

REGULAR MEETING  
MINUTES

JULY 21, 1997

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Nemec, and Williams; Police Sgt. Childs; Treasurer Panning; and Clerk Olson. Trustee Merkel was absent.

MINUTES:

HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE REGULAR MINUTES OF JULY 7, 1997. MOTION PASSED BY VOICE VOTE WITH DEBOLT AND WILLIAMS ABSTAINING.

PRESIDENT:

1. Insight, the developer who previously met with Village officials to discuss their interest in the property along Route 72, will make a presentation at the Village Hall on July 28<sup>th</sup> at 7:30 p.m.
2. Officer Rick Nelson, who has agreed to participate in a resident officer program for the Spring Hill Apts., will present a monthly report to the Board on his activities. This resident officer program is ready to begin. An anonymous donor is giving \$500 - \$600 toward this program.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

1. SpaceCo has expressed interest in two parcels along Route 72 and have been given zoning information.
2. The question raised last meeting as to whether a resident needed a variance for a deck has been reviewed by our Village Attorney who advised that a variance is not necessary.
3. Another pending issue concerned a building permit request from a residence that has an illegal shed and whether we can deny the permit until this shed is removed. This matter is still under review by our Attorney. Chairman Heffron noted that we can add language to our ordinance to allow denial of a permit on this basis for the future, if we wish.

ZBA:

1. Chairman John Kedzior said the ZBA heard two variance requests at a recent meeting. The first, File #184, involved a variance request for an undersized lot at 141 Hilltop Lane. The ZBA recommended approval subject to maintaining the 15' setback from the west lot line, rather than the 10' setback shown on the septic plan. HARNEY MOVED WITH A SECOND FROM WILLIAMS TO APPROVE FILE #184 AS RECOMMENDED BY THE ZBA SUBJECT TO THE RESTRICTIONS OF MAINTAINING THE 15' SETBACK FROM THE WEST LINE AS SHOWN ON THE BUILDER'S PLAN AND PROVIDED THAT THE SEPTIC FIELD MEETS COUNTY ORDINANCES. MOTION PASSED BY VOICE VOTE.
2. The second matter, File #185, also involved an undersized lot at 1710 Hickory Drive. The ZBA also recommended approval of this variance. HARNEY MOVED WITH A SECOND FROM NEMEC TO APPROVE ZBA FILE #185. MOTION PASSED BY VOICE VOTE.
3. Trustee Harney noted that she has received comments from individuals who have been unable to contact the ZBA Chairman.

ATTORNEY:

No report.

ENGINEER:

No report.

TREASURER:

1. The invoice from Engineering Enterprises should be put on hold as President Shields is discussing it with the engineers. Trustee Harney again requested a copy of the landscaping design for the Village Hall for our records and to enable us to compare and ensure that the work has been done to spec. Trustee Czerniawski noted that all trustees should review the complete invoice listing at the end of the accounts payable to make sure all invoices are correctly charged to their departments. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE THE WARRANTS FOR JULY 18, 1997 IN THE AMOUNT OF \$56,299.17. AYE: CZERNIAWSKI, HARNEY, DEBOLT, NEMEC, WILLIAMS. MOTION PASSED.
2. There were no questions on the financial statements.
3. Discussed the sewer rate increase. This will increase the basic charge from \$11.20 to \$11.65, the basic user rate per 1,000 gallons from \$4.85 to \$5.10, and the flat rate user charge will remain the same at \$50 per month, resulting in an overall increase per month of approximately \$1.40. CZERNIAWSKI MOVED WITH A SECOND FROM NEMEC TO APPROVE ORDINANCE NO. 97-13 ENTITLED "AN ORDINANCE AMENDING SECTIONS 6-4A-4A, 6-4A-4B AND 6-4A-4C OF TITLE 6, CHAPTER 4, TITLED VILLAGE WATER AND SEWER, OF THE VILLAGE CODE OF THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS" TO COINCIDE WITH THE AUGUST USAGE AND BILLED IN SEPTEMBER. AYE: CZERNIAWSKI, NEMEC, DEBOLT, HARNEY, WILLIAMS. MOTION PASSED. Trustee Harney noted that Public Works must clean out all sewer tanks in the Village every summer to prevent sewer problems.
4. The contact report for May and June was briefly reviewed.
5. Non-resident Jay Nollman, who lives on Boncosky Road, used 200,000 gallons of water during the recent fire of his barn. He is on our water system but according to our ordinances, should be liable for the cost of this water usage as a non-resident (approximately \$1,900). After discussion, the Board decided not to charge Mr. Nollman for the water use. They also felt this ordinance should be amended or redrafted to allow non-residents on our water system free use of water in the event of fires.
6. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO AUTHORIZE THE TREASURER TO SIGN THE AMERITECH CONTRACT FOR 56KB SERVICE TO QUADCOM. AYE: HARNEY, CZERNIAWSKI, DEBOLT, NEMEC, WILLIAMS. MOTION PASSED. This matter was previously discussed and approved by the Board.

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

(8:40 - 9:25 p.m.)

1. Bluffs' residents Ken Jared, Dennis Nastali and others were present to inquire as to the status of their traffic/speed problem. The Board discussed possibly making Katrina Lane, the connecting street into Surrey Ridge, a permanent one way street, going south only. A "no outlet" sign would be needed at Boncosky and school buses would need to be exempt from the one way restriction. This would deter people coming from Boncosky Road to cut through the Village. Rhoda Feller of Acorn in Surrey Ridge, while sympathetic to the problem, noted that she would be inconvenienced as she goes through the Bluffs to go to and return from work. She also felt residents who would be impacted should be advised of this type of decision beforehand and given a chance to respond back to the Village. The possibility of speed "humps" was also discussed, which are smaller than speed "bumps" and do not damage snow removal equipment. However, we have no idea of the cost of this solution and should check with our engineers. Trustee Merkel had previously asked that the Board make no decision in his absence. The Board agreed that any decision should have public comment first and again expressed concern that whatever we do for the Bluffs may have to be done for other streets throughout the Village. A stop sign was suggested as a first step to slow traffic. WILLIAMS MOVED WITH A

SECOND FROM NEMEC TO DIRECT PUBLIC WORKS TO INSTALL A THREE WAY STOP SIGN AT RIVER RIDGE AND BROM COURT AND FURTHER, THAT WE HAVE OUR ATTORNEY DRAFT AN ORDINANCE TO ALLOW ENFORCEMENT OF THESE STOP SIGNS. MOTION PASSED BY VOICE VOTE WITH DEBOLT VOTING "NO".

#### ROADS & PARKS:

1. The hydrants have been flushed and the culverts are being repaired.
2. Since we no longer dump brush on the burn pile, when residents participate in the "rent-a-truck" program on weekends, we must pay \$10 per load to dispose of this yard waste to Plote. DEBOLT MOVED WITH A SECOND FROM HARNEY TO CHARGE RESIDENTS WHO USE THE VILLAGE TRUCK FOR A WEEKEND A \$15 LANDFILL FEE, TO BE PAID IN ADVANCE. AYE: DEBOLT, HARNEY, CZERNIAWSKI, NEMEC, WILLIAMS. MOTION PASSED.

#### FINANCE:

The high utility income we received last fiscal year will probably not occur again. This came mainly from Northern Illinois Gas. It was also noted that the Upholsterer's Workshop has moved out of the Village and is being replaced by a mattress store. Randy's Vegetables has experienced a large decrease in their sales due to the Randall Road construction.

#### WATER:

1. Public Works flushed pipes last week. The water quality on the east side has been poor and samples will be tested by engineers.
2. The broken culvert on Crane Drive will be replaced soon. We will not know who is responsible for the cost of this work until excavation begins. The road will be closed for 1-2 weeks and notice will be posted in advance. Trustee DeBolt noted that the break appears to be below the culvert but was probably caused by back hoes trying to dig under the culvert during construction of the water main.
3. The street sign at Joy Lane was removed due to construction on Randall and people unfamiliar with the area have had difficulty locating the street. Another street sign will be temporarily installed.

#### POLICE:

1. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO HIRE FOUR PART TIME POLICE APPLICANTS AT \$8.00 PER HOUR. AYE: HARNEY, CZERNIAWSKI, DEBOLT, NEMEC, WILLIAMS. MOTION PASSED.
2. West Dundee is sponsoring a tornado disaster drill on October 19<sup>th</sup> and our police department will be participating.
3. President Shields asked Sgt. Childs to find out what we need to do to activate the warning system through Quad Com. This should be left on the fire station building where it is currently located.

#### HEALTH & SANITATION:

No report.

#### BUILDING:

1. Trustee Harney has discovered that the new house on Locust and Sycamore, which is located in the flood plain, received approval from the building department to be filled in and removed from the flood plain, which removal has now been approved by FEMA. However, when this is done, per village ordinance and FEMA, the filled in area must be compensated elsewhere with an engineered compensatory storage plan of 1-1/2 times the filled in area. This is normally done by the builder or homeowner of the property, but has not been done in this particular instance. We will require the homeowner to remove as much dirt as possible before issuing the final occupancy permit. The Village is responsible for enforcement of any compensatory storage plans required, and

FEMA could cancel the federal flood insurance for those residents in flood plain areas if we do not comply. Trustee Harney will also find an appropriate ordinance stating that any future requests to be removed from a flood plain area through FEMA must be approved by the Board, not the Building Dept. We will also need to bring our zoning ordinance in compliance with our building ordinance and FEMA regulations regarding the requirement of 1-1/2 times compensatory storage for flood plain fill. The Board discussed the possible consequences of this matter which will be addressed by our Village Attorney.

2. According to the Army Corps, detention areas are not allowed in wetlands or flood plain areas. Our ordinance on this matter will need to be amended to reflect the laws of the Army Corps and Trustee Harney will discuss with the Village Attorney.

3. The Board was not interested in membership in the DuKane Valley Council, Municipal Committee.

#### OLD BUSINESS:

1. President Shields feels that the Bluffs' traffic problems are no different than other areas of the Village and that there is really nothing we can do to alleviate their problem and that we should so advise them in order to end the matter. The Board concurred but would like to know the cost of speed humps (anticipated to be too high to consider) before advising the Bluffs' residents that we plan to take no further action. They would also still like to do traffic studies on other Village roads for comparison.

2. All trustees should give Trustee DeBolt any comments or changes on the draft job description for the Public Works Superintendent.

3. Two recently built houses (on Hillcrest at Rainbow and on Beau Brummel) do not yet have paved driveways which are required. A third garage addition at 209 Hilltop does not have a paved area leading from that third garage. These will be checked by the Zoning Enforcement Officer.

4. Mr. Kolacny has never called the Zoning Chairman back concerning the Kindercare plans on the old Chateau property.

5. President Shields disagrees with some of Engineering Enterprises' billing, including billing for their phone discussions with a builder and a resident, which were not authorized by the Village Board. He also disagreed with the amount of billing for certain projects.

6. The Headless Horsemen Stables have not returned a signed agreement after two requests, although they have sent the rental fee. Clerk will advise them that they do not have a lease and must vacate the property within 60 days if they do not sign the agreement.

7. The stop sign at Hilltop Court, which was approved some time ago, should be installed and an ordinance prepared. Clerk will draft an ordinance.

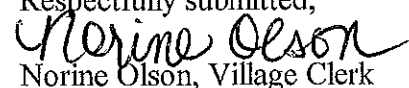
#### NEW BUSINESS:

1. Trustee Czerniawski asked for clarification on the Family Medical Leave Act--does an employee have to file for it to go into effect or is it automatic? The Finance Committee interpreted it as automatic when you go on sick leave for more than three days. If you are on medical leave, you do not accrue benefits, i.e., paid holidays. If you are taking your time as vacation time, you would accrue benefits. The Board felt this was not an issue in the instance of Becky Freemon and that she could consider this time off as vacation, as she requested, therefore accruing benefits.

2. Bob Gesko of Crane Court, whose driveway we repaired at his request, is now suing the neighboring resident, who he blames for the water problems. We will write a letter outlining what we did at the request of the resident being sued.

HARNEY MOVED WITH A SECOND FROM NEMEC TO ADJOURN THE MEETING AT 10:40 P.M.  
AYE: HARNEY, NEMEC, CZERNIAWSKI, DEBOLT, WILLIAMS. MOTION PASSED.

Respectfully submitted,

  
Norine Olson, Village Clerk