

cityclerk@cityofmarseilles.com

From: Eric Olsauskas <
Sent: Sunday, June 22, 2025 11:05 PM
To: lesley Hart
Subject: FOIA Request – All Text Messages and Non-City Communications Regarding City of
Marseilles Business (Jan 1, 2020 – Present)

Freedom of Information Act Request

Date: June 22, 2025

To:
FOIA Officer Lesley Hart
City of Marseilles
209 Lincoln St.
Marseilles, IL 61341
Email: lesley.hart@cityofmarseilles.com

From:
Eric Olsauskas

Phone:

Email:

**RE: FOIA Request – All Text Messages and Non-City Communications Regarding City of
Marseilles Business (Jan 1, 2020 – Present)**

Pursuant to the Illinois Freedom of Information Act (5 ILCS 140), I respectfully request copies of **all communications** (including text messages, social media messages, and emails from both city-issued and personal accounts) **from January 1, 2020 through June 21, 2025** that pertain to the transaction of public business involving the City of Marseilles.

This request includes **any message regardless of platform, device, or account used**, including but not limited to personal cell phones, private email addresses (e.g., Gmail, Yahoo), and social media platforms.

Records Requested:

All communications — including one-on-one, group, and reply-all — that involve **City of Marseilles business**, whether sent via:

- Text/SMS
- iMessage
- WhatsApp
- Signal
- Facebook Messenger

- Facebook Page messaging
- Instagram/Twitter/X Direct Messages (DMs)
- Email (City-issued and personal accounts)

To or From, Individually or in Any Group Combination Involving:

1. Mayor **James Hollenbeck** and Commissioner **Bobby Kaminski**
 2. Mayor **Hollenbeck** and City Engineer **Michael Etscheid**
 3. Mayor **Hollenbeck** and City Clerk **Lesley Hart**
 4. Mayor **Hollenbeck** and Commissioner **James Buckingham**
 5. Mayor **Hollenbeck** and Commissioner **Michael Scheib**
 6. Mayor **Hollenbeck** and Commissioner **Melissa Small**
 7. Mayor **Hollenbeck** and any attorney at the **Cantlin Law Firm**
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8. All text messages and communications between **Commissioner Bobby Kaminski** and Mayor **James Hollenbeck**
 9. All text messages and communications between **Commissioner Bobby Kaminski** and **Commissioner James Buckingham**
 10. All text messages and communications between **Commissioner Bobby Kaminski** and **Commissioner Michael Scheib**
 11. All text messages and communications between **Commissioner Bobby Kaminski** and **Commissioner Melissa Small**
 12. All text messages and communications between **Commissioner Bobby Kaminski** and City **Engineer Michael Etscheid**
 13. All text messages and communications between **Commissioner Bobby Kaminski** and City Clerk **Lesley Hart**
 14. All text messages and communications between **Commissioner Bobby Kaminski** and any attorney at the **Cantlin Law Firm**
 15. All text messages and communications between **Commissioner James Buckingham** and Mayor **James Hollenbeck**
 16. All text messages and communications between **Commissioner James Buckingham** and **Commissioner Bobby Kaminski**
 17. All text messages and communications between **Commissioner James Buckingham** and **Commissioner Michael Scheib**
 18. All text messages and communications between **Commissioner James Buckingham** and **Commissioner Melissa Small**
 19. All text messages and communications between **Commissioner James Buckingham** and City **Engineer Michael Etscheid**
 20. All text messages and communications between **Commissioner James Buckingham** and City Clerk **Lesley Hart**
 21. All text messages and communications between **Commissioner James Buckingham** and any attorney at the **Cantlin Law Firm**
 22. All text messages and communications between **Commissioner Michael Scheib** and Mayor **James Hollenbeck**

23. All text messages and communications between **Commissioner Michael Scheib and Commissioner Bobby Kaminski**
24. All text messages and communications between **Commissioner Michael Scheib and Commissioner James Buckingham**
25. All text messages and communications between **Commissioner Michael Scheib and Commissioner Melissa Small**
26. All text messages and communications between **Commissioner Michael Scheib and City Engineer Michael Etscheid**
27. All text messages and communications between **Commissioner Michael Scheib and City Clerk Lesley Hart**
28. All text messages and communications between **Commissioner Michael Scheib and any attorney at the Cantlin Law Firm**
29. All text messages and communications between **Commissioner Melissa Small and Mayor James Hollenbeck**
30. All text messages and communications between **Commissioner Melissa Small and Commissioner Bobby Kaminski**
31. All text messages and communications between **Commissioner Melissa Small and Commissioner James Buckingham**
32. All text messages and communications between **Commissioner Melissa Small and Commissioner Michael Scheib**
33. All text messages and communications between **Commissioner Melissa Small and City Engineer Michael Etscheid**
34. All text messages and communications between **Commissioner Melissa Small and City Clerk Lesley Hart**
35. All text messages and communications between **Commissioner Melissa Small and any attorney at the Cantlin Law Firm**
36. All text messages and communications between **City Engineer Michael Etscheid and Mayor James Hollenbeck**
37. All text messages and communications between **City Engineer Michael Etscheid and Commissioner Bobby Kaminski**
38. All text messages and communications between **City Engineer Michael Etscheid and Commissioner James Buckingham**
39. All text messages and communications between **City Engineer Michael Etscheid and Commissioner Michael Scheib**
40. All text messages and communications between **City Engineer Michael Etscheid and Commissioner Melissa Small**
41. All text messages and communications between **City Engineer Michael Etscheid and City Clerk Lesley Hart**
42. All text messages and communications between **City Engineer Michael Etscheid and any attorney at the Cantlin Law Firm**
43. All text messages and communications between **City Clerk Lesley Hart and Mayor James Hollenbeck**
44. All text messages and communications between **City Clerk Lesley Hart and Commissioner Bobby Kaminski**
45. All text messages and communications between **City Clerk Lesley Hart and Commissioner James Buckingham**
46. All text messages and communications between **City Clerk Lesley Hart and Commissioner Michael Scheib**

47. All text messages and communications between **City Clerk Lesley Hart and Commissioner Melissa Small**
 48. All text messages and communications between **City Clerk Lesley Hart and City Engineer Michael Etscheid**
 49. All text messages and communications between **City Clerk Lesley Hart and any attorney at the Cantlin Law Firm**
 50. Any **group communications** involving two or more of the individuals above (e.g., Hollenbeck, Kaminski, and Etscheid in a group text or DM thread)
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Subject Matter:

Messages that reference, discuss, or relate to:

- Property transactions (e.g., 200 Riverfront)
 - Leases, negotiations, purchases, or contracts
 - City Council actions, votes, or deliberations
 - Legal issues or strategy billed to the City
 - Media statements or public communications
 - Budget or operational decisions
 - Or any normal city business
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Also Specifically Requested:

All text and digital messages referenced in attorney billing invoices submitted by Cantlin Law Firm or other legal counsel, including:

Mayor Hollenbeck

- Aug. 24, 2024 – Invoice #16854
- Mar. 10, 2025 – Invoice #17441
- Mar. 10, 2025 – Invoice #17351
- Nov. 22, 2024 – Invoice #17084
- Aug. 4, 2024 – Invoice #16854

Commissioner Kaminski

- Nov. 14, 2024 – Invoice #17084
- Nov. 19, 2024 – Invoice #17084
- Dec. 26, 2024 – Invoice #17196

Commissioner Buckingham

- Dec. 26, 2024 – Invoice #17196

Commissioner Smalls

- Mar. 7, 2025 – Invoice #17441
- Mar. 10, 2025 – Invoice #17441
- Dec. 26, 2024 – Invoice #17196

Unknown Senders

- June 10, 2024 – Invoice #16638
- Apr. 7, 2025 – Invoice #17558
- Jan. 30, 2024 – Invoice #169232
- Sept. 30, 2024 – Invoice #16923

Legal Basis:

Under **5 ILCS 140/2(c)**, public records include “all data pertaining to the transaction of public business,” regardless of device, platform, or account. This includes personal cell phones, private email accounts, and messaging platforms like Facebook Messenger and WhatsApp when used for public business.

This interpretation is affirmed by:

- **City of Champaign v. Madigan**, 2013 IL App (4th) 120662 – text messages discussing public business on personal phones are subject to FOIA; and
- **Better Government Ass’n v. City of Chicago**, 2020 IL App (1st) 190038 – emails from personal accounts relating to public business must be disclosed under FOIA.

Additionally, the **Local Records Act (50 ILCS 205/)** requires preservation of such public records.

Important Note About Facebook:

This request **explicitly includes** all communications sent via:

- **Facebook Messenger**
- **Messages to or from any City-related Facebook Page**, including *Marseilles Mayor Jim Hollenbeck*
- **Messages exchanged in private or hidden Facebook groups** involving city business

Format & Delivery:

Please provide all responsive records electronically (PDF, .msg, .txt, or native format where available). You may email them to **[your email address]** or arrange alternate delivery if necessary.

Compliance Notice:

This request presumes a full and good faith search of **personal devices and non-city platforms used for public business**. Failure to conduct such a search, or improperly withhold or redact records, will result in a **Request for Review** with the **Illinois Attorney General's Public Access Counselor (PAC)** under 5 ILCS 140/9.5, and any other remedies available under law.

As a reminder: claiming a communication is "personal" does not exempt it from disclosure if it discusses public business.

Thank you for your time and prompt attention to this request. I look forward to your response within the statutory period.

Sincerely,
Eric Olsauskas