

REGULAR MEETING.
MINUTES

APRIL 5, 1993

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order on April 5, 1993 at 7:30 p.m. In attendance were President Peterson; Trustees Harney, Roberts, Shields, Tennis, and Williams; Attorney Payne; Police Chief Montalbano; Treasurer Panning; Zoning Board Chairman Heffron; and Clerk Olson.

MINUTES:

TENNIS MOVED WITH A SECOND FROM SHIELDS TO APPROVE THE REGULAR MINUTES OF MARCH 15, 1993 AS SUBMITTED. MOTION PASSED BY VOICE.

PRESIDENT:

1. The first budget workshop is tomorrow at 7:30 p.m.
2. The Plan Commission meets on April 14, 1993.
3. There is a DuKane Valley Council meeting on April 21, 1993.
4. Received a letter concerning the proposed balefill to be constructed in Kane County. Objections may be filed until May 6, 1993 with the Army Corp of Engineers.
5. There is one Senate bill still alive concerning the income tax surcharge.
6. There is a bill in the House (1508) which would eliminate part time police officers. TENNIS MOVED WITH A SECOND FROM SHIELDS TO DIRECT PRESIDENT PETERSON TO STATE OUR POSITION OPPOSING THE ELIMINATION OF PART TIME POLICE OFFICERS DUE TO THE FINANCIAL IMPACT THAT SUCH A BILL WOULD HAVE ON OUR VILLAGE. MOTION PASSED BY VOICE.
7. Another House bill (1332) makes numerous amendments to the Open Meetings Act. House bill 1730 amends the Freedom of Information Act.

SHIELDS MOVED WITH A SECOND FROM TENNIS TO ADJOURN TO EXECUTIVE SESSION AT 7:45 P.M. FOR THE PURPOSE OF LITIGATION. AYE: SHIELDS-TENNIS-HARNEY-ROBERTS-WILLIAMS. MOTION PASSED BY VOICE.

The regular meeting reconvened at 8:40 p.m.

CLERK:

No report.

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

Mr. George Ryan of 236 Jamestowne Road said he is unable to sell his home and the value has dropped considerably due to the unsightly vehicles parked on the property of the Baptist Church, which are in full view and fairly close to the back of his property. These vehicles seem to be in violation of our ordinances. Our Deputy Zoning Enforcement Officer will be asked to contact the church and ask their cooperation; if this does not work, he will issue citations.

PLAN COMMISSION:

No report.

ZONING BOARD:

Walt Heffron was present and expressed his approval of the zoning ordinance summary to be included with the new resident information. This summary should be incorporated into the current letter. The Clerk will work on this with input from Walt. It was also suggested that this revised packet be given to area realtors to correctly advise potential residents to the village. Walt also said the Zoning Board is willing to assist in any similar work concerning zoning.

ZBA:

No report.

ATTORNEY:

ROBERTS MOVED WITH A SECOND FROM TENNIS TO APPROVE ORDINANCE NO. 93-4 ENTITLED AN ORDINANCE AMENDING TITLE 4 OF THE VILLAGE CODE OF SLEEPY HOLLOW BY ADDING CHAPTER 6 THERETO, PLANTS AND WEEDS. AYE: ROBERTS-TENNIS-HARNEY-SHIELDS-WILLIAMS. MOTION PASSED.

TREASURER:

1. Warrants: Withhold \$495 from TBS Painting for minor repairs to work done on the Galvin property. TENNIS MOVED WITH A SECOND FROM HARNEY TO APPROVE THE WARRANTS IN THE AMOUNT OF 96,460.00. AYE: TENNIS-HARNEY-ROBERTS-SHIELDS-WILLIAMS. MOTION PASSED.

2. Trustee Tennis would like a revised police salary budget as soon as possible. He noted that we have received a quote for disability coverage for all full time employees at a reasonable rate.

3. Trustee Roberts discussed the building permit revenue distribution report. Money is currently collected by the front office and a monthly report prepared by Terri. He would like the report prepared by Ellen when she distributes into the various accounts. Trustee Roberts previously prepared this distribution report out of his house. Ron or Ellen will work with Terri to set up a building permit revenue distribution system similar to the AWT program. Another person in the front office should also be cross trained on this program.

ROADS AND PARKS:

1. IDOT submitted a resolution for the proposed road work this year. There were some discrepancies in the dollar amounts. The swale work estimate is lower than anticipated and includes only 4500 ft. on one side of Sleepy Hollow Road. After we award the contract, we can get an additional quote to entirely finish one side of Sleepy Hollow Road to Route 72. Trustee Harney will contact our engineer to discuss these issues, and also obtain a revised cost estimate to entirely complete one side of Sleepy Hollow Road. Also ask Engineer if we would get better quotes if we went out to bid with separate packages for the paving and excavation work. The final figures received on the Resolution should be reviewed by Trustee Tennis. TENNIS MOVED WITH A SECOND FROM ROBERTS TO APPROVE RESOLUTION 212 TO APPROPRIATE MFT FUNDS IN THE AMOUNT OF \$92,936.87 OR LESS FOR THE PURPOSE OF MAINTAINING THE STREETS AND HIGHWAYS, SUBJECT TO MATHEMATICAL REVIEW. AYE: TENNIS-ROBERTS-HARNEY-SHIELDS-WILLIAMS. MOTION PASSED.

2. It's time to submit our salt request to the state. HARNEY MOVED WITH A SECOND FROM TENNIS FOR AUTHORIZATION TO SUBMIT OUR REQUEST FOR 500 TONS OF SALT FROM THE STATE. MOTION PASSED BY VOICE.

3. HARNEY MOVED WITH A SECOND FROM TENNIS TO PURCHASE THE FORD F150 1/2 TON PICK UP TRUCK, #2 PAYLOAD, IN THE AMOUNT OF \$9,880 PLUS THE CAP FOR \$550 FROM SPRING HILL FORD. AYE: HARNEY-TENNIS-ROBERTS-SHIELDS-WILLIAMS. MOTION PASSED.

4. The Saddle Club electrical work should be complete in two weeks.

5. Several trees planted by the builder in Deer Creek are dead. Can more money be budgeted to replace these trees?

6. Trustee Harney is preparing a "spring" list of chores for Art.

7. A quote for the plants and labor to install along Rainbow Creek was \$100,000. Trustee Harney hopes to gather enough volunteers to plant; the Village would only pay for plants and seeds.

FINANCE:

ERM has sent a report to the IEPA with the most recent lab results and requesting closure of the contaminated tank site. We should not expect a reply for at least four weeks.

WATER:

1. The two water agreements have been signed and returned by Elgin. HARNEY MOVED WITH A SECOND FROM SHIELDS TO REDUCE THE WATER RATES BACK TO \$2.70 PER THOUSAND GALLONS. TENNIS MOVED WITH A SECOND FROM ROBERTS TO AMEND THE MOTION TO CREDIT THE WATER CUSTOMERS \$1 PER THOUSAND GALLONS.

ON AMENDMENT: MOTION PASSED BY VOICE.

ON MAIN MOTION: AYE: HARNEY-SHIELDS-ROBERTS-TENNIS-WILLIAMS. MOTION PASSED.

2. We have a quote for the work to correct the Bohanek water problem. ROBERTS MOVED WITH A SECOND FROM TENNIS TO AUTHORIZE AN AMOUNT NOT TO EXCEED \$850.00 FOR 1-1/2 INCH WATER SOURCE FOR SYCAMORE DRIVE. AYE: ROBERTS-TENNIS-HARNEY-SHIELDS-WILLIAMS. MOTION PASSED.

POLICE:

1. Trustee Williams gave a report on the QuadCom meeting he attended. There are some loans that have not been paid on time due to a cash shortage. A budget is being worked on.

TENNIS MOVED WITH A SECOND FROM ROBERTS TO ADJOURN TO EXECUTIVE SESSION AT 10:15 P.M. AYE: TENNIS-ROBERTS-HARNEY-SHIELDS-WILLIAMS. MOTION PASSED.

The regular meeting reconvened at 10:30 p.m.

POLICE (continued)

TENNIS MOVED WITH A SECOND FROM ROBERTS TO REQUEST THE BOARD OF DIRECTORS OF QUADCOM TO PROVIDE THE VILLAGE OF SLEEPY HOLLOW WITH A CONFIDENTIAL REPORT DESCRIBING THE CAUSES OF ACTIONS THAT LED TO THE TERMINATION OF THE QUADCOM DIRECTOR. MOTION PASSED BY VOICE. Copies of our request will be sent to all board members.

2. Cable: The Board was not in favor of televising the board meetings. They agreed the next cable agreement should be for ten years. The cable surveys sent out with the newsletter show residents are not very happy with the cable service. Unofficially, Dr. Orton feels we could get a large amount of money back.

HEALTH & SANITATION:

A proposed state law bans outdoor burning in villages over 1,000 residents. TENNIS MOVED WITH A SECOND FROM ROBERTS TO AUTHORIZE TRUSTEE WILLIAMS TO SEND WRITTEN OBJECTIONS TO THE APPROPRIATE STATE LEGISLATURE WITH COPIES TO THE COUNTY BOARD ON THIS PROPOSED BAN. MOTION PASSED BY VOICE WITH HARNEY VOTING NO.

BUILDING:

Building permits are slow. A few temporary occupancy permits have been issued. The trailer is still at the house on Jamestowne.

OLD BUSINESS:

No report.

NEW BUSINESS:

No report.

ROBERTS MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE MEETING AT 10:50 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 MEETING MINUTES

APRIL 5, 1993

The Executive Meeting began at 7:45 p.m. In attendance were President Peterson; Trustees Harney, Roberts, Shields, Tennis, and Williams; Attorney Payne, Attorney Gary Vanek; and Clerk Olson.

Attorney Gary Vanek, counsel for the lawsuit filed against the owners of the Chateau apartment buildings, was present to update the board on the matter.

Metropolitan (owner of the buildings) is willing to convey the property to the Village free and clear (demolition would become our problem), and will grant us access to the property to professionally audit same prior to taking title. They have conveyed the property to another corporation, which may have been done fraudulently. Mr. Vanek acknowledged that should we choose to pursue the fraudulent conveyance, it would be time consuming and very costly to the Village. It was Mr. Vanek's opinion that we should consider working out some type of settlement. He has been advised by Metropolitan's attorneys that they will vigorously oppose any action we attempt to collect fines. Attorney Vanek feels we may even have a problem collecting fines, even if it is authorized through court. Also, even if Metropolitan is ordered to demolish through court action, it may not be enforceable. Therefore, even if we "win" in court, we may still be stuck with demolition costs since we will probably become the owners of the property, whether through litigation or settlement. It was felt that even if we do nothing about the buildings, and eventually the EPA or someone similar demolishes them, they would probably try to recover their costs from the Village.

Mr. Vanek felt we could probably drag this out and cost Metropolitan at least \$10,000 in attorneys' fees over the course of a year. It was suggested we counter Metropolitan's offer with a conditional offer to settle, whereby they give us \$10,000 to get environmental firms to inspect and submit proposals on the costs involved in demolition and possibly do the initial work plans, etc. This \$10,000 would be given in return for us dropping the counts in the suit relating to collection of fines. We could calculate the amount of fines that would have accumulated since December, 1991 and use that amount as a basis

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for the amount requested to release them from fines. Trustee Tennis recommended ~~Roscoe~~ Engineering as one of the firms to conduct the initial inspection of the buildings. This \$10,000 from Metropolitan would not be contingent on closing the deal. We should also request their alleged report on demolition/asbestos costs. The \$10,000 is the authorized amount our attorney could settle on, but he should request a larger amount initially. Calculating fines would be approximately \$20,000.

Tennis moved with a second from Harney to return to regular session at 8:40 p.m.

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

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EXECUTIVE MEETING MINUTES

APRIL 5, 1993

*Released
7/24/95*

The Executive Meeting began at 10:15 p.m. In attendance were President Peterson; Trustees Harney, Roberts, Shields, Tennis, and Williams; Police Chief Montalbano; and Clerk Olson.

Discussion was held on the decision by the QuadCom Board of Directors to terminate Kathy Nelson as QuadCom Director. There were many problems with her mismanagement of the budget. Several loans had not been paid or were late. There was also disagreement over the people she had hired. There is the possibility of a lawsuit. Legal counsel was at the meeting and felt Nelson was an "employee at will".

Trustees felt it was important that all aspects of this termination be documented in writing in preparation for a possible lawsuit. A motion will be made in regular session to request a written cause of action from QuadCom on the matter. Trustees also questioned the audit done by Mueller & Co. if they did not catch any of the alleged financial mismanagement. We should suggest QuadCom consider a competitive bid from another auditor and recommend Klayman & Korman. Trustee Shields also said the audit showed many "miscellaneous" expenses for the director that added up to a sizeable amount. He noted that we did offer our treasurer's services some time ago and received no response. He feels we should only pay 2.9% over what we paid last year for the QuadCom services since these financial problems are not our fault. An accountant should be hired temporarily to get the budget in order for QuadCom. Chief Montalbano said one is scheduled to come in next week for that purpose. QuadCom is looking for a new director.

Roberts moved with a second from Williams to return to regular session at 10:30 p.m.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk