

Minutes of the Executive Session of the Committee of the Whole
May 26, 2015
6:30 p.m.
Fulton Conference Room

Motion was made by Trustee Grady, seconded by Trustee Maher to adjourn to Executive Session to discuss:

- a) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.
- b) 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.
- c) 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.

Vote on roll call: Ayes: Zabrocki, Seaman, Maher, Grady, Vandenberg, Younker. Nays: None. Absent: Pannitto. Mayor Pro Tem Seaman declared the motion carried and this meeting was adjourned to Executive Session at 8:00 p.m.

Deputy Village Clerk, Laura Godette, announced that this Executive Session is now being recorded.

A roll call was taken:

In attendance and responding to roll call:

E. Zabrocki Village President
D. Seaman, Mayor Pro-Tem
B. Maher, Village Trustee
T. Grady, Village Trustee
J. Vandenberg, Village Trustee
B. Younker, Village Trustee

Absent:

P. Rea, Village Clerk
M. Pannitto, Village Trustee

Others Present:

D. Niemeyer, Village Manager
M. Mertens, Assistant Village Manager
S. Tilton, Assistant Village Manger
B. Bettenhausen, Village Treasurer
T. Melody, Village Attorney
L. Godette, Deputy Village Clerk

Mayoral appointment – The Village Attorney discussed with the Village Board the formal process for selection of the next Mayor. Upon discussion, the Village Board agreed to include an agenda item on the next Board agenda for filling the current vacancy. Mayor Pro Tem Seaman agreed that if he were to be considered as a Mayoral candidate he would donate back to the Village the difference between his current salary and whatever the Village Board decided was fair compensation for the office of the Mayor after research was completed via a salary survey of comparable communities.

Major Litigation update – The Village Manager and Village Attorney provided the Village Board with an update of major litigation currently pending against the Village.

Trace Ambulance Lawsuit – Prior to the start of the Trace Ambulance lawsuit discussion Trustee Vandenberg recused himself from the discussion due to the fact that a family member of his is involved in the litigation, he then exited the meeting. The Village Attorney provided the Village Board with an overview of the case. Upon discussion, the Village Board agreed that staff should research and provide a recommendation to the Village Board regarding a law firm that would be best suited to defend the case for the Village.

Motion was made by Trustee Maher, seconded by Trustee Younker to adjourn this Executive Session and reconvene the Special Committee of the Whole meeting. Vote on roll call: Ayes: Seaman, Maher, Grady, Younker and Zabrocki. Nays: None. Absent: Pannitto. Mayor Pro Tem Seaman declared the motion carried and this Executive Session was adjourned at 9:15 p.m.

ST:lv