

Minutes of the Executive Session  
August 18, 2015  
Vogt Conference Room

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

Motion was made by Trustee Maher, seconded by Trustee Pannitto, Mayor Seaman called this Executive Session to order at 9:00p.m.

A roll call was taken:

In attendance and  
responding to roll call:

D. Seaman, Mayor  
P. Rea, Village Clerk  
B. Maher, Village Trustee  
T. J. Grady, Village Trustee  
M. Pannitto, Village Trustee  
J. Vandenberg, Village Trustee  
B. Younker, Village Trustee  
B. Brady, Village Trustee

Absent: None

Staff Present: D. Niemeyer, Village Manager  
M. Mertens, Assistant Village Manager  
S. Tilton, Assistant Village Manager  
T. Melody, Village Attorney  
S. Viz, Attorney  
P. Carr, EMA and Communications Director

Others Present: None

The purpose of this Executive Session was to discuss the litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or 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.

**Litigation Overview**

- a) **Thomas Donnelly** – Village Attorney, Melody, gave an overview of the Donnelly case which revolves around IMRF Service Credit. Mr. Melody noted that the case is currently in discovery and a further update would be able to be provided in the next 3-5 months.
- b) **Stephen Eberhardt** – Village Attorney, Melody, gave an overview of the two federal lawsuits that were either filed directly by or that Mr. Eberhardt is representing a client. Mr. Melody noted that both cases are currently in discovery and that additional information will be provided to the Village Board upon completion of the discovery process.

At this time Trustee Vandenberg recused himself from the Committee of the Whole Executive Session as the next discussion item involved a family member.

At this time Pat Carr, EMA and Communication Director, entered the meeting for discussion.

- c) **Trace Ambulance** – Attorney, Stephen Viz, reviewed the details of the Trace Ambulance litigation with the Village Board. Upon discussion, it was the consensus of the Village Board to recommend completion of the initial discovery process and then reconvene to further discuss the case.

**MINUTES**  
**Executive Session**  
**August 18, 2015**

Motion was made by Trustee Pannitto, seconded by Trustee Younker, to adjourn this Executive Session. Vote on roll call: Ayes: Maher, Grady, Pannitto, and Younker, Brady. Nays: None. Absent: Vandenberg. Motion carried and this Executive Session was adjourned at 10:14 p.m.

Motion was made by Trustee Younker, seconded by Trustee Grady to adjourn the regular Village Board meeting. Vote by voice call. President Seaman declared the motion carried and adjourned the regular Board meeting at 10:16 p.m.

ST:lv