



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

October 20, 2025

Via electronic mail

Via electronic mail

Mr. Matthew Walsh
Village Administrator
Village of River Forest
400 Park Avenue
River Forest, Illinois 60305
mwalsh@vrf.us

RE: OMA Request for Review – 2024 PAC 84125

Dear [REDACTED] and Mr. Walsh:

This determination is issued pursuant to section 3.5(e) of the Open Meetings Act (OMA).¹ For the reasons explained below, the Public Access Bureau concludes that the Village of River Forest (Village) Board of Trustees (Board) did not violate OMA in connection with a November 23, 2024, gathering.

BACKGROUND

On December 2, 2024, the Public Access Bureau received [REDACTED] Request for Review alleging that the Village President holds "a quarterly series of off-site meetings" called "Casual Conversations with Village President Cathy Adduci" during which she asserted "matters of Village Policy, including zoning, development, policing, and traffic,

¹5 ILCS 120/3.5(e) (West 2024).

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were discussed."² ██████████ contended that the Board violated OMA during the November 23, 2024, Casual Conversations with the Village President gathering because a quorum of the Board was present at the event without adhering to OMA's requirements, such as timely posting an agenda. ██████████ also asserted that before the November 23, 2024, gathering, "the Village president approached at least two of the trustees and told them they were not permitted to speak at the meeting for fear of 'an OMA violation.'"³

On December 23, 2024, this office forwarded a copy of the Request for Review to the Board and asked it to provide a written response addressing whether the November 23, 2024, gathering constituted a "meeting," as that term is defined in section 1.02 of OMA.⁴ On January 3, 2025, this office received the requested response. On January 6, 2025, this office forwarded a copy of the Board's response to ██████████; she replied on January 8, 2025.

DETERMINATION

"The Open Meetings Act provides that public agencies exist to aid in the conduct of the people's business, and that the intent of the Act is to assure that agency actions be taken openly and that their deliberations be conducted openly." *Gosnell v. Hogan*, 179 Ill. App. 3d 161, 171 (1989). Section 2(a) of OMA⁵ provides that "[a]ll meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a." Among other things, OMA also requires public bodies to provide advance notice of meetings, permit an opportunity for public comment, and approve and maintain minutes.⁶

For the requirements of OMA to apply, a gathering must constitute a "meeting" as defined by section 1.02 of OMA:

"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive

²E-mail from ██████████ to Illinois Attorney General, Public Access Counselor, Public Access Bureau (December 1, 2024).

³E-mail from ██████████ to Illinois Attorney General, Public Access Counselor, Public Access Bureau (December 1, 2024).

⁴5 ILCS 120/1.02 (West 2024).

⁵5 ILCS 140/2(a) (West 2024).

⁶5 ILCS 120/2.02, 2.06(a), 2.06(g) (West 2024).

communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business[.]

According to the Village's website, the Board is comprised of the Village president and six trustees.⁷ Four members of the Board constitutes a quorum, and a majority of the quorum is three members. Therefore, a gathering in which at least three members of the Board engaged in deliberative discussions of public business would ordinarily constitute a meeting of the Board that would be subject to the procedural safeguards and requirements of OMA.

The mere presence of a majority of a quorum of a public body's members at a gathering does not trigger the requirements of OMA. See *University Professionals of Illinois v. Stukel*, 344 Ill. App. 3d 856, 868 (2003) (acknowledging that OMA is not "triggered every time public officials meet and converse"). "Rather, the Act is designed to prohibit secret deliberation and action on business which properly should be discussed in a public forum due to its potential impact on the public." *People ex rel. Difanis v. Barr*, 83 Ill. 2d 191, 202 (1980).

The Office of the Attorney General has stated, "whether a gathering falls within the definition of meeting as used in the Act, would depend upon the peculiar facts in each situation." 1974 Ill. Att'y Gen. Op. No. S-726, issued March 22, 1974, at 7. "In theory, there is no absolute prohibition against the members of a public body attending an 'informational meeting' without triggering the application of" OMA, as long as the members do not make "[d]eliberational statements" or engage in "unrecorded discussions" amongst themselves. Ill. Att'y Gen. Op. No. 95-004, issued July 14, 1995, at 10-11. In that opinion, the Attorney General concluded that the "mere fact that a majority of a quorum of the members of a public body attend and participate in a bona fide presentation on new legislative developments in an area of public concern" did not make the presentation subject to OMA, but the extensive discussions of public business by members of two county boards during the presentation did trigger the requirements of OMA. (Emphasis in original.) Ill. Att'y Gen. Op. No. 95-004, at 10-11; see also *Nabhani v. Coglianesi*, 552 F. Supp. 657, 661 (N.D. Ill. 1982) (a gathering does not constitute a meeting for purposes of OMA when there is "no examining or weighing of reasons for or against a course of action, no exchange of facts preliminary to a decision, [and] no attempt to reach accord on a specific matter of public business.").

The Attorney General has also noted that "[d]eliberation *** connotes not only collective discussion, but the collective acquisition and exchange of facts preliminary to the ultimate decision." Ill. Att'y Gen. Op. No. S-726, issued March 22, 1974, at 125 (quoting *Sacramento Newspaper Guild v. Sacramento County Board of Supervisors*, 263 Cal. App. 2d 41,

⁷River Forest, Village Board, <https://www.vrf.us/boards/board/1> (last visited October 15, 2025).

47–48, 69 Cal. Rptr. 480, 485 (Cal. Ct. App. 1968)). In the same opinion, the Attorney General also quoted *Sacramento Newspaper Guild* for the proposition that,

[t]here is rarely any purpose to a nonpublic pre-meeting conference except to conduct some part of the decisional process behind closed doors. Only by embracing the *collective inquiry* and discussion stages, as well as the ultimate step of official action, can an open meeting regulation frustrate these evasive devices. (Emphasis added.) Ill. Att'y Gen. Op. No. S-726, at 125 (quoting *Sacramento Newspaper Guild*, 263 Cal. App. 2d at 50, 69 Cal. Rptr. at 487).

In this instance, the Board did not dispute that a majority of a quorum of its members attended the November 23, 2024, Casual Conversation with the Village President gathering. The Board's answer to this office indicated that the Village President and three trustees attended the event as well as the Village Administrator and the Village Director of Public Works and Engineering. The Board described the event as follows:

The purpose of the event was to provide an informal venue for residents to ask questions or express concerns to the Village President regarding Village operations and affairs. The event was held on a Saturday morning to encourage attendance from residents. The event was promoted in various Village publications, including on social media, weekly e-newsletters and the village website. Approximately fifteen (15) residents attended the event for varying lengths of time.

* * *

For approximately one and a half hours, residents asked questions covering a range of topics, including but not limited to traffic control measures, crime reporting, homeless population, special events and recreation opportunities. During this Q&A, President Adduci, Administrator Walsh or Director Bielak provided responses. There was no deliberation between elected officials. No public business was acted upon during the event.^[8]

⁸Letter from Matt Walsh, Village Administrator, Village of River Forest, to Shannon Barnaby, Senior Assistant Attorney General, Public Access Bureau (January 3, 2025), at [1].

The Board denied that the event constituted a "meeting" under OMA. The Board acknowledged that as the event was starting, the Village President individually spoke with the three trustees present and asked them not to speak "so as to avoid deliberating public business outside of a properly posted meeting."⁹ The Board also argued that "[t]here was no examining or weighing of reasons for or against a course of action, no exchange of facts preliminary to a decision, no attempt to reach accord on a specific matter of Village business[]" at the gathering and argued that "██████████ merely assumes, without any facts, that an OMA violation occurred just because members of the Village Board were in the same room together. That alone is not sufficient to find an OMA violation."¹⁰ The Board's answer also indicated that no recording was made of the gathering.

In reply to that answer, ██████████ did not dispute the Board's contention that no deliberations occurred between Board members during the gathering, but she reiterated her assertion that the event constituted a Board meeting. She claimed that the topics addressed during the event involved important Village business and alleged that the trustees had meant to actively participate but were advised that they could not. She did not, however, provide any insight into how she was aware that the trustees had such intentions. Citing Ill. Att'y Gen. Pub. Acc. Op. No. 23-003, issued March 14, 2023, ██████████ also asserted that the requirements of OMA apply not only to those gatherings in which public bodies engage in formal deliberations or take formal actions, but also to gatherings where there are discussions of public business that are for the purpose of collecting information. She alleged that the "purpose of the gathering was to discuss public business. For 90 minutes, Ms. Adduci led a conversation with residents in which a majority of a quorum gathered and exchanged information on * * * Village business."¹¹

In the cited binding opinion, the Attorney General concluded that a gathering in which a majority of a quorum of a library board held a "Meet and Greet" where "staff members presented questions and concerns about substantive library issues" met the definition of a meeting under OMA.¹² In that matter, the board contended that the gathering was an informal gathering intended to allow staff employees to get to know the trustees and to ask questions or present concerns to the board.¹³ Although there was no indication that the board attempted to

⁹Letter from Matt Walsh, Village Administrator, Village of River Forest, to Shannon Barnaby, Senior Assistant Attorney General, Public Access Bureau (January 3, 2025), at [1].

¹⁰Letter from Matt Walsh, Village Administrator, Village of River Forest, to Shannon Barnaby, Senior Assistant Attorney General, Public Access Bureau (January 3, 2025), at [2].

¹¹Letter from ██████████ to Shannon Barnaby, Senior Assistant Attorney General, Public Access Bureau, Office of the Illinois Attorney General (January 8, 2025).

¹²Ill. Att'y Gen. Pub. Acc. Op. No. 23-003, issued March 14, 2023, at 6-7.

¹³ Ill. Att'y Gen. Pub. Acc. Op. No. 23-003, at 4.

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reach an accord on any matters, the Attorney General noted that "[t]he requirements of OMA apply not only to those gatherings in which public bodies take formal actions, but also to discussions of public business for the purpose of collecting information."¹⁴ Significantly, this office's review of the recording of the gathering showed that all three members of the board members who were present actively participated at times.¹⁵ Because the trustees had engaged in the collective inquiry phase of deliberations by gathering and exchanging information on issues of library business, the Attorney General determined that the board improperly held a "meeting" without following OMA's requirements.¹⁶ *See also* Ill. Att'y Gen. Pub. Acc. Op. No. 25-011, issued August 12, 2025, at 7, 10 (county board members who attended presentation and participated in question and answer session with energy company "engaged in collective inquiry phase of deliberations by gathering and exchanging information in anticipation of possibly taking future action" on a proposed project).

Having reviewed the information submitted by the parties, this office is unable to conclude that the November 23, 2024, gathering constituted a "meeting" of the Board under the definition in section 1.02 of OMA. The Village's website described the "Casual Conversation with Village President Cathy Adduci" as follows:

Bring your questions and/or feedback about Village operations and initiatives and join Village President Cathy Adduci for "Casual Conversation with Village President" on, Saturday, November 23rd from 9 - 10:30 a.m. at the River Forest Lib[r]ary - 401 Thatcher.

All community members are invited to attend and get answers to any questions they may have at this informal and informational event.^[17]

The event description emphasized that the gathering was intended to be a conversation between the Village President and constituents. Although there is no recording for this office to review, the undisputed facts reflect that the Village President made opening remarks to the public and then she, along with the Village Administrator and the Village Director of Public Works and Engineering answered questions from members of the public about various matters of public business. If the Village President had been the only Board member in

¹⁴ Ill. Att'y Gen. Pub. Acc. Op. No. 23-003, issued March 14, 2023, at 7.

¹⁵ Ill. Att'y Gen. Pub. Acc. Op. No. 23-003, at 6.

¹⁶ Ill. Att'y Gen. Pub. Acc. Op. No. 23-003, at 6-7.

¹⁷ Casual Conversation with Village President Cathy Adduci, <https://www.vrf.us/events/event/2778> (last visited October 17, 2025).

attendance, then the event would clearly fall outside the scope of OMA. However, the presence of the three trustees established a majority of a quorum. Based on the Board's response, it is not entirely clear whether the trustees made any comments whatsoever during the gathering, but the response explained that the Board president instructed each of the trustees not to speak and emphasized that "[t]here are no allegations that suggest or support that there was a deliberation or even discussion about Village business between Board members and the Village's evidence of people present state that no deliberations occurred."¹⁸ This is distinguishable from the underlying circumstances in Binding Opinion 23-003, which clearly involved a majority of a quorum of a public body actively participating in discussions of public business.

██████████ appears to allege that even if not all the present Board members engaged in the discussion, they were nevertheless engaged in the collective inquiry phase of deliberations by listening to the constituents' concerns. However, the stated purpose of the gathering was to enable constituents to pose questions and engage in dialogue with the Village President; it is not apparent that the Casual Conversation with the Village President was also intended to elicit information from attendees for the Board to consider in anticipation of responding to any specific constituent concern. The fact that three trustees observed the proceedings did not transform the gathering into a "meeting" subject to the requirements of OMA. *See* Ill. Att'y Gen. PAC Req. Rev. Ltr. 51521 and 51896, issued June 13, 2018, at 4 (presence of four members of a seven-member village at a forum concerning a referendum on the village's home rule authority did not constitute a meeting because only two members made substantive comments).

Accordingly, because the trustees did not engage in the discussion to collect or exchange information concerning potential future actions on matters within its authority, this office has insufficient evidence from which it could conclude that the November 23, 2024, Casual Conversation with the Village President gathering constituted a "meeting" subject to the requirements of OMA. Nonetheless, this office notes that a majority of a quorum of Board members attending gatherings under circumstances such as these raises at least the appearance of impropriety and could lead to impromptu discussions of public business. The Board may wish to refrain from attending the Village President's Casual Conversation events to avoid the potential to lapse into a discussion that should have been held with proper notice.

¹⁸Letter from Matt Walsh, Village Administrator, Village of River Forest, to Shannon Barnaby, Senior Assistant Attorney General, Public Access Bureau (January 3, 2025), at [2].

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The Public Access Counselor has determined that resolution of this matter does not require the issuance of a binding opinion. This matter is closed. If you have any questions, you may contact me at the Chicago address listed on the first page of this letter.

Very truly yours,

[REDACTED]
SHANNON BARNABY
Senior Assistant Attorney General
Public Access Bureau

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