

**MINUTES OF COUNCIL-AS-A-WHOLE COMMITTEE MEETING
CITY OF SANDWICH, ILLINOIS - COUNCIL CHAMBERS
128 E. Railroad Street
January 4, 2010**

Mayor Thomas called the meeting to order at 7:00 PM.

Roll call was taken:

Present: Mayor Thomas, Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran & Robinson

Freedom of Information Act: Mayor Thomas and Attorney Paul explained that effective January 1, 2010, the law regarding the Freedom of Information Act has changed. Forthcoming online training will be available by the Attorney General's office. Mayor Thomas recommended that City Clerk Li and City Engineer Horak be appointed the designated FOIA officers for the City. Alderman Robinson suggested perhaps three or four people should be appointed, including someone from the Police Department. This matter will be put to a vote at new week's meeting.

Primus Corporation: Attorney Dan Kramer was present representing Fairwinds developer, Dick Faltz. Attorney Kramer explained his correspondence of December 22, 2009 requesting a refund of \$90,627 as requested by Primus' lender, Midwest Bank. The \$90,627 figure represents what Midwest Bank and Attorney Kramer have determined is remaining from the overpayment. He said at the time of the closing, the lending bank overpaid Primus Corporation by \$145,000.00, and this overage was turned over to the City to be applied toward the construction costs of Fairwinds Boulevard. Engineer Horak reported that \$821,426.83 has been expended to date but that this figure does not include engineering costs. Attorney Paul added that the City is under no legal obligation to reimburse for the overpayment. This matter will be put on next week's agenda for a vote.

Prindi's Antiques: Roger Prindiville gave an updated report on the expansion renovations to his business property. He anticipates an April 1st opening. Mayor Thomas noted that the completion date has been postponed twice, and wanted assurance that the April 1st deadline would be met. He stressed that the Council would not be in favor of offering another extension.

Garbage Dumpsters: Mayor Thomas noted there are several dumpsters around town located in the road right-of-way. He reminded the Council there is an ordinance stating dumpsters must be located 10 feet from the road right-of-way, and can remain in place for only thirty (30) days. Chief Olson said the dumpsters are replaced once they become full, and several Aldermen noted a dumpster that has been in place for nearly six (6) months. Attorney Paul read the ordinance to the Council adding that the location of the dumpster can be determined with a permit.

Mayor Thomas requested Executive Session for land acquisition, litigation, and personnel.

Clerk Li requested Executive Session for personnel.

Superintendent Hake reported that another salt delivery would be made on Tuesday, January 5th.

Alderman Dannewitz reported that the Finance Committee will meet immediately following this evenings meeting to review bi-monthly bills for January. Alderman Dannewitz noted that the check from LDL Transfer was returned because of a 'stop payment'.

Alderman Moran requested Executive Session for litigation and personnel.

New Business: Owners from Chicken Manor in Addison were present to request a liquor license. They are opening a new restaurant at 3 N. Main Street with an anticipated April 1st opening, and are also in the process of purchasing the building. Discussion was held that the building does not comply with City code. Mayor Thomas said an E-2 liquor license would need to be created, but that no license can be issued until the building is completed. The owners stressed that they are obtaining bank financing, and cannot obtain the financing without the liquor license. Council was in agreement for the owners to start the process to apply for a liquor license with no guarantee of approval, and Attorney Paul will draft an ordinance to add an additional license.

Executive Session: Motion made by Alderman Keene and seconded by Alderman Beverley to go into executive session at 8:25 PM, pursuant to Section 2(c)(5) Purchase or lease of real property for the use of the public body; Section 2(c)(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent; Section(c)(1), The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity. Aye: Alderman Beverley, Dannewitz, Hyatt, Keene, Killey, McMahan, Moran, and Robinson. Nay: 0 Motion carried 8-0

Motion to return from Executive Session: Motion made by Alderman Dannewitz and seconded by Alderman Moran to return to regular session at 9:25 PM. Aye: Alderman Beverley, Dannewitz, Hyatt, Keene, Killey, McMahan, Moran & Robinson. Nay:0 Motion carried 8:0

There being no further business to come before the Committee, motion made by Alderman Beverley and seconded by Alderman Moran to adjourn the meeting at 9:27 PM. Motion carried unanimously by voice vote.

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Denise li, City Clerk