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VILLAGE BOARD

President  
Frank DeSimone

Board of Trustees  
Rosa Carmona  
Ann Franz  
Marie T. Frey  
McLane Lomax  
Nicholas Panicola Jr.  
Armando Perez

Village Clerk  
Nancy Quinn

Village Manager  
Daniel Schulze

March 27, 2025

*Via electronic mail*  
Ms. Janell Taraszka  
Email: [REDACTED]

Re: Freedom of Information Act request  
Received March 20, 2025

Dear Ms. Taraszka,

I am one of the attorneys for the Village of Bensenville ("Village"), which is pleased to help you with your March 20, 2025, request for information pursuant to the Freedom of Information Act ("FOIA"), 5 ILCS 140/1 *et seq.* Your FOIA request was received by the Village on March 20, 2025. I am transmitting the Village's final response correspondence on behalf of Deputy Village Clerk Corey Williamsen, the Village's FOIA officer. Any questions about this correspondence should be directed to the Village.

You requested copies of the items indicated below:

*"Any documents, meeting minutes, correspondence, emails, memos and ordinances regarding the 2025 referendum on changing the current form of government."*

Your FOIA request is hereby granted in full. The attached records are being provided to you at no charge.



STATE OF ILLINOIS       )  
                                      )  
COUNTY OF DUPAGE     )

**CLERK'S CERTIFICATE TO ELECTION AUTHORITY**

TO: County Clerk, Election Division  
County of DuPage  
421 North County Farm Road  
Wheaton, Illinois 60187

I, NANCY QUINN, the duly qualified and acting Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, pursuant to the provisions of the Illinois Election Code, do hereby certify the following information in connection with the public question to be submitted at the Consolidated Election scheduled for April 1, 2025, to determine whether the Village should retain the managerial form of municipal government.

I do further certify that attached hereto is a true and correct copy of a Resolution entitled:

**RESOLUTION NUMBER R-179-2024**

**A RESOLUTION OF THE VILLAGE OF BENSENVILLE,  
DUPAGE AND COOK COUNTIES, ILLINOIS PROVIDING  
FOR THE SUBMISSION OF A BINDING REFERENDUM  
QUESTION OF WHETHER THE VILLAGE OF  
BENSENVILLE SHALL RETAIN THE MANAGERIAL  
FORM OF GOVERNMENT**

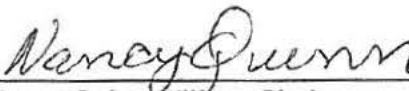
which Resolution was duly passed and approved by said Board of Trustees at a regular meeting held on the 4th day of December 2024, at which meeting a quorum of said Board of Trustees was present, and which Resolution requires the submission of the following public question to the voters of the Village:

**Shall the Village of Bensenville retain the managerial form of  
municipal government?**

I do further certify that said Resolution includes the form of a public question to be placed on the ballot for the Consolidated Election to be held on April 1, 2025, and that said public question

was initiated by the Board of Trustees of the Village of Bensenville, by the passage and approval of said Resolution on December 4, 2024.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 5th day of December 2024.

  
\_\_\_\_\_  
Nancy Quinn, Village Clerk  
Village of Bensenville

**RESOLUTION NUMBER R-179-2024**

**A RESOLUTION OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK  
COUNTIES, ILLINOIS PROVIDING FOR THE SUBMISSION OF A BINDING  
REFERENDUM QUESTION OF WHETHER THE VILLAGE OF BENSENVILLE  
SHALL RETAIN THE MANAGERIAL FORM OF GOVERNMENT**

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**WHEREAS**, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “Village”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended, and

**WHEREAS**, the Village operates under the managerial form of government, as previously approved by referendum; and

**WHEREAS**, prior to the approval of the managerial form of government, the Village operated as a standard president-trustee form of government under Article 3.1 of the Illinois Municipal Code, 65 ILCS 5/3.1-5-5 et seq.; and

**WHEREAS**, if the managerial form of government is not retained by referendum, the Village will once again become a standard president-trustee form of government under Article 3.1 of the Illinois Municipal Code; and

**WHEREAS**, under the managerial form of government, the manager has final decision making authority and acts as the sole administrative and executive head of the Village government and is responsible to appoint and remove all officers that are not required to be elected; and

**WHEREAS**, under the managerial form of government, the authority of the Village President and Board of Trustees of the Village are limited to legislative purposes; and

**WHEREAS**, the manager in a managerial form of government exercises the final authority for critical administrative and operational decision making but serves as a non-elected official not directly accountable to the residents of the Village; and

**WHEREAS**, the standard president-trustee form of government places the primary final decision making authority with the elected Village President as the executive and administrator of the Village along with the Board of Trustees of the Village and with the elected Village President and Board of Trustees of the Village for the appointment and removal of officers that are not required to be elected; and

**WHEREAS**, the Village President and Board of Trustees of the Village have determined that the elected officials of the Village should be held responsible for the final executive and administrative decisions of the Village and be accountable to the residents of the Village for the proper exercise of such authority; and

**WHEREAS**, the Village President and Board of Trustees of the Village have determined that it is a right and a benefit, and in the best interests of the residents of the Village, to be allowed the choice of whether to restore a standard president-trustee form of government in the Village of Bensenville and render the elected officials directly accountable to the residents of the Village for the key, final decision making in the Village; and

**WHEREAS**, pursuant to the Illinois Constitution, Illinois Municipal Code, and the Illinois Election Code, the Village can initiate a proposition, to be submitted to the voters of the Village, on the question of whether the Village should retain or not retain its current managerial form of government and subsequently restore the executive, administrative and appointment authority to the elected Village President and Board of Trustees of the Village under Article 3.1 of the Illinois Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Village President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** That pursuant to the Illinois Constitution, Illinois Municipal Code, Illinois Election Code and other applicable law, the Village President and Board of Trustees of the Village hereby find that it is in the best interests of the Village and in furtherance of the general welfare of the Village to present Village residents with the opportunity, by proposition, to retain or not retain the current managerial form of government.

**Section 3.** That the following proposition question shall be submitted to the voters of the Village at the consolidated election to be held on Tuesday, April 1, 2025 (the "Election"):

"Shall the Village of Bensenville retain the managerial form of municipal government?"	Yes	
	No	

**Section 4.** That the Election shall be held in the voting precincts and at the polling places established for the Village by the County Clerk of the County of DuPage, Illinois (the "Election Authority").

**Section 5.** That the Election Authority, in addition to any other required action, shall give notice of said Election (the "Notice") in accordance with the Election Code of the State of Illinois, 10 ILCS 5/1-1 et seq., (the "Code") by (i) publishing a Notice not more than 60 nor less than 10 days prior to the date of the Election in a local community newspaper having general circulation in the Village, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the Election Authority, all in accordance with the Code.

**Section 6.** The Village shall also post a copy of the Notice at the principal office of the Village at least 10 days prior to the date of the Election.

**Section 7.** That it is hereby found and determined that the Bensenville Independent is a local community newspaper having general circulation in the Village as required by Sections 12-4 and 12-5 of the Code.

**Section 8.** That said Notice shall appear over the name or title of the Election Authority and shall be substantially in the following form:

**NOTICE OF ELECTION**

**VILLAGE OF BENSENVILLE**  
**DUPAGE AND COOK COUNTIES, ILLINOIS**

**NOTICE IS HEREBY GIVEN** that at the Consolidated Election to be held on Tuesday, April 1, 2025, the following proposition will be submitted to the voters of the Village of Bensenville, DuPage and Cook Counties, Illinois:

“Shall the Village of Bensenville retain the managerial form of  
municipal government?”

The polls at the election will be open at 6:00 a.m. and will continue to be open until 7:00 p.m. of that day.

**DATED** this \_\_ day of \_\_\_\_ 2025.

/s/ \_\_\_\_\_  
County Clerk, DuPage County, Illinois.

**Section 9.** That the ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions, and insertions as required by Articles 24A, 24B or 24C of the Code if an Electronic Voting System is used at the Election:

(Face of Ballot)

**OFFICIAL BALLOT**

**PROPOSITION ON WHETHER THE VILLAGE OF BENSENVILLE SHOULD RETAIN  
THE MANAGERIAL FORM OF MUNICIPAL GOVERNMENT**

**INSTRUCTIONS TO VOTERS:** Mark a cross (X) in the square opposite the word indicating the way you desire to vote.

Shall the Village of Bensenville retain the managerial form of municipal government?	Yes	
	No	

(Back of Ballot)

**OFFICIAL BALLOT**

**Consolidated Election – Tuesday, April 1, 2025  
VILLAGE OF BENSENVILLE  
DUPAGE AND COOK COUNTIES, ILLINOIS**

Official ballot for voting on the proposition on whether the Village of Bensenville should retain the managerial form of municipal government.

/s/ \_\_\_\_\_  
County Clerk, DuPage County, Illinois

**Section 10.** That the Election shall be conducted by the election judges appointed by the County Board of the County of DuPage, Illinois to act in the voting precincts at which said proposition will be submitted to the voters of the Village.

**Section 11.** That the Village Clerk shall, not less than sixty-eight (68) days before the Election, certify to the Election Authority the proposition as hereinabove set forth to be submitted to the voters of the Village at the Election. Such certification shall include the form of the public question to be placed on the ballot, the date on which the public question was initiated by the adoption of this Resolution, and a certified copy of the Resolution, and shall be substantially in the form of Exhibit A, and including filing certification forms for completion by the Election Authority confirming the filing and certification of this Resolution and the proposition approved herein, all attached hereto and hereby made a part of this Resolution.



**Section 12.** That said Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and the time provided by law, as amended.

**Section 13.** That the proposition as hereinabove set forth to be submitted to the voters of this Village at said Election shall become effective upon the completion of the canvass as provided in Article 22 of the Illinois Election Code and official declaration of the results of the vote totals on the proposition immediately following the Election.

**Section 14.** That the Village Clerk or Village Attorney shall have full authority to take all such additional necessary acts or undertake such requirements of the Election Authority or as provided in the Election Code to ensure that the proposition takes place, as herein provided.

**Section 15.** This Resolution, and its parts, are declared to be severable and any section, clause, provision, or portion of this Resolution that is declared invalid shall not affect the validity of any other provision of this Resolution, which shall remain in full force and effect.

**Section 16.** That all ordinances, resolutions, motions or orders, and parts thereof, in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 17.** That this Resolution shall be in full force and effect immediately upon its passage and approval to ensure the health, safety, and welfare of the residents of the Village is duly protected.

*(Intentionally Left Blank)*

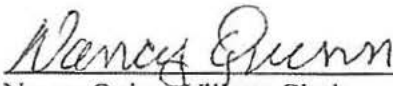
**PASSED AND APPROVED** by the Village President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 4th day of December 2024, pursuant to a roll call vote, as follows:

APPROVED:



Frank DeSimone, Village President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYES: None

ABSENT: None

**Village of Bensenville**  
**Board Room**  
**12 South Center Street**  
**Bensenville, Illinois 60106**  
**Counties of DuPage and Cook**

**MINUTES OF THE SPEICAL VILLAGE BOARD OF TRUSTEES MEETING**  
**December 4, 2024**

**CALL TO ORDER:** 1. President DeSimone called the meeting to order at 6:30 p.m.

**ROLL CALL:** 2. Upon roll call by Village Clerk, Nancy Quinn, the following Board Members were present:

President DeSimone, Carmona, Franz, Frey, Lomax, Panicola, Perez

Absent: None

A quorum was present.

Staff Present: D. Schulze

President DeSimone addressed the Public with the following statement:

*On tonight's agenda there are two matters. The first item on the agenda is a Resolution authorizing a referendum on the April 1, 2025 ballot. The referendum question asks Residents to decide that the Village should retain or not retain its current managerial form of Government. Right now, under the managerial form of Government, the Village Manager runs the day-to-day operation of the Village and has the sole power to make significant decision without the input of its Elected Officials. If the Residents decide to not retain the managerial form of Government, the Village President will assume greater administrative authority including the overseeing of day-to-day operations of the Village. We welcome honest, respectful debate on this topic and look forward to presenting this plan to the Community in the coming months. Unfortunately, there are some members of the Community trying to spread misinformation. They are claiming that the Village Board and my decision to ask Residents to decide if the managerial form of Government should retain is a great secret. For over eight years, this idea has been discussed. Any claim to the contrary is just plain untrue and being made to serve political self-interest. Also, any claim that the termination of the prior Village Manager had to be done first before asking the Residents to decide if the managerial form of Government should retain is also untrue. The Village is still operating as a managerial form of Government, has an interim Village Manager and will remain a managerial form of*

*Government unless the Residents decide otherwise. The second item on the agenda will increase the salary of the Village President to \$135,000.00 per year along with medical and dental insurance. To be clear, this is only if the referendum is voted on by the Residents next spring. It does not take effect unless voters decide to not retain the managerial form of Government. I look forward again to a robust, meaningful and indebt conversation on the referendum and this Board will respect the final decision of the Residents.*

**PUBLIC COMMENT:**

**Michael Jaffe – 410 Judson Street, Bensenville, IL 60106.**

Mr. Jaffe addressed the Village Board regarding the proposed resolution and ordinance on the agenda.

**Christopher McCullough – 829 Brentwood Dr., Bensenville, IL 60106.**

Mr. McCullough addressed the Village Board regarding the proposed resolution and ordinance on the agenda.

**Robert Benson - 435 Barron Street, Bensenville, IL 60106.**

Mr. Benson addressed the Village Board regarding the proposed resolution and ordinance on the agenda.

**James Nylander - 211 Jacquelyn Street, Bensenville, IL 60106.**

Mr. Nylander addressed the Village Board regarding the proposed resolution and ordinance on the agenda.

**APPROVAL OF  
MINUTES:**

4. There were no minutes for approval.

**WARRANT NO.  
24/18:**

5. There was no warrant for approval.

**Resolution No.  
R-179-2024:**

6. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-179-2024** entitled an **Resolution of the Village of Bensenville, DuPage and Cook Counites, Illinois Providing for the Submission of a Binding Referendum Question of Whether the Village of Bensenville Shall Retain the Managerial Form of Government.**

**Motion:**

Trustee Panicola made a motion to approve the resolution as presented. Trustee Frey seconded the motion.

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.  
66-2024:**

7. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 66-2024** entitled an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Amending Section 1-5-3 of Chapter Five of Title One of the Village of Bensenville Village Code.**

**Motion:** Trustee Perez made a motion to adopt the ordinance as presented. Trustee Frey seconded the motion.

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S  
REMARKS:**

There was no President's Remarks.

**INTERIM  
MANAGERS  
REPORT:**

There was no Interim Managers Report.

**VILLAGE ATTORNEY  
REPORT:**

Village Attorney, P. Joseph Montana, stated he had no Village Attorney Report.

**UNFINISHED  
BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:**

There was no new business.

**EXECUTIVE  
SESSION:**

Village Attorney, P. Joseph Montana, stated there was not a need for Executive Session.

**ADJOURNMENT:**

Trustee Perez made a motion to adjourn the meeting. Trustee Frey seconded the motion.

Minutes of the Special Village Board Meeting  
December 4, 2024 Page 4

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez  
NAYS: None  
All were in favor. Motion carried.  
President DeSimone adjourned the meeting at 6:46 p.m.

Nancy Quinn  
Village Clerk

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Bensenville this 17th day, December 2024