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LETTER TO THE EDITOR

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Letter: Process to Select Interim Elmhurst Mayor Should be Handled in Public

Elmhurst citizens deserve transparency, especially in this politicized environment.

November 27, 2012

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Elmhurst City Council members went into executive session on Nov. 19 to discuss "Selection of a Person to Fill a Public Office," which in this case was related to selecting an interim mayor. The Illinois Open Meetings Act allows public bodies to meet in closed session for a limited number of issues. Specific segments of the law are weak in that it allows public bodies to go into closed session on this particular topic and for generally allowing public officials to take a consensus vote in any closed session as long as a ceremonial "final vote" is taken in open session.

That being said, public bodies are not required to go into executive session for any issue, and the purpose of the Open Meetings Act is explicit: It declares the necessity for public bodies to conduct their business openly to the fullest extent possible. The purpose is not to cherry-pick exemptions to justify closed-door discussions on topics that are, without question, issues of public concern.

The mere appearance of the item on the agenda for closed door discussion is unacceptable. This is especially true given the hyper-politicized environment that will have more than half the council members on the ballot this April for either mayor or alderman. The public deserves to observe, in its entirety, the process of selecting an interim mayor. This includes the discussion about the procedure for how the Council will act, as well as the political maneuvering for majority support and the ceremonial speeches prior to the vote.

Just because a government entity can legally do something, should it? And is legal compliance with a weak statute good enough to earn the ranking of an open and transparent government? City Council meetings should aspire to more than pro forma activities, and our expectations of government should be higher.

—Terry Pastika, executive director/community lawyer, Citizen Advocacy Center, Elmhurst

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