

**MINUTES OF REGULAR COUNCIL MEETING  
CITY OF SANDWICH, ILLINOIS – COUNCIL CHAMBERS  
128 E. Railroad Street  
November 9, 2009**

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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, Killey, McMahan, Moran & Robinson

**Absent:** Alderman Keene

**Approval of Minutes:** Motion was made by Alderman McMahan and seconded by Alderman Beverley to approve the minutes of the Regular Council Meeting of October 26, 2009, as distributed. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay: 0 Motion carried 7:0

**Approval of November Bi-Monthly Bills:** Motion was made by Alderman Dannewitz and seconded by Alderman Beverley to approve the November bi-monthly bills totaling \$237,741.76 which includes \$94,737.40 in refunds of deposits for capital improvements. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay: 0 Motion carried 7:0

**Ordinance 2009-16 “Ordinance Authorizing the Execution of the IMLRMA Minimum/Maximum Contribution Agreement:** Mayor Thomas explained that at the time the Council approved payment to IMLRMA on October 26, 2009, Ordinance 2009-16 should have been presented at the same time. He requested a motion to waive the first reading and also a motion to accept Ordinance 2009-16.

**Alderman Dannewitz made a motion to waive the first reading of Ordinance 2009-16, and Alderman McMahan seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay: 0 Motion carried 7:0**

**Alderman McMahan made a motion to pass Ordinance 2009-16 as presented, and Alderman Hyatt seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay: 0 Motion carried: 7:0**

**Prindi’s Antiques:** Discussion was held on the highlights of the extension request by Roger Prindiville from last week. Alderman Beverley requested that another status report be given during the renovation process. The proposed start date of the renovation is January 1, 2010.

**Alderman Beverley made a motion to approve an extension for renovations and expansion as requested by Roger Prindiville to April, 2010 that is contingent on a review**

**and approval of design plans on or before February 1, 2010. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahon, Moran and Robinson. Nay: 0 Motion carried 7:0**

**Fairwinds Subdivision, Units 3 & 4:** Developer Dick Faltz and Attorney Dan Kramer were present requesting a 1-year extension on their Letter of Credit for Units 3 & 4. Alderman Robinson asked if the matter could be tabled for another week, but it was noted that the current Letter of Credit will expire on November 27th. Attorney Kramer requested that Unit 1-A and Unit 2 be put on next week's week agenda.

**Alderman McMahon made a motion granting an extension on the Letter of Credit for Unit 3 and Unit 4 of Fairwinds Subdivision, and motion seconded by Alderman Hyatt. Aye: Alderman Beverley, Dannewitz, Hyatt, Killey, McMahon and Moran. Nay: Alderman Robinson Motion carried 6:1**

**Lions Club Ramp Project:** Mayor Thomas reported that he had distributed a letter to each Council member regarding the proposed ramp project by the Lions Club. He said that he has received phone inquiries about the status of the project, and asked that the Council members respond to his letter.

**Mayor Thomas** cautioned the Council that the October financial balances show that the City is spending more than money received. He stressed that the revenue receipt totals until May will average \$32,000.00 per month.

Mayor Thomas requested Executive Session regarding litigation and land acquisition.

**Ordinance 2009-14** entitled "Ordinance amending subparagraph (3) of Section 93 of Chapter 74 of the Municipal Code of Sandwich, Illinois, by adding a new (C): 4-way stop intersection on Ernest Drive and Dutch Street, all directions" was presented by Attorney Paul. He requested that the first reading be waived, and that a motion be made to accept the ordinance.

**Alderman Hyatt made a motion to waive the first reading of Ordinance 2009-14, and was seconded by Alderman McMahon. Aye: Alderman Beverley, Dannewitz, Hyatt, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 7:0**

**Alderman Hyatt made a motion to pass Ordinance 2009-14 as presented, and was seconded by Alderman Moran. Aye: Alderman Beverley, Dannewitz, Hyatt, Killey, McMahon, Moran and Robison. Nay:0 Motion carried 7:0**

**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 presented by Attorney Paul for a vote. This ordinance calls for a continued schedule at a 4% increase to become effective March, 2010.

**Alderman Beverley made a motion to pass Ordinance 2009-15 as presented, and Alderman McMahon seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 7:0**

**City Clerk li** reminded everyone that City Hall will be closed on Wednesday, November 11<sup>th</sup> in observance of Veterans Day.

**Engineer Horak** reported that Plan Commission's regular meeting to be on Tuesday, November 10<sup>th</sup>, 2009 has been cancelled.

**Fairwind Boulevard / Route 34 Project:** City Engineer Tom Horak requested Payout #7 in the amount of \$73,812.68 payable to Fischer Excavating, and Payout #8 in the amount of \$51,165.13 payable to Fischer Excavating. He added that there is money being withheld for retainage and for dirt.

**Alderman Hyatt made a motion to approve Payout # 7 in the amount of \$73,812.68 payable to Fischer Excavating. Alderman Dannewitz seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay:0 Motion carried 7:0**

**Alderman Beverley made a motion to approve Payout #8 in the amount of \$51,165.13 payable to Fischer Excavating, and Alderman Killey seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay:0 Motion carried 7:0**

**Chief Olson** requested the purchase of 2 portable radios from Starved Rock Communications in an amount not to exceed \$450.00 per radio. He said the funds would come from the drug abuse fund noted as line item #20-000-0101 in the budget.

**Alderman Beverley made a motion to approve the purchase of 2 portable radios, not to exceed \$450.00 per radio, and said funds to be drawn from the Drug Abuse Fund shown as line item #20-000-0101 in the budget. Alderman Hyatt seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay: 0 Motion carried 7:0**

**City Superintendent Hake** reported that the Lions Club will be putting up the Christmas decorations the Sunday before Thanksgiving. Alderman Dannewitz will report at a later meeting about a donation to the Lions Club.

**Motion made by Alderman Hyatt to authorize the use of the City's bucket truck by the Lions Club to put up Christmas decorations with the assistance of 2 city employees, and seconded by Alderman Beverley. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay:0 Motion carried 7:0**

**Alderman Dannewitz** reminded the Council that purchase orders are due by noon on Thursday, November 12<sup>th</sup>.

**Alderman McMahan** reported on the upcoming "Festival of Trees" sponsored by the Park District at Timber Creek Hotel. He said there will be approximately 26 organizations participating. Alderman Beverley had made an offer to loan an artificial tree to the City, but had since discovered the tree had been destroyed. Alderman McMahan suggested using an artificial tree and using personal ornaments.

**Alderman Moran** requested Executive Session for litigation.

**Executive Session: Motion made by Alderman Killey and seconded by Alderman Beverley to go into executive session 7:47 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; and pursuant to Section 2(c)(5) Purchase or lease of real property for the use of the public body. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson. Nay:0 Motion carried 7:0**

**Motion to return from Executive Session: Motion made by Alderman Hyatt and seconded by Alderman Dannewitz to return to regular session at 8:45 PM. Aye: Alderman Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran & Robinson. Nay:0 Motion carried 7:0**

**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 8:50 PM. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahan, Moran and Robinson Nay:0 Motion carried 7:0**

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Denise li, City Clerk