

**MINUTES OF REGULAR COUNCIL MEETING  
CITY OF SANDWICH, ILLINOIS – COUNCIL CHAMBERS  
128 E. Railroad Street  
November 23, 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, Keene, Killey, McMahon, Moran & Robinson.

**Approval of Minutes:** Motion was made by Alderman McMahon and seconded by Alderman Beverley to approve the minutes of the Regular Council Meeting of November 9, 2009, as distributed. Aye: Aldermen Beverley, Dannewitz, Hyatt, Killey, McMahon, Moran and Robinson. Abstained: Keene Nay: 0 Motion carried 7:1

**Approval of November Monthly Bills:** Motion was made by Alderman Dannewitz and seconded by Alderman Beverley to approve the November monthly bills totaling \$200,202.92 which includes \$98,715.29 in capital improvements, \$1, 537.50 refunded to the Library District (refund of annexation deposit), and \$3,230.00 refund of property replacement tax due Sandwich Fire District.. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay: 0 Motion carried 8:0

**Fairwind Subdivision Letter(s) of Credit:** Bob Pennington, representative from Citizens Bank, explained that the bank will meet on December 2, 2009, to discuss extending the letters of credit on file. There are presently two (2) letters of credit; one for Units 1-A, 2 & 3, and a second one for Unit 4. Mr. Pennington also indicated that the bank would like to see a reduction in the letter(s) of credit amounts. Attorney Dan Kramer and Developer Dick Faltz were also present. Discussion was held regarding the punch list and projected completion dates. Mr. Faltz indicated that Unit 1-A and 2 will be completed by July 1, 2010, and Units 3 & 4 should be completed by November 29, 2010. The current letters of credit will expire on November 29, 2009. An updated will be presented at the December 7, 2009 meeting.

**Resolutions 2009-08 and 2009-09:** Alderman Robinson made a motion to table Resolutions 2009-08 and 2009-09 until December 14, 2009. Alderman Moran seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0

**DeKalb County Regional Planning Commission:** Mayor Thomas presented an invoice for the 2010 membership dues in the amount of \$500.00 and requested a motion to pay same.

**Alderman Keene made a motion to pay the DeKalb County Regional Planning Commission 2010 membership dues in the amount of \$500.00, and seconded by Alderman Dannewitz. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0**

Mayor Thomas requested Executive Session regarding land acquisition.

**Ordinance 2009-11** entitled "Ordinance Amending (b) of Section 167 of Chapter 74 of the Municipal Code of Sandwich, Illinois, by Adding to the Prohibited Parking on School Days a Portion of Pleasant Avenue". Attorney Paul presented Ordinance 2009-11 for a second reading and passage.

**Alderman Killey made a motion to pass Ordinance 2009-11 as presented, and Alderman Beverley seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0**

**Ordinance 2009-13** entitled "Ordinance Amending Chapter 5 of the Sandwich Zoning Ordinance by Adding a New Section 5-11, Wind Energy Systems": Attorney Paul presented Ordinance 2009-13 for a second reading.

**Alderman Robinson made a motion to table Ordinance 2009-13 to the December 14<sup>th</sup> meeting, and Alderman Keene seconded. Aye: Alderman Beverley, Hyatt, Keene, Killey and Robinson. Nay: Aldermen Dannewitz, McMahon and Moran. Motion carried 5:3**

**Ordinance 2009-17** entitled "Ordinance for Annexation of Territory Consisting of .36 Acres Owned by Phillips R. Lane: Attorney Paul presented Ordinance 2009-17 for a second reading and passage.

**Alderman Beverley made a motion to pass Ordinance 2009-17 as presented, and Alderman Keene seconded. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0**

**City Clerk li** reminded everyone that City Hall will be closed on November 26<sup>th</sup> and 27<sup>th</sup> in observance of Thanksgiving. She also requested that the 2010 holiday schedule be deferred to the personnel committee for further discussion.

**Engineer Horak** reported that Zoning Board of Appeals regular meeting will be on Tuesday, November 24, 2009 is cancelled.

**Chief Olson** requested that the purchase of a new printer be tabled.

**City Superintendent Hake** has inspected the damaged sidewalk area in front of Dummer Elementary School. He has received a quote of \$1500-1600 to tear out and pour an 80' x 5' section. The cost of cement from Tri-County Cement is unknown at this time.

**Aldermen Keene made a motion to approve repairs to the damaged sidewalk area in front of Dummer Elementary School, and seconded by Alderman McMahon. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0**

**Alderman Dannewitz** reminded the Council that the Finance Committee will meet on December 7<sup>th</sup> after the Council meeting for the December's bi-monthly bills.

**2009 Tentative Tax Levy:** Attorney Paul and Mayor Thomas explained the proposed tax levy. Attorney Paul said if the City desires to prepare a levy ordinance on the numbers as presented,

it would equal to an 18.35% increase over the previous year extension. He further explained that in reality, it would probably not generate more than a 5% increase. Attorney Paul said a Truth-in-Taxation hearing will be necessary.

**Alderman Dannewitz made a motion determining that the amount of money, exclusive of any portion of the levy attributable to the cost of conducting an election which is estimated to be necessary to be raised by taxation for the year 2009 upon the taxable property in the City will exceed 105% of the previous years extension, and seconded by Alderman Hyatt. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay: 0 Motion carried 8:0**

**Alderman Keene made a motion setting Monday, December 14, 2009, at 7:00 p.m. as the time and date of the hearing on the City's intent to adopt an aggregate levy ordinance and ordering the publication of the Truth in Taxation Notice in the Sandwich Record on Wednesday, December 2, 2009. Aye: Aldermen Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0**

**Alderman Moran requested Executive Session to discuss personnel.**

**Executive Session: Motion made by Alderman Dannewitz and seconded by Alderman Beverley to go into executive session 8:30 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; 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, Keene, Killey, McMahon, Moran and Robinson. Nay:0 Motion carried 8:0**

**Motion to return from Executive Session: Motion made by Alderman Beverley and seconded by Alderman Dannewitz to return to regular session at 9:15 PM. Aye: Alderman Beverley, Dannewitz, Hyatt, Keene, Killey, McMahon, Moran & 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 Keene to adjourn the regular Council meeting at 9:20 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