
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: SCOTT KOEPPPEL, VILLAGE ADMINSTRATOR
SUBJECT: RESOLUTION: TO REQUEST A PETITION FOR A WRIT
OF *QUO WARRANTO*
AGENDA: FEBRUARY 6, 2024 REGULAR BOARD MEETING
DATE: FEBRUARY 2, 2024

ISSUE

Shall the Village Board approve a Resolution to Request a Petition for a Writ of *Quo Warranto* Declaring the Office Held by Sean Michels as Village Trustee to be Vacant.

DISCUSSION

Details for requesting the State's Attorney to file a Write of *Quo Warranto* are outlined in the resolution attached to this memo.

COSTS

The only costs associated with this resolution are legal fees.

RECOMMENDATION

Staff does not have a recommendation.



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Resolution No. 20240206D

**A Resolution to Request a Petition for a Writ of *Quo Warranto*
Declaring the Office Held by Sean Michels as Village Trustee to be Vacant
Village of Sugar Grove
Kane County, Illinois**

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove, Kane County, Illinois
this 6th day of February 2024.

Published in Pamphlet Form
by Authority of the Board of Trustees and President
of the Village of Sugar Grove, Kane County, Illinois
this __ day of _____, 2024.

RESOLUTION 20240206D

**A RESOLUTION TO REQUEST A PETITION FOR A WRIT OF *QUO WARRANTO*
DECLARING THE OFFICE HELD BY SEAN MICHEL'S AS VILLAGE
TRUSTEE TO BE VACANT**

WHEREAS, 65 ILCS 5/3.1-10-50(c)(2) provides that where a Trustee enters a plea of guilty to charges of an infamous crime, such as forgery, the office held by that Trustee becomes vacant; and

WHEREAS, Sean Michels, a member of this Board holding the office of Trustee, has been charged with the offense of forgery; and

WHEREAS, said Trustee has entered into a written Agreement with the Kane County State's Attorney which includes the admission, by said Trustee, that acts constituting the elements of said charge were, in fact, committed; and

WHEREAS, a determination of whether the Agreement, signed by said Trustee and entered of record by the Circuit Court of Kane County, creates a vacancy in the office held by said Trustee, is a matter for the Court's determination upon a Petition for a Writ of *Quo Warranto*; and

WHEREAS, a *Quo Warranto* proceeding is initiated by a request addressed to the Kane County State's Attorney who has discretion to either so proceed or to decline said request; and

WHEREAS, the Village Board has determined that the admissions made by said Trustee create serious questions regarding safeguarding the public trust that require consideration by the County's Chief Legal Officer concerning said Trustee's lawful fitness and eligibility to remain in office.

NOW, THEREFORE, BE IT RESOLVED that the President of the Village Board is hereby authorized and directed to make a request upon the Kane County State's Attorney to petition the Court for a Writ of *Quo Warranto* declaring the office of Sean Michels to be declared vacant.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this ____ day of _____, 2024.

Jennifer Konen
President of the Board of Trustees
of the Village of Sugar Grove, Kane County, Illinois

ATTEST: _____
Tracey Conti
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Matthew Bonnie	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee James F. White	_____	_____	_____	_____
Trustee Sean Michels	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Village President Jennifer Konen	_____	_____	_____	_____