

21 February 2023 Minutes of the Special City Council Meeting of the Silvis City Council held in Silvis City Hall, Council Chambers, 121 11th Street Silvis at 5:35 pm.

Mayor Matt Carter made a Statement:

This meeting is an illegal meeting it was not posted 48 hours prior, our Legal Counsel Margaret from Ancel Glink will answer any questions you may have and explain. I will not participate in this illegal meeting.

Margaret from Ancel Glink asked Mayor Pro-Tem Larry York to speak. She introduced herself and they were hired last week as the interim City Attorney after the last City Attorney resigned. As most of you have seen, we did advise that even a 2 minute delay in posting which results in less than 48 hour's notice is a violation of the Open Meetings Act. Now I know that you are trying to operate in good faith and as a result that if you started the meeting 2 minutes late that you would cure your posting problem, so we did evaluate that and our conclusion is that you can not cure a late posting by simply delaying the meeting. Your meeting was posted for 5:30 and not 5:32, had you posted for a 5:32 pm meeting you would be in compliance with OMA. Given that there are no apparent emergency issues on your agenda the best practice would call for delaying the meeting to assure that it is properly posted and that you are in full compliance with the Open Meetings Act. Which as you already know is a 48 hour notice for a Special Meeting, any delay would be just a very short delay and likely not create any question as to whether you have complied with the law. I just wanted to explain that to all of you. That is our advice, you can proceed accordingly.

Alderman Joshua Dyer stated: I have 2 issues, first I have to object to your presence and sitting in the City Attorney's chair, I have to place my objection to this we have repeatably explained that we don't agree you have been hired because you have a conflict of interest with the Mayor. We have repeatably said this and have asked you to refrain from saying you are the City Attorney and refraining from giving us any advice of that fashion so first I have to raise that objection. We did also contact the Attorney General of the State of Illinois today and got guidance that we could do this but given the Mayor's behavior and such toward this Council recently, it does seem best for us to make sure every T is crossed and I is dotted. So we will be calling for this same exact meeting with the same exact agenda for 6:30 pm on Thursday, February 23rd we do have a document here that I will be handing over to the City Clerk to be posted immediately for 6:30 pm so she has time to get it up there and time to do it right now and get it on the bulletin board so that is what we would like to do at this point.

Alderman Larry York said we are just going to table this until Thursday.
Thank you all for coming for nothing.

Submitted by,



Amy Malmstrom
City Clerk