

CITY OF DELAVAN
SPECIAL COMMON COUNCIL
January 13, 2010

Call to Order: Mayor Nieuwenhuis called the special meeting of the Common Council to order at 7:00 p.m. in the Municipal Building Council Chambers.

Roll Call: The following members were present : Mayor Nieuwenhuis, Aldermen Siedelmann, DeWitt, O'Connor, Johnson, Kilkenny and Finley. Also Present: City Attorney Koch, Special Counsel Schroeder, City Administrator Salitros, Director of Public Works Wendorf, Utility Director Stebnitz and City Clerk Kitzman.

Recess to Closed Session pursuant to Wisconsin Statutes 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, re: Delavan Resort Holdings, Inc. performance or non-performance of Development Agreement and amendments thereto. Alderman O'Connor moved to recess to closed session at 7:02 p.m. The motion was seconded by Alderman Siedelmann and carried unanimously. During closed session, the Council met with Special Counsel Mark Schroeder and City Attorney Koch to review the Delavan Resort Holdings issues.

Reconvene to Open Session to consider and take possible action on matters discussed in closed session re: Delavan Resort Holdings, Inc. performance or non-performance of Development Agreement and amendments thereto: Alderman DeWitt moved to reconvene to open session at 8:24 p.m. The motion was seconded by Alderman Siedelmann and carried unanimously upon call of the roll.

Adjourn: There being no further business to come before the Common Council, the meeting adjourned at 8:25 p.m. upon a motion by Alderman DeWitt, seconded by Alderman Finley and unanimously carried.

Susan Kitzman
City Clerk