

**CITY OF EARLVILLE
CITY COUNCIL
REGULAR SESSION, March 8, 2017, 7:00 p.m.
EXECUTIVE SESSION
City Hall Council Room, 210 W. Railroad Street, Earlville, IL**

The City of Earlville City Council entered into Executive Session at 8:01 p.m. for the purpose of 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 bod 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. (exception to the Open Meetings Act 5ILCS 120/2(c)(11)).

As verbally acknowledged, the following members were present: Alderman Mark Actis, Alderman Robin Austin, Alderman Chuck Jenkins, Attorney Mark Anderson, Mayor Mike Hall, City Clerk Jane Bauer, Alderman Walter Grimm, Alderman Michael Konsoer, Alderman Ken Bonine.

Attorney Anderson stated that there is a proposed Agreed Order that has been presented and signed by EOG and Electrical Materials to dismiss all pending litigation. Attorney Anderson stated that due to the way the annexation agreements were written there is no true viable legal opportunity to contest it. It is his recommendation that we enter into dismissing the case. The only thing it will do is nullify the ordinances that were put into place to grant the special use out there and rewind the clock back to the day before they petitioned.

The Council needs to authorize Attorney Anderson to execute the Agreed Order on behalf of the City. Once the Order is executed Attorney Anderson will work with EOG to get all of the necessary documents in order to comply with the Agreed Order.

At 8:19 p.m., Alderman Jenkins made a motion, seconded by Alderman Konsoer, to return to open session. On roll call: Alderman Actis-aye, Alderman Austin-aye, Alderman Jenkins-aye, Alderman Grimm-aye, Alderman Konsoer-aye, Alderman Bonine-aye. MOTION CARRIED.

Jane M. Bauer
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City Clerk

*Approved for release to
public 7/18/2017*