

Minutes of the Executive Session
January 6, 2015
Vogt Conference Room

The Village Clerk announced that this Executive Session is now being recorded.

Motion was made by Trustee Hannon, seconded by Trustee Seaman, to call this Executive Session to order at 8:37p.m.

A roll call was taken:

In attendance and
responding to roll call:

P. Rea, Village Clerk
D. Seaman, Village Trustee
G. Hannon, Village Trustee
B. Maher, Village Trustee
T. Staunton, Village Trustee
P. Leoni, Village Trustee
T. J. Grady, Village Trustee

Absent: E. Zabrocki, Village President

Staff Present: D. Niemeyer, Village Manager
M. Mertens, Assistant Village Manager
S. Tilton, Assistant Village Manager
T. Melody, Village Attorney

Others Present: None

The purpose of this Executive Session was to discuss the a) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; b) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court on administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; c) the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

The Village Manager reviewed the proposed staffing changes to the Planning and Zoning Department which would include the addition of an additional part time Code Enforcement Officer and freezing of the Zoning Compliance Officer upon the retirement of the current staff member occupying that position. The total staffing change with the recommended changes would equate to one full time equivalent (FTE). Upon discussion, the Village Board recommended approval of the proposed staffing changes as outlined by the Village Manager.

The Village Manager reviewed the **Weigland** & Carey litigation. Per previous direction from the Village Board the Village Manager is recommending the outside counsel of attorney John Murphy, as the case would not be covered by IRMA. Upon discussion, it was the consensus of the Village Board to recommend approval of attorney John Murphy to represent the Village in this litigation.

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The Village Manager reviewed with the Village Board a 1994 lease between the Village and Commonwealth Edison (ComEd) regarding certain ComEd right-of-way property within the Village. Upon negotiations with ComEd to renew the agreement significant changes from the current agreement were requested by ComEd. The two most notable changes included a request from ComEd for the Village to take on additional landscape maintenance obligations and also for the Village to assume all liability in the proposed right-of-way. Upon discussion, it was the recommendation of the Village Board that while some additional maintenance responsibilities would most likely be acceptable the Village would not be willing to take on the additional liability as outlined in the ComEd proposal. The Village Board directed the Village Manager and Village Attorney to continue negotiations with ComEd to determine if an acceptable agreement could be finalized.

Motion was made by Trustee Staunton, seconded by Trustee Leoni, to adjourn this Executive Session. Vote on roll call: Ayes: Seaman, Hannon, Maher, Staunton, Leoni, and Grady. Nays: None. Absent: None. Motion carried and this Executive Session was adjourned at 9:24 p.m.

Motion was made by Trustee Hannon, seconded by Trustee Staunton to adjourn the regular Village Board meeting. Vote by voice call. President Pro-tem Grady declared the motion carried and adjourned the regular Board meeting at 9:25 p.m.

ST:lv