

REGULAR MEETING  
MINUTES

SEPTEMBER 21, 1992

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order on September 21, 1992 at 7:30 p.m. In attendance were President Peterson; Trustees Harney (7:35 p.m.), Johnson, Roberts, Shields, Tennis, and Williams; Attorney Payne; Treasurer Panning; Police Chief Montalbano; Zoning Board Chairman Heffron; and Village Clerk Olson.

MINUTES:

TENNIS MOVED WITH A SECOND FROM ROBERTS TO APPROVE THE MINUTES OF THE SEPTEMBER 8, 1992 REGULAR MEETING AS SUBMITTED. MOTION PASSED BY VOICE.

PRESIDENT:

1. Attended a meeting with four residents at the Millers concerning the Target curb cut matter. One of the concerns expressed was the Phase II portion of the project. The President talked with Mr. Behm of the park district about those concerns.
2. Also talked with the park district concerning the possibility of their buying the Meadowdale Raceway property. Any interested individuals may tour the property with the park district on Friday.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

Walt Heffron submitted information to be included in the next newsletter concerning the new zoning ordinance. It was suggested that the paragraph on boats and rvs be highlighted.

ZBA:

No report.

ATTORNEY:

1. An informational memo concerning the Target matter from the President to the residents was distributed over the weekend. A revised proposal was submitted from Target which included the addition of a payment of \$130,000 as a type of "impact/permit fee", spread out over a nine year period. During construction of Locust, Target would place a sanitary sewer pipe connection underneath Locust or a casing for future construction. It was asked if Dayton Hudson was responsible for the 9 year payment program; as the parent company to Target, they would be responsible. It was noted that Target has addressed the major concerns expressed by the residents: berming at the back portion of the building; curbing at the Locust entrance to allow no right turn in and no left turn out onto Locust; and allowing no truck traffic to enter on Locust. It was questioned whether the park district would own the phase II land portion or if West Dundee would own it and lease it to the park district. Either way, we have no control over this property, and it has nothing to do with the current Target proposal.

ROBERTS MOVED WITH A SECOND FROM JOHNSON THAT THIS MEETING BE RECESSED RATHER THAN ADJOURNED AND RECONVENED ON WEDNESDAY, SEPTEMBER 23, 1972 AT 7:30 P.M. AT THE FIRE STATION TO DISCUSS THE TARGET PROPOSAL. AYE: ROBERTS-JOHNSON-HARNEY-TENNIS. NAY: SHIELDS-WILLIAMS. MOTION PASSED.

2. The attorney has submitted to Trustee Johnson for review a draft cross connection ordinance.

ENGINEER:

No report.

WARRANTS:

1. We should remove from the warrants the \$633.60 payment to the leak detection service until we receive a written report. It was noted that a bill for \$384.30 for dump truck repairs was added to the warrants. Commonwealth Edison will be contacted to see how they bill for the electric pump. The Engineer recommends we shut off the pumps and just "exercise" them once a month.

TENNIS MOVED WITH A SECOND FROM SHIELDS TO APPROVE THE WARRANTS IN THE REVISED AMOUNT OF \$45,483.90. AYE: TENNIS-SHIELDS-HARNEY-JOHNSON-ROBERTS-WILLIAMS. MOTION PASSED.

2. A resolution will be presented at the next meeting concerning the Chateau apartments. We will be sending notice that demolition proceedings will begin on the buildings.

3. The financial statements for August were presented. The Finance Committee minutes were distributed. The auditors will attend the October 5th board meeting.

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

1. Bill Baker (Maria Court) spoke for residents objecting to the Target curb cut. A petition with 700 signatures objecting to the curb cut was presented to the Clerk. He objected to the vote being planned for Wednesday as not enough time to advise concerned residents. The residents feel if we allow the curb cut, we will have no control on the park district plans for development. They are concerned about lighted ballparks for night play and feel that West Dundee controls the park district, and will therefore control how the park area is developed.

2. Another resident felt a Wednesday meeting was not adequate time to advise the residents.

3. Joe Licari (Willow Lane) felt that with the number of people signing the petition, the board should review its position on the matter. Questioned why there is nothing in the Village code concerning the removal of trustees from their positions. He was told this was part of state law, and elections were the time to vote for new trustees if he he wasn't happy.

4. Eric Boe (Hilltop Court) said he signed the petition, but did not really know all the facts at that time. He feels the board is working correctly on this matter. He also feels the elected officials should run the village and shouldn't have to go back to the residents for their opinions on every matter.

5. Bob Antic (Laurel Court) asked about our restrictions on any future development on the parcels along Route 72.

6. Ed Zander (Hillcrest) feels the board should listen to the residents opinions and should delay the vote until the next meeting. He was also told that notice of the Wednesday meeting was given by tonight's vote to recess and by posting a notice at the village hall.

#### ROADS AND PARKS:

1. Trustee Shields met with Gerald Rork concerning the Maria Court drainage easement and the problems with the residents on Maria Court. Mr. Rork's attorney will prepare an agreement for the Maria Court residents to sign concerning the infringement on his property. The Rorks will not agree to the easement without the agreement from the residents to leave the area in its natural state.
2. It is up to the board to decide how long to allow public comments at Wednesday's meeting. Trustee Johnson will prepare an enlarged drawing of the curbing design for the meeting. Notices of the meeting will be placed on the village hall doors. Signs of the meeting will be prepared and posted at the village entrances. The neighborhood watch captains will be called and told to inform their blocks of the meeting.
3. We need to prepare an ordinance for the 50% water rate increase which will become effective January 1, 1993.
4. Specifications for the back hoe were submitted and minor changes will be made. They should also include a separate option for a trade in with the bid. HARNEY MOVED WITH A SECOND FROM JOHNSON TO GO OUT TO BID FOR THE BACK HOE, INCLUDING AN ALTERNATE BID FOR A TRADE IN. MOTION PASSED BY VOICE.
5. The street light has been fixed at Saratoga and Arabian. The light at Belmont and Jamestown is out and is Windsor's responsibility.
6. Bid specs for the electrical work at the Saddle Club entrance have been prepared by Trustee Harney. She would like CMT to review these specifications. HARNEY MOVED WITH A SECOND FROM TENNIS TO GO OUT TO BID ON THESE SPECIFICATIONS AFTER REVIEW BY CMT. MOTION PASSED BY VOICE. Bids are due October 2nd.
7. The Galvin construction work bids will be opened next Monday.
8. Lights were broken in Sabatino Park by vandals.
9. The phase II road work has started.

#### BUILDING:

1. Rick Gaston of the Bluffs presented the proposed plan to shield the drop off at the back of Surrey Ridge property owners. The plan includes "non-friendly" shrubs to discourage children from playing in the area. The detention area in the Bluffs is still too wet to work on. The letter of credit is being renewed for another year. The first occupant of the Bluffs has moved in. An accounting of the Show of Homes has not yet been received, but attendance was not what was anticipated. It appears that some trees were trimmed along Boncosky near the Bluffs entrance.

#### FINANCE:

No report.

#### WATER:

1. Plans for the flow restrictor are under development. They may require that we install another pit.
2. Trustees Johnson and Shields met with Randy's Farm to discuss the possibility of a water tower. Randy's is receptive to the idea but wants to get a professional opinion on how it would affect the future value of their land.
3. Received a call from a reporter concerning our use of NI Gas to read meters since East Dundee will also be using them soon.

#### POLICE:

1. Landscaping: The waterfall area will be planted this week. The Carol Crest Court landscaping is complete. The landscaping

at the entryways has started. The cement slab at Sharon Drive was contracted out to be dug up--it was 42" long.

2. Cable Committee: The by-laws were distributed. The board will vote on approval at the next meeting.

3. The indemnity agreement with the Fox Valley Rifle Range (for target practice) is being reviewed by our attorney.

4. Presented the OSHA Bloodborne Pathogen Standard for the police department. SHIELDS MOVED WITH A SECOND FROM TENNIS TO ADOPT SLEEPY HOLLOW POLICE DEPARTMENT GENERAL ORDER 92-09.  
MOTION PASSED BY VOICE.

5. Trustees wondered if we could obtain a breakdown of number of citations issued throughout year at each location. Also asked if the Chief could modify the Activity Report to include another line item for crimes against people.

#### HEALTH & SANITATION:

1. Requested that the Clerk obtain copies of weed/grass ordinances from other towns.

2. Trustee Harney said the board needs to consider hiring another full time public works employee. If we have heavy snow this winter, we will not be able to plow the streets in a timely manner.

#### BUILDING:

1. The Windsor letter of credit expires October 8th. They should have a maintenance bond for the next board meeting.

2. Heavy equipment came into the Village to do work on a lot on Rainbow without a permit and has been fined.

3. The builders of the property on Willow have been given permission from the Army Corp to build the house.

4. The Kane County Health Department is forwarding signed copies of the intergovernmental agreement to the Village.

5. We have received updated septic design plans for Sleepy Hollow School. A new system will be installed over the old one.

6. A vault will be buried in Deer Creek by the phone company with approximate dimensions of 40 ft. by 10 ft.

#### OLD BUSINESS:

1. The gardener, Joan Stanley, will be working part time throughout the Village under Sue Harney.

2. Discussed the possibility of hiring another person in public works. It was suggested that Trustee Harney obtain quotes from companies for an "on call/as needed" basis for snow plowing. It was noted that another employee is necessary just to cut grass during the growing season.

#### NEW BUSINESS:

No report.

ROBERTS MOVED WITH A SECOND FROM HARNEY TO RECESS THE MEETING AND RECONVENE ON SEPTEMBER 23, 1992 AT 7:30 P.M. AT THE FIRE STATION FOR THE PURPOSE OF CONSIDERING THE TARGET/LOCUST CURB CUT ACCESS PROPOSAL. AYE: ROBERTS-HARNEY-JOHNSON-TENNIS. ABSTAIN: SHIELDS-WILLIAMS. MOTION PASSED. Meeting recessed at 11:15 p.m.

Respectfully submitted,

*Norine Olson*

Norine Olson  
Village Clerk

RECONVENED MEETING  
MINUTES

SEPTEMBER 23, 1992

The reconvened meeting from September 21, 1992 was called to order at 7:35 p.m. In attendance were President Peterson; Trustees Harney, Johnson, Roberts, Shields, Tennis, and Williams; Attorney Knickerbocker; and Clerk Olson. Also present were representatives from Target and several residents.

1. Gregory Dose, attorney for Target, presented the changes to the Target proposal since the August 18, 1992 meeting, which include the total restriction of truck traffic on Locust, the restriction of traffic making a right turn into and left turn out of Locust, the extended landscaping around the south side of the building, and an "impact fee" of \$130,000 to Sleepy Hollow.

2. Keith Berg, engineer with Spaceco, gave more detail on the above changes and how they would be enforced through covenants and restrictions.

President Peterson next asked for questions from the trustees:

1. Trustee Shields asked if the curb cut could be moved closer to Route 72. He was advised that it would be a problem because of stacking for Route 72 and the location of the entrance. Trustee Shields also asked about the landscaping requirements and if the berm could be made higher to conform to our strict requirements. Trustee Johnson advised that he reviewed our zoning requirements with the zoning chairman and that Target's proposed landscaping exceeds our zoning requirements.

2. Trustee Tennis asked if there were any agreements with any potential tenants for phase II. Target advised that they are talking to potential tenants, but nothing is definite at this time.

3. President Peterson asked if the landscaping and truck route requirements will be the same for phase II. Target advised that the perimeter landscaping will be put in as part of phase I. The truck access restrictions will be part of the restrictions for the land.

4. Trustee Johnson wished to confirm that the landscaping berm, etc. would be installed in a timely manner. He was told it would be and that other areas would be seeded in the interim.

5. Trustee Williams asked if there would be any restrictions on preventing trucks from exiting onto Locust from Target. Target advised that the curbing would physically restrict trucks of that size from exiting onto Locust. They would also be in violation of the restrictions in the agreement if they did exit on Locust, and we would be within our rights to sue, fine, restrict access from Locust, etc.

Comments from the residents were next:

1. Guy Broadhurst, 1849 Winmoor Court, agreed that most residents would rather not see the area developed or the curb cut allowed, but that this was reality and felt that the negotiated deal was probably the best deal we were going to get. Asked Board to accept the proposal. Felt we needed control of the 16 acres on Route 72.

2. Walt Heffron, 1056 Van Tassel, felt the Board had responded to the concerns of the residents and urged that access be granted. He also suggested that stipulations be included in the agreement to ensure that the access restrictions on Locust are maintained in the future.

3. Dirk Fuqua, 1320 Acorn Drive, agreed with the comments of the two prior residents, felt we should protect the 16 acres on Route 72, and urged the board to accept the proposal.

4. John Bohanek, 1504 Laurel Court, felt the curb cut would serve no useful purpose. He felt that once we granted the access, Target would walk all over us. He also felt that once the 16 acres get sewer, they may still de annex. He said the residents will take the board to court if we allow this curb cut.

Trustee Johnson asked that we include in the agreement that the restrictions will continue with the property, whether it is developed by Target or someone else. Target said the restrictions are all part of allowing the curb cut and that they would be in violation of the agreement should they not be adhered to. Our attorney said the continued restrictions on future developers would be included in the three party agreement between Sleepy Hollow, Dundee, and Target.

JOHNSON MOVED WITH A SECOND FROM TENNIS TO APPROVE A RESOLUTION, OF THE NEXT APPROPRIATE NUMBER, ENTITLED A RESOLUTION GRANTING RESTRICTED DRIVEWAY ACCESS AND A SINGLE CURBCUT ONTO LOCUST DRIVE IN FAVOR OF TARGET STORES, A DIVISION OF DAYTON HUDSON CORPORATION, SUBJECT TO PERFORMANCE AND COMPLETION OF FUTURE CONDITIONS. AYE: JOHNSON-TENNIS-HARNEY-ROBERTS. NAY: SHIELDS-WILLIAMS. MOTION PASSED.

Trustee Johnson also read a letter, requesting that it become part of the record, which is attached as a part of these minutes.

ROBERTS MOVED WITH A SECOND FROM TENNIS TO ADJOURN THE MEETING AT 8:10 P.M. MOTION PASSED BY VOICE.

Respectfully submitted,

*Norine Olson*

Norine Olson  
Village Clerk