

**MINUTES OF REGULAR COUNCIL MEETING
CITY OF SANDWICH, ILLINOIS – COUNCIL CHAMBERS
128 E. Railroad Street
October 26, 2009**

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

Pledge of Allegiance

Roll call was taken:

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

Approval of Minutes: Motion was made by Alderman McMahon and seconded by Alderman Keene to approve the minutes of the Regular Council Meeting of October 12, 2009, as distributed. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay: 0 Motion carried 8:0

Approval of October Monthly Bills: Motion was made by Alderman Dannewitz and seconded by Alderman Keene to approve the October monthly bills totaling \$123,782.65 which includes \$38,352.21 in capital improvements. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay: 0 Motion carried 8:0

Illinois Municipal League Risk Management Association (IMLRMA): Min/Max 2010 Contribution Invoice is due to be renewed on November 20, 2009. Mayor Thomas provided a copy of the option payments noting that Option #1 (pay the full amount with a 1% discount) would be the best value.

Alderman Beverley made a motion to accept payment option #1 for the Illinois Municipal League Risk Management Association in the amount of \$138,539.61. Alderman McMahon seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0

Mayor Thomas reported that Phil Lane has signed all the necessary paperwork giving the City an easement and signed a petition to annex into the City. Additionally, the Mayor reminded the Council that the tax levy will be due December 25th.

Mayor Thomas requested Executive Session regarding litigation.

Attorney Paul presented Resolution 2009-07 entitled "Resolution Accepting all Public Improvements Required by the City of Sandwich Subdivision Control Ordinance for Fieldcrest Subdivision". He detailed the Resolution adding that the paving was to be completed by today's date but the weather has not accommodated. The developer has provided a cashier's check payable to the City in the amount of \$16,827.00 that represents the estimate cost should the burden fall on the City to complete. The work is supposed to be complete in the next seven (7) days at which time the City will return the cashier's check to the developer. Attorney Steve

Krentz was present representing the developer. Attorney Paul further advised that the developer will provide a clear title for the streets.

Alderman Hyatt made a motion to accept Resolution 2009-07 as presented, and Alderman Beverley seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0

Ordinance 2009-15 entitled "Ordinance Amending a. of (2) of (a) of Section 78 of Chapter 78 of the Municipal Code of Sandwich, Illinois, providing for an increase in water rates" was amended to show a 15-month time period and presented to Council for a 1st reading.

Engineer Horak reported that Zoning Board of Appeals regular meeting will be on Tuesday, October 27th, at 7:30 PM in the City Hall Annex.

Fairwind Boulevard – North Project: Engineer Horak reported that the North Project is complete but that \$56,000.00 is being withheld from the final payment because of dirt issues. Engineer Horak requested a motion for Payout #8 payable to Fischer Excavating, Inc. in the amount of \$65,484.61, leaving a balance of \$56,060.30 to be held pending the removal and disposal of unsuitable material.

Alderman Beverley made a motion to approve Payout #8 payable to Fischer Excavating, Inc. in the amount of \$65,484.61. Alderman Moran seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robsinon Nay:0 Motion carried 8:0

Fairwind Boulevard / Route 34 Project: Engineer Horak reported that money is being withheld pending a dirt issue. He indicated that he should have more information to discuss at next week's meeting.

Chief Olson reported that Todd Russell had returned from military duty on September 14th, and had an accrual of 134 vacation hours. The Chief requested a payout of 34 vacation hours, and a rollover of 100 vacation hours.

Alderman Robinson made a motion to approve a payment of 34 vacation hours to Todd Russell, and a carryover of 100 vacation hours. Alderman McMahon seconded. Aye: Alderman Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0

City Superintendent Hake requested a vacation payout of 90 hours for Jeremy Moss.

Alderman Robinson made a motion to approve 90 hours vacation payout to Jeremy Moss. Alderman Keene seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson Nay:0 Motion carried 8:0

Alderman Dannewitz explained the proposal of bi-monthly payment of bills. He indicated that he is coordinating everything with Clerk Li regarding the first batch of bills to be paid. The Finance Committee will meet after the Council meeting on November 2nd to go over bills presented for payment. Alderman Dannewitz acknowledged that Verizon is a problem because the bills are already delinquent when the City receives them for payment.

Executive Session: Motion made by Alderman Dannewitz and seconded by Alderman Beverley to go into executive session 7:35 PM, pursuant to 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: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0

Motion to return from Executive Session: Motion made by Alderman Dannewitz and seconded by Alderman Beverley to return to regular session at 8:10 PM. Aye: Alderman Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran & Robinson. Nay:0 Motion carried 8:0

Northwest Sewer Extension: Alderman Moran made a motion to payout the last deposit for the Northwest Sewer Extension Project to the depositor. Alderman Hyatt seconded. Aye: Alderman Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson Nay:0 Motion carried 8:0

There being no further business to come before the Council, **motion made by Alderman Robinson and seconded by Alderman Beverley to adjourn the regular Council meeting at 8:15 PM.** Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson Nay:0 Motion carried 8:0

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Denise Li, City Clerk