

**MINUTES
CLOSED SESSION OF CITY COUNCIL
OF THE
CITY OF DEKALB
March 9, 2009**

The City Council of DeKalb, Illinois, held a closed session on March 9, 2009 in the DeKalb Municipal Building, Room 201, 200 South Fourth Street, DeKalb, Illinois. The closed session was called by a majority vote of City Council at the Committee of the Whole meeting of the same day.

The closed session started at 6:36 p.m. Council members in attendance were: Acting Mayor Kris Povlsen, Alderman Bertrand Simpson, Alderman Tom Teresinski, Alderman Victor Wogen, Alderman Donna Gorski, Alderman Ronald Naylor, Alderman David Baker and Alderman Brent Keller.

Also present were: Mark Biernacki, City Manager; Rudy Espiritu, Assistant City Manager; Norma Guess, City Attorney; Bill Feithen Police Chief; and Donna Johnson, City Clerk.

PENDING LITIGATION *(Released: July 9, 2018)*

Ms. Guess reviewed the status of an EEOC complaint filed by a police officer. The EEOC decided not to validate the discrimination complaint but did issue a right to sue letter.

Ms. Guess reported a false arrest claim against the police was filed in federal court. She outlined the occurrence that led up to the complaint. A man was found deceased at a local motel. Another man and woman had been seen there by the motel staff. The woman told police that the man supplied heroin to her and the deceased man. An arrest was made on the charge of drug induced homicide. In court, the woman said she could not remember, resulting in the judge dismissing the case. The City believes there was good cause to make the arrest and there is no evidence of malicious prosecution. Ms. Guess requested approval to obtain outside legal counsel to assist with this case which will be heard in a Chicago courtroom. She recommended a Chicago law firm and estimated the cost to be about \$15-20,000. Council had no objections to contracting with the outside law firm.

Ald. Teresinski moved to recess the session until after the Regular meeting; seconded by Ald. Wogen. Motion carried 7-0 on voice vote. Acting Mayor recessed the session at 6:55 p.m.

Acting Mayor Povlsen reconvened the session at 8:33 p.m.

COLLECTIVE BARGAINING:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ADJOURNMENT:

Ald. Wogen moved to adjourn the closed session; seconded by Ald. Keller. Motion carried 7-0 on voice vote. The closed session adjourned at 9:25 p.m.

DONNA S. JOHNSON, City Clerk

Approved: April 13, 2009
Partial Release: July 9, 2018