

MINUTES
Executive Session
June 23, 2009
Vogt Conference Room

This Closed Session was called to order at 8:27 P.M. The purpose of this Executive Session was to discuss matters of land acquisition.

Members Present: E. Zabrocki, Mayor
 P. Rea, Village Clerk
 D. Seaman, Trustee
 G. Hannon, Trustee
 M. Bettenhausen, Trustee
 T. Staunton, Trustee
 B. Maher, Trustee
 P. Leoni, Trustee

Staff Present: S. Niehaus, Village Manager
 M. Mertens, Assistant Village Manager
 S. Tilton, Assistant Village Manager
 B. Bettenhausen, Village Treasurer
 T. Barnicle, Village Attorney
 T. Melody, Village Attorney

Motion was made by Trustee Bettenhausen, seconded by Trustee Staunton, to call this executive session to order to discuss land acquisition. Vote on roll call: Ayes: Zabrocki, Seaman, Hannon, Bettenhausen, Staunton, Maher, Leoni. Nays: None. Motion carried.

Land Acquisition Interstate Commercial Land Purchase

Trustee Bettenhausen explained that the purpose of this Executive Session was to discuss potential land acquisition from Interstate commercial in conjunction with an incentive to develop their property adjacent to the Convention Center. Trustee Hannon inquired whether or not it was appropriate to discuss the status of the Mid-Continent Hotel expansion financing due to the impact that it would have on the land acquisition issue. The Village Attorney opined that it would be an acceptable topic for Executive Session.

Discussion regarding the Holiday Inn's request for issuance of municipal bonds to finance their project took place. Several concerns regarding past practice and Village risks were expressed. It was the consensus of the Village Board that due to the economy and the request of private financing for the hotel expansion that it would be inappropriate to consider Mid-Continent's request at this time. As a result, there was no consensus to move forward with the land acquisition from Interstate Commercial.

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Upon discussion, the following action items were identified:

- Impose a 45-day moratorium on all negotiations with developers (Mid-Continent and Interstate Commercial);
 - ▶ Allowing Mid-Continent 45 days to aggressively seek finance alternatives
 - ▶ Allowing Interstate Commercial 45 days to consider waiving the "No Build Zone" area and the cross agreement(s) we require to build-as-designed.
- Direct staff to seek an update on the 2007 HVS Market Study on the Convention Center Expansion (3-5 weeks required and-\$12-\$18,000);
- Direct staff to seek a Financial Advisor Review of the TIF Projections and Options;
- Direct staff to communicate to our own marketing department, the CVB and others within the region that have been gearing up for the opening of the expansion in the near future. Not a press release. Simply and explanation that we are reviewing all aspects of the expansion to confirm the study previously done under a much different economic environment today;
- Direct staff work with the Village Clerk to reach out to IDFA and other agencies to determine if other financing options are available to assist Mid-Continent without putting the Village at risk; and
- Direct the Village Attorney to consider all legal options against Interstate Commercial which would assist in eliminating the conflicts created by the "No Build Zone."

Motion to adjourn this Executive Session was made by Trustee Hannon, seconded by Trustee Bettenhausen. Vote on roll call: Ayes: Zabrocki, Seaman, Hannon, Bettenhausen, Staunton, Maher, Leoni. Nays: None. Motion carried and this Executive Session was adjourned at 9:14 p.m.

SRN;jc