

**EXECUTIVE SESSION OF THE CITY COUNCIL
CITY COUNCIL CHAMBERS
201 W. FRONT ST., HARVARD, ILLINOIS
SEPTEMBER 28, 2005 – 8:00 p.m.**

Mayor Nolan called the meeting to order to discuss Section 2(c)(11) Litigation. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Berg, Logan, Perkins and Hay. Also present were Treasurer Meseck, Administrator Nelson and Attorney McArdle.

LITIGATION

MIG/DeWane Landfill Superfund Site

Attorney McArdle reviewed his correspondence outlining the landfill litigation which began in 1990. The City of Harvard paid \$2,500 in 1996 to remove itself from the first phase of the litigation which was the remedial investigation and feasibility study (RI/FS). The landfill litigation is now in the second phase, which is known as the RD/RA (remedial design and remedial action). The settlement amounts offered by municipalities who are in the process of settling range from \$23,000 up to \$45,000. BFI Waste Systems of North America, Inc. (BFINA) is willing to accept a \$25,000 total buyout from the City of Harvard which means that after applying the \$2,500 previously paid, the City's buyout amount is \$22,500. There was discussion about consulting with Randy Blazier who was the garbage hauler for the City at the time, to determine what extent, if any, garbage was deposited in this particular landfill.

Closed session was adjourned at 8:14 p.m.

Submitted by:

Andy Wells,
City Clerk

Date