

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
4/16/2024

SUBJECT:	SUBMITTED BY:
A Resolution to Remove a Member from the Library Board of Trustees	Dave Fieldman Village Manager

SYNOPSIS

A resolution has been prepared to remove William Nienburg from the Library Board of Trustees.

STRATEGIC PLAN ALIGNMENT

The goals for 2023-2025 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Action at the discretion of the Village Council.

BACKGROUND

On March 5, 2024, the Village Council passed a motion directing staff to place a resolution removing a board member from the Library Board of Trustees on an upcoming agenda.

On June 7, 2022, the Village Council appointed William Nienburg to serve on the Library Board of Trustees. Pursuant to Section 2.53.1 of the Downers Grove Municipal Code (see below), board and commission members serve at the pleasure of the appointing authority, in this case – the Village Council. Furthermore, Section 2.53.1 provides that if the removal of a member of a board or commission is not governed by State law, then the Village Council by a vote of not less than four (4) members shall have the authority to remove any member of a board or commission. State law does not provide for the removal of Library Board of Trustee members.

2.53.1 Removal of members to boards and commissions

(a) Members of any board or commission serve at the pleasure of the appointing authority and may be removed as provided in this section.

(b) Where removal from a board or commission is governed by statute, such statute shall control.

(c) The Mayor shall have the authority to remove any member of a board or commission where such member is appointed by the Mayor, or appointed jointly by the Mayor and Village Manager.

(d) The Village Council, by a vote of not less than four (4) members, shall have the authority to remove any member of a board or commission where such member is appointed by the Village Council; appointed by the Mayor with concurrence of the

Village Council, or appointed by the Village Manager with the concurrence of the Village Council.

(e) The Village Manager shall have the authority to remove any member of a board or commission where such member is appointed by the Village Manager.

ATTACHMENTS

Resolution

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Manager DATE: April 16, 2024
(Name)

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to adopt "A RESOLUTION REMOVING WILLIAM NIENBURG FROM THE LIBRARY BOARD OF TRUSTEES", as presented.



SUMMARY OF ITEM:

Adoption of this resolution shall authorize the removal of William Nienburg from the Library Board of Trustees.

RECORD OF ACTION TAKEN:

RESOLUTION NO. _____

**A RESOLUTION REMOVING WILLIAM NIENBURG
FROM THE LIBRARY BOARD OF TRUSTEES**

WHEREAS, THE Village of Downers Grove, DuPage County, IL (the "Village") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "Home Rule Powers"); and

WHEREAS, the Village Council of the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety and welfare of its citizens; and

WHEREAS, the Village Council as an exercise of its home rule authority has previously adopted an ordinance codified as Section 2.53.1 of the Downers Grove Municipal Code; and

WHEREAS, Section 2.53.1 of the Downers Grove Municipal Code provides as follows:

2.53.1 Removal of members to boards and commissions

(a) Members of any board or commission serve at the pleasure of the appointing authority and may be removed as provided in this section.

(b) Where removal from a board or commission is governed by statute, such statute shall control.

(c) The Mayor shall have the authority to remove any member of a board or commission where such member is appointed by the Mayor, or appointed jointly by the Mayor and Village Manager.

(d) The Village Council, by a vote of not less than four (4) members, shall have the authority to remove any member of a board or commission where such member is appointed by the Village Council; appointed by the Mayor with concurrence of the Village Council, or appointed by the Village Manager with the concurrence of the Village Council.

(e) The Village Manager shall have the authority to remove any member of a board or commission where such member is appointed by the Village Manager.

WHEREAS, on June 7, 2022, the Downers Grove Village Council appointed William Nienburg to serve as a member of the Library Board of Trustees; and

WHEREAS, board and commission members serve at the pleasure of the Village Council, the appointing authority and the removal of a member of the Library Board of Trustees is not governed by State law;

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That effective immediately, William Nienburg is hereby removed as a member of the Downers Grove Library Board of Trustees due to misconduct or neglect of office.

2. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of this Resolution.

3. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

4. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk