

VILLAGE BOARD MEETING
MINUTES

JUNE 15, 1992

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order June 15, 1992 at 7:30 p.m. In attendance were President Peterson; Trustees Johnson, Shields, Tennis, and Williams; Police Chief Montalbano; Treasurer Panning; Village Attorney Panning; Village Engineer Powers; Zoning Board Chairman Heffron; ZBA Chairman Fuqua; and Clerk Olson.

MINUTES:

1. TENNIS MOVED WITH A SECOND FROM SHIELDS TO APPROVE THE MINUTES OF THE JUNE 1, 1992 REGULAR MEETING AS SUBMITTED. MOTION PASSED BY VOICE.
2. TENNIS MOVED WITH A SECOND FROM WILLIAMS TO APPROVE THE MINUTES OF THE JUNE 1, 1992 EXECUTIVE MEETING AS SUBMITTED. MOTION PASSED BY VOICE.

PRESIDENT:

1. Met with Joe Cavallaro and received a proposed plan for the park district area in West Dundee east of Locust.
2. There is a Plan Commission meeting June 17th.
3. Received info regarding the corridor feasibility study from the Fox Valley Freeway group.
4. The Kane County Solid Waste Management plan has been received for review. There will be a meeting on this at ECC on August 6th.
5. Received a letter from School District 300 acknowledging receipt of \$16,881.75 as a land/cash donation.
6. Ron Panning has reviewed a community development assistance program application packet received. His recommendations and comments were distributed.
7. The President talked with the Chateau apartment owners. They advised that the lowest bid for asbestos removal and demolition was \$150,000 and that they could not do the work at this cost. They are willing to board up the buildings, have pest control come out, and put up an 8' fence.
8. We have again exceeded our water maximum, on Saturday during the nighttime watering hours.
9. The cable company will include on their billing statements the amount paid for franchise fees.
10. Received another letter from David Stokes of Acorn Drive stating that his water pressure is always low. Engineer Powers will review the letter and give us his comments.

CLERK:

The Village Hall will be closed Friday, July 3rd for the holiday.

PLAN COMMISSION:

No report.

ZBA:

No report.

ZONING BOARD:

There was some discussion as to whether we should discuss and vote on the proposed changes to the zoning ordinance due to the absence of two trustees. TENNIS MOVED WITH A SECOND FROM JOHNSON

THAT DISCUSSION OF THE PROPOSED CHANGES IN THE COMPREHENSIVE TEXT AND ZONING AMENDMENTS BE TABLED UNTIL THE NEXT MEETING. MOTION PASSED BY VOICE, WITH 3 AYES AND 1 NAY.

ATTORNEY:

1. TENNIS MOVED WITH A SECOND FROM JOHNSON TO APPROVE ORDINANCE NO. 92-14 ENTITLED AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND OTHER WORKERS EMPLOYED ON PUBLIC WORKS FOR THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS. AYE: TENNIS-JOHNSON-SHIELDS-WILLIAMS. MOTION PASSED.

2. The attorney has prepared drafts of the cross connection ordinance and revised septic ordinance and submitted to the appropriate trustees for review.

3. Requested an executive session for the purpose of discussing potential litigation. Trustee Shields would like to discuss personnel.

ENGINEER:

1. The Deer Creek walk through is scheduled for tomorrow.

2. There has been no discussion with the Bluffs people since the last meeting.

3. Distributed information from Associated Technical Services concerning their service to find water leaks in the Village.

TENNIS MOVED WITH A SECOND FROM JOHNSON TO ACCEPT THE PROPOSAL SUBMITTED BY ASSOCIATED TECHNICAL SERVICES LTD. FOR AN AMOUNT NOT TO EXCEED \$4,300, SUBJECT TO THE REVIEW BY OUR VILLAGE ENGINEER AND THE WATER TRUSTEE. AYE: TENNIS-JOHNSON-SHIELDS-WILLIAMS. MOTION PASSED.

4. Pirtano has requested a payment of \$29,550 at this time. They will request the remaining \$10,000 at a future board meeting.

5. The Engineer has received information concerning the residence on Timber Drive and will review. The insurance company is reviewing this matter and should respond later this week.

6. Trustee Shields requested a breakdown of "general engineering" costs on the billing statements in the future.

TREASURER:

1. There was discussion held on the system for approving invoices. The trustees want to review payment requests prior to goods or services being received. They would also like more comparison shopping for the lowest prices possible. The trustees suggested they no longer approve payment to vendors who are not approved prior to purchases made or services performed. Treasurer Panning will prepare a memo to employees on the matters discussed.

2. Add to the warrants \$29,550 for Pirtano Construction. TENNIS MOVED WITH A SECOND FROM WILLIAMS TO APPROVE THE WARRANTS IN THE AMOUNT OF \$96,615.82. AYE: TENNIS-WILLIAMS-JOHNSON-SHIELDS. MOTION PASSED.

3. The revenue and expense report for one month ended May 31, 1992 was presented.

4. The operating budget will be presented with a few revisions at the next meeting. The back hoe amount will be moved from water to the 5 year capital improvement fund. The appropriations ordinance should be submitted in July.

5. The auditors should finish their work this week.

*****OPEN TO THE PUBLIC*****

1. Walter Geister, representing the Service Club, had some requests concerning the 4th of July festivities. WILLIAMS MOVED WITH A SECOND FROM JOHNSON TO APPROVE THE SALE OF BEER AND WINE BY THE SERVICE CLUB ON THE 4TH OF JULY FROM 12 NOON UNTIL 4:00 P.M. MOTION PASSED BY VOICE.

WILLIAMS MOVED WITH A SECOND FROM SHIELDS THAT THE VILLAGE PAY FOR PORTABLE TOILETS AND RECYCLING CONTAINERS SUPPLIED BY ELGIN-WAYNE FOR THE 4TH OF JULY NOT TO EXCEED \$400. AYE: WILLIAMS-SHIELDS-JOHNSON-TENNIS. MOTION PASSED. The Service Club will arrange this directly with Elgin Wayne.

The Service Club will deliver certificates of insurance this week to the Village.

2. William Bidgood, 904 Saratoga, requested that the Board reverse their May 18, 1992 decision upholding the ZBA recommendation to deny a variance on his child's playhouse. The Board felt their decision was correct and expressed their concern in setting an undesirable precedent should they allow this variance.

3. Anne Herseman, 731 Pimlico, stated her concern about the use of the detention/retention area located next to her property. She said the property is being used as a pathway between Hickory Hollow and Saddle Club, dogs are leaving the area unsanitary, and bikes, motorcycles, and cars have used it as a shortcut. It was suggested that Trustee Harney contact Mrs. Herseman and look at the area to find possible solutions to the problem.

4. Lawrence Schepers, 726 Jamestowne, said Windsor had trenched in cables on his property to install the street light and they have not restored the property to its previous condition. He was told to contact Windsor on the problem, but felt the Village should be responsible for seeing that it is done by Windsor. He is also concerned that his swales are not set up the way the plans indicated they should be. We will try to contact the Engineer prior to his walk through tomorrow to include these areas on his list.

ROADS & VILLAGE PROPERTY:

1. Trustee Harney's memo on equipment was reviewed. It was suggested that a study be conducted to determine what equipment is necessary for the Village. SHIELDS MOVED WITH A SECOND FROM WILLIAMS TO DEFER THE AUTHORIZATION TO PURCHASE A NEW LAWN MOWER PENDING THE RECEIPT OF THE NEEDS STUDY PREVIOUSLY REQUESTED. TENNIS MOVED WITH A SECOND FROM WILLIAMS TO AMEND THE MOTION TO DIRECT THAT THE NEEDS STUDY BE RECEIVED BY THE BOARD PRIOR TO THE NEXT MEETING.

ON AMENDMENT: MOTION PASSED BY VOICE.

ON MAIN MOTION: MOTION PASSED BY VOICE.

2. Preliminary plans for the new park district area in West Dundee off Locust were reviewed. The plans showed a possible public works garage for West Dundee. Included in the park area were baseball and soccer fields, basketball and tennis courts, bike & walking paths, and a playground area.

FINANCE:

1. ERM has submitted an updated report and cost estimate on the ground storage tanks. Although contamination is minimal, it is still above acceptable levels. The benzene contamination should

be eliminated with time; another ground water sample will be taken to determine if this holds correct. It is estimated that we will need to remove an additional truckload of contaminated soil; this work will be put out to bid by ERM. The entire process of remaining work should take approximately 9-10 weeks. TENNIS MOVED WITH A SECOND FROM JOHNSON TO ACCEPT THE ERM SUPPLEMENTAL PROPOSAL FOR THE LEAKING UNDERGROUND STORAGE TANKS AS OUTLINED IN THEIR JUNE 12, 1992 COST PROPOSAL ESTIMATE IN THE AMOUNT OF \$7,810. AYE: TENNIS-JOHNSON-SHIELDS-WILLIAMS. MOTION PASSED.

As far as starting construction of the public works buildings, it was suggested that the architect's plans be forwarded to ERM to compare with their plans of the contamination site so they could give their recommendations on our beginning construction work.

WATER:

1. We again exceeded the water limit on Saturday between 11 pm and 1 am. Since we have already been assessed with the surcharge for next year, it was questioned why we need to limit our water usage for the remainder of the summer. We will check with Elgin on this.
2. Randy's Farm has said they would give serious consideration to allowing us to build a water tower on their land. They would like it to have a pumpkin design in keeping with the farm idea and say "Randy's of Sleepy Hollow" on it. This was discussed in casual conversation with Trustee Shields. We will ask our Engineer about the feasibility of putting a water tank at this location.
3. Elgin has recently advised us of their conditions to granting us additional water which include our de-annexation of Randy's Farm and our agreement ~~to use no water for commercial purposes in the Village~~ *not to provide business zoning in planning areas A + B.* TENNIS MOVED WITH A SECOND FROM SHIELDS TO REQUEST THAT DAN JOHNSON RESPOND TO ELGIN'S LETTER CONCERNING THE WATER ISSUE INDICATING THAT THE TERMS AS PROPOSED ARE UNACCEPTABLE, BUT THAT WE STILL WOULD LIKE TO WORK TOWARD THE BETTERMENT OF BOTH COMMUNITIES AND WOULD CONSIDER DISCUSSING ALTERNATIVES AND LOOK FORWARD TO HEARING FROM THEM WHENEVER THAT IS DEEMED APPROPRIATE. TRUSTEE JOHNSON SHOULD ALSO FOLLOW UP WITH A PHONE CALL. MOTION PASSED BY VOICE, WITH 3 AYES AND 1 NAY. Trustee Johnson will try to call tomorrow before sending the letter.

The President showed the plans for the restoration of the bridge/waterfall area on Thorobred Lane. Trustee Shields described those plans and updated the plans for the Joy Lane/Randall Road entrance, which are progressing.

HEALTH & SANITATION:

1. Beginning July 1, 1992, Elgin Wayne will no longer pick up large appliances. A separate service will pick up these items free of charge if called.

POLICE:

1. The Chief talked about the department's procedure on patrolling the Village and said it does call for 2 patrols of the entire Village on each 8 hour shift, per car. The Chief feels the procedure is being followed and said that the department and its officers do not stress the revenue aspect as one of its goals.

2. QuadCom is currently seeking a part time bookkeeper. Trustee Shields wrote a letter to QuadCom offering the services of our bookkeeper, to be overseen by the Treasurer, at a fee they would pay a hired bookkeeper. This fee would be applied to the Village's monthly payment to QuadCom. The Trustees would like an estimate of how much time this would involve for Ellen and Ron.

BUILDING:

No report.

OLD BUSINESS:

No report.

NEW BUSINESS:

Trustee Shields would like a committee of trustees to work together on purchases of large items. He has volunteered to work with Trustee Harney on the purchase of a new back hoe.

TENNIS MOVED WITH A SECOND FROM SHIELDS TO ADJOURN TO EXECUTIVE SESSION AT 11:25 P.M. AYE: TENNIS-SHIELDS-JOHNSON-WILLIAMS. MOTION PASSED BY VOICE.

The regular meeting reconvened at 12:05 p.m. TENNIS MOVED WITH A SECOND FROM WILLIAMS TO PURSUE LITIGATION ON THE APARTMENT BUILDINGS LOCATED ON THE CHATEAU PROPERTY ON THE EAST SIDE OF THE VILLAGE BY ENGAGING THE SERVICES OF ATTORNEY GARY VANEK. MOTION PASSED BY VOICE.

SHIELDS MOVED WITH A SECOND FROM WILLIAMS TO ADJOURN THE MEETING AT 12:05 P.M. MOTION PASSED BY VOICE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk



The Village of Sleepy Hollow, Illinois

One Thorobred Lane
Sleepy Hollow, Illinois 60118

Village Hall 426-6700
Village President 426-6822

Village Clerk 428-2266
Building Department 428-3388

Released 6-2-97

EXECUTIVE SESSION MINUTES

JUNE 15, 1992

The executive session began at 11:25 p.m. In attendance were President Peterson; Trustees Johnson, Shields, Tennis, and Williams; Attorney Payne; and Clerk Olson.

The Chateau apartment owners have now refused to proceed with demolition of the buildings after reviewing the bids (lowest was \$150,000). Attorney Payne feels we have no recourse but to file suit. There is an attorney in Elgin, Gary Vanek, who has previously handled a suit of this nature. He was recommended by the Kane County Building and Health Departments. Attorney Payne has discussed the case at length with Vanek. We need to get a letter from Kane County Health Dept. that the buildings are a health hazard and confirmation if they are structurally unsound. In filing this suit, the worst situation would be that we win, the owners do not proceed with demolition, and the Village becomes liable for having the work done. If this happens, we would file a lien on the property for the cost of the work and then foreclose on the property. We need to find out if the apartments are part of a 2 acre parcel or the entire 6+ acres. The State's Attorney in Kane county is not interested in pursuing this case. The County Health Dept. is also not enthusiastic in becoming involved as they do not want to have to expend any money. This litigation could take months to complete. Vanek would charge \$80 an hour for office time and \$90 an hour for court time. It was suggested we could try to find a buyer for the property who is willing to take on the demolition costs. It was agreed we must take action, since we could be liable if someone is injured on the property.

*Amended
7/6/92*
~~It was agreed we should tell the owners to go ahead with fencing the area, boarding up the buildings, and having pest control take care of any animal problems. We should also proceed with the litigation through Mr. Vanek.~~

Shields moved with a second from Johnson to return to regular session at 12:05 a.m.

Respectfully submitted,

Norine Olson
Norine Olson
Village Clerk