

VILLAGE BOARD MEETING
MINUTES

JANUARY 6, 1992

The Regular Meeting of the Sleepy Hollow Corporate Authorities was called to order January 6, 1992 at 7:30 p.m. In attendance were President Peterson; Trustees Harney, Johnson, Roberts, Tennis, Shields, and Williams; Village Attorney Payne; Treasurer Fanning, Police Chief Montalbano; Village Engineer Powers; and Deputy Clerk Olson.

MINUTES:

1. Minutes of December 16, 1991 should be corrected as follows: (a) page 1, under Clerk, #2, on vote, Shields was not absent, he abstained; (b) page 1, under President, #3, Sgt. Dunat's name is misspelled; (c) page 2, under Open to the Public, #1, the motion is partially missing. TENNIS MOVED WITH A SECOND FROM SHIELDS TO TABLE THE APPROVAL OF THE MINUTES UNTIL NEXT MEETING. MOTION CARRIED BY VOICE. (Harney arrives)
2. TENNIS MOVED WITH A SECOND FROM ROBERTS TO APPROVE EXECUTIVE MINUTES OF DECEMBER 16, 1991 AS SUBMITTED. MOTION CARRIED BY VOICE.

PRESIDENT:

1. Peterson requested an executive session for the purpose of discussing possible litigation.
2. Attended last DARE class at Sleepy Hollow School and was quite impressed with students essays on what they learned from Sgt. Dunat.
3. Noted recent Illinois Appellate Court case concerning parental responsibility as it relates to our recent discussions.
4. The voters registration office is looking for a third polling place in the Village. A possibility was given of the Village Hall conference room.
5. ROBERTS MOVED WITH A SECOND FROM HARNEY THAT WE AUTHORIZE THE EXPENDITURE OF \$100 AS A MEMORIAL TO GORDON BRADLEY MADE OUT TO THE AMERICAN CANCER SOCIETY. AYE: ROBERTS-HARNEY-JOHHSON-SHIELDS-TENNIS-WILLIAMS. MOTION CARRIED BY VOICE.
A card will be sent to the family of long time resident Don Beresford who also recently died. The flag will be flown at half mast the next few days.
6. Received request from Fire Chief Rollyn Anderson to construct a fire training facility next to the fire station on Thorobred. Board noted that this structure would require a zoning variance and would be an attractive nuisance to children and are not receptive to this request.
7. DuPage County will have dinner meeting on January 15th. State reps have been invited.
8. Received letter from Dirk Fuqua on possible changes to fencing ordinance which would allow certain fences that meet specific requirements. We will await comment from Walt Heffron.
9. Received request for funds from the Fox Valley Hospice. It was suggested that the residents be made aware of worthwhile solicitors to the village via the newsletter so that individuals may donate if they desire.
10. Received letter from Department of Transportation listing historical markers in Village and requesting confirmation of same and any additions.
11. Kane County Department of Transportation met on December 17th concerning the Randall/Orchard Roads intersection. Also, Elgin has requested access to Randall Road from the west on I-90.

12. Received note of thanks from Janet McKeown for gift presented from Village when she left.
13. Tuma called to advise that budget was only a proposed one and that they have hired a communications consultant.
14. NIPSI has requested replacement of the Algonquin Post Office to Algonquin Road, 1 mile west of Route 31.
15. A NIPSI news release states that they have adopted a plan to help prevent the loss of additional farm land in Kane County, relative to property west of Route 47.

CLERK:

No report.

ENGINEER:

1. Submitted first part of MFT report which includes only the seal coating of all appropriate roads in Village. We currently have \$140,000 to spend. Bids should be received in ample time to start work when weather permits. HARNEY MOVED WITH A SECOND FROM WILLIAMS TO PASS RESOLUTION #188 WHICH AUTHORIZES THE APPROPRIATION OF \$94,000 OF THE MFT FUNDS FOR THE PURPOSE OF MAINTAINING THE STREETS AND HIGHWAYS UNDER THE APPLICABLE PROVISIONS OF THE ILLINOIS HIGHWAY CODE NOT TO EXCEED \$94,000. AYE: HARNEY-WILLIAMS-JOHNSON-ROBERTS-SHIELDS-TENNIS. MOTION CARRIED BY VOICE.
2. We have 15-20 bids to open this Friday concerning the water main loop.
3. A survey crew will be here this week to obtain information for plan preparation.
4. IEPA has advised Villa what must be done on contamination area. Villa will submit their proposal to us by next meeting.

ATTORNEY:

1. WILLIAMS MOVED WITH A SECOND FROM TENNIS TO APPROVE ORDINANCE #92-1 WHICH WILL REQUIRE FENCING OF DUMPSTERS AND MULTI-FAMILY HOUSING. AYE: WILLIAMS-TENNIS-HARNEY-JOHNSON-ROBERTS-SHIELDS. MOTION CARRIED. Letter will be sent to appropriate people in Village advising of ordinance.
2. ROBERTS MOVED WITH A SECOND FROM HARNEY TO APPROVE ORDINANCE #92-2 AMENDING SECTION 5-1-3B.II OF THE VILLAGE CODE. AYE: ROBERTS-HARNEY-JOHNSON-SHIELDS-TENNIS-WILLIAMS. MOTION CARRIED.
3. Attorney presented all 1991 ordinances that should be included in the Village codification book.
4. Rainbow Creek. The grading to stabilize the 5 ft. drop off should cost \$5-10,000. We should receive grading specifications from Applied Ecological Services next week. We have received bid specifications for plantings and tree removal. We will remove the minimum amount of trees possible. Shields feels Applied Ecological Services has not fulfilled the terms of its contract and that we should make no further payments. He noted the contract stated a completion date of July, 1991. Harney stated we have paid AES over \$8,000 out of the \$13,000 contract. After receiving the bid specifications, it was felt we should terminate the contract.

SHIELDS MOVED WITH A SECOND FROM JOHNSON TO ADJOURN INTO EXECUTIVE SESSION AT 9:05 P.M. AYE: SHIELDS-JOHNSON-HARNEY-ROBERTS-TENNIS-WILLIAMS. MOTION CARRIED.

Regular session reconvened at 9:40 p.m. No action was taken.

TREASURER:

1. In light of the low interest rates, Panning felt it might be appropriate to call in our outstanding bonds for the special service area and refinance at the lower rates. It was suggested he contact Ron Norene on the feasibility of doing so to check on any possible negatives and also with lawyers Chapman and Cutler on legal aspects. Panning will report at next meeting.

2. Warrants. (a) Remove Applied Ecological Services payment; (b) Add \$100 for Gordon Bradley memorial; (c) Obtain reimbursement from Teri Jersky in amount of \$164 for Cobra premium payment for her daughter, (d) remove \$4 phone charges from Marvan invoice; (e) Ellen should notify Commonwealth Edison that the Saddle Club Parkway lights have been designated as part of a passive park area. TENNIS MOVED WITH A SECOND FROM SHIELDS TO APPROVE THE WARRANTS AS AMENDED IN THE AMOUNT OF \$53,305.98. AYE: TENNIS-SHIELDS-HARNEY-JOHNSON-ROBERTS-WILLIAMS. MOTION CARRIED.

ROADS-PARKS-VILLAGE PROPERTY:

1. Received list of trucks available for purchase from the state. None are appropriate for our needs. Art is putting together a spec list to take to area dealers. The cost will be approximately \$20,000. Current truck has no trade in value and will be kept by village. TENNIS MOVED WITH A SECOND FROM ROBERTS THAT HARNEY BE AUTHORIZED TO GO OUT TO BID FOR A ONE TON, 4-WHEEL DRIVE TRUCK. AYE: TENNIS-ROBERTS-HARNEY-JOHNSON-SHIELDS-WILLIAMS. MOTION CARRIED.

2. The park district has agreed to work with the Village on installing either one full size basketball court or two reduced size courts near the pool at a total cost of approximately \$7,000. The park district has offered to handle bid specifications and supervise construction. The split on costs has not yet been determined.

FINANCE:

1. TENNIS MOVED WITH A SECOND FROM SHIELDS TO AUTHORIZE THE VILLAGE TO EXECUTE THE ENGAGEMENT LETTER FROM KLAYMAN & KORMAN TO AUDIT THE VILLAGE FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDING APRIL 30, 1992 AT A COST OF \$11,800. AYE: TENNIS-SHIELDS-HARNEY-JOHNSON-ROBERTS-WILLIAMS. MOTION CARRIED.

WATER:

1. Received audit from IEPA. Johnson has answered questions and supplied information required by IEPA. We will have to cap the wells at an approximate cost of \$3,000. The cross connections will need an ordinance to prevent back flow from users if there are pressure problems. A sample ordinance will be requested from IEPA. As of July, 1993, we will be required to sample 20 sites (houses) throughout the village for lead contamination.

2. The specifications already out for water repairs will be amended to include a connection for the public works building. This will not be a problem.

LANDSCAPE:

Shields has begun preparation of a landscape program for this year. He would like to obtain bids for signs at Joy, Willow, Rainbow, Hickory and Sharon. They would be similar to those in place, but smaller. Shields has received a letter from a Kane County architect/engineer and will contact him regarding their plans for the Joy/Randall intersection and possible coordination with ours

concerning lighting. Also under consideration is a restoration project for the Thorobred waterfall area. It was felt coordinating it with the property by the Village Hall should be delayed until the buildings are completed. Shields also asked if we wanted to continue with maintenance during the summer months throughout the village as we did last year. He would like to work with area neighborhoods and get their input and assistance in projects.

POLICE:

1. Shields will meet with Chief Montalbano this week concerning police salaries relative to the new budget.

HEALTH & SANITATION:

1. We are replacing approximately 20-25 pumps per year. After talking with the pump manufacturer, we have found that some pumps may have only needed minor repairs rather than a new \$800 pump. These pumps have failed at a greater rate than we anticipated. The recent pumps received are of a different quality than previous ones. Because of the earlier pumps' quality, we may be able to work out a better deal with the manufacturer for future pumps purchased. At this point, the \$10,000 in yearly reserves for pumps seems to be adequate.

BUILDING:

1. Payment for the sewer hook up on Jaclay Court should be received within two weeks.
2. The asbestos study for the Chateau property is being set up.
3. Although the county is supposed to now be handling septic problems, we will continue to retain Ray Glass as sanitarian as the county is not yet prepared to handle our septic problems. Roberts will be attending a meeting with officials to discuss our parameters for septic systems/problems. He would like to apply to the state, with backing from the county, to continue handling our own septic problems as we have thus far. Ray Glass will also need to attend a seminar to remain as sanitarian.
4. Talked with Mr. Cavallaro of West Dundee regarding the Locust curb cut and our lack of information received. We will meet with the appropriate officials to discuss the situation.
5. We anticipate requests for several building permits within the next month or two on the Bluffs. Closings on a few lots are expected soon.

NEW BUSINESS:

None

OLD BUSINESS:

None

ROBERTS MOVED WITH A SECOND FROM JOHNSON TO ADJOURN THE MEETING.
MOTION CARRIED BY VOICE. Meeting adjourned at 10:50 p.m.

Respectfully submitted,

Norine Olson

Norine Olson
Deputy Clerk

Released 8/2/93

EXECUTIVE MINUTES

JANUARY 6, 1992

The Executive Meeting began at 9:05 p.m. In attendance were President Peterson; Trustees Harney, Johnson, Roberts, Shields, Tennis and Williams; Attorney Payne and Deputy Clerk Olson.

The issue discussed was the pending litigation contesting Elgin's involuntary annexation of the Gaitsch property (Randy's farm). The village attorneys have estimated that our expenses will not exceed 15 hours, with Norm Samuelson billing at \$100/hour and Bill Payne at \$65/hour. We will have to consider the more than likely possibility of further expense after the court's decision on these initial pleadings. Attorneys for the property owners assume the costs will be shared between the two municipalities and have hinted they will sue both should we decide not to pursue this case against Elgin. The board feels we are morally obligated to proceed with this litigation.

Our attorneys have found no case identical to this in Illinois, but a similar case was recently decided in the courts which our attorneys will try to use to our benefit.

It was noted that we are meeting with Elgin concerning water tomorrow and that Elgin may try to use this case as a bargaining tool. Therefore, it was felt our positive decision to pursue this case should not be made public until after the water meeting with Elgin. However, the board agreed that these are two separate issues and should be treated as such.

Our attorneys will proceed as necessary in this case and a motion or direction to that effect should be made at the next meeting. It was also felt any property taxes due should be placed in escrow until the matter is decided in court.

A motion was made by Tennis and seconded by Roberts to return to regular session at 9:35 p.m.

Respectfully submitted,

Norine Olson

Norine Olson
Deputy Clerk