



**CITY COUNCIL CLOSED SESSION MINUTES
APPROVED FOR RELEASE ON NOVEMBER 7, 2022**

(1)	FULL	FEBRUARY 10, 2020	PURCHASE, LEASE OR SALE OF PROPERTY
(2)	FULL	FEBRUARY 24, 2020	PURCHASE, LEASE OR SALE OF PROPERTY
(3)	PARTIAL	APRIL 20, 2020	PURCHASE, LEASE OR SALE OF PROPERTY
(4)	REMAINING	SEPTEMBER 7, 2021	PURCHASE, LEASE OR SALE OF PROPERTY
(5)	FULL	NOVEMBER 15, 2021	PURCHASE, LEASE OR SALE OF PROPERTY
(6)	FULL	DECEMBER 6, 2021	PURCHASE, LEASE OR SALE OF PROPERTY
(7)	FULL	MARCH 21, 2022	REVIEW OF CLOSED SESSION MINUTES

Ald. Marks read that the motion is to release the full session of the February 10, 2020 closed session meeting minutes; the full session of the February 24, 2020 closed session meeting minutes; portions of the April 20, 2020 closed session meeting minutes; the remaining of the September 7, 2021 closed session meeting minutes; the full session of the November 15, 2021 closed session meeting minutes; the full session of the December 6, 2021 closed session meeting minutes, and the full session of the March 21, 2022 closed session meeting minutes. The motion is to also approve destruction of audio files of the February 10, 2020, February 24, 2020, and April 20, 2020 closed session meeting minutes.

Roll call:

AYES: 8 (Bruno, Hruby, Kaven, Kilburg, Maladra, Marks, Mayer, Swanson)

NAYS: 0

ABSENT: 2 (Burghart, Kosirog)

MOTION CARRIED.

Adjournment

On a motion by Ald. Marks, the meeting was adjourned by unanimous voice vote at 9:44 PM.

- Submitted by Clerk Kellick

Geneva City Council Closed Session
02/10/2020

	<u>Initials</u>	<u>Date</u>
Mike Bruno	MB	
Tara Burghart	TB	9/7/21
Mike Clements (via teleconference)		
Becky Hruby	BH	9.7.21
Gabriel Kaven	GK	9-7-21
Dean Kilburg	DK	9/7/21
Craig Maladra	CM	9/7/2021
Richard Marks	RM	9/7/2021
Jeanne McGowan		
Robert Swanson	RS	9/7/2021
Mayor Burns (via teleconference)	KB	9/7/21

CLOSED SESSION ON THE PURCHASE, LEASE OR SALE OF REAL PROPERTY FOR THE USE OF THE PUBLIC BODY

The Geneva Special Committee of the Whole met in Closed Session at 8:20 p.m. in Council Chambers of City Hall.

Aldermen present: Mike Bruno, Tara Burghart, Michael Clements, Becky Hruby, Gabriel Kaven, Dean Kilburg, Richard Marks, Jeanne McGowan, Robert Swanson, Craig Maladra

Aldermen attending remotely: Michael Clements

Aldermen absent: None

Also attending: Mayor Kevin Burns (via teleconference), City Administrator Stephanie Dawkins, Assistant City Administrator Benjamin McCreedy, Community Development Director David DeGroot

City Administrator presented the information relative to Burton Foundation’s proposal in response to the City’s request for proposal for the Lewis Road site. Originally the Burton Foundation offered \$700,000 to acquire the land. In the meantime, the City Council has been reviewing affordable housing incentive policy. Prior to executing a real estate agreement, the Burton Foundation wanted to wait and see what types of incentives may be available to them for this project.

Received an updated offer from the Burton Foundation to build an affordable housing development and are requesting a waiver of the land cost and impact fees. A land donation enables to score more competitively for needed subsidies under the IL Affordable Housing Tax Credit program providing more resources to put back into the project. The waiver of building and inspection fees is equal to about \$6,000 per unit or approximately \$270,000.

Resolution passed by the City Council authorized the City Administrator to negotiate a deal with a potential purchaser including in-kind donations. However, since this was a larger ask than may have been anticipated, the City Administrator is seeking direction and guidance from the Council.

Resolution passed by the City Council in 2005 when the Lewis Road asset was transferred from the Water fund (who originally purchased the property) to the General Fund, with the understanding that once the property sold, the General Fund would repay the Water Fund. Some of the property was sold to the Union Pacific Railroad and those funds were deposited with the Water Fund leaving an approximate balance of \$80,000.

Property was appraised for \$720,000 with an assumption that there is access to the property. After legal review and review by Chicago Title, there is no legal access to the property. Therefore, the purchaser of the property would need to acquire additional property for access.

Administrator Dawkins's recommendation is that if the Council is willing to entertain a partial donation of the property, we should at least try to recoup the \$80,000 to repay the Water Fund.

Administrator Dawkins opened the floor to questions and comments regarding the will of the council for a donation of the property and a waiver of fees.

There was some discussion that the City should at least recover what is owed the Water Fund. Others indicated there would be no problem with donation if it can provide for a better development. Clarification was also provided that even if the property was donated it would go back on the tax rolls, and that property donation is not unusual as an incentive for affordable housing.

After a discussion on the incentives and costs should be incurred by the developer, there was consensus to continue to negotiate under the parameters set in the recently passed resolution with a goal to recoup the amount owed to the Water Fund.

There being no further items to discuss, moved by Ald. Swanson, seconded by Ald. Marks to return to open session. Carried by unanimous voice vote.

The Closed Session was adjourned at 8:59 p.m.


Stephanie K. Dawkins, Deputy City Clerk

Geneva City Council Closed Session
02/24/2020

	<u>Initials</u>	<u>Date</u>
Mike Bruno	MB	
Tara Burghart	TB	9/7/21
Mike Clements		
Becky Hruby	BH	9.7.21
Gabriel Kaven	GK	9-7-21
Dean Kilburg	DK	9/7/21
Craig Maladra	CM	9/7/2021
Richard Marks	RM	9/7/2021
Jeanne McGowan		
Robert Swanson	RS	9/7/21
Mayor Burns	MB	9/7/21

CLOSED SESSION ON THE PURCHASE, LEASE OR SALE OF REAL PROPERTY FOR THE USE OF THE PUBLIC BODY

The Geneva Special Committee of the Whole met in Closed Session at 9:15 p.m. in Council Chambers of City Hall.

Aldermen present: Mike Bruno, Tara Burghart, Michael Clements, Becky Hruby, Gabriel Kaven, Dean Kilburg, Richard Marks, Jeanne McGowan, Robert Swanson, Craig Maladra

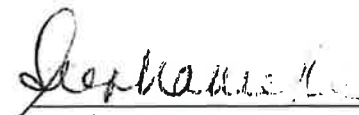
Aldermen absent: None

Also attending: Mayor Kevin Burns, City Administrator Stephanie Dawkins, Assistant City Administrator Benjamin McCready, Community Development Director David DeGroot

City Administrator Dawkins reiterated the discussion of February 10, 2020 regarding the Lewis Road property and potential land donation. She explained that in recent discussions, The Burton Group was looking for a partial land donation and waiver of permit fees. They have since determined that to get the full benefits of their tax credits they would need a full land donation. Dawkins further stated that while they are still willing to pay the City for the project, they are now looking at paying for permits or connection fees instead of for the land. Dawkins noted this scenario would still make the water fund whole. As long as the resolution states the City's intent to reimburse the water fund, she did not see any issues. Consensus was to allow this discussion with the developer to continue for full land donation and partial waiver of other fees.

There being no further items to discuss, moved by Ald. Marks, seconded by Ald. Clements to return to open session. Carried by unanimous voice vote.

The Closed Session was adjourned at 9:21 p.m.


Stephanie K. Dawkins, Deputy City Clerk

Geneva City Council Closed Session
04/20/2020

Virtual Meeting

	<u>Initials</u>	<u>Date</u>
Mike Bruno	MB	
Tara Burghart	TB	9/7/21
Mike Clements		
Becky Hruby	BH	9.7.21
Gabriel Kaven	GK	9-7-21
Dean Kilburg	DK	9/7/21
Craig Maladra	CM	9/7/2021
Richard Marks	RM	9/7/2021
Jeanne McGowan		
Robert Swanson	RS	9/7/2021
Mayor Burns	KB	9/7/21

The Geneva City Council met in Closed Session at 7:52 p.m. virtually using the GoToMeeting platform.

Aldermen present: Mike Bruno, Tara Burghart, Michael Clements, Becky Hruby, Gabriel Kaven, Dean Kilburg, Richard Marks, Jeanne McGowan, Robert Swanson, Craig Maladra

Aldermen absent: None

Also attending: Mayor Kevin Burns, City Administrator Stephanie Dawkins, Assistant City Administrator Benjamin McCreedy, Community Development Director David DeGroot

CLOSED SESSION ON THE PURCHASE, LEASE OR SALE OF REAL PROPERTY FOR THE USE OF THE PUBLIC BODY

Director DeGroot explained this is regarding the Lewis Road parcel and the purchase agreement with the Burton Foundation for the donation of the land for an affordable housing development. The Burton Foundation has executed the agreement which will now need City Council approval. The Burton Foundation has filed their application with the state for tax credits. The Foundation would need to be under contract with the City for further consideration of their application. They have requested this item go on the agenda for the May 4, 2020 City Council meeting.

There was clarification regarding that approval of the purchase agreement does not constitute an approval of the project. Administrator Dawkins informed the Council that there are several "safeguards" included in the purchase agreement that the Burton Foundation would have to meet prior to closing on the property. This includes getting access the property and the entitlement process through the Planning and Zoning Commission and the City Council. In addition, the property will revert to the City if the building the project has not yet begun within one year.

There was some discussion regarding access to the Property. Director DeGroot explained that the Burton Foundation was able to secure access from the property on the East and not through the Sterling Manor Homeowners Association's property.

Aldermen Marks and Clements expressed concerns with having the proposed contract considered at a virtual meeting on May 4th because it would not allow for sufficient notice for interested citizens or allow for customary public participation. The Aldermen stated that many people in their ward are interested in the proposed development and would view action being taken on May 4th as rushing to a decision behind closed doors. Aldermen Kilburg and Kaven shared similar concerns and wondered if the action could be postponed, perhaps resulting in the Burton Foundation resubmitting their application to IDHA in the next cycle.

Mayor Burns, Director DeGroot, and Attorney Sandack reminded the Council that the only action proposed for May 4th is on the donation (\$10 sale) of the property to the Burton Foundation. If approved, the proposed development application would be complete and would then be scheduled for a Planning & Zoning Commission public hearing before being advanced to the City Council for consideration. Administrator Dawkins added that the proposed contract included conditions requiring the Burton Foundation to secure access to the property, obtain necessary zoning approvals, and begin construction in a timely manner or the property would revert back to the City.

Director DeGroot disconnected from the meeting.



There being no further items to discuss, moved by Ald. Marks, seconded by Ald. Clements to return to open session. Carried by unanimous voice vote.

The Closed Session was adjourned at 9:03 p.m.


Stephanie K. Dawkins, Deputy City Clerk

Geneva City Committee of the Whole Closed Session
09-07-2021

	<u>Initials</u>	<u>Date</u>
Mike Bruno		
Tara Burghart	TB	3/21/22
Becky Hruby	BH	3.21.22
Gabriel Kaven	GK	3-21-22
Dean Kilburg	DK	3-21-22
Brad Kosirog	BK	3.21.22
Craig Maladra	CM	3/21/2022
Richard Marks	RM	3/21/2022
Amy Mayer	AM	3.21.22
Robert Swanson	RS	03/21/2022
Mayor Burns		

CLOSED SESSION ON THE REVIEW OF CERTAIN CLOSED SESSION MINUTES AND APPROVAL OF DESTRUCTION OF CLOSED SESSION AUDIO RECORDINGS SEPTEMBER 2016 THROUGH DECEMBER 2019 PURSUANT TO 5 ILCS 12/2.06(c) AND THE SETTING OF A PRICE FOR SALE OR LEASE OF PROPERTY OWNED BY THE PUBLIC BODY.

The Geneva City Committee of the Whole met in Closed Session at 8:22 p.m. in Council Chambers of City Hall.

Aldermen present: Mike Bruno, Tara Burghart, Becky Hruby, Gabriel Kaven, Dean Kilburg, Brad Kosirog, Craig Maladra, Richard Marks, Amy Mayer, and Robert Swanson

Aldermen attending by teleconference: none

Aldermen absent: none

Also present: Mayor Kevin Burns, City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, City Clerk Roger Godskesen, Fire Chief Mike Antenore, City Atty. Ron Sandack, and Community Development Director David DeGroot.

Also attending by teleconference: none

#1 THE SETTING OF A PRICE FOR SALE OR LEASE OF PROPERTY OWNED BY THE PUBLIC BODY.

Director DeGroot described a petition received from the property owner of lot 18 to acquire the adjacent property known as lot 19, which was originally acquired by the city to serve as the right-of-way for a development which was never built. DeGroot reported that an estimate of the value

was calculated at \$40,000, and that the purpose of tonight's discussion was to decide if the city should require compensation for disposing of lot 19 and to decide what offer to present to the petitioner. Lot 19 has been used by the adjacent property owner(s) for some 20 years as an extension to their yards, and the owner of Lot 18 has installed a fire pit, has kept the property mowed, and is seeking to acquire the property to resolve disputes with the other adjacent lot owner.

Mayor Burns noted there was precedent for the sale of similar land owned by the city which had been intended for rights-of-way, but had never used for that purpose. Atty. Sandack defined what options exist for disposing of city land for compensation or non-compensation.

Discussion followed, including whether the property should be offered for sale to adjacent property owners only, whether the nearby church would be included and zoning regarding that option, that the lot was not big enough to be developed on, consideration of maintaining the current status, that joining two lots would make it the largest in the area and would therefore increase the value of the owner's lot significantly. Opinions were given that the property should be sold, rather than given away for free and that a price should be set and the property offered for sale to all parties.

Administrator Dawkins closed by reiterating that the goal of tonight's discussion was to seek a consensus from the Committee as to whether there should compensation or not for the land, and that the consensus did support that the city should seek compensation.

#2 REVIEW OF CERTAIN CLOSED SESSION MINUTES AND APPROVAL OF DESTRUCTION OF CLOSED SESSION AUDIO RECORDINGS SEPTEMBER 2016 THROUGH DECEMBER 2019 PURSUANT TO 5 ILCS 12/2.06(c)

Administrator Dawkins described the process, noting that it is normally done every 6 months, but that factors including the Covid 19 pandemic had delayed it.

In response to a question regarding destruction of audio recordings of closed sessions, Atty. Sandack noted that once the meetings are recorded in written minutes, the audio is no longer required. Sandack also noted that minutes can be released, and audio recordings destroyed only when the topics that had been discussed are fully concluded. Sandack reviewed what closed session records are released to the public, noting that certain topics such as labor and workers' comp negotiations are never released.

Dawkins reviewed how minutes are released, noting this makes them subject to FOIA requests. She then passed the written minutes around to be approved for release, and a list of audio recordings to be destroyed which were initialed by all Committee members present.

There being no further items to discuss, moved by Ald. Marks, seconded by Ald. Kosirog to end the closed session and return to open session.

Motion Carried by voice vote 10/0.

The Closed Session was adjourned at 9:00 p.m.

A handwritten signature in black ink, appearing to read 'Roger Godskesen', written over a horizontal line.

Roger Godskesen, City Clerk

Geneva City Council Closed Session
11-15-2021

	<u>Initials</u>	<u>Date</u>
Mike Bruno		
Tara Burghart	TB	3/21/22
Becky Hruby	BH	3-21-22
Gabriel Kaven	GK	3-21-22
Dean Kilburg	DK	3-21-22
Brad Kosirog	BK	3-21-22
Craig Maladra	CM	3/21/2022
Richard Marks	RM	3/21/2022
Amy Mayer	AM	3-21-22
Robert Swanson	RS	03/21/2022

The Geneva City Council met in Closed Session at 7:38 p.m. in Council Chambers of City Hall.

Aldermen present: Mike Bruno, Becky Hruby, Gabriel Kaven, Dean Kilburg, Brad Kosirog, Craig Maladra, Richard Marks, Amy Mayer, and Robert Swanson

Aldermen attending by teleconference: Tara Burghart

Aldermen absent: None

Also present: Mayor Kevin Burns, City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, City Clerk Roger Godskesen, Development Director David DeGroot, Building Commissioner Eric Nelson,

Also attending by teleconference: City Atty. Ron Sandack.

CLOSED SESSION ON THE PURCHASE, SALE OR LEASE OF PUBLIC PROPERTY

Development Director DeGroot described the reason for the closed session, noting this was a follow-up to a discussion at a previous closed session held September 7, 2021. At that session, DeGroot had described a petition received from the property owner of lot 18 on Colony Drive to acquire the adjacent property known as lot 19. This lot was originally acquired by the city to serve as the right-of-way for a development which was never built. At the prior closed session, the consensus was that the city should seek compensation for the property and to determine a value.

DeGroot reported that an estimate of the fair-market value was calculated at \$45,965, and this was presented to the petitioner, who countered with an offer of \$2,500. DeGroot added that the

city would also need to reach out to the owner of the other adjacent property to see if they wanted it, and that the goal of tonight's session was to determine if there were any objections from the council.

Ald. Hruby asked for clarification that the fair-market value was determined by the city to be over \$45,000, and was opposed to accepting the petitioner's offer of only \$2,500.

Adm. Dawkins explained how the market value was determined.

Ald. Mayer and Kaven reported they had talked to neighbors of the plot, and felt it could not be sold for the \$45,000 price. (NOTE; the value was often rounded down and referred to as \$45,000 in the discussion). Mayer reported that the petitioner was upset that the city wanted \$45,000 because she had taken care of the property for 30 years, which the city would have otherwise had to maintain. Mayer asked if \$2,500 would cover the city's administrative cost to sell the property, and DeGroot confirmed that it would. Dawkins added that the city has variable options, including adding fees and presenting a counteroffer, as well as offering it to the adjacent neighbor. Mayer felt that the plot was of no value to the city, and favored selling it for a low price.

Kilburg felt that the city did not ask the petitioner to maintain the property and that she had taken that upon herself. He also felt that adding this plot to her property would increase it in size by one third, thereby significantly increasing its value and added that as a result, \$2,500 was not a fair offer.

Swanson agreed with Kilburg, that this would add to the value of her property, and noted that in his neighborhood, the plot being discussed for purchase was a typical size for an entire lot. He would like to see the city counter with a price of \$30,000.

Marks suggested a counter offer of \$25,000 - \$30,000 agreeing that the city did not ask the petitioner to maintain the plot, that she took that upon herself.

Bruno agreed with Mayer that the plot was of no use to the city, but felt selling it for \$2,500 was too low. He suggested a counter offer of \$22,000.

Maladra agreed that the plot was of no value to the city and if we decide to sell, that could generate good will and create potential property tax revenue to the city. He asked how to decide a realistic price.

Kaven agreed with Mayer, and felt that the petitioner had likely invested considerable effort and money in having maintained the plot for years, as she claimed.

Burghart asked what the typical lot size was in this subdivision. She suggested that the discussion had gone on for a long time and should be brought to an end. She recommended a selling price of \$10,000.

Kosirog asked if the petitioner could re-sell the land and if was buildable. DeGroot answered that it was not buildable. Kosirog felt wary of the potential sale, asked about other buyers or uses for the land, whether a deal could be structured to use it by the city and suggested a \$10,000 price. In answer, DeGroot said the city and the park district had no interest in the plot.

Mayer offered that the other adjacent property owner doesn't want the land.

Kilburg felt the land was an asset to the community, that the park district should be asked if they can use it, and that he was against selling it at a discount.

DeGroot noted that the city has in the past sold similar plots, but these were sold at market value.

Marks said he felt the same as Kilburg, adding that the park district and the nearby church should be asked if they want the property. He felt the city needs to counter-offer and that \$2,500 was too low because of how much value it would add to the petitioner's property.

Bruno felt it should be offered to the park district first, then a counter-offer made to the petitioner.

Hruby agreed it should be investigated as to whether the park district wanted the land.

DeGroot said the city would need to follow procedure, which would include negotiating and issuing a counter-offer.

Swanson was concerned that \$2,500 was too low, and that the city should come back with a counter-offer more in line with the market value in the area of \$25,000-\$30,000.

Mayer expressed her opinion that the city didn't even know it had this property, that any sale price was found money and that she felt \$10,000 was fair. She was also opposed to a park on the land.

Burns asked if a consensus was reached that a fair value of the property was \$10,000-\$20,000 and the city should suggest that the petitioner should get their own appraisal done.

Swanson and Marks suggested a counter-offer in the \$15,000-\$20,000 range. Hruby was also uncomfortable with a lower counter-offer.

Dawkins noted that such negotiations normally start with a high figure, and felt the petitioner should get their own appraisal done to aid in the negotiation.

Burns suggested that a consensus was reached to direct city staff to:

- 1) Recommend to the petitioner to get their own appraisal done.
- 2) Begin negotiation with the petitioner to determine a selling price in the \$10,000-\$20,000 range, with the goal being toward the higher figure of \$20,000.

After a poll that showed a majority of the council were in favor and a minority were against this approach, Burns deemed that a consensus was reached.

There being no further items to discuss, moved by Ald. Kosirog, seconded by Ald. Kaven to end the closed session and return to open session.

MOTION CARRIED by voice vote 10/0 with no absences.

The Closed Session was adjourned at 8:24 p.m.

A handwritten signature in black ink, appearing to read "Roger Godskesen", is written above a horizontal line. The signature is stylized with large loops and a long horizontal stroke.

Roger Godskesen, City Clerk

Geneva City Council Closed Session
12-06-2021

	<u>Initials</u>	<u>Date</u>
Mike Bruno		
Tara Burghart	ABSENT	
Becky Hruby	BH	3-21-22
Gabriel Kaven	GK	3-21-22
Dean Kilburg	DK	3-21-22
Brad Kosirog	BK	3-21-22
Craig Maladra	CM	3/21/2022
Richard Marks	RM	3/21/2022
Amy Mayer	AM	3-21-22
Robert Swanson	RS	03/21/2022

The Geneva City Council met in Closed Session at 8:18 p.m. in Council Chambers of City Hall.

Aldermen present: Mike Bruno, Becky Hruby, Gabriel Kaven, Dean Kilburg, Craig Maladra, Richard Marks, Robert Swanson

Aldermen attending by teleconference: Amy Mayer, Brad Kosirog

Aldermen absent: Tara Burghart

Also present: Mayor Kevin Burns, City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, City Clerk Roger Godskesen, Development Director David DeGroot, City Atty. Ron Sandack

Also attending by teleconference:

CLOSED SESSION ON THE PURCHASE, SALE OR LEASE OF PUBLIC PROPERTY

Development Director DeGroot described the reason for the closed session, noting this was an update to the potential sale of city property known as lot 19 on Colony Drive in the West Haven neighborhood.

Mayor Burns reported that the proposed buyer, Ms. Marren (spelling uncertain), had retained an attorney, and that attorney had contacted the mayor. The attorney expressed disappointment at the price proposed by the city, and said “they would offer \$1,000 above their original offer of \$2,500 and that was it”. Burns told the attorney that he would present this offer to the council, and asked if anyone objected to this offer.

Swanson objected, feeling that all such unused properties in the city should be inventoried and evaluated for possible sale. He also expressed concern that selling this property for such a low price could set a precedent.

Marks added his concern about setting a precedent, and noted that asking the buyer to obtain their own appraisal as was proposed at the last closed session was not out of line.

Maladra asked what the city would gain by not accepting the offer, and holding on to the property.

Discussion followed over the approach normally taken in such a situation, which would include an appraisal followed by negotiation.

Kosirog expressed frustration at hearing the proposed buyer was upset, and asked whether a covenant or resolution could be added such that the property could not be built on, and therefore profiting the buyer. He also asked if the buyer could re-sell the property and thus profit from it.

DeGroot noted that if the property were added to the buyer's lot, it could be built on, but the property alone was not large enough to build on. Atty Sandack expressed reservations over selling a property with any restrictions. Marks asked if the buyer could add onto their existing home using the property. DeGroot answered that they could.

Kilburg asked if the nearby church could purchase the property and add it to theirs, DeGroot answered that it could not.

Swanson asked what the price should be based on its value to the buyer, adding that the city should get a fair price. He disagreed with the buyer's approach and recommended it was important for the tax payers of the city to get a fair price.

Marks noted that if the buyer doesn't want to get an appraisal, then it would appear they don't really want the property. He added that the city should have a process and find out how much it would be giving up, again noting that doing otherwise would not set a good precedent.

Maladra added again that this property has no value to the city, and he was in favor of selling it.

Dawkins noted that the city is following the process followed in the past, by asking for bids by other neighbors.

Kilburg asked if there had been any discussions with the natural resources committee, to explore a community use for the property such as a butterfly farm. He also agreed with Marks, that the buyer should get an appraisal and document the value, and that the city should not set a precedent to do otherwise.

Mayer felt there has been a process, describing the steps that were taken and felt that the buyer's offer is reasonable.

Kaven felt that since the property is of no use to the city, he does not have a problem with the offer.

Kilburg reiterated the importance of looking into managing the environment, and asked why there was an urgency to close this sale before such an exploration could be accomplished.

Burns recapped how the sale process could be approached, and did not feel that it would set any precedent.

Bruno felt that although he was originally opposed, after deliberation he was in favor of accepting the buyer's offer of \$3,500.

Maladra noted that since the property was of no value to the city, he would be OK with the \$3,500 offer.

Hruby felt that if the city cannot come to an agreement with the buyer, it would have to begin maintaining the property. She added that she was OK with the offer.

Kilburg asked if the county assessor could produce an assessment for the property, and then the city could base the sale on that amount. DeGroot felt the assessor would not do this on request, but felt that the assessed value would likely be close to the \$40,000 estimate made by the city.

Bruno asked what would follow if the council did not reach consensus for the \$3,500 offer. Dawkins answered that if no consensus were reached, the buyer could present their offer in a public forum.

Burns felt that a consensus had been reached, and the matter would be advanced so the buyer would present the offer in public.

Discussion followed about other unused lots owned by the city that could be inventoried and offered for sale. This information was not available at hand for tonight's discussion, and Hruby expressed concern over staff cost to research this. She reiterated that she was in favor of the offer.

Mayer reiterated her support for the sale, estimating the assumed cost the city would have incurred for maintenance of the property over the past, but which the buyer had taken upon herself.

Burns closed by noting the matter would be advanced to the regularly scheduled meeting on December 20, 2021.

There being no further items to discuss, moved by Ald. Kaven, seconded by Ald. Maladra to end the closed session.


Roll Call:

AYES: 9 (Ald. Bruno, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Burghart)

NAYS: 0 MOTION CARRIED

The Closed Session was adjourned at 9:04 p.m.



Roger Godskesen, City Clerk

Geneva City Council Closed Session
03-21-2022

	<u>Initials</u>	<u>Date</u>
Mike Bruno	ABSENT	
Tara Burghart		
Becky Hruby		
Gabriel Kaven	GK	11-7-22
Dean Kilburg	DK	11/7/22
Brad Kosirog	BK	
Craig Maladra	CM	11/7/2022
Richard Marks	RM	11/7/22
Amy Mayer	AM	11/7/22
Robert Swanson	RS	11/7/22

The Geneva City Council met in Closed Session at 7:24 p.m. in Council Chambers of City Hall.

Aldermen present: Tara Burghart, Becky Hruby, Gabriel Kaven, Dean Kilburg, Brad Kosirog, Richard Marks, Craig Maladra, Amy Mayer, Robert Swanson

Aldermen attending by teleconference:

Aldermen absent: Mike Bruno

Also present: Mayor Kevin Burns, City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, City Clerk Roger Godskesen, City Atty. Ron Sandack

Also attending by teleconference:

CLOSED SESSION ON THE REVIEW OF CLOSED SESSION MINUTES
PURSUANT TO 5 ILCS 12/2.06 (c)

Administrator Dawkins described the purpose of the closed session, which was to review closed session minutes for release. She described the process, noting that it is required to be done every 6 months. She and City Atty. Chuck Radovich had reviewed closed session minutes and are recommending those that can be released. She added that per policy certain closed session minutes are never released, and that once minutes are released, this makes them subject to FOIA requests.

Atty. Sandack explained that once the meetings are recorded in written minutes, the audio is no longer required. Sandack added that minutes can be released, and audio recordings destroyed only when the topics that had been discussed are fully concluded. Sandack reviewed which closed session topics can be released to the public, noting that certain topics such as labor and workers' comp negotiations are never released.

Ald. Kilburg noted that certain minutes pertain to events only recently concluded, and asked if the release of those minutes could be delayed, thus permitting a period of time to pass first. Atty. Sandack answered that the council could choose to delay releasing minutes if it chose to and Adm. Dawkins explained how the release of minutes by the Council can be done.

Adm. Dawkins then read a list of the written minutes recommended by the City Attorney and City Administrator to be approved for release, and passed around copies of the minutes which were initialed by all council members present. Dawkins and Mayor Burns answered questions from the aldermen during this time regarding timelines covered and the procedure.

Ald. Kilburg proposed that the closed session minutes from 2/10/2020, 2/24/2020 and 4/20/2020 be held for release at a later date. There were no objections were noted.

There being no further items to discuss, moved by Ald. Swanson, seconded by Ald. Marks to end the closed session and return to open session.

Motion Carried by voice vote 9/0 with one absence.

The Closed Session was adjourned at 8:00 p.m.

Roger Godskesen, City Clerk

