

Town of Cortland
Town Hall
59 S. Somonauk Road
Cortland, IL 60112
Board of Trustees
September 13, 2010
Closed Session

Mayor Seyller called the closed session to order at 8:09 p.m. The purpose of the closed Session was to discuss Pending, Probable, or Imminent Litigation (Exception to Open Meetings Act, 5 ILCS 120/2 (c) (11))

Roll call taken by the Mayor showed as present Trustees Chuck Lanning, Sandra Barzso, Brad Stone, Doug Corson and Randy Reiter. Trustee Siewierski was absent. Also present were Mayor Seyller, Town Administrator Walter Magdziarz, Cheryl Aldis, Clerk, Rita Nielsen, Deputy Clerk, Attorneys Parker Johnson and Greg Matthews

Attorney Johnson and Attorney Matthews presented the latest information on the Eagle Homes case. Attorney Johnson said that the Plaintiff's attorney was successful in convincing the jury that the developer was coerced into signing an agreement with the Town to participate in the Sheaffer Sewer Treatment Plant. The Jury's verdict was in favor of Eagle Homes. Attorney Parker said this was a very serious setback and the Town needs to move forward from here. The first step is to file a post trial motion asking the judge to appeal the jury's decision. We then go to the appellate court for appeal.

The Town has 30 days to file the motion asking for a new verdict, if this doesn't work the Town asks for a new trial, if this doesn't work the Town asks for reduced damages, if this doesn't work we ask for a new trial on damages only. If all of these steps are denied, the attorneys will ask for an appeal through the Appellate Court in Elgin. These post trail motions set up the grounds for an appeal. However, it could happen that the judge could say this was an outrageous verdict and grant the motion.

There were no objections in filing the motions.

Trustee Reiter moved and Trustee Barzso seconded a motion to adjourn.

Roll Call Vote:

Ayes: Barzso, Lanning, Reiter, Corson, and Stone

Nays: None

Absent: Trustee Siewierski

Meeting adjourned at 8:46 p.m.

Respectfully submitted,



Rita Nielsen
Deputy Clerk