

COUNCIL OF THE CITY OF DIXON, ILLINOIS
EXECUTIVE SESSION
TUESDAY, SEPTEMBER 25, 2018

The Special Council Meeting of Tuesday, September 25, 2018 adjourned into Executive Session at 8:01am. To discuss purchase or sale of real property by the City pursuant to Section 2(c)(5) of the Open Meetings Act. Councilman Marx, Venier, Considine, Marshall, and Mayor Arellano were present. Also present were City Manager Danny Langloss, Assistant City Manager Matt Heckman, Attorney Rob LeSage, City Clerk Keesha Blumhoff and Attorney Paul Osborne, Attorney Tom Sanders, Attorney Lucas Brainard all of Ward Murray Pace.

CLOSE SESSION MINUTES
Started at 8:02am.

Attorney Rob LeSage gave a summary of the DIMCO and Pitchford properties. The properties have become delinquent of paying their real estate taxes for two years, has delinquent Federal and State Lien, and there are some problems with the liens relating to the bank loans for the properties. The DIMCO site also has significant levels of metals and PCB's, so much so that the Illinois EPA and the US EPA will be involved with the clean-up. The levels are so high that the City has been advised by the Illinois EPA and the US EPA that the site will be cleaned up no matter what; it could be with a Brownsfield, or fenced off and on a federal superfund list for cleanup. The concern is the risk of being a part of the "responsible party", once it is cleaned up, the previous owners may be held responsible. The City should want to avoid being a responsible party.

The situation has the criteria for the City to be able to take the property by abandonment, this would be done through court procedures. When municipalities take property by abandonment, they are considered an involuntary owner, which provides protection from liability as a responsible property. Discussion ensued with the Council and the Attorneys.

The Council concurred with the suggested route of the City Attorney on the property to move forward with working towards acquiring the property through abandonment, and work with the EPA's on getting the properties cleaned up.

At 9:20am, Councilman Venier moved that the Regular Meeting of Monday, August 20, 2018, reconvene into Open Session. Seconded by Councilman Marx. Voting Yea: Councilman Considine, Marshall, Marx, Venier, and Mayor Arellano. Voting Nay: None. **Motion Carried**

City Clerk