



City of **SANDWICH, ILLINOIS**

City Hall Annex · 128 East Railroad Street

Regular Council Meeting

April 17th, 2023 @ 7:00 PM

MINUTES

Mayor Latham called the meeting to order at 7:04 PM followed by the Pledge of Allegiance led by Police Officer Candidate Christopher Vega

Roll call was taken:

Present: Mayor Latham, City Clerk li, Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton

Absent: Aldermen Fritsch & Kreinbrink

Quorum established

Also present: City Attorney Gottschalk, City Administrator Penman, Chief Bianchi, Building Official Steffens, & EMA Director Ciciora

Absent: City Treasurer Schwemlein

Audience Comments:

Resident Genelle Inman approached the Council on her complaints regarding soliciting. She would like to see hours changed and a new permit fee structure. She would also like to see a ban on burning or a burning scheduled created, such as burning in the morning and only on certain days. She stressed the burden on asthma sufferers.

Resident Jeremy Boussetot thanked Ward 2 Alderwoman, Cara Killey, for her service to the City adding she had done a lot for the Opera House. He also thanked Chief Bianchi for his services, and congratulated Adam Arnett on his candidacy win as Ward 2 Alderman.

Public Hearing on the City's tentative Annual Budget for May 1, 2023 through April 30, 2024. Mayor Latham opened the public hearing. City Administrator, Geoff Penman, highlighted the \$24,669,542 budget, and Alderman Robinson had questions regarding building maintenance and if funding had been included. There were no comments from the audience.

Alderwoman Johnson moved to close the public hearing; motion was seconded by Alderwoman Erickson. Motion pass unanimously on voice vote.

Motion made by Alderwoman Johnson approving the Annual Budget FY 2023-2024. Alderman Littlebrant seconded. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay: 0 Motion carried 6:0

Oath of Office: Police Officer Christopher Vega was sworn in by Mayor Latham

Consent Agenda:

- a. Approval of Regular Meeting minutes of April 3, 2023
- b. Approval of Committee-of-the-Whole minutes of March 20, 2023
- c. Approval of Committee-of-the-Whole minutes of April 3, 2023

Alderman Erickson moved to accept the Consent Agenda as presented. Alderman Littlebrant seconded. Motion pass unanimously on voce vote.

Mayor's Report:

Establish Ad Hoc Personnel Committee: Mayor Latham advised he is not seeking a formal personnel committee be created but in need of a one-time meeting to review the City's Personnel Manual. He would like to have Aldermen Kreinbrink and Robinson sit on the temporary committee.

Motion made by Alderwoman Erickson approving the establishment of a Ad Hoc Personnel Committee. Motion was seconded by Alderman Robinson. Motion carried unanimously

Open Roads Abate Proclamation was read by Mayor Latham declaring May as Motorcycle Awareness Month.

City Administrator Contract Renewal: Floor was opened for discussion and action to authorize the Mayor to renew the employment contract with City Administrator, Geoff Penman. No changes were made to the original October, 2022, contract apart from changing renewals dates to coincide with the City's fiscal year. Question was debated whether the administrative contract should follow the City's personnel ordinance related to personal days, vacation, and sick leave.

Alderwoman Johnson moved to authorize Mayor Latham to renew the employment contract with City Administrator, Geoff Penman, as presented. Alderwoman Erickson seconded the motion. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:0

Foster, Buick, Conklin, Lundgren & Gottschalk Law Group: City Attorney Gottschalk reported she is working with the City Administrator on creating an agenda format that would aid the Council when making and approving motions.

City Clerk li advised that March reports for FOIA's and revenues were distributed to the Council prior to the meeting.

City Treasurer Schwemlein: In the absence of the City Treasurer, Mayor Latham requested a motion approving the March Treasurer's Report.

So moved by Alderwoman Johnson, and seconded by Alderwoman Erickson. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:0

City Administrator Penman thanked WSPY for announcing Route 34 (Church Street) road construction. He updated Council that last week, the water department attended training seminars, and this week, the street department are attending training classes. Brush pickup has resumed for this season, and is every Monday morning, dependent on ward locations.

City Department Reports:

EMA Director Ciciora: No report

Chief Bianchi: Absent. Chief Bianchi left the meeting following the oath of office for Christopher Vega.

Engineering: No report

Council Reports:

Alderman Littlebrant indicated he would like to investigate solicitation practices in neighboring communities and volunteered to assist in the fact finding.

Alderman Robinson would like the agenda to return to the former format. He also requested executive session for personnel at the end of the meeting. Alderman Robinson thanked Alderwoman Killey on 16 years of great work in spite of facing some rough decisions along with previous administrations and boards.

Alderwoman Johnson thanked Alderwoman Killey on her assistance and training on the Finance Committee. On another topic, she thanked the City for the Woodbury sidewalk project from last summer but added that more needs to be addressed with flooding, street maintenance, and sidewalk repairs throughout the community.

Alderwoman Erickson thanked Alderwoman Killey for her years of service.

Alderman Whitecotton also thanked Alderwoman Killey that her hard work was most appreciated, and that her contributions have made a difference.

New Business:

- a. Approval of April invoices is amended to read \$330,316.42

Motion made by Alderwoman Johnson approving April invoices totaling \$330,316.42. Motion was seconded by Alderwoman Erickson. Aye: Alderman Erickson, Johnson, Killey, Littlebrant & Whitecotton Nay: Alderman Robinson Motion carried 5:1

b. Stewart Spreading Contract: Discussion and possible action to allow Mayor Latham, or designee, to sign a one-year extension of the current hauling contract with Stewart Spreading at a cost of \$21.31 per cubic yard with a fuel surcharge if the cost of fuel exceeds \$3.99 / gallon.

Alderwoman Erickson moved authorizing the Mayor to sign a one-year contract extension with Stewart Spreading. Motion was seconded by Alderman Littlebrant. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:0

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c. EEl Professional Service Contract / National Pollutant Discharge: Discussion and possible action to ratify the Mayor's signature and approval of the Professional Service Contract with EEl (Engineering Enterprises Inc) to allow EEl to renew the "National Pollutant Discharge Elimination System Permit" with the EPA, at a fixed cost of \$9,092.00. This permit renews every five years.

So moved by Alderwoman Johnson, and seconded by Alderwoman Erickson. Aye: Alderman Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried unanimously

d. Universal Asphalt & Excavating Final Payout: Discussion and possible action to approve the final payout in the amount of \$6,797.34 to Universal Asphalt and Excavating for the 2022 Street

Projects. Roadways affected, in part, included County Line Road, Railroad Street, Latham Street, Center Street, and Fairwind Drive.

Motion made by Alderman Little brant, and seconded by Alderman Whitecotton. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried unanimously

e. Resolution 23-03 entitled “Resolution for Improvement Under the Illinois Highway Code” was presented for approval to utilize \$138,000.00 of MFT (motor fuel tax) Funds for the US Route 34 Traffic Signal Project.

Alderman Erickson made a motion approving Resolution 23-03 as presented. Motion was seconded by Alderman Johnson. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:1

f. Resolution 23-04 entitled “Resolution for Improvement Under the Illinois Highway Code” was presented for approval to utilize \$489,073.08 of Rebuild Illinois Funds (RBI) for the Latham Street Project for road work and storm sewer work. This is an amended Resolution.

So moved by Alderman Littlebrant. Motion was seconded by Alderman Erickson. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion passes 6:0

g. Resolution 23-05 entitled “Resolution for Improvement Under the Illinois Highway Code” was presented for approval to utilize \$250,000.00 of Motor Fuel Tax (MFT) Funds for Pratt Road Bridge design engineering related to the bridge replacement.

Motion made by Alderman Erickson approving Resolution 23-05. Alderman Littlebrant seconded. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried unanimously

h. Griswold Springs Culvert Project: Discussion and possible action to waive competitive bidding process for the Griswold Springs Culvert Project and discussion and possible action to approve the proposal from Johnson Excavating to complete the installation of two culverts and perform ditch grading along Griswold Springs Road in an amount not to exceed \$86,513.84 for the base bid and alternate amount not to exceed \$15,067.50 for the alternate bid. This project has been let for bid twice with no interest the second time. It is not in the best interest to bid the project for a third time, and recommendation is for Council to waive the competitive bidding process. Motion requested to approve the proposal from Johnson Excavating.

Motion made by Alderman Erickson to waive the competitive bidding process on the Griswold Springs Culvert Project. Motion was seconded by Alderman Littlebrant. Motion carried on voice vote (5:1) with Alderman Whitecotton being the sole nay vote.

Alderman Littlebrant made a motion to accept the proposal from Johnson Excavating for the Griswold Springs Culvert Road project not to exceed \$86,513.84. Alderman Erickson seconded. Aye: Alderman Erickson, Johnson, Killey & Littlebrant. Nay: Aldermen Robinson & Whitecotton Motion carried 4:2

i. Ordinance 2023-05 entitled “An Ordinance Amending Chapter 18 “Buildings and Building Regulations”, Article III, “Building, Residential, Mechanical, Fuel Gas, and Energy Conservation

Code”, Adopting the International Residential Code, 2018 Edition”, as amended, presented for passage.

So moved by Alderman Littlebrant, and seconded by Alderman Whitecotton. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:0

j. Ordinance 2023-08 entitled “An Ordinance Amending Section 98-41 “M-1 Limited Manufacturing District” to Allow Solar Power Generation as a Special Use in the M-1 Zoning District” presented for first reading Council may choose to waive first reading.

Alderwoman Johnson moved to waive first reading, and seconded by Alderwoman Killey. Via voice vote, Aldermen Erickson and Robinson voted nay. Motion carried.

Motion made by Alderwoman Johnson made a motion to pass Ordinance 2023-08, as presented. Alderman Whitecotton seconded. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried unanimously.

k. Ordinance 2023-04 entitled “An Ordinance Amending Chapter 10, Amusements and Entertainments, to Add a New Article “IX, Raffles”, to the City of Sandwich Municipal Code” presented for second reading. Discussion ensued changing the number of days in which chances may be issued or sold from 180 days to 365 days, and in the last paragraph, replace language stating a surety bond is required.

Motion to adopt Ordinance 2023-04, as amended, was made by Alderman Robinson. Alderwoman Erickson seconded. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:0

l. IDOT Church Street Construction: Discussion and possible action to permit the Illinois Department of Transportation (IDOT) to perform construction on Church Street (Route 34) between the hours of 9 PM and 7 AM, which is outside of the normal hours as contained in Section 50-49 of the City’s Municipal Code, pursuant to Section 50-49(d)(a) and (2) because IDOT is contractor engaged in necessary public business and said construction, while not an emergency, is a repair activity directed at the vital services. By allowing the construction to be performed at these times will prevent prolonged congestion for motorists and pedestrians and alleviate safety concerns.

Motion made by Alderwoman Johnson approving Route 34 construction hours as requested by IDOT. Motion was seconded by Alderwoman Erickson. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried unanimously

Executive Session for personnel under 5 ILCS 120/2(c)(1): “Matters pertaining to the appointment, employment, compensation or discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; and under 5 ILCS 120/2(c)(2) “Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of people”.

Motion made by Alderman Robinson, and seconded by Alderman Whitecotton, to go into Executive Session at 8:09 PM under Section 120/2(c)1 for personnel and Section 120/2(c)2 for collective bargaining.. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried unanimously

Alderman Robinson moved to return to regular session at 9:19 PM. Alderwoman Erickson seconded. Aye: Aldermen Erickson, Johnson, Killey, Littlebrant, Robinson & Whitecotton Nay:0 Motion carried 6:0

Announcements: The next Finance Committee Meeting is May 1st, 2023 at 6:30 PM. The next Regular Council Meeting is May 1st, 2023 at 7:00 PM immediately followed by the Committee-of-the-Whole Meeting.

Police Commission Meeting will be held at the public safety complex on Wednesday, May 3rd, at 4:30 PM

Committee Meetings will be held on Thursday, June 8th, 2023:

- 6 PM Technology Committee
- 7 PM Historical Preservation Committee
- 8 PM Citizen's Advisory Committee

Adjournment: There being no further business to come before the Council, **motion made by Alderman Robinson and seconded by Alderwoman Erickson to adjourn the Regular Council meeting at 9:22 PM. Motion carried unanimously via viva voce vote.**

/s/ Denise Li, City Clerk