

**October 1, 2013
Executive Session**

**State of Illinois
County of Cook
Village of Stickney**

The Board of Trustees of the Village of Stickney met in Executive Session on Tuesday, October 1, 2013, at 7:37 p.m. in the Stickney Village Conference Room, 6533 W. Pershing Road, Stickney, Cook County, Illinois

Audrey McAdams, Village Clerk stated that the session began at 7:37 p.m. with the following people in attendance: Mayor Deborah Morelli, Trustees Walik, Savopoulos, White, De Leshe, Gomez, and Lazansky, Village Clerk Audrey McAdams, and Attorney Donald Kreger.

Clerk McAdams asked that all in attendance to turn off their phones. Phone activity can be considered a meeting within a meeting. A reminder was given that it is unethical to disclose closed session activity. This is something that the Attorney General would have to deal with.

Second subject: The Attorney John Xydakis portion.

Attorney Donald Kreger said we will now discuss the prosecutor and adjudicator and the two board members who have been contacted by the Attorney General. Trustees David DeLeshe and Jeff Walik have received certified letters from the AG. David wouldn't discuss the contents of why he was served that it doesn't belong here. Trustee Martha Gomez questioned what was going on. Mr. Kreger felt that this has to do with the prosecutor. He said that we should take the advice of all at this meeting concerning the adjudicator/prosecutor. Donald said we can't get the bills right among other things with the prosecutor. He went on to say that he doesn't think that a person in this official position should be financing attacks against trustees. Mayor Morelli said, "On my board." Mr. Kreger interjected, "One on each side of the aisle." Mayor Morelli said, "We are talking about John Xydakis". Attorney Kreger explained, "He is financing an action to unseat two trustees." He went on to explain that we didn't know what issues were involved. We talked about it; nothing was going to be done. They were to leave well enough alone. Then this happens. Mayor Morelli said, "It is running out of control." "It is horrible for me." "I know it is horrible for all of us on this board." "If anyone of us is going to accomplish anything, I realize it is something that has to be done."

Trustee Lazansky asked if there is hardcore evidence. He went on to ask, "Is he putting in money to try to get rid of them?" Trustee White said, "I am in agreement 100%". White said, "It is a complete conflict". "We don't have to have a reason to that effect". "She makes an appointment she can take it away."

Donald Kreger said, "If it was closer to May 1, there wouldn't have to be a reason." Trustee Martha Gomez again questioned it. Donald said that two people really know. He

just happened to find out about it. Donald then went on to explain that he had an appointment to call him (Xydakis) about his bill. Xydakis never made that call. Donald extended invitation to have him (Xydakis) come to his office.

Attorney Kreger said the reason he is talking about it is because he and Mayor Morelli spoke and that these things should be disclosed. Trustee White said that John Xydakis should be reported. Trustee Savopoulos asked why is there still is no bill? Attorney Kreger said that they haven't gotten together. He hasn't received it, or Xydakis hasn't made a decision. I guess we made a decision to pay him ½ of his bill. Donald said, "Unless he accepts that as full payment of his bill." "We haven't received consent to accepting that for payment of his bill or rebilling for that amount." Trustee Savopoulos stated, "Then he could sue us for that amount." Mr. Kreger answered, "That is costly for a \$10,000 bill."

Attorney Kreger said theoretically, yes. That there has to be a witness that says he believes that the first fill (inaudible). Donald couldn't handle the case himself, he would have to be a witness. It would have to be handled by someone else in his office. Trustee White asked if he has someone in mind right now. Donald has no one in mind in particular, especially from his law firm. He would have someone temporarily handle the adjudication but not the prosecution. He felt it was a conflict. The adjudication is an extension of the representation of the municipality. He would prefer that they find someone else for the prosecutor. He would like them to find a different adjudicator. Most of us think it doesn't have to be the same person as the prosecutor. The background of the prosecutor is now you get 10% of the fine. Trustee DeLeshe said they now get \$7.00 with the new fee schedule change. Donald said that it is 5 to 7%. And, with adjudication, we get it all. There is too much conflict. It is best to get adjudication to handle most of it to keep most of it out of court. Now if someone gets a repeat DUI you want it to go to court.

Donald went on to say, I don't know how you feel about it. It is half political. But, you have two trustees under fire. Where we can talk about our differences but that hasn't happened from this person up here (as he referred to Mayor Morelli). The Mayor has the power to appoint. The mayor has power to fire. We don't want to go without services. Mayor Morelli said, "No, we don't". Donald continued, Now if we poll everybody here, some support people and some support others. Now this doesn't allow some to get out of control, or feel that. We want to receive what grants we can, what help we can. Attorney Kreger said, "Plus it is making is so hard on Deb." The clerk asked the Mayor, "Are you

getting personally attacked?” “I know that you and I have talked about it.” She said, “NO, “I haven’t”. She continued, “I hear about what is going on.” “It is driving me crazy.” “It really is this stuff and what is happening with Jeff and Dave.” “I never heard that it was going to happen, it just happened.” “He is being seen all over town. “I don’t thing an attorney should be in town visiting with a resident on a regular basis.” “It is something I have never seen before either.”

Page 3

Attorney Kreger said he has had a long life representing municipalities. One thing is you don’t want your neighbor or best friend coming in asking what can you do for me with a ticket. He then talked about getting along with the Democratic Party. He lasted for forty hears with it. You just walk away with grace. Trustee David DeLeshe then asked when is this going to be effective.

Donald thinks that what this is a discussion of the problems today and to ask if anyone knows anybody who is acceptable. He didn’t think it would be a good idea to talk about it outside of here. Trustee White said it is a closed session. The clerk said the ramification is that it could be reported to the State’s Attorney. Trustee Walik said that Forest View has a good prosecutor. Donald said that the prosecutor is the easiest. The adjudicator doesn’t particularly don’t like him doing the same jobs.

Steve Adatto was mentioned. It was discussed that politics should be kept out. White said that some communities use adjudicators who are not attorneys.

The clerk asked if Donald was going to investigate the candidates. Donald said he was going to investigate “just cause”. We can show “just cause”, but do we want to go through that. If it were two months before May 1, it would be easy (Inaudible) “Cause” is incapability. Donald said he (Xydakis) is entitled to finance what he wants is not “Cause”. It is a conflict to finance and deal with people (inaudible). He (Xydakis) should stay away from that. The village attorney represents the village. The board tells the village attorney what he can and what he cannot do, provided it is within the law. Individually officers if you get sued for what the municipality did, yes, the attorney can represent you.

Donald does not understand why this is happening. He doesn’t understand why an attorney is going door-to-door trying to solicit people to join their democratic party. . . whatever. He said one the election is over, it is over. Mayor Morelli said, “To keep this going on and on is unbearable.” “So this is where it is at.” Now we will look for someone to take over adjudication and we will move on from there.”

Donald said he is entitled as a matter of right to be paid for doing the prosecutor job. If you want you could bill the \$900 per and there would be no issue.

Mayor Morelli adjourned the meeting at 8:11 p.m.

Respectfully submitted,

Audrey McAdams, Clerk

Approved by me, this 23rd day of October, 2013

Deborah E. Morelli, Mayor