

These minutes were approved at the 6/02/25 City Council meeting with no changes.

CITY OF WEST CHICAGO – 475 Main Street
CITY COUNCIL MINUTES
Regular Meeting
May 19, 2025

1. Call to Order. Mayor Bovey called the meeting to order at 7:04 p.m. on May 19, 2025.

2. Pledge of Allegiance. Mayor Bovey led all in the Pledge of Allegiance.

3. Roll Call and Establishment of a Quorum.

A timely and proper request to attend remotely was received from Aldermen Birch Ferguson. There was no objection from the City Council.

Roll call found Dan Beebe, Julieta Alcántar-García, Sandy Dimas, Rebecca Stout, Melissa Birch Ferguson, Heather Brown, Denise Carreto-Muñoz, Alton Hallett, Joseph C. Morano, Jayme Sheahan, Christopher Swiatek, Carlos Aviña Soto John Smith, Jr. and Matthew Myers were present.

Also in attendance Assistant City Administrator Tia Messino, Finance Director Nikki Giles, Business & Community Relations Director Kelley Chrisse, Community Development Director Tom Dabareiner, Public Works Director Mehul Patel, City Attorney Patrick Bond, and Interim City Attorney Jeff Jacobson.

4. Public Participation.

- A. Crystal Noland-Riani – A resident of 16 years. Ms. Noland-Riani has seen many changes within the city. She expressed that continuing together is best, uniting as a community to inform residents timely and efficiently. Requesting city staff, council and committee members to be present and willing to have discussions and act on the needs and wants of the wards and the city as a whole. Supports the newly elected mayor, and stands with his commitment to change within city government.
- B. Mateo Suarez – Mr. Suarez, a resident, is worried about what's going on including people not supporting the mayor. We should be working together to support him on his decisions. If we work together, the city will grow. We want it to be a safe community.
- C. Jarod Fletcher – Mr. Fletcher, a resident, supports Mayor Bovey's appointment of a city administrator and legal counsel.
- D. Dan Colwin – A resident of 16 years. Mr. Colwin expressed that he wants council to take serious that they want change and to govern them wisely.
- E. Donna Santiago – Ms. Santiago congratulated those that were elected. She said her concern is the last city council meeting. The Elected were not respectful to each other. They shouldn't be on their cell phones. She has been working in this community for 53 years. They need to do what's best for the residents of West Chicago.
- F. Steve Riani – Mr. Riani, a resident, wants everyone to place the past behind them and move forward. Making WeGo the best it can be for everyone who lives here no matter what language you speak, where your kids go to school, what small communities you represent. We all need to figure out how to work together.
- G. Jonathan Wolf – Mr. Wolf, a resident, represents WeGo for the people, who's goal is to improve the relationship and communication with the elected and the people of West Chicago. They have seen that people don't feel listened to. People voted for Daniel Bovey because he listened to them. He expressed his concern about the elected in the last city council meeting forcing the city administrator's contract to be approved. He feels Mayor Bovey will choose the correct person for that position.
- H. Denise Kolode – Ms. Kolode, a resident, is disheartened by how little the city has progressed. She supported Mayor Bovey because of his platform for change. She feels the elected forgot they are to serve those who elected them not their own interests or those of city hall. She does not support standing in the way of a smooth transition and preventing the Mayor from selecting his team.
- I. Emily Hall – Ms. Hall, a resident and a small business owner, loves this community because it supports local. She's excited about the change Mayor Bovey is excited about making. She asks the elected to work together and keep West Chicago the beautiful, small, funky, but growing place we should be.
- J. Liuan Huska – Ms. Huska, a resident, presented a letter signed by 134 residents who are deeply concerned about the elected opposing Mayor Bovey's filing of vacancies. The residents are not against the elected but wanted something different. The elected are not just opposing the mayor but those who voted. Keeping Mr. Guttman and Mr. Bond is wasting time and money. They're watching carefully and expect them to change.

- K.** Louise Handel – Ms. Handel, a resident of 34 years, wanted to address the difficult transition for the new mayor and his team. She wants to extend appreciation for those past and present who have represented West Chicago in any form. It is now the duty and responsibility of the entire council and mayor to act in the best interests for its constituents and the city as a whole. Need to consider the issues together, discuss the merits respectfully, without bias, come to a unified decision. Staff receives direction from City Council not the other way around. We expect it, we voted for it and we deserve it.
- L.** Kurt Jaros – Resident and small business director. Wanted to congratulate Mayor Bovey. Offered his services to live stream city meetings. He mentioned a section of city code regarding the role of the city administrator. He supports Mayor Bovey in his decisions he has taken.
- M.** Proclamation: Motorcycle Awareness Month. Mayor Bovey read the proclamation and presented it to Nathan Klapatch. Mr. Klapatch gave a brief overview of the DuKane Chapter of ABATE.

Mayor Bovey said he was going to entertain a motion to suspend the normal rules of the meeting in order to look at the new business first and then after the old business.

Alderman Dimas made a motion, seconded by Alderman Morano to approve the corrected agenda.

Mayor Bovey asked to be clear the agenda that was on the podium.

Alderman Dimas said the one that was posted on the door.

Mayor Bovey said he was aware that there was an agenda sent by Alderman Birch Ferguson to members of the media. He said aldermen do not have the ability to post an alternate agenda, and so that's out of order because it did not meet the requirements of an agenda. So he's going to strike that out of order.

Alderman Dimas asked for counsel advice to see if that was illegal.

Mayor Bovey asked Mr. Jacobson to provide legal advice. Mayor first said that there is one official spokesperson by city ordinance and that is the chief executive officer who is the mayor. The agenda was not placed 48-hours in advance, not distributed to the members of the council, and it was not posted on the website to be in compliance with the Open Meetings Act. That is the reason why he is striking it out of order because they would be in violation of the Open Meetings Act.

Mr. Jacobson reiterated what Mayor Bovey said also mentioning that the public would not be aware of the new agenda.

Mayor Bovey said he would entertain a motion to suspend the rules for the purposes of discussing new business prior to old business.

Alderman Myers made a motion, seconded by Alderman Aviña Soto.

Alderman Dimas asked to recognize Pat Bond to give an explanation.

Mayor Bovey told Alderman Dimas she did not have the floor. There has been a motion that was seconded and the roll will be called.

Voting Aye by Roll Call: Beebe, Alcántar-García, Carreto-Muñoz, Aviña Soto, Jr., and Myers.
Voting Nay by Roll Call: Brown, Sheahan, Hallett, Dimas, Birch Ferguson, Smith, Jr., Swiatek, Stout, and Morano. Motion failed.

Mayor Bovey said the items for consent were up next.

Alderman Brown said point of order.

Mayor Bovey told Alderman Brown she didn't have the floor, and continued saying the items for consent would be looked at. He asked if there were any council members who wished to remove an item(s).

Alderman Hallett said point of order.

Mayor Bovey responded by saying he was asking anyone wanting to remove an item(s).

Alderman Hallet pointed out that neither the minutes or disbursement report were approved. They are approved before the consent items.

Mayor Bovey responded by saying that was not a binding thing but he didn't mind approving them.

5. City Council Meeting Minutes of May 5, 2025. Alderman Hallett made a motion, seconded by Alderman Swiatek to approve the minutes of May 5, 2025.

Alderman Beebe mentioned there were errors in the minutes and he'd like a chance to correct them prior to them being approved.

Alderman Myers said to collect all the comments and provide them to Valeria. A new set of minutes should then be distributed.

Alderman Morano said it was a long meeting and had his own list. He agreed to wait on approving the minutes.

Alderman Brown agreed as well. She would also like everyone to review the corrected agenda. She mentioned that the city is still paying attorney fees to the gentleman sitting behind her known as Pat Bond. There is no temp at this time being paid.

Mayor Bovey asked if there was any other discussion. He then said that he was understanding the minutes be tabled until next meeting to give the council an opportunity to submit amendments or corrections and approve them until next meeting.

Alderman Been made a motion, seconded by Alderman Hallett.

Voting Aye by Voice Vote: Beebe, Alcántar-García, Carreto-Muñoz, Aviña Soto, Jr., Brown, Sheahan, Hallett, Dimas, Birch Ferguson, Smith, Jr., Swiatek, Stout, Morano and Myers. Motion carried.

6. Corporate Disbursement Report. Alderman Dimas made a motion, seconded by Alderman Smith to approve May 19, 2025, Corporate Disbursement Report in the amount of \$801,944.80.

Voting Aye by Roll Call: Beebe, Alcántar-García, Carreto-Muñoz, Aviña Soto, Jr., Brown, Sheahan, Hallett, Dimas, Birch Ferguson, Smith, Jr., Swiatek, Stout, Morano and Myers. Motion carried.

7. Consent Agenda:

***Infrastructure Committee:**

- A. **Resolution No. 25-R-0034** – A Resolution Authorizing the Mayor to Execute the Construction and Maintenance Agreement with the Union Pacific Railroad Company for an At-Grade Crossing and Pedestrian Sidewalk Improvements on Harvester Road (for an amount not to exceed \$178,983.00).
- B. **Resolution No. 25-R-0035** – A Resolution Authorizing the Mayor to Execute the Public Roadway Encroachment Agreement with the Union Pacific Railroad Company for an At-Grade Crossing and Pedestrian Sidewalk Improvements on Nuclear Drive (for an amount not to exceed \$124,335.00).
- C. **Resolution No. 25-R-0036** – A Resolution Authorizing the Mayor to Execute a Construction Contract with Strada Construction Co. of Addison, Illinois, for the 2025 Concrete Maintenance Program (for an amount not to exceed \$100,000.00).
- D. **Resolution No. 25-R-0037** – A Resolution Authorizing the Mayor to Execute a Contract with Honch Concrete, LLC of Barrington, Illinois, for the Police Station Front Entrance Improvement Project (for an amount not to exceed \$138,639.00).

Alderman Morano made a motion, seconded by Alderman Smith, Jr.

Voting Aye by Roll Call: Beebe, Alcántar-García, Carreto-Muñoz, Aviña Soto, Jr., Brown, Sheahan, Hallett, Dimas, Birch Ferguson, Smith, Jr., Swiatek, Stout, Morano and Myers. Motion carried.

***Public Affairs Committee:**

- E. **Resolution No. 25-R-0041** - A Resolution Authorizing the Mayor to Execute a Contract Agreement with MKSK, Inc. for the Preparation of an Architectural and Historical Survey.
- F. **Approve** – The West Chicago Community High School District 94's Homecoming Parade – Scheduled for Friday, October 3, 2025.
- G. **Approve** – The Cystic Fibrosis Foundation CF Cycle for Life – Scheduled for Saturday, September 27, 2025.
- H. **Approve** – The West Chicago Park District's Battle of the Bands – Scheduled for Friday, August 29, 2025 and Saturday, August 30, 2025.
- I. **Approve** – The West Chicago Park District's Wine in the Park – Scheduled for Saturday, May 31, 2025.
- J. **Approve** – The West Chicago Park District's Hello Summer – Scheduled for Saturday, June 21, 2025.
- K. **Approve** – The West Chicago Park District's Taco & Art Fest – Scheduled for Saturday, July 26, 2025.
- L. **Approve** – The Western DuPage Chamber of Commerce's West Chicago Railroad Days – Scheduled for Thursday, June 26, 2025 through Sunday, June 29, 2025.

Mayor Bovey asked one more time if anyone wanted to remove an item(s) because they got sidetracked. There was no one.

Alderman Brown corrected two dates that were misread by Alderman Hallett.

Alderman Hallett made a motion, seconded by Alderman Brown.

Voting Aye by Roll Call: Beebe, Alcántar-García, Carreto-Muñoz, Aviña Soto, Jr., Brown, Sheahan, Hallett, Dimas, Birch Ferguson, Smith, Jr., Swiatek, Stout, Morano and Myers. Motion carried.

8. Filling any Vacancy in Elected Offices. Mayor Bovey said this item would be pulled since there are no vacancies.

9. Reports by Committees: None

10. Unfinished Business: None

Mayor Bovey stated a framework for potentially moving forward. He said they cannot vote on this tonight because it was not on the agenda, but it can be discussed. He mentioned he has five points in this framework and if everyone agrees they can be placed on the next city council agenda.

Alderman Dimas asked Mayor Bovey if there could be a vote on the corrected agenda as there was a motion and someone seconded it.

Mayor Bovey said he called that out of order.

Alderman Dimas said she would also like to acknowledge Pat Bond as their attorney.

Alderman Brown seconded what Alderman Dimas said.

Mayor Bovey said he called that out of order so they are going to move on.

Attorney Patrick Bond tried to speak but was interrupted by Mayor Bovey.

Mayor Bovey said he had the floor, and he would not be recognizing that motion. He mentioned again the five basic principles that they can discuss and they can tell him anything they want about them.

1. Proposal to appoint a counsel for the Mayor's greenhouse situation. Obtain three options and choose one. Counsel would then report back to four aldermen: two newly elected, two pre-existing.
2. Consider having legislative counsel and executive counsel.
3. Consider interim appointments: Tia Messino as City Administrator, and Colin Fleury as Chief of Police for a maximum of six months. If they reject those appointments, he will bring another person for approval or rejection. If all proposals are rejected, then the mayor can choose from those rejections to appoint someone.
4. Consider interim corporate counsel: Ancel Glink for a maximum of six months. Keeping in mind that Attorney Jacobson does work for Ancel Glink.
5. Provide Mr. Guttman a pathway to achieve his goals of retirement. Mayor Bovey read a joint statement.

Alderman Dimas stated that Mayor Bovey mixed some things in the agenda, but she doesn't know they addressed basic rules of city council meetings proceeding in conformance with city council's custom and practice.

Mayor Bovey said he'd be happy to address it after their discussion.

Alderman Hallett said that in regard to Police Chief Fleury. The city has not had a good police chief since Joe Buenrostro. There's no reason why Police Chief Fleury should be interim, the city should keep him as their Chief of Police.

Alderman Brown said they do not have a copy in front of them of what Mayor Bovey mentioned he and Mr. Guttman discussed, but as far as point #2 he cannot have four people meeting as that would violate the Open Meetings Act.

Attorney Bond tried to give an explanation, but Mayor Bovey interrupted him.

Mayor Bovey said that Alderman Smith mentioned in the last meeting that he wished there was a higher authority that they could take this to that could tell them what is right. He said that's what they did. He also mentioned that the Daily Herald's article was quite inflammatory and incorrect. He did not sue the City Council, but the City petitioned for declaratory judgement in the 18th circuit court.

Alderman Brown mentioned point of order. Mayor Bovey never received approval to do that.

Mayor Bovey responded by saying this will determine if what the Mayor has done is correct or not. He said he will not give his statutory authority and give Mr. Guttman another four-year contract because those who voted him in wanted change.

Alderman Morano said that some of legacy aldermen are not looking for a four-year contract for Michael Guttman but resolve the issue of the contract dispute, they want to put the City of West Chicago in a good position to transition Michael per his wishes and prevent the city from being sued.

Alderman Dimas said that Mayor Bovey had on the agenda Update and Discussion Regarding Mayor Bovey et. al. v. Michael Guttman et. al., 2025 CH 93 Pending in the 18th Judicial Circuit Court, DuPage County. She wanted to get clarification because in order to have litigation consent and approval from council is needed.

Mayor Bovey responded by saying that it is not needed. Mr. Jacobson sent out a letter citing Illinois Supreme Court decisions which demonstrated that a Mayor can bring a suit.

Alderman Swiatek said he sees a conflict between having two lawyers representing two bodies. There would be two opposing views each time.

Mayor Bovey clarified that the legislative counsel would not be the corporate counsel.

Alderman Sheahan said that Mayor Bovey has been talking to Michael Guttman so it sounds like he's still the city administrator. She hears everyone saying they want change, but she hasn't heard what were the bad things Michael Guttman did. Also, asked if the city is paying Mr. Jacobson, if that went to finance and is it in the budget. She mentioned Mayor Bovey hiring a new law firm and the city still paying Mr. Bond. She questioned where the money is coming from, is it in the budget or where is it going to come out of.

Alderman Aviña Soto said he never worked with Michael Guttman, he's heard good things about him so it doesn't matter if he did bad or not ultimately it's up to the new mayor to appoint someone.

Alderman Alcántar-García said her and the rest of the new aldermen are going through training to learn, but what is not being understood is that this is the same as in the federal level where the new administration doesn't keep the same staff.

Alderman Brown said that there were a few concerns when they found out that as a city all the aldermen including the new aldermen were being sued by the current mayor. The ultimate goal of the legacy aldermen is to keep out of litigation, they don't want to see money go towards litigation – tax money. Mayor Bovey was not transparent in telling the community that litigation would be forthcoming.

Alderman Myers said that Michael Guttman has done a fantastic job for the aldermen and why he's getting great performance reviews from the aldermen. However, when businesses try to come into the city they meet a firewall. He says that comes from the top. Mr. Guttman has done well for the aldermen, but not the businesses or citizens.

Mayor Bovey said Mr. Guttman's contract ended because that's what the law says not because he did something bad. He said when you're a government appointee you understand that when the term of the administration runs out you may very well be looking for another job. He said the people of West Chicago are paying for it and they don't want to continue paying a lot of money to a city administrator. He mentioned that he, personally, is not suing the aldermen.

Alderman Myers said that the first they heard of this was through the Daily Herald and it would've been nice to have received something before reading about it in the newspaper.

Alderman Aviña Soto said people should do their own research from different sources.

Alderman Sheahan asked for clarification from Alderman Myers if what the change people want is less ordinances to be approved.

Alderman Myers said that what he was trying to say is the first impression people get when they come to ask questions. He would like the answer to be different and work with the people to get them what they need.

Alderman Hallett responded by clarifying what the process is when council considers things.

Mayor Bovey said he wanted to Discuss Basic Rules of City Council Meetings Proceeding in Conformance with City Council's Custom and Practice.

Alderman Dimas mentioned that the first meeting didn't go well and she feels it has to do with the meetings proceedings that were not done in conformance with city council custom and/or practice. She read all the rules.

Mayor Bovey asked who composed and if that document has been adopted by the city council.

Mr. Bond responded that his firm composed the document and has been followed by city council ever since.

Alderman Dimas said she felt several rules were violated at the May 5th meeting as well as tonight. She wants to work with the council and go smoothly and reiterated that they are not looking to keep Michael Guttman forever, but that it would be a better transition if he was allowed to stay on to help with that.

Mayor Bovey said that unless it has been adopted, it's not binding. They need to follow Robert's Rules of Order because that is in the code. He reiterated that the only way to know who is right is to go to litigation unless seven of the aldermen can agree with him.

11. New Business:

- A. Discuss Basic Rules of City Council Meetings Proceeding in Conformance with City Council's Custom and Practice.**
- B. Discuss need for Certified Shorthand Reporter to Make a Formal Public Record of all City Council Meetings until Discontinued by the City Council.**
- C. Update and Discussion Regarding Negotiations with Former City Administrator Michael Guttman and Interim City Administrator Tia Messino**
- D. Confirm that City Police Chief Colin Fleury Continues to Serve as City Police Chief Under the Same Terms and Conditions in Effect in the Prior Term Until a Successor is Appointed and Qualified Through Advice and Consent of the City Council.**

E. Update and Discuss Negotiations Regarding Former Corporate Council Pat Bond and Interim Corporate Council Jeff Jacobsen

F. Update and Discussion Regarding Mayor Bovey et. al. v. Michael Guttman et. al., 2025 CH 93 Pending in the 18th Judicial Circuit Court, DuPage County.

12. Correspondence and Announcements

Upcoming Meetings

June 2, 2025 Finance Committee

13. Mayor's Comments. None

14. Executive Session

- A. Litigation – 5 ILCS 120/2 (C) (11)
 - a. Greenhouse Litigation Status
- B. Potential Discipline – 5 ILCS 120/2 (C) (3)
 - a. Elected Official Code of Conduct Mayor Bovey

At 9:26 p.m., Alderman Hallett made a motion, which was seconded by Alderman Smith, Jr. to adjourn this meeting.

Voting Aye by Voice Vote: Beebe, Alcántar-Garcia, Stout, Birch Ferguson, Dimas, Brown, Hallett, Morano, Sheahan, Carreto-Muñoz, Swiatek, Aviña Soto, Smith, Jr., and Myers. Motion carried.

Respectfully Submitted,

Valeria Perez
Executive Office Manager

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1801.

2. The second part is a report from the Secretary of the Treasury, dated January 1, 1801.

3. The third part is a report from the Secretary of the Navy, dated January 1, 1801.

4. The fourth part is a report from the Secretary of the War, dated January 1, 1801.

5. The fifth part is a report from the Secretary of the Interior, dated January 1, 1801.

6. The sixth part is a report from the Secretary of the State, dated January 1, 1801.

7. The seventh part is a report from the Secretary of the War, dated January 1, 1801.

8. The eighth part is a report from the Secretary of the Navy, dated January 1, 1801.

9. The ninth part is a report from the Secretary of the Treasury, dated January 1, 1801.

10. The tenth part is a report from the Secretary of the State, dated January 1, 1801.

11. The eleventh part is a report from the Secretary of the War, dated January 1, 1801.

12. The twelfth part is a report from the Secretary of the Navy, dated January 1, 1801.

13. The thirteenth part is a report from the Secretary of the Treasury, dated January 1, 1801.

14. The fourteenth part is a report from the Secretary of the State, dated January 1, 1801.

15. The fifteenth part is a report from the Secretary of the War, dated January 1, 1801.