

REGULAR MEETING  
MINUTES

NOVEMBER 15, 1993

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

MINUTES:

1. The regular minutes of November 1, 1993 should be amended on page 2, under Engineer, #2, "...higher number..." should be "...lower number...". TENNIS MOVED WITH A SECOND FROM HARNEY TO ACCEPT THE REGULAR MINUTES AS AMENDED. MOTION PASSED BY VOICE VOTE.

2. The executive minutes of November 1, 1993 should be amended by deleting the sentence that starts "We would be giving up title..." WILLIAMS MOVED WITH A SECOND FROM FUQUA TO ACCEPT THE EXECUTIVE MINUTES AS AMENDED. MOTION PASSED BY VOICE VOTE.

ATTORNEY:

HARNEY MOVED WITH A SECOND FROM JOHNSON TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AT 7:35 P.M. AYE: HARNEY-JOHNSON-FUQUA-ROBERTS-TENNIS-WILLIAMS.

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The regular meeting reconvened at 7:50 p.m.

Trustee Roberts presented a plaque to Ralph Schroeder and thanked him for his 16 years of service to the Village as Building Inspector.

PRESIDENT:

1. With respect to upgrading our parks with equipment for small children, President Shields talked with Rick Behm of the Dundee Township Park District. Rick is willing to design and price out this project for us at no cost to the Village. The Board agreed this was a great idea.
2. The Village President of Gilberts, Dan Shepard, has requested a meeting to discuss jurisdictional boundaries. The meeting is open to all trustees and will be at the Nosh on Saturday, at 9:30 a.m.
3. The last town meeting produced a list of several items those residents who attended would like to see addressed by the Village. A "task force" to research funding will include residents Dave Ehrhard of Pine Cone Lane, Jack Rosecrans of Locust and Trustee Harney. Copies of the studies on Jelke and Sleepy Creeks were requested from Engineer Powers.
4. Requested an executive session to discuss personnel.

CLERK:

1. Business After Hours is November 18th at Gino's East.
2. The Cardinal Chamber Christmas luncheon is December 2nd at the Anvil Club.
3. Resident Jerry Campagna has requested we put a brief note on the current water bill informing the residents of a November 2nd seminar concerning youth and a phone number to call for information. The Board had no problem with this note.

PLAN COMMISSION:

No report.

ZONING BOARD:

Walt Heffron requested an update on the status of transporting sewer through West Dundee to the East Dundee facility. He was informed that it is being worked on and we should have more information after the first of the year.

ZBA:

1. Resident Michelle Nielsen of 803 Windcrest Court was introduced as a candidate for an open position on the ZBA. JOHNSON MOVED WITH A SECOND FROM ROBERTS TO CONFIRM MICHELLE NIELSEN AS A MEMBER OF THE ZONING BOARD OF APPEALS. MOTION PASSED BY VOICE VOTE. The ZBA is still short one member.
2. Chair Nancy Johnson received an application for a variance for a fence which includes a dog run. This is the same resident in the Bluffs who installed a fence against regulations after moving in. This resident was asked to remove a portion of the fence a couple months ago and has not done so. The Board discussed this matter and agreed she has had ample time to remove the fence as requested and they do not want this to be delayed any longer. ROBERTS MOVED WITH A SECOND FROM HARNEY THAT ~~MR. ROBERTS~~ <sup>\* A</sup> ISSUE A WARNING LETTER TO THE RESIDENT THAT ~~THE~~ <sup>PORTION</sup> FENCE WAS TO HAVE BEEN REMOVED AS DISCUSSED TWO MONTHS AGO AND THAT SHE HAS 10 DAYS FROM RECEIPT OF THIS LETTER TO COMPLY WITH THE FENCE REMOVAL WHILE HER VARIANCE APPLICATION IS PENDING. MOTION PASSED BY VOICE VOTE WITH WILLIAMS ABSTAINING. We will then follow the standard process of issuing fines, etc. for this situation.

ENGINEER:

1. There was a walk through in Deer Creek with Jim Davis of Windsor. Everything looks good. Regarding the allegation that Randy's "ran off" Windsor when they were applying the straw bales west of Randall, it was the County that objected, since it is county right of way where the work is being done. Trustee Harney attended a seminar where silt fences and straw bales are not recommended, but instead they recommend "rock dams".
2. The MFT road paving is complete. The shoulder work will hopefully be done this week. They recommend that the ditch work and seeding be delayed until spring.
3. The easement permit request to the Tollroad authorities regarding the Sleepy Hollow Road water main was sent out November 5th. The EPA permit application was submitted November 11th. Elgin has the plans for review.
4. Public Works Building. Frank Powers met with Kibler. They have set a completion date of April 29, 1994. The Board discussed the agreement and accompanying letter received from Kibler. TENNIS MOVED WITH A SECOND FROM ROBERTS THAT FOR THE PUBLIC WORKS BUILDING WE WAIVE ALL ROADWAY PERMITS AND FEES, SINCE THESE FEES PAID BY THE BUILDER WOULD BE CHARGED BACK TO THE VILLAGE ANYWAY. AYE: TENNIS-ROBERTS-FUQUA-HARNEY-JOHNSON-WILLIAMS. MOTION PASSED.  
ROBERTS MOVED WITH A SECOND FROM JOHNSON THAT WE ADJUST OUR ROAD WEIGHT LIMITS FOR THE PUBLIC WORKS BUILDING PROJECT AS DETERMINED AT ANY PARTICULAR TIME BY OUR ENGINEER AND THE ROAD TRUSTEE AS THEY SEE FIT. AYE: ROBERTS-JOHNSON-FUQUA-HARNEY-TENNIS-WILLIAMS. MOTION PASSED.

In their letter, Kibler listed an additional cost for insulating concrete forms. The Engineer suggested we handle it on a time and material basis. The President suggested we do this as a change order when it occurs. This item is not in the contract and would be an additional \$1,500. It would have to first be approved by our Engineer. Kibler also listed at additional cost a couple more items. These should be handled as noted above. TENNIS MOVED WITH A SECOND FROM JOHNSON TO AUTHORIZE THE VILLAGE PRESIDENT TO EXECUTE THE DOCUMENTS FROM KIBLER ENTERPRISES SUBJECT TO A BRIEF NOTATION THAT WE, THROUGH THE CONSTRUCTION SERVICES MANAGER, WILL MONITOR THE ITEMS SPECIFIED IN THE LETTER DATED NOVEMBER 11, 1993, FOR AUTHORIZATION. AYE: TENNIS-JOHNSON-FUQUA-HARNEY-ROBERTS-WILLIAMS. MOTION PASSED.

The construction manager position was discussed. Building Inspector Joe Prang will be inspecting the site in his Village position, so this would be a conflict of interest. CMT submitted a quote for their services of over \$21,000. Resident Todd Harris was present and volunteered his services at no charge to the Village. Todd would like to leave a portion of the work to CMT; mainly all structural integrity work to above ground construction. Todd and Frank Powers left the room to discuss the work involved before returning before the Board. Trustee Tennis expressed concern about Village liability and felt we should purchase builders risk insurance through our regular insurance program. ROBERTS MOVED WITH A SECOND FROM HARNEY TO AUTHORIZE THE TREASURER TO OBTAIN BUILDERS RISK INSURANCE FOR THE PUBLIC WORKS PROJECT, AT A COST NOT TO EXCEED \$1,000. AYE: ROBERTS-HARNEY-FUQUA-JOHNSON-TENNIS-WILLIAMS. MOTION PASSED.

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

1. President Shields told the Board about a problem the day before with resident Don Rage concerning the leaf burning ordinance. Mr. Rage was unable to obtain a copy of the ordinance from the Village. This was because the ordinance was awaiting a change from the Village Attorney before a final copy was available. President Shields also would like to set up a meeting with the resident, the Police Chief, and Trustee Williams to discuss the handling of the issue the day before. Mr. Rage felt the sunny days part is an unfair interpretation to put on our policemen to enforce. He felt the police were put in an unfair position when they also had no ordinance to refer to when at his house. He also thought the police should carry all ordinance books in the squad car. Mr. Rage said he started burning when it was sunny; it became momentarily cloudy and a neighbor called the police. He then had to put out the fire, and the sun was back out shortly thereafter. He said most residents in lower Sleepy Hollow also have a problem with the 35' set back restriction in the ordinance. He felt several other areas of the ordinance need better clarification. He also thought the residents should have been polled on whether they wanted this leaf burning ordinance.

On another issue, a bush obstructing vision on the corner of Mr. Rage's street is on private property and therefore cannot be cut down. Mr. Rage was asked to submit the state statute allowing us to cut this bush and Trustee Fuqua would see if we could do something.

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Todd Harris and Frank Powers discussed the responsibilities as project manager. It was agreed that CMT would assume project manager responsibilities for all technical aspects of the project which would basically include Tasks 1, 2, and 3 of CMT's bid submitted to the Village. Todd would be responsible for the day to day "busy work". TENNIS MOVED WITH A SECOND FROM HARNEY TO HIRE CMT AS PROJECT MANAGER FOR THE TECHNICAL WORK AND TO RETAIN TODD HARRIS, INDIVIDUALLY, AS CONSTRUCTION MANAGER.

Frank Powers will set up a pre-construction meeting this week with Kibler. The duties of CMT were more fully discussed which were outlined in their proposal for the job. Frank does want CMT to be responsible for the shop drawing review, excavation and back fill, density testing on the back fill, placement of the concrete, and concrete testing which are included under Task 4 of their proposal, and would probably not exceed 116 hours under that task number. Basically, CMT would handle the building until it's "out of the ground".

TENNIS MOVED WITH A SECOND FROM HARNEY TO AMEND THE MOTION TO HIRE CMT AT A COST NOT TO EXCEED \$12,000.

ON AMENDMENT: AYE: TENNIS-HARNEY-FUQUA-JOHNSON-ROBERTS-WILLIAMS. MOTION PASSED.

ON MAIN MOTION: TENNIS-HARNEY-FUQUA-JOHNSON-ROBERTS-WILLIAMS. MOTION PASSED.

The Board thanked Todd for his gracious offer to the Village and also Frank for agreeing to this sharing of project manager responsibilities. Trustee Tennis noted that budget talks will include the first phase of the Village Hall construction. Trustee Johnson has recently discussed this with our architect, Bruce Dahlquist. Frank Powers will prepare a modified agreement/letter reflecting tonight's project manager responsibilities. He should also talk with Bill Payne if necessary. With respect to Kibler's letter which accompanied the agreement signed tonight, President Shields will respond that these items are subject to the recommended approval by the construction manager to this village board and will be handled on a time and materials basis. Trustee Fuqua is willing to be the contact person for this project until the building is out of the ground, but would then like to turn it over to Trustee Roberts.

#### TREASURER:

1. Add to the warrants \$741.14 for Emro Marketing. TENNIS MOVED WITH A SECOND FROM ROBERTS TO APPROVE THE WARRANTS IN THE AMENDED AMOUNT OF \$87,208.91. AYE: TENNIS-ROBERTS-FUQUA-HARNEY-JOHNSON-WILLIAMS. MOTION PASSED. The Board discussed the amounts billed by Commonwealth Edison for different areas of the Village. The Treasurer was asked to look into the usage rates for Commonwealth Edison to be sure the Village is under the correct rate plan.

2. The six month financial statements were submitted. The Finance Committee is meeting next Monday to discuss these statements.

3. We received 6 applications from residents for the part time clerk position. They were interviewed by Ron Panning who made his recommendation to the Board. ROBERTS MOVED WITH A SECOND FROM FUQUA TO HIRE MARGARET BASFORD AS A CLERICAL ASSISTANT AT THE RATE OF \$6.35 AN HOUR.

The Board discussed whether we had done a reference check or any type of police background check on her. There was concern about her being a resident and also having access to personal Village

records of other residents. It was also felt she should have a physical like other potential employees. The personnel manual does not contain all these requirements and should probably be changed to include them.

TENNIS MOVED WITH A SECOND FROM HARNEY TO AMEND THE MOTION TO REQUIRE A JOB RELATED PHYSICAL AS A CONDITION TO EMPLOYMENT FOR THIS APPLICANT AND FOR ANY FUTURE POSITIONS, FOR CONSISTENCY IN THIS VILLAGE. The Board wanted to know what a "job related" physical entailed. Trustee Roberts suggested all future applicants for any position be required to be drug tested as a condition to employment. Trustee Tennis felt this whole situation was discussed with the Board several years ago.

ON AMENDMENT: AYE: TENNIS-HARNEY-JOHNSON-WILLIAMS. NAY: FUQUA-ROBERTS. MOTION PASSED.

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

#### ROADS & PARKS:

1. Received a 5 year road program from CMT. We will discuss this at the next meeting.

#### FINANCE:

No report.

#### WATER:

1. Received a non-compliance notice from the EPA on bacterial testing that was to be done. We were not aware that we were to do this, nor were we advised in advance. We are now required to publish our lack of compliance in the newspaper with their form. The bottle will be sent to us to collect the samples.

#### POLICE:

1. The police committee interviewed several part time police applicants and have narrowed it down to 10 candidates who will now go through the psychological testing. WILLIAMS MOVED WITH A SECOND FROM TENNIS FOR THE APPROVAL OF AN AMOUNT NOT TO EXCEED \$350 FOR THE TESTING OF UP TO 10 APPLICANTS FOR THE POSITION OF PART TIME POLICE OFFICER. AYE: WILLIAMS-TENNIS-FUQUA-HARNEY-JOHNSON-ROBERTS. MOTION PASSED.

2. Since we have entered into the agreement with Save-A-Pet, we have received several cats brought in by residents. The philosophy of the Village and Police has been that we are concerned with public safety and we pick up animals that are injured or ill, not healthy animals. They expressed some concern about recent newspaper articles encouraging people to bring stray animals to the Village Hall. The Board said the policy of the Village is that only those animals picked up by our police will be authorized to be transported, at Village expense, to Save-A-Pet.

#### HEALTH & SANITATION:

1. Art captured one muskrat. The exterminator hired has a couple traps sets up; these will not harm the animals.  
2. Attended a presentation concerning land based sewer treatment centers. The Plan Commission might like to look into this further.

BUILDING:

1. In a recent meeting with West Dundee, they noted that they have considerable excess black dirt at the Target site they are trying to dispose of. We noted that the berm on Locust is not as high as we had hoped and suggested that the extra black dirt be added to the berm.
2. Two houses are going up in the Bluffs and four more permits are expected soon.
3. Rick Gaston said a new bond has been purchased but we have not yet received it.
4. There are approximately 40 building permits missing that were issued. We do not know if the work was done without a permit and will have to go to each of these 40 sites to check. We are also missing the first page of the log of the permits issued/signed for. This contained permits 1 through 65. We have no way of finding out who took out these permits or of finding out if the work was done. It was suggested the log information be entered into the computer at the end of each week so that we have the information if the paperwork is lost. Trustee Roberts also feels we need some kind of cross check when we hand out permit applications and do not receive the fee at the same time.

OLD BUSINESS:

President Shields received a letter stating that Chicago-Elmhurst Stone has cleaned up Jelke Creek.

NEW BUSINESS:

No report.

ROBERTS MOVED WITH A SECOND FROM HARNEY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL. AYE: ROBERTS-HARNEY-FUQUA-JOHNSON-TENNIS-WILLIAMS. MOTION PASSED.

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The regular meeting reconvened at 11:20 p.m.

FUQUA MOVED WITH A SECOND FROM ROBERTS TO ADJOURN THE MEETING AT 11:20 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

*Norine Olson*

Norine Olson  
Village Clerk



# The Village of Sleepy Hollow, Illinois

One Thorobred Lane  
Sleepy Hollow, Illinois 60118

Village Hall  
Village President

426-6700  
580-3477

Village Clerk  
Building Department

428-2266  
428-3388

*Released 6-2-97*

## EXECUTIVE MEETING MINUTES

NOVEMBER 15, 1993

The executive meeting began at 7:35 p.m. In attendance were President Shields; Trustees Fuqua, Harney, Johnson, Roberts, Tennis, and Shields; Attorney Payne; Deputy Clerk Johnson; and Village Clerk Olson.

1. A meeting was held on November 5, 1993 and included Shields, Payne, Gary Vanek, Cal Grafelman, and Joe Cavallaro to discuss Metropolitan and the Chateau buildings. West Dundee is deciding between 3 sites where to build their new public works building, one of which is one the old Chateau property. Our "deal" for having the buildings demolished as previously discussed should be no problem, if West Dundee chooses the Chateau property for the building site. Shields also raised the question to West Dundee of obtaining sewer capacity for the 30+ commercial acres by Tuckers. West Dundee does not have a problem with our transporting sewage to East Dundee, as long as they don't decide to expand their Village limits west to Randall Road, in which case they may need the extra capacity for their own needs.

Bill Payne will tell Gary Vanek to continue with our litigation against Metropolitan by requesting their response and answer.

2. Eight easement agreements were sent to landowners for the water main project along Sleepy Hollow Road. Two responses have been received and one was returned undeliverable. The Board briefly discussed the possible difficulties we may face in obtaining the easements from the landowners. Attorney Payne noted we may get to the point where we are forced to hire a condemnation firm to get some of the easements.

JOHNSON MOVED WITH A SECOND FROM HARNEY TO RETURN TO REGULAR SESSION AT 7:50 P.M. AYE: JOHNSON-HARNEY-FUQUA-ROBERTS-TENNIS-WILLIAMS. MOTION PASSED.

Respectfully submitted,

*Norine Olson*

Norine Olson  
Village Clerk

*Released  
7-15-96*



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## 1 EXECUTIVE MEETING MINUTES

NOVEMBER 15, 1993

The second executive meeting of the night started at 10:50 p.m. Present were President Shields; Trustees Fuqua, Harney, Johnson, Roberts, Tennis, and Williams; Police Chief Montalbano; and Village Clerk Olson.

- Released 7-24-95*
1. We are unhappy with the work of Deputy Zoning Enforcement Officer Jim Kruger and have not even heard from him in 2 months. Building Inspector Joe Prang is not willing to assume this position. We are now in need of a new DZEO and Trustee Roberts asked for recommendations or suggestions from the Board. A suggestion was made to contact East and West Dundee to see if their inspector might be interested in also handling our Village.
  2. President Shields is looking for additional help in Village upkeep and beautification without spending more money. He discussed with Chief Montalbano and a Kane County official the possibility of using people who have been sentenced to do community service by the court. Surrounding towns have used these people (at no cost to the village) with no problems. The Board was unanimous in their negative feelings about this idea. Trustee Tennis even said he would rather spend the money to hire additional help instead!  
(Chief Montalbano left the executive session)
  3. The memo distributed to the office by Ron Panning concerning the no smoking policy was discussed. Some trustees thought this memo was far too harsh. It threatened to fire those individuals who again broke the no smoking rules. This was apparently the second memo circulated on the subject. It was felt this memo was not fair since it was sent only on the basis that cigarette butts were found in an ashtray in the office--no one was actually seen smoking. It was suggested that the ashtrays be removed from the office. Although there is no question about Ron's ability as Treasurer, some concern was expressed about Ron's interpersonal skills with the office staff. This memo was apparently put in each office employee's personal file. The Board agreed this memo should be removed from their files. Trustee Tennis feels the no smoking policy should be reinforced and should be posted in the Village. It was felt President Shields should discuss the situation with Ron.

*Released 1-16-95*

*Released 6-17-02*

Johnson moved with a second from Roberts to return to regular session at 11:20 p.m. Aye: Johnson-Roberts-Fuqua-Harney-Tennis-Williams.  
Motion passed.

Respectfully submitted,

*Norine Olson*

Norine Olson, Village Clerk