

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

District: All

- Resolution or Ordinance (Blue)
- Recommendations of Boards, Commissions & Committees (Green)
- Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *DAH*

DATE : March 30, 2011 **B of T** April 21, 2011

SUBJECT: Release of Executive Session Minutes

SUBMITTED BY: Barbara A. Johnson, Deputy Village Clerk *BAJ*

BACKGROUND/POLICY IMPLICATIONS:

Public Act 88-378, effective January 1, 1982 requires that minutes of closed session meetings are to be recorded in written form and 5 ILCS 120/2.06 (d) states that "Each public body shall periodically, but no less than semi-annually, meet to review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.

Attached, please find a "Resolution authorizing the Village Clerk to make certain closed session meeting minutes available for public inspection for Village Board consideration and approval.

Fiscal Impact/Funding Source: None

Review (as necessary):

Finance Director	_____	Date _____
Village Manager	<i>David A. Hulseberg</i>	Date <u>4/13/11</u>


NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda distribution.

Q. 10



CONFIDENTIAL MEMORANDUM

MEMO TO: The Honorable Village President and Board of Trustees
David A. Hulseberg, Village Manager

FROM: Barbara A. Johnson, Deputy Village Clerk 

DATE: April 12, 2011

RE: **Review of Executive Session Minutes First Review 2011**

In June of 2004 the Village Board released all Executive Session minutes from 1982 through 2002. State Statute establishes that a review be conducted periodically, but no less than twice yearly, to determine if there is still a need for confidentiality, or that the minutes, or portions thereof, no longer require confidential treatment and are available for public inspection.

According to our Attorney, minutes of a meeting should be released in their entirety, not item by item. In other words, if there is one item on a set of minutes that should not be released, that set of minutes remains closed to the public. Also, he strongly recommends that none be released that are on a tape that is still within the 18-month retention period. This would be any since August 2009.

The eligible minutes of Executive Sessions that have not yet been released, held in 2003 through August 2009, have been copied for each Village Board members' perusal prior to release. The Village Board is not *obligated* to release these minutes, only to review. During the 2010 review, the Village Board decided to keep the minutes confidential.

A resolution will be placed on the Village Board Agenda of April 21, 2011. Copies of Executive Session Minutes are being provided in advance to allow for Village Board consideration. If there are any minutes you would like released, please let me know prior to April 12, 2011. If the majority of members want any of the minutes released, they will be added to Exhibit D of the resolution. If you have any questions, please feel free to contact me at 620-5909.

RESOLUTION NO.

**A RESOLUTION AUTHORIZING THE VILLAGE CLERK
TO MAKE CERTAIN CLOSED SESSION MEETING MINUTES
AVAILABLE FOR PUBLIC INSPECTION
FIRST REVIEW 2011**

WHEREAS, the President and Board of Trustees of the Village of Lombard have met from time to time in executive session for purposes authorized by the Illinois Open Meetings Act (the "Act"), a list of said executive session meeting dates being attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, as required by the Act, the Village Clerk has kept written minutes of all such executive sessions; and

WHEREAS, pursuant to 5 ILCS 120/2.06(c), the President and Board of Trustees have met in closed session to review closed session minutes; and

WHEREAS, the President and Board of Trustees have previously made available for public inspection certain executive session minutes, a list of said disclosed executive session minutes being attached hereto as Exhibit "B" and made a part hereof; and

WHEREAS, the President and Board of Trustees have determined that a need for confidentiality still exists as to the executive session minutes from the closed session meetings set forth on Exhibit "C", attached hereto and made a part hereof; and

WHEREAS, the President and Board of Trustees have further determined that the minutes of the closed session meetings listed on Exhibit "D", attached hereto and made a part hereof, no longer require confidential treatment and should be made available for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The executive session minutes from those meetings set forth on Exhibit "D" attached hereto are hereby released.

SECTION 2: The Village Clerk is hereby authorized and directed to make the minutes from those meetings set forth on Exhibit "D" available for inspection and copying in accordance with the standing procedures of the Clerk's office.

SECTION 3: This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

Resolution
Closed Session Minutes

ADOPTED this _____ day of _____ pursuant to a roll call vote
as follows:

A YES:

NAYS:

ABSENT:

APPROVED by me this _____ day of _____.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

EXHIBIT A
EXECUTIVE SESSIONS WHICH HAVE TAKEN PLACE

June 16, 1969

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March 16, 1964
April 6, 1964
May 18, 1964
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January 6
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**EXHIBIT B: LIST OF
EXECUTIVE
SESSION MINUTES
PREVIOUSLY
APPROVED FOR
DISCLOSURE**

1964

January 6, 1964
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August 18, 1988
September 1, 1988
September 15, 1988
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June 6, 1996
June 20, 1996
September 5, 1996
September 19, 1996
October 3, 1996
October 17, 1996
December 5, 1996
December 19, 1996

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January 16, 1997
February 6, 1997
March 20, 1997
May 15, 1997
May 22, 1997
June 19, 1997
July 17, 1997
August 14, 1997
September 4, 1997
September 11, 1997
October 9, 1997
October 16, 1997
October 30, 1997
November 6, 1997
November 20, 1997
December 4, 1997

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January 22, 1998
February 5, 1998
February 12, 1998
February 19, 1998
March 19, 1998
April 16, 1998
April 27, 1998
May 4, 1998
May 7, 1998
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July 23, 1998
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December 2, 1999

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June 15, 2000
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January 4, 2001
February 2, 2001
March 1, 2001
April 5, 2001
May 3, 2001
May 17, 2001
June 7, 2001
June 21, 2001
July 19, 2001
August 16, 2001
September 6, 2001

September 20, 2001
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November 15, 2001
December 6, 2001

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January 3, 2002
January 17, 2002
February 7, 2002
February 21, 2002
March 7, 2002
March 21, 2002
April 4, 2002
May 2, 2002
June 6, 2002
June 20, 2002
July 18, 2002
September 5, 2002
October 3, 2002
October 17, 2002
November 7, 2002
November 21, 2002
December 5, 2002

**EXHIBIT D: LIST OF EXECUTIVE SESSION
MINUTES NOT PREVIOUSLY APPROVED FOR DISCLOSURE, BUT NOW
APPROVED FOR DISCLOSURE**

**EXHIBIT C: LIST OF
EXECUTIVE SESSION
MINUTES TO REMAIN
CONFIDENTIAL**

2003

APRIL 17, 2003

JUNE 5, 2003

2005

JULY 21, 2005

OCTOBER 6, 2005

2006

MAY 18, 2006

AUGUST 17, 2006

JUNE 1, 2006

NOVEMBER 2, 2006

NOVEMBER 14, 2006

DECEMBER 7, 2006

2007

JANUARY 4, 2007

JANUARY 18, 2007

FEBRUARY 15, 2007

MARCH 15, 2007

APRIL 5, 2007

APRIL 19, 2007

JUNE 7, 2007

JUNE 21, 2007

AUGUST 9, 2007

SEPTEMBER 6, 2007

SEPTEMBER 20, 2007

NOVEMBER 1, 2007

DECEMBER 6, 2007

2008

JANUARY 3, 2008

FEBRUARY 7, 2008

FEBRUARY 21, 2008

APRIL 3, 2008

APRIL 17, 2008

APRIL 26, 2008

MAY 1, 2008

MAY 5, 2008

JUNE 5, 2008

AUGUST 21, 2008

SEPTEMBER 5, 2008

SEPTEMBER 18, 2008

November 20, 2008
December 4, 2008
December 18, 2008

2009

January 6, 2009
February 5, 2009
February 19, 2009
March 5, 2009
March 19, 2009
April 16, 2009
May 7, 2009
May 21, 2009
June 4, 2009
June 18, 2009
August 20, 2009
October 1, 2009
November 19, 2009