

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Thursday, September 20, 2012

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President (Vacancy)

Village Clerk: Brigitte O'Brien

Trustees: Greg Gron, District One; Keith Giagnorio, District Two;

Zachary Wilson, District Three; Peter Breen, District Four;

Laura Fitzpatrick, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

The regular meeting of the Board of Trustees of the Village of Lombard held on Thursday, September 20, 2012 in the Board Room of the Lombard Village Hall was called to order by Village Clerk Brigitte O'Brien at 7:30 p.m. Village Clerk Brigitte O'Brien led the Pledge of Allegiance.

II. Roll Call

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Staff Present:
Village Manager David Hulseberg
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Fire Chief Paul DiRienzo
Executive Coordinator Carol Bauer

[120462](#)

Appointment of a Temporary Chairperson

A motion was made by Trustee Greg Gron, seconded by Trustee Keith Giagnorio, that this a name be selected from a hat for the appointment of the chairperson for the meeting. Request be approved. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Trustee Fitzpatrick's name was pulled to serve as Chairperson of the September 20, 2012 Board Meeting.

III. Public Hearings

IV. Public Participation

Marymae Meyer, 414 W. Windsor, indicated that she and President Mueller did not always see eye-to-eye, but that he had buffered the community from the big city politics and that he was a true public servant. He always tried to do what was for the good of the community and asked the Village Board to do the same.

[120500](#)**Proclamation - Kiwanis Peanut Days**

Village Clerk Brigitte O'Brien read the proclamation for Kiwanis Peanut Day

Acting Chairperson Fitzpatrick presented the proclamation to Kim Angland representing the Kiwanis.

Kim Angland spoke about Kiwanis Peanut Days.

V. Approval of Minutes

Minutes of the Special Meeting of August 23, 2012 and the Regular Meeting of September 6, 2012

A motion was made by Trustee Keith Giagnorio, seconded by Trustee Peter Breen, that the minutes of the Special Meeting of August 23, 2012 and the corrected minutes of the Regular Meeting of September 6, 2012 be approved. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

VI. Committee Reports**Community Relations Committee - Trustee Keith Giagnorio, Chairperson**

Trustee Keith Giagnorio, Chairperson of the Community Relations Committee, reported the committee had reviewed the final details of the Senior Fair to be held on October 3rd from 9:30 am to 2 pm at the Community Building, and encouraged residents to attend. He spoke of the committee approving the Medal of Character Excellence and that would be on an upcoming agenda. He noted the Senior of the Year will be announced at the Senior Fair. The next committee meeting is scheduled for October 8.

Economic/Community Development Committee - Trustee Peter Breen, Chairperson

Trustee Peter Breen, Chairperson of the Economic and Community Development Committee, reported the committee further discussed taxicabs and liveries. The committee is looking at revisions to the ordinance to allow additional providers to give the residents more options. The next meeting is scheduled for October 8th.

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Environmental Concerns Committee, reported the committee had not met. She noted the Recycling Extravaganza is scheduled for September 29th from 9 am

to 3 pm. She congratulated the Westin for receiving the Earth Day Flag for green initiatives and that the Westin will be providing a staff person to serve as an advisory on the committee. The September meeting is being cancelled. The next meeting is scheduled for October 26th.

Finance Committee - Trustee Greg Gron, Chairperson

Trustee Greg Gron, Chairperson of the Finance Committee, reported that the committee had not met. The next meeting is scheduled for September 24th.

Public Works Committee - Trustee Bill Ware, Chairperson

Trustee Bill Ware, Chairperson of the Public Works Committee, reported the committee had not met. The next meeting is scheduled for October 9th.

Transportation & Safety Committee - Trustee Zachary Wilson, Chairperson

Trustee Zach Wilson, Chairperson of the Transportation and Safety Committee, reported the committee had reviewed a request for a stop sign at Greenfield and Park which the committee denied. The committee reviewed the removal of crosswalk signage at St. Charles and Lincoln, Wilson and Cherry and Wilson and Edgewood. The committee approved the removal of the St. Charles Road signage, but felt the other two locations should remain up until after football season. The committee reviewed the request for a temporary no parking zone on Park Avenue from McGuire Drive to Orchard Terrace. He noted that this was a request of Joelyn Kott and she was not at the meeting so no action was taken. The committee reviewed a request for no left turn at Charlotte and St. Charles which was denied. The next meeting is scheduled for October 1st.

Board of Local Improvements - Trustee Greg Gron, President

Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met.

Community Promotion & Tourism - Chairperson

Director of Finance Tim Sexton indicated the Community Promotion and Tourism Committee approved grant requests for the Lombard Chamber of Commerce and Glenbard East. He spoke of the economic impact the Ryder Cup event was going to have in Lombard.

Lombard Historical Commission - Clerk Brigitte O'Brien

Village Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission met and selected the recipients of the Heritage Award which will be announced on October 4th. The next meeting is October 16th.

VII. Village Manager/Village Board Comments

Village Manager David Hulseberg asked Director of Community Development to speak.
Director Heniff introduced Janet Bryant as the new Senior Development Engineer.
Trustee Peter Breen spoke with regard to the Westin being used during the Ryder Cup event, and felt the Village was honored and privileged to have this event being hosted here.

VIII Consent Agenda

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Trustee Fitzpatrick indicated that at the September 6, 2012 meeting she had asked that item 120419 be continued to this meeting and be placed on Separate Action. She stated that she and Trustee Wilson had received answers to their questions with regard to this and asked that this matter be placed back on the Consent Agenda.
Trustee Breen thanked Joe Glazier for his service on the ECDC and indicated now that Mr. Glazier had requested to be placed on the Public Works Committee, there would be a vacancy on ECDC.

Payroll/Accounts Payable

- A. [120475](#) **Approval of Accounts Payable**
 For the period ending September 7, 2012 in the amount of

\$214,813.13.

This Payroll/Accounts Payable was approved on the Consent Agenda

B. [120490](#)

Approval of Village Payroll

For the period ending September 8, 2012 in the amount of \$887,177.68.

This Payroll/Accounts Payable was approved on the Consent Agenda

C. [120491](#)

Approval of Accounts Payable

For the period ending September 14, 2012 in the amount of \$1,227,606.07.

This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

D. [120495](#)

Surplus Equipment

Declaring computer equipment surplus and authorizing its disposal or sale.

This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 6753

E. [120496](#)

Ordinance Amending Title 11 - Alcoholic Liquor Sales

Providing for an extension of the alcoholic liquor sales and services hours for Harry Caray's Restaurant and The Westin Lombard Yorktown Center Hotel with regard to the Ryder Cup After-Tournament Festivities. (DISTRICT #3)

This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 6754

***E2 Ordinance Amending Title 11 - Alcoholic Liquor Sales (this item has been removed)**

Other Ordinances on First Reading

F. [120438](#)

Proposed Changes to the Village Code of Ordinances for Combined Water and Sewer System

Proposed revision to remove the requirement for deposits in the Village Code of Ordinances Combined Water and Sewer System.

This Ordinance was passed on first reading on the Consent Agenda

Ordinances on Second Reading

- G. [120407](#) **Standing Advisory Committees and the Designation of a Temporary Chairperson**
Amending Title 3, Chapter 30, Section 30.23 of the Lombard Village Code with regard to Standing Advisory Committees and the Designation of a Temporary Chairperson.
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 6755
- H. [120410](#) **Student Members on Advisory Committees**
Amending Title 3, Chapter 30, Section 30.23(C) of the Lombard Village Code with regard to Student Membership on Standing Advisory Committees.
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 6756
- I. [120420](#) **ZBA 12-03: 330 N. Park Avenue**
Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:
1. A variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over porch as a permitted encroachment in the corner side yard. (DISTRICT #1)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 6757

Resolutions

- J. [120418](#) **FY2012B Concrete Rehabilitation & Utility Cuts Patching, Change Order No. 2**
Reflecting an increase to the contract with G&M Cement Construction in the amount of \$57,462.39. (DISTRICT #3)
This Resolution was adopted on the Consent Agenda
Enactment No: R 42-13
- K. [120421](#) **Maple Street Concrete Rehabilitation, Final Balancing Change Order No. 1**
Reflecting a decrease to the contract with G&M Cement Construction in the amount of \$16,648.01. (DISTRICT #4)
This Resolution was adopted on the Consent Agenda
Enactment No: R 43-13
- L. [120441](#) **Westmore-Meyers Road CDBG Sidewalk Improvements, Change Order No. 1**

Reflecting a decrease to the contract with Copenhaver Construction in the amount of \$17,378.32. (DISTRICT #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 45-13

M. [120456](#)

IDOT Agreement, IL Route 64 & I-355 Traffic Signal Improvements

Authorizing entering into an Agreement with the Illinois Department of Transportation. (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 45-13

N. [120459](#)

Electric Reliability Committee

Resolution establishing an Ad Hoc Committee to investigate, analyze and make recommendations with regard to ways to attain electric service reliability within the Village.

This Resolution was adopted on the Consent Agenda

Enactment No: R 41-13 and R 46-13

O. [120477](#)

2012B Asphalt Paving & Patching Program, Change Order No. 2

Reflecting a decrease to the contract with Brothers Asphalt Paving, Inc. in the amount \$31,737.01. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 47-13

Other Matters

P. [120492](#)

Dell PC Purchase

Requesting a waiver of bids and authorization to purchase 50 PCs from Dell in an amount not to exceed \$40,591.50. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

Q. [120493](#)

Network Switches

Requesting a waiver of bids and authorization to purchase 4 network switches, expansion module, transceiver module and an extended service agreement from CMS Communication in an amount not to exceed \$27,700.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

R. [120494](#)

2012B Snow and Material Hauling

Request for a waiver of bids and award of a contract to Marcott

Enterprises, Inc. in the amount of \$27,135.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

S. [120476](#)

Lombard Junior Woman's Club, Event Signage Request

Request to place temporary banners on Village owned properties for the promotion of their "Bistro of the Burbs" fundraiser from September 30, 2012 through October 14, 2012. (DISTRICTS #1 & #6)

This Request was approved on the Consent Agenda

T. [120484](#)

Appointment - Public Works Committee

Request for concurrence in the appointment of Joseph Glazier to the Public Works Committee to fill a vacancy created by the resignation of Stephen Preins.

This Appointment was approved on the Consent Agenda

*T2. [120499](#)

LTC Spooktacular Event Signage

Request from the Lombard Town Centre to place temporary banners on Village owned properties for the promotion of their Spooktacular event from September 24, 2012 through October 15, 2012. (DISTRICTS #1 & #6)

This Request was approved on the Consent Agenda

[120419](#)

Dump Truck Purchase (Continued from September 6, 2012)

Request for a waiver of bids and award of a contract to Prairie International for the purchase of two dump trucks in the amount of \$244,168.00; and approval of an ordinance declaring Village Units ST342 and WT437 as surplus and authorizing their trade-in. Public Act 85-1295 does not apply.

This was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 6758

Approval of the Consent Agenda

A motion was made by Trustee Bill Ware, seconded by Trustee Peter Breen, to Approve the Consent Agenda The motion carried by the following vote

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- A. [120419](#) **Dump Truck Purchase (Continued from September 6, 2012)**
Request for a waiver of bids and award of a contract to Prairie International for the purchase of two dump trucks in the amount of \$244,168.00; and approval of an ordinance declaring Village Units ST342 and WT437 as surplus and authorizing their trade-in. Public Act 85-1295 does not apply.

This item was moved to the Consent Agenda and approved.

Enactment No: Ordinance 6758

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- *A2. [120497](#) **Trustee Salary Refunds to the Village**
Request by Trustee Breen that each Trustee publicly commit to refund to the Village, the amount of the salary each receives pursuant to Section 30.06 of the Village Code, until such time as an Acting Village President is elected by the Trustees, or until the Village President to be elected at the April 9, 2013 election is sworn in, whichever occurs first.

Trustee Breen spoke with regard to his suggestion for the Trustees to refund their salaries to the Village until the selection of an Acting Village President is completed. He spoke of the necessity to select someone as Acting Village President. He noted that the Village Code does not allow for an increase or decrease in the salary of elected officials during their term, but felt the Trustees could agree to return their pay to the Village. He indicated he had suggested wording for this to be an ordinance, but that it was included as a resolution. Trustee Ware indicated he felt the Village Board was continuing to do their jobs. He spoke of meeting with residents and talked about his eight years on the Park Board. He stated he would not support this request.

Trustee Giagnorio stated the Trustee salaries are not based on this one issue. He did not feel it was fair to hold back the Trustees' pay because of this and spoke of the list of residents who had called him with regard to Village matters. He spoke of donating his pay to the St. Jude Foundation. He asked who was going to oversee this.

Trustee Breen spoke of this being such an important duty and felt the Trustees were not doing their job. He spoke of the impetus to move forward with regard to the matter of the selection process.

Trustee Giagnorio indicated that money should have nothing to do with moving forward on the selection of an Acting Village President.

Trustee Breen spoke of the Trustees stopping payment on a check or not writing a check to the Village.

Trustee Fitzpatrick stated that she had already written out her checks to the Village for the last two weeks and she would like to donate that money to residents who have suffered a hardship and are not able to pay their waterbills. She asked that Director of Finance Tim Sexton handle this, but she hoped that this would not be necessary after tonight's meeting and hoped that the Trustees could come to a resolution on this matter.

Trustee Gron spoke of his involvement on a committee many years ago to have the streets in his area replaced. He talked of the \$9 million project being one of the largest back then. He talked about his reason to serve on the Board and that was to make Lombard a better place for the residents, and had nothing to do with the stipend that was given to the Village Board. He spoke about working for the residents and about the millions of dollars that was saved with the whitetopping project in the North Industrial Park. He stated he would not support this request.

Trustee Wilson spoke of the symbolism of refunding the Trustee pay and felt it was a good example to other government bodies. He stated he supported the request.

Trustee Breen spoke of the Trustees refunding their pay in whatever manner they chose.

A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, that this Resolution affirming that the Village Trustees will commit to refunding to the Village the amount of the salary that each Trustee receives until such time as an Acting Village President is elected by the Trustees, or until the Village President to be elected at the April 9, 2013 election is sworn in, whichever comes first, be adopted. The motion failed by the following vote:

Aye: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

Nay: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Other Matters

B. 120458

The Selection of a Person to Fill the Vacancy of the Office of Village President

Moon Khan, 562 S. Stewart, spoke of the drama of the transition and the behind-the-scenes manipulation and the manipulation by one family. He felt the senior trustee should take over as Acting Village President. He stated the Lilac Village belongs to everyone and not just one family.

Eileen Mueller, 556 Cedar Lane, thanked the employees and everyone for their kindness and support that had been bestowed upon the Mueller family with the death of her husband, and stated they will never forget the kindness. She stated that Bill had served the community for 19 years and every decision was based on what was

the best for Lombard. She asked the Board out of respect to Bill to carry on his passion and vision as a Board and to make a decision with regard to the Village President position. She requested that they put aside their issues and personal agendas and do what Bill would do and that was to appoint the senior Trustee as the Village President. She spoke of their jobs to collaborate for the best of the Village, and to appoint the senior Trustee to the position of Village President.

Dan Tufano, 731 Hawthorne Circle, said ditto to what Eileen Mueller had said. He indicated he has known Trustee Gron since the 1980's and had served on many boards with him over the years. He felt the senior Trustee should take over as Village President and asked the Board to give closure to the Mueller family.

Trustee Fitzpatrick indicated how uncomfortable and uneasy this was and spoke about meetings during the week. She spoke of the Village Board's commitment to transparency, and hoped the Trustees could come to a resolution.

Trustee Ware hoped that the Board could concur.

Trustee Ware moved that Trustee Gron be appointed as Acting Village President.

Trustee Breen hoped the Trustees would not make motion after motion again as they had at the last Board meeting.

Trustee Wilson stated the longest serving Trustee is not necessarily the best for the Village. He spoke about his work with regard to the trustee district maps. He felt that he and Trustee Giagnorio should not be considered for Acting Village President as they had each indicated they were going to run for the office of Village President, but he also felt that any Trustee given the designation of Acting Village President would have an advantage in the upcoming election. He spoke of the Trustee terms of Trustee Gron and Trustee Ware expiring and them running for election for their Trustee positions, and felt that being named Acting Village President would give them an advantage. He suggested not nominating anyone on the ballot and felt that anyone seeking to be appointed as Acting Village President resign his current position.

Trustee Ware felt this was an advantage for anyone.

Trustee Wilson indicated there are two Trustees who are not running for election.

Trustee Giagnorio did not agree with Trustee Wilson and felt it made no sense.

Trustee Wilson asked about taking over the Village President seat permanently.

Trustee Fitzpatrick suggested the Trustee resign from his or her seat if appointed Acting Village President.

Trustee Giagnorio felt the Trustees should keep the Village in mind and not their personal or political views. He stated he has yet to hear anything concrete as to why Trustee Gron should not be appointed as Acting Village President until April, and reminded the Board that

Trustee Gron had filled in for Bill Mueller on several occasions. He spoke of Trustee Gron's honesty and integrity. He felt this had gone on too long, that the Board needed to heal the wounds, and do their jobs. He spoke of the logical solution and how much damage had already been done.

Trustee Breen stated that according to Robert's Rules, you are not allowed to criticize a person on the Board. Trustee Giagnorio spoke with regard to being professional.

Trustee Fitzpatrick spoke with regard to specific, negative input.

Trustee Giagnorio suggested they say what they want to say.

Trustee Fitzpatrick suggested suspending the rules to allow the Trustees to speak.

Trustee Breen indicated that he was the newest member of the Board and had lived in Lombard only 7 years. He spoke of his experience serving on various boards and non-profits. He stated that even though he and Bill did not always agree, that he had the utmost respect for Bill. He spoke of unwritten rules and a person's word being a bond, so if an individual said he or she was going to vote a certain way, that he or she should do that. He felt that if a Trustee pulled another Trustee's item off the agenda, the Trustee should call and talk to the Trustee whose item was pulled. He spoke of working out differences and issues and communication. He felt that he communicated well, but not with Trustee Gron. He stated that he did not feel that Trustee Gron could bring the Board together.

Trustee Wilson spoke of a video from the Election Commission with regard to David Brown not meeting the requirements to be on the ballot, but Trustee Gron allowed his name on the ballot. He stated that was one example. He stated that Trustee Gron never spoke with him with regard to any agenda items. He talked about Trustee Gron taking over the chairmanship of the Finance Committee, and how hard he had worked while he was chairperson, and he felt that the Finance Committee and Village are back to square one. He spoke of how he worked to curb wasteful spending. He stated that he would not support Trustee Gron as Acting Village President.

Trustee Ware asked the Board to keep in mind what is best for Lombard, to listen to what Ms. Mueller had said and to move forward.

Trustee Gron stated that he was not the only person on the Election Commission making that decision. He stated that he and Trustee Wilson had spoken with regard to agenda items and spoke of Trustee Wilson's request to be allowed to widen his driveway apron to assist his daughter in backing out of the driveway. He spoke of assisting residents in District #4 and indicated that Trustee Breen was not aware of this. He spoke of Trustee Breen never contacting him.

Trustee Fitzpatrick spoke with regard to certain leadership qualities for the Village President. She spoke of two items in the Manager's Notes and felt Trustee Gron spoke abruptly to her with regard to the items. She stated that Bill Mueller would never speak to her in that tone. She

felt this was the easy way out and did not agree with the easy way. She felt the person who has been on the Board the longest was not necessarily the best choice. She felt this was bad timing with regard to changing the President Pro-Tem issue.

The vote on the first motion was taken and failed.

Trustee Gron spoke about the Trustees that are not running for Village President being considered to fill the Village President position and that one person from each side fill the position for half of the remaining term with neither one of them being allowed to request permanent status. He talked about the three-three split and felt there was a lot at stake.

Trustee Gron moved that one person from the one side of the Village Board serve as Acting Village President for half of the remaining term and one person from the other side serve the other half of the term until the swearing-in in May of 2013 and that neither person be allowed to take the position on as a permanent assignment.

Village Attorney Bayer indicated that the Board can not consider the motion as the State Statute allows for any person who is appointed has the authority to withdraw as Trustee and take the Village President seat until the swearing-in of the new Board in May.

Trustee Fitzpatrick declared a five minute recess at 8:45 pm.

A motion was made by Trustee Bill Ware, seconded by Trustee Keith Giagnorio, that Trustee Gron be appointed as Acting Village President. This Request to be approved. The motion failed by the following vote:

Aye: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Nay: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

It was moved by Trustee Gron that one person from each side of the Village Board serve as Acting Village President for half of the remaining Village President's term until the swearing-in of the newly-elected Village President in May. There was no second.

The recessed regular meeting of the Board of Trustees of the Village of Lombard held on Thursday, September 20, 2012 in the Board Room of the Lombard Village Hall was called to order by Acting Chairperson Laura Fitzpatrick at 8:55 pm. Upon roll call by Village Clerk O'Brien, the following were:

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

120458

The Selection of a Person to Fill the Vacancy of the Office of Village President

Acting Chairperson Laura Fitzpatrick recapped that the motion appointing Trustee Gron had failed and that Trustees Giagnorio and Wilson have been removed from consideration as they are running for the position.

Trustee Breen spoke about each Trustee giving their first, second and third choices of the remaining individuals for Village President.

Trustee Gron indicated that he will not support this.

Trustee Giagnorio indicated that he will not support this.

Trustee Ware indicated that he will not support this.

Trustee Gron indicated he did not want to play a numbers game.

Trustee Fitzpatrick talked about Trustee Breen or herself being appointed as Village President, giving up their Trustee seat and then having to run again for Trustee. She felt it was a sacrifice on their part and spoke about keeping their Trustee seats.

Attorney Bayer indicated that a Trustee can serve as Acting Village President, retain their Trustee seat and then revert back to Trustee in May.

Trustee Giagnorio stated that it was clear the Board was divided on a three-to-three split and that the discussion was going nowhere. He suggested discussing this again at the next Board meeting in two weeks. He felt the Trustees should talk and that this matter be discussed at the next Village Board meeting.

Trustee Wilson indicated that the votes had been three to three, but that Trustee Breen had not been nominated.

Trustee Wilson moved that Trustee Breen be appointed as Acting Village President.

Trustee Fitzpatrick spoke of Trustee Breen's qualifications including his vast knowledge, his ethics, that he never wavers, takes challenges on a daily basis, was an Eagle Scout, works for the Thomas More Society, fights lawsuits all over the country, is a consensus builder, and that he is more concerned about a mission than a paycheck. She felt that tenure had nothing to do with the selection of the Acting Village President.

Trustee Wilson spoke of the 3-to-3 votes on the motions two weeks ago with the exception of one 4-to-2 vote.

Trustee Gron reminded Trustee Wilson of his motion and negative vote and indicated that was uncalled for.

Trustee Breen spoke about the 3-to-3 votes for Trustee Gron, Trustee

Fitzpatrick and Trustee Wilson and the 4-to-2 vote for Trustee Ware. He felt the Board needed to come to some consensus. He spoke of trying to have one of them get the fourth vote. He spoke of putting choices out there such as who is your first choice and who is your second choice, etc.

Trustee Breen spoke about the discussions and felt the Board needed to discuss this further. He stated the Board agreed to adjourn at the last meeting because Trustee Ware and Trustee Fitzpatrick were going to talk and try to come to a consensus. He stated that did not happen. .

He spoke of discussion one-on-one or collectively to reach a consensus.

Trustee Wilson spoke of ranking individuals and that no one is going to get their first choice, but maybe we can get our second choice. He indicated this could be anonymous and suggested submitting the rankings to the Village Manager or doing it publicly.

Trustee Gron was opposed.

Trustee Giagnorio was opposed.

Trustee Ware was opposed and indicated he was sticking to what he had said earlier.

Trustee Breen spoke about the 3-to-3 votes and the suggestion of Trustee Wilson.

Trustee Giagnorio indicated options have been shot down. He felt it was clear the Board was at an impasse and it did not make sense to prolong the discussion. He stated they all knew where they were and did not feel that anyone needed the discussions to continue and accomplish nothing.

Trustee Breen asked about the options.

Trustee Giagnorio felt the Board needed to think about the business of the town and that picking ideas out of the sky was not going to accomplish anything. He felt it was not fair for the residents in the audience and those watching on TV.

Trustee Wilson again suggested eliminating people by using the numbers system and see who is left.

Trustee Giagnorio indicated he was not playing the numbers game.

Trustee Fitzpatrick felt this was at least moving dialogue by considering people from both sides. She stated she was not concerned about the easiest way or the fastest way.

Trustee Giagnorio felt this was accomplishing nothing.

Trustee Wilson suggested eliminating people and see who is left. He indicated that Trustee Giagnorio and he are off the table as well as Trustee Gron.

Trustee Gron moved for adjournment at 9:15 pm, seconded by Trustee Giagnorio.

A motion was made by Trustee Zachary Wilson, seconded by Trustee Laura

Fitzpatrick, that Trustee Breen be appointed as Acting Village President. Request be to approve. The motion failed by the following vote:

Aye: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

Nay: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

A motion was made by Trustee Greg Gron, seconded by Trustee Keith Giagnorio, that the meeting of the Board of Trustees held on Thursday, September 20, 2012 in the Board Room of the Lombard Village Hall be adjourned at 9:14 pm. The motion failed by the following vote:

Aye: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Nay: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

120458

The Selection of a Person to Fill the Vacancy of the Office of Village President

Trustee Gron requested a recess at 9:15 pm.

Acting Chairperson Laura Fitzpatrick declared a 5 minute recess at 9:15 pm.

The recessed regular meeting of the Board of Trustees of the Village of Lombard held on Thursday, September 20, 2012 in the Board Room of the Lombard Village Hall was called to order by Acting Chairperson Laura Fitzpatrick at 9: 25 pm. Upon roll call by Village Clerk O'Brien, the following were:

Present: Wilson, Breen and Fitzpatrick

Absent: Gron, Giagnorio and Wilson

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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The regular meeting of the Board of Trustees of the Village of Lombard held on Thursday, September 20, 2012 in the Board Room of the Lombard Village Hall was adjourned at 9:25 pm due to a lack of a quorum.