



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

January 15, 2025

Via electronic mail

Ms. Michelle Mourousias
5N521 Powis Road
Wayne, Illinois 60184
mourousiasm@netscape.net

Via electronic mail

The Honorable Eileen Phipps
President
Village of Wayne
5N430 Railroad Street
Wayne, Illinois 60184
e.phipps@villageofwayne.org

RE: OMA Request for Review – 2024 PAC 83251

Dear Ms. Mourousias and Mayor Phipps:

On September 27, 2024, the Public Access Bureau received a Request for Review from Ms. Michelle Mourousias in which she alleged that the Board of Trustees (Board) of the Village of Wayne (Village) violated the Open Meetings Act (OMA) (5 ILCS 120/1 *et. seq.* (West 2022)). Specifically, Ms. Mourousias alleged that the minutes of the September 3, 2024, meeting indicate that the Board voted to approve the appointment of a new park commissioner, but in fact there was only a motion and a second to approve the appointment rather than a vote.

Section 2.06(a) of OMA (5 ILCS 120/2.06(a) (West 2022)) provides:

(a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:

500 South 2nd Street
Springfield, Illinois 62701
(217) 782-1090 • Fax: (217) 782-7046

115 South LaSalle Street
Chicago, Illinois 60603
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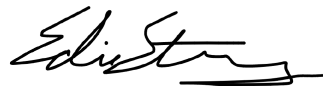
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- (1) the date, time and place of the meeting;
- (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and
- (3) **a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.**
(Emphasis added.)

After receiving your Request for Review an Assistant Attorney General (AAG) in the Public Access Bureau spoke by telephone with President Eileen Phipps, Village Clerk Patricia Engstrom, and corresponded with the attorney for the Board, Mr. Peter K. Wilson, Jr., about whether the September 3, 2024, minutes accurately reflected a vote. Because the Board members recollections of the September 3, 2024, vote differed, the Board voted during its November 19, 2024, to approve the appointment of Mr. Jack Berry to the park commission. Further, during its January 7, 2025, the Board voted to clarify its September 3, 2024, minutes to reflect that because of a disagreement regarding whether a vote was taken to appoint Mr. Berry, it took a new vote on November 19, 2024. Because the Board held a new vote regarding the appointment to the park commission, and voted to clarify its September 3, 2024, minutes, this file is closed.

Please contact me at (312) 814-5201 or the Chicago address listed on the first page of this letter if you have questions.

Very truly yours,



EDIE STEINBERG
Senior Assistant Attorney General
Public Access Bureau

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