

## Remarks to the Aurora City Council, October 9, 2007

Eric Scheidler, 839 Garfield Avenue, Aurora.

Last Monday Mayor Weisner declared in a closed-door press conference that the findings of “three independent reviews” offered him no choice but to issue an occupancy permit to Planned Parenthood.

Had he no choice? Let’s take a closer look at those three reports and see.

The report by Kane County States Attorney **John Barsanti** is in a word, irrelevant. In his press release, Barsanti declared that he had no jurisdiction over the very land use and zoning issues in question.

No one ever alleged criminal activity by Planned Parenthood. One is left to wonder if the Barsanti Report was intended all along to obfuscate the issues and pad the mayor’s case.

The report by attorney **Richard Martens** is both improper and inadequate.

Shortly after his appointment by the mayor, Martens was objected to by three aldermen concerned about a possible conflict of interest, and Phillip Luetkehans was chosen in his place.

Martens should never have been instructed by the mayor to complete his report. His report certainly should not have been offered in defense of the decision to issue the occupancy permit.

The report itself is also full of holes. In at least four places, Martens admits a lack of adequate information. He even says that interviews with those involved in the application process—essential to any true investigation—were beyond the scope of what the mayor asked him to do.

Moreover, Martens never addresses the crucial issue of the Special Use Permit raised at the September 25 City Council meeting.

That question is addressed, wrongly I believe, in the report by attorney **Phillip Luetkehans**. But Luetkehans’ report likewise suffers from an admitted lack of complete information, and was evidently completed in great haste; a redline draft was distributed to the press.

On the Special Use question, Luetkehans claims that the phrase *health-related facilities . . . when not operated for profit*, in the Aurora Zoning Ordinance, is “ambiguous.”

What is so ambiguous about those words? The Planned Parenthood clinic belongs to that subset of medical clinics not operated for profit, and as such requires a Special Use Permit.

Such is the argument laid out by zoning attorney Vincent Tessitori in a September 28 memo and by attorney Peter Breen in an appeal filed with the Zoning Board of Appeals on October 2. As yet neither has been honored with any response by city officials.

In the final analysis, Mayor Weisner based his decision to issue the occupancy permit not on three thorough reviews but on one hastily composed paragraph critical of an ordinance he is sworn to uphold.

Mayor Weisner did have a choice. He could have chosen to uphold the zoning ordinance. He could have chosen to launch a real investigation into Planned Parenthood’s deception and the Special Use issue.

He chose instead to side with Planned Parenthood and allow the Abortion Fortress of Aurora to open—and to embroil the City of Aurora in a legal battle with its own citizens.

That was the wrong choice.