



# City of SANDWICH, ILLINOIS

City Hall Annex • 128 East Railroad Street

## Regular Council Meeting

June 27, 2016 at 7pm

## MINUTES

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

Pledge of Allegiance

Roll call was taken:

**Present:** Mayor Olson, City Clerk Li, Aldermen Fraser, Killey, McMahon, Redden, Robinson & Scheidecker

**Absent:** Aldermen Dell & Moran

**Also present:** Attorney Buick, Department of Public Works / City Engineer Horak, Chief Bianchi, EMA Director Ciciora & City Treasurer Webber

### Approval of Minutes

Motion was made by Alderman Scheidecker and seconded by Alderman McMahon to approve the minutes of the Regular Council Meeting of June 13, 2016 and the Committee-of-the-Whole Council Meeting of May 2, 2016 and June 6, 2016. Aye: Aldermen Fraser, Killey, McMahon, Redden, Robinson & Scheidecker Nay:0 Motion carried 6:0

### Approval of June Semi-Monthly Bills

Motion was made by Alderwoman Killey, and seconded by Alderman Fraser, approving payment of the June semi-monthly bills in the total amount of \$99,584.67. Aye: Aldermen Fraser, Killey, McMahon, Redden, Robinson & Scheidecker Nay:0 Motion carried 6:0

### Mayor Olson

Backyard Chickens: Resident Nancy Hartman started the on-going discussion by saying she, as well as many of her neighbors and friends, were against backyard chickens stating they were noisy, they attract vermin, and what other farm animals will be allowed in the City. Several aldermen commented that they had received no negative feedback from their constituents. The Council was in agreement saying they had no means to enforce the ordinance should be chickens be allowed. Alderman McMahon's suggestion of delaying the vote until the City was in a position to enforce ordinance was agreeable to the pro-chicken members of the audience. Eric Fletcher, who

spearheaded the pro-chicken movement added that a clause could be inserted in the proposed ordinance allowing the City to rescind the ordinance should the backyard chickens become a problem.

Alderman Scheidecker asked for clarification that the vote before the Council would be if chickens will be allowed inside City limits, but chickens would not be allowed until the Council passes an ordinance outlining rules and regulations. Mayor Olson concurred.

**Motion made by Alderman Scheidecker, and seconded by Alderwoman Killey, to allow backyard chickens in the City of Sandwich. Aye: Aldermen McMahon, Robinson, and Scheidecker. Nay: Aldermen Fraser, Killey & Redden Because of a tie, Mayor Olson voted aye. Motion carried 4:3**

Alderman Robinson cautioned the audience that it could be several months before the Council will have an ordinance draft to review. Alderman Scheidecker added the anyone in the audience that currently has hens must have them removed until an ordinance is passed, cautioning that the current “no chickens” cited in the Municipal Code would be enforced.

Announcement: Because of the 4<sup>th</sup> of July holiday on Monday, the next Committee-as-a-Whole Council meeting will be held on Tuesday, July 5<sup>th</sup> at 7:00 PM. Mayor Olson also reminded the Council that the parade for the 4<sup>th</sup> of July celebration will be held on Saturday at 10 AM.

### **Foster & Buick Law Group**

Ordinance 2016-06 entitled “An Ordinance Granting a Special Use in the M-2 General Manufacturing District Permitting the Operation of a Recycling Center to Include E-Scrap for Property Located at 1212 E. 6<sup>th</sup> Street” was presented for passage. Attorney Buick explained that ordinance presented for first reading last week was incorrect as to statutory references. By passage of the ordinance, the applicant, Central Storage & Transfer LLC, would be granted the ability to conduct business as a special use at the 1212 E. 6<sup>th</sup> Street address.

**Motion made by Alderman Robinson, and seconded by Alderman Redden, to pass Ordinance 2016-06 as revised. Aye: Aldermen Killey, McMahon, Redden, Robinson & Scheidecker Nay: Alderman Fraser Motion carried 5:1**

Ordinance 2016-07 entitled “An Ordinance Granting a Zoning Text Amendment to Modify Permissible Zoning District for Tattoo Parlors / Body Art Establishments” was presented for passage. Attorney Buick advised that this ordinance does not grant a special use for a particular applicant. It does, however, change the City’s Zoning Code by redefining the definition of a tattoo parlor / body art establishment and would change the permissible zoning district to the five (5) business districts (B-1, B-2, B-3, CBD-1 and CBD-2) where these establishments can be located. The body art establishments would not be permitted uses in the zoning districts but rather allowable special uses. Attorney Buick further explained that anyone who want to establish a body art establishment in one of the five (5) zoning districts would have to go before the Planning Commission to seek a special use permit

**Alderman Scheidecker moved to pass Ordinance 2016-07 as revised. Motion was seconded by Alderman Redden. Aye: Aldermen Fraser, Killey, McMahon, Redden, Robinson &**

**Scheidecker Nay:0 Motion carried 6:0**

**City Clerk Li** noted that it was brought to her attention prior to the meeting that some of the aldermen were not receiving their e-mails. Every Friday, she sends one e-mail to multiple recipients of the upcoming agenda along with documentation that will be discussed, such as ordinances. She asked how many of the Council did not receive their correspondence the previous Friday, and by a show of hands, Aldermen Fraser, McMahon and Scheidecker along with Treasurer Webber did not. Clerk Li said she will discuss the problem with the City's IT people.

**City Treasurer Webber** – No report

**Director of Public Works & City Engineer Horak**

**Zoning Board of Appeals** regular meeting will be held on Tuesday, June 28, 2016 at 7:30 PM in the City Hall Annex building. Case #ZBA2016-01 will be heard on a variance request to reduce the east side yard setback from the required 10 feet to approximately 7 feet 3 inches. Property is located at 733 E. 3<sup>rd</sup> Street

**Ward 4 brush pickup** is complete. The next scheduled pickup for Ward 4 will be the week of July 25<sup>th</sup>.

**2016 Water Tower Painting Project:** Bid openings will be held on Tuesday, June 28<sup>th</sup>, at 2 PM on the 750,000 gallon spheroid, exterior overcoat, wet interior repaint, dry interior partial repaint and miscellaneous repairs project.

**2016 Street Maintenance – Hot-Mix Asphalt Section 16-00000-02-GM:** Engineer Horak requested a motion to approve the Maintenance Engineering to be Performed by a Consulting Engineer (Form BLR 05520) with Etscheid, Duttlinger & Associates for the 2016 street maintenance – hot-mix asphalt Section 16-00000-02-GM.

**So moved by Alderman Robinson and second by Alderman Scheidecker. Aye: Aldermen Killey, McMahon, Redden, Robinson & Scheidecker Nay:0 Abstained: Alderman Fraser Motion carried**

**2016 Street Maintenance – Concrete Section 16-00000-01-GM:** Engineer Horak requested a motion to proceed with Section 16-00000-01-GM for the repairs of concrete streets utilizing MFT (Motor Fuel Tax) funds. The project will affect portions of streets located in Webb and Thomas subdivisions at a cost of \$415,632.72.

Many residents living on Karen Road, one the streets slated to have concrete maintenance, were in the audience voicing support. Comments included that asphalt repairs were temporary and did not hold up well, concrete roadway and curbing broken ending up in yards with the potential of becoming projectiles if hit with a mower, roadways are too narrow making parking on both sides of the roadway impossible, and a general overall safety issue. Alderman Redden reiterated from previous meetings that he felt the use of MFT funds for this project was not prudent, and that the concrete roadways could last up to another five (5) years. He added that the residents will not be pleased nor satisfied with the spot repairs to the roads. Audience members disagreed saying something is better than nothing. Alderman Redden cautioned the Council that there is roughly \$1.3 million in the MFT fund,

and this balance will be halved at the end of this year's maintenance program. It is projected that the City will receive an estimated \$200,000 in MFT funds this fiscal year.

**Alderman McMahon made a motion to proceed with Section 16-00000-01-GM for repairs of the concrete streets in Webb and Thomas subdivisions utilizing MFT Funds. Motion was seconded by Alderman Scheidecker. Aye: Aldermen Fraser, McMahon, Robinson & Scheidecker Nay: Aldermen Killey & Redden Motion carried 4:2**

Sandwich B.U.I.L.D. Incentive Program: Engineer Horak reported that three (3) permits have been issued for new residential houses since the inception of the program in May, 2015. The B.U.I.L.D. incentive program offers reduced rates for permit fees, connection fees, and impact fees. To date, \$19,258.74 is the total in reduced fees being the difference between the pre-B.U.I.L.D fees as opposed to the B.U.I.L.D incentives.

Chief Bianchi: Mayor Olson thanked the Chief, Community Officer Mike Nelson, the Cadet Explorers for their assistance with the International Yoga Day celebration at Timber Creek this past weekend.

EMA Director Ciciora reported that he had received several reports of inoperable sirens at Sandy Bluff and Duvick. He will have them checked this week. Mayor Olson thanked Director Ciciora and his staff for their assistance on Wednesday, June 22<sup>nd</sup> noting the precarious situation with the weather. The funnel cloud traveling south of Sandwich was wrapped in rain which made it nearly impossible to spot, and sirens were sounded twice during the storm.

Alderman Dell – Absent

Alderman Fraser - No report

Alderwoman Killey reminded of the finance committee meeting for July 5<sup>th</sup> immediately following the Committee-of-the-Whole Council Meeting.

Alderman McMahon – No report

Alderman Moran – Absent

Alderman Redden – No report

Alderman Robinson – No report

Alderman Scheidecker – No report

New Business - None

Audience Comments

Resident Jim Johnson thanked the Police Chief and staff for job well done.

Directed to Chief Bianchi, resident Mitch Haiman at 209 Webb Street, said the intersection of Cindy Lane and Webb Street is hazardous, and drivers run the stop sign on a regular basis. He asked for more police monitoring of the intersection.

**Adjournment**

There being no further business to come before the Council, **motion made by Alderman Robinson and seconded by Alderman Redden to adjourn the Regular Council meeting at 8:05 PM. Motion carried unanimously by voice vote.**

/s/ Denise Li, City Clerk