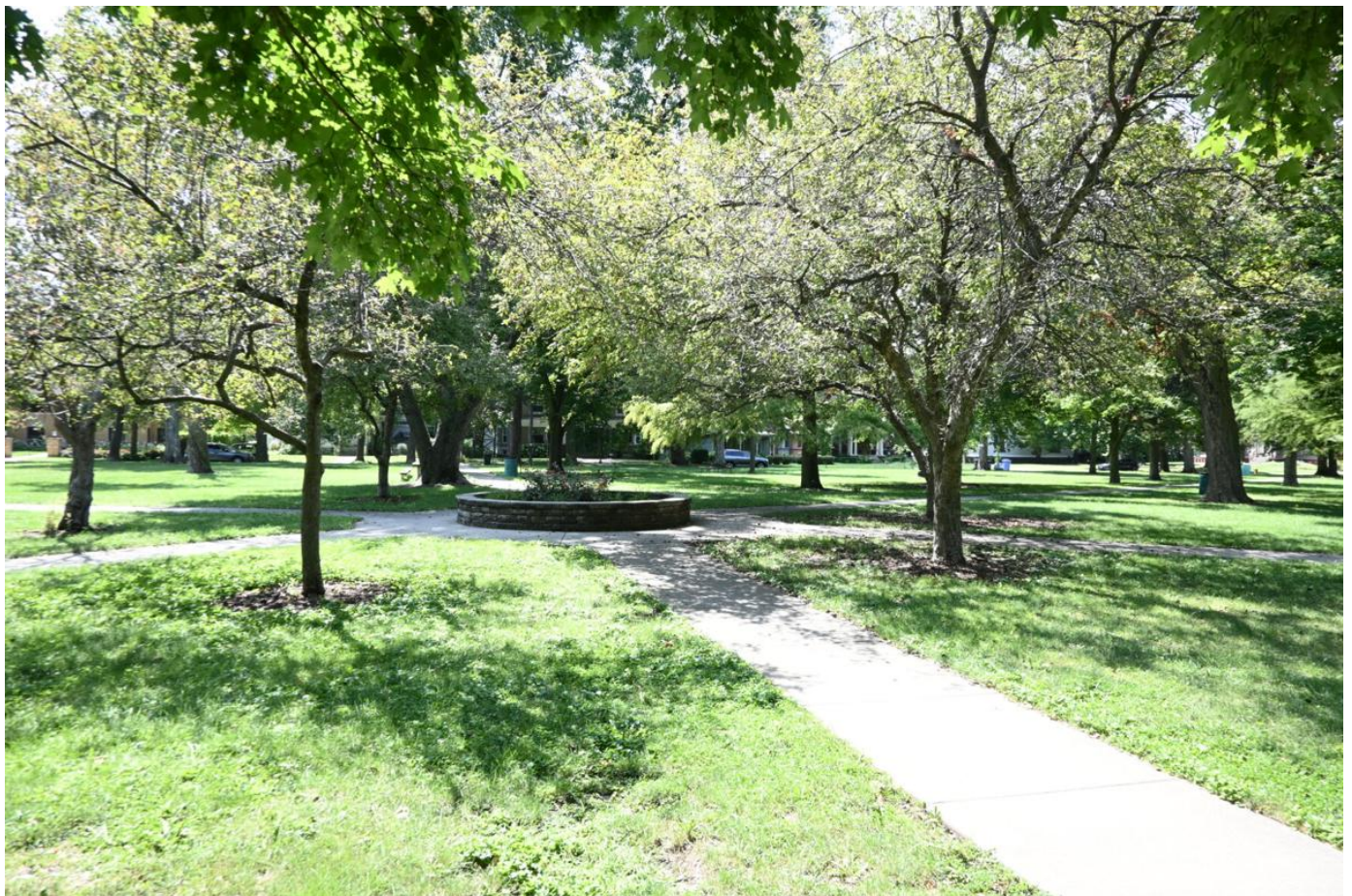
ALERT TOP STORY EDITOR'S PICK

MCLEAN COUNTY

McLean County Board sued over Franklin Square monument referendum

Drew Zimmerman

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Franklin Park, at 302 E. Chestnut St. in Bloomington, is pictured
D. JACK ALKIRE, THE PANTAGRAPH

Drew Zimmerman

BLOOMINGTON — The McLean County Board's decision to **deny certification of a referendum** asking voters whether a Civil War monument should be built in Franklin Park is being challenged in court.

In July, the Franklin Square Soldiers Monument Committee filed a petition with McLean County Clerk Kathy Michael requesting a proposition be placed on the November ballot that would allow the construction of a monument honoring the fallen soldiers and sailors of the county.

The monument would be a replica of one that stood in Franklin Square for decades before it was taken down in 1914 over safety concerns.

If such a referendum were approved, the County Board would be required to appropriate sufficient funds to build the monument within one year of the election. Construction of the replica was estimated to cost \$2 million.

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Ultimately, the board's decision did not come down to whether fallen **veterans should be honored**. Instead, the board raised concerns about whether the proposition's language complied with state statute.

Board members had argued that since the referendum specifically calls for "a replica Franklin Square Soldiers Monument in honor of the Civil War soldiers and sailors of McLean County," the language did not match the intent of the statute, which features more general language for such a request.

McLean County Board Chair Catherine Metsker said the board felt it made the correct legal approach to the matter during its August meeting.

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But according to a complaint for mandamus filed by the committee on Monday, the board was not permitted to make legal determinations on whether a ballot proposition is submitted in accordance with Illinois election law. The plaintiffs were also named in a motion for temporary restraining order and preliminary injunctive relief filed by the Franklin Square Soldiers Monument Committee.

If the petition appears to "substantially conform" with Illinois law on its face and no written objection to the petition is filed within five business days after the filing deadline, it must be certified, the complaint said.

Michael and the members of the Bloomington Election Commission were also named in the complaint, which seeks to order **each election authority** to amend its certification of the Nov. 5 ballot to include the proposition. A hearing on the matter is set for Thursday.

McLean County Assistant State's Attorney Trevor Sierra said the civil division of the McLean County State's Attorney's Office is representing the County Board and clerk in the matter, but declined to comment further, as the case is ongoing.