

REGULAR MEETING
MINUTES

NOVEMBER 3, 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, Merkel, Nemec, and Williams; Police Chief Montalbano; Treasurer Panning; Attorney Schuster; Engineer Naylor; and Clerk Olson.

MINUTES:

The October 20, 1997 regular minutes should be changed as follows: (1) page 1, the motion to approve the minutes was made by MERKEL, not DEBOLT. (2) page 3, under Roads & Parks, #5, the Motion should read: "DeBolt moved with a second from Merkel that we implement a 'no left turn' ordinance at northbound Sleepy Hollow Road south of Route 72 to westbound Route 72". HARNEY MOVED WITH A SECOND FROM DEBOLT TO APPROVE THE MINUTES AS AMENDED. MOTION PASSED BY VOICE VOTE WITH NEMEC ABSTAINING.

PRESIDENT:

1. President Shields would like to have an executive session for purposes of personnel and land acquisition.
2. President Shields has heard that Elgin is prepared to put temporary lights at the Saddle Club entrance at Randall Road. Pancor will also have a stop light at their entrance as part of their development requirement with Elgin. Trustee Merkel spoke with someone at Motorola who advised him that they have no plans to pay for the light at Saddle Club. These lights appear to be the responsibility of the City of Elgin.
3. President Shields thanked Zoning Board Chairman Walt Heffron for his 24 years of service to the Village, and noted the many years his wife, Pat, has also served on Village Boards. HARNEY MOVED WITH A SECOND FROM DEBOLT TO ACCEPT, WITH DEEP REGRET, THE RESIGNATION OF WALT HEFFRON FROM THE ZONING BOARD, EFFECTIVE DECEMBER 17TH. MOTION PASSED BY VOICE VOTE.

Chairman Heffron has recommended Art Neil, who has also served for 24 years, to replace him as chairman. HARNEY MOVED WITH A SECOND FROM DEBOLT TO CONFIRM THE APPOINTMENT OF ART NEIL AS CHAIRMAN OF THE ZONING BOARD EFFECTIVE DECEMBER 17TH. MOTION PASSED BY VOICE VOTE.

Mr. Heffron recommended and President Shields made re-appointments of Zoning Board members as follows: Karen Hale, 4 years; Richard Corbett, 4 years; Al Hass, 2 years; Denise Sommerlot, 2 years; Larry Jacox, 2 years. HARNEY MOVED WITH A SECOND FROM DEBOLT TO ACCEPT THE APPOINTMENTS AS ENUMERATED BY PRESIDENT SHIELDS TO THE ZONING BOARD. MOTION PASSED BY VOICE VOTE. There is still one open position on the Zoning Board.

4. President Shields brought up the landscape program around the Village Hall which was discussed last meeting. Payment had been withheld to Steve Wiedmeyer as we did not know if the landscaping was complete pursuant to the design. The work and plantings have been verified as complete by Martin Design.

CLERK:

1. A Spaulding, Michigan tree farm has requested permission to sell trees at Randy's Farm this year November 24 through December 24th. DEBOLT MOVED WITH A SECOND FROM NEMEC TO APPROVE THE SALE OF CHRISTMAS TREES AT RANDY'S BY HAFEMAN'S EVERGREENS. MOTION PASSED BY VOICE VOTE.

2. We have incurred both attorney and engineering fees totaling approximately \$525 on the Steffen subdivision matter. These fees should be sent to the Steffens for payment as part of the cost of their ZBA/subdivision matter and are payable according to the latest ordinance provisions.

PLAN COMMISSION:

The Plan Commission is short one member.

ZONING BOARD:

Chairman Walt Heffron reported that the plan revisions for KinderKare are in process. West Dundee did not approve the storm water detention plan for the area, but did give oral approval on use of their curb cut to the east of the KinderKare property for parking. The 1+ acre parcel has been disconnected by Sleepy Hollow but not yet annexed by West Dundee. However, West Dundee may wish us to maintain control of the ¼ acre parking area.

ZBA:

No report.

ATTORNEY:

1. The new telecommunications fee ordinance substitutes the existing franchise fee for a new infrastructure maintenance fee which is tied into the federal regulations of this industry. This is in addition to our franchise agreement with the phone company and is different from our utility tax ordinance. This does not cover cable franchise fees. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE ORDINANCE NO. 97-19 ENTITLED "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE VILLAGE OF SLEEPY HOLLOW BY THE ADICTION OF CHAPTER 6, TITLE 6 IMPOSING A MUNICIPAL TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEE". AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.
2. We are still working on the Bluffs subdivision and reduction of the bond.

WILLIAMS MOVED WITH A SECOND FROM HARNEY TO ADJOURN TO EXECUTIVE SESSION AT 8:10 P.M. FOR THE PURPOSES OF DISCUSSING LAND ACQUISITION AND PERSONNEL PURSUANT TO SECTIONS 2c(1) AND 2c(5) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting reconvened at 8:20 p.m.

ENGINEER:

1. Regarding the water quality issue, samples of water pipe have been removed and the accumulation on the inside of the pipe will be analyzed by the EPA. The Board would like to proceed with the phosphate method by contacting the appropriate companies for review to determine the effectiveness of their cleaning.
2. The MFT pay request is being reviewed by the engineers. It is estimated that the damages against Geske and Sons for violation of their contractual obligations could be as much as 70 days at \$500 per day. The Board agreed they wish to pursue these damages. DEBOLT MOVED WITH A SECOND FROM WILLIAMS TO DIRECT OUR VILLAGE ATTORNEY TO ENFORCE THE PROVISIONS OF THE CONTRACT. AYE: DEBOLT, WILLIAMS, CZERNIAWSKI, HARNEY, MERKEL, NEMEC. MOTION PASSED.
3. The application permit has been submitted to the reviewing agencies for the Bullfrog Lane culvert and work continues on the Thorobred Lane culvert, with a report anticipated at the next meeting.
4. Trustee Harney questioned the preliminary work done by the engineers on the Bullfrog area and referred to previous minutes where the Board stated that any preliminary engineering work was to be done at both Bullfrog and Locust at the approved cost of \$2,000. Ron Naylor understood the direction to be preliminary work at Bullfrog only and indicated that to do the same preliminary work at Locust would be an additional cost comparable to that at Bullfrog. He said the report back from the Army Corps may indicate whether further study or work will be necessary at Locust if they feel it will be impacted by the Bullfrog work. It was suggested that Mr. Naylor bring this matter to his firm and report back to the Board in writing how they plan to handle this discrepancy in what work was to be performed for the \$2,000 maximum cost.

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

(8:40 - 9:00 p.m.)

1. Chuck Behm, the Dundee Township Highway Commissioner read a statement, including the complimentary services they give to Sleepy Hollow, and noted how the "no left turn" onto Route 72 will adversely impact them, especially for snow plowing. He also questioned how emergency vehicles and school buses will be handled. Trustee DeBolt indicated that emergency vehicles would be exempt from this law.
2. Resident John Rabe also spoke against the "no left turn" and the impact to Village residents with increased traffic through our Village and the fact that the traffic studies do not warrant this action. He said he spoke on behalf of many residents with whom he had discussed this matter and said they felt their views were not being represented by the Board. He said the Board should have asked for resident input on this matter and asked them to consider this matter more thoroughly before making a final decision. He is also concerned with emergency vehicles, especially the fire department, and how this will affect their service.
3. Resident Bill Reum also spoke against the "no left turn" and his concern about increased traffic on Rainbow, which he feels people will use to turn around at in order to head west on Route 72.
4. Don Rage noted that we have requested traffic lights on Randall Road for our protection yet will not correct the intersection at Route 72 and Sleepy Hollow Road which is a safety issue for many people. He feels we should have communicated with and obtained opinions from the residents about the "no left turn" issue before any vote was taken. He feels there are other ways to prevent excessive traffic from using Sleepy Hollow Road other than the steps we have taken.
5. Jay Cameron of Willow Lane questioned electric dog fences and if they can be buried on Village property. The Board responded that they must be on the resident's property only. The names of those residents in violation should be given to the Zoning Enforcement Officer. We may wish to institute a permit requirement for these fences to ensure they are installed on private property only.
6. Kevin Jermyn of Arlington Parkway asked if the Village President had met with county officials to discuss the concerns of residents who back up to Randall Road. He has not yet done so due to illness but plans to discuss these concerns with the county.

TREASURER:

1. Add \$1,500 to Taylor Stump & Tree Removal, \$1,202.31 to Complete Mechanical Services and hold back 20% of the payment to Steve Wiedmeyer of \$3,646.00. Although Wiedmeyer prepared the ground outside the Village Hall, there are now weeds growing on one side of that area and seed cannot be planted without preparing the area again. CZERNIAWSKI MOVED WITH A SECOND FROM DEBOLT TO APPROVE THE WARRANTS OF OCTOBER 31, 1997 IN THE AMOUNT OF \$58,843.17. AYE: CZERNIAWSKI, DEBOLT, HARNEY, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.
2. There is a Finance Committee meeting on November 20th.
3. On the underground tank storage, the engineer's certificate and other information has been sent to the IEPA.

ROADS & PARKS:

1. The soccer nets will be taken down as soccer is done for the season.
2. The burn pile will be allowed to continue burning for further reduction of the pile and the residue will then be removed. The "No Dumping" signs should again be put up and enforced.
3. The salt storage bin is up and the shingles will be applied this week.
4. Trustee DeBolt walked Randall Road along Saddle Club Estates. It appears that proper wiring, etc. is in place for stop lights. The landscaping at the entrance has also been trimmed to allow a clear view for vehicles waiting to exit the subdivision. He feels there will be problems along there with the cars going off the road into yards as well as water drainage problems for those residents considering the height of the road compared to the yards.

5. Trustee DeBolt asked what would be done with the seeding at the Village Hall. One side is fine and we will seed yet this fall. It was felt that the other side with weeds should wait until next spring, at which time the ground will again have to be prepared at an additional cost. Steve Wiedmeyer should be contacted to seed the "weed free" area.

6. The "no left turn" issue was again discussed. Trustee Harney felt this issue should be reconsidered and we should obtain input from residents before moving forward. President Shields felt the vote taken at the last meeting should have been taken when the full board was present as was requested. He also felt that we are affecting many residents of West Dundee, the village with whom we are currently negotiating for sewer capacity for the benefit of possible commercial development in our Village. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO RESCIND THE OCTOBER 20TH MOTION REGARDING NO LEFT TURNS FROM SLEEPY HOLLOW ROAD TO ROUTE 72. AYE: CZERNIAWSKI, HARNEY. NAY: DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION DID NOT PASS. Trustees DeBolt, Merkel and Williams noted that they received many positive comments to instituting no left turns at this intersection.

FINANCE:

1. Finance is currently reviewing insurance coverage for the Village and trustees to ensure its adequacy.
2. The Finance Dept. is meeting with the police officers to review the benefits for the police department.
3. Discussed the purchase order and bids policy. We need stricter controls for items over \$4,000. CZERNIAWSKI MOVED WITH A SECOND FROM DEBOLT THAT FOR ITEMS OVER \$4,000 THAT WE FOLLOW THE GUIDELINES OF ORDINANCE NO. 93-8, THAT COMPETITIVE BIDS SHOULD BE RECEIVED BY THE VILLAGE CLERK AND THAT THE BIDS SHOULD BE OPENED BY THE CLERK AND THE TRUSTEE IN CHARGE OF THE PROJECT. THE ORIGINAL BIDS SHOULD BE KEPT BY THE VILLAGE CLERK AND COPIES GIVEN TO THE TRUSTEE IN CHARGE OF THE PROJECT, WHO SHOULD THEN EVALUATE THE BIDS AND GIVE HIS REPORT TO THE BOARD AND RECOMMENDATION, AT WHICH TIME THE BOARD HAS A CHANCE TO RATIFY THE BID. A COPY OF THE EVALUATION SHOULD GO TO THE VILLAGE CLERK AND A COPY OF THE APPROVED BID SHOULD GO TO THE FINANCE DEPARTMENT TO ENSURE ALL PAYMENTS ARE IN LINE WITH THE BID. The President would like to see Village staff, as full time employees, evaluate bids received and summarize the information for the Board's review. Trustee Harney feels it is important to include that the Board is the only body that can enter into contract for the Village, or can delegate this authority. She feels contracts and purchase orders should be distinguished, and that contracts must be approved by the Board before they go out. She wants these issues included in a new ordinance to be prepared. She would like to see the Finance Dept. handle bids the way it was handled for the waste contract bids, including preparation of bid specs, review, and summarization for the Board. It was decided this issue needs more review between Trustee Harney and Finance and should then be discussed by our Village Attorney and the Finance Dept. to prepare an ordinance. DEBOLT MOVED WITH A SECOND FROM CZERNIAWSKI TO TABLE THE MOTION.

WATER:

The phosphate method of water treatment is our most economical way to get rid of the rust, about \$5,000. The drawback is that it will take 6 months to two years to get rid of all the iron. There are approximately 50 houses having the iron problem. Trustee Williams suggested we put water filters in these homes to temporarily solve the problem for this period of time. The cost would be about \$150 per home. We are trying this on a trial basis in one house having severe problems and should have results within two weeks to a month. The other proposed alternatives to this water quality problem are extremely expensive.

POLICE:

No report.

HEALTH & SANITATION:

1. There is a sewer main problem on Rainbow which Art is working on. Trustee Harney suggested we contact Brian Whiston at CMT who has the records on these mains and may be helpful.
2. We are down to two sewer pumps in storage. There was some question as to how many pumps are left in the budget. This should be verified by the Finance Dept.

BUILDING:

1. Everyone should have a copy of the Long Grove wetland ordinance. The Zoning and Planning Boards need direction on preparation of an ordinance for the Village. HARNEY MOVED WITH A SECOND FROM DEBOLT TO DIRECT THE ZONING BOARD AND PLAN COMMISSION TO PROCEED TO PUT TOGETHER AN ORDINANCE THAT INCORPORATES BOTH THE NIPC MODEL ORDINANCE AND LONG GROVE ORDINANCE AND THAT BASICALLY USES THE DELINEATION PARAMETERS ON THE EXISTING SOILS MAPS AS PROVIDED BY KANE COUNTY. MOTION PASSED BY VOICE VOTE.
2. John Kedzior has offered to do a review of our fence ordinance. Trustee Harney suggested we hold off until after the wetland ordinance and other pending matters are complete. HARNEY MOVED WITH A SECOND FROM WILLIAMS TO DIRECT THE ZBA TO, AT THIS POINT, ENFORCE THE ZONING ORDINANCES THE WAY THEY STAND AND THAT WE WILL LOOK AT IT AGAIN IN ABOUT A YEAR. After discussion, it was decided that Trustee Harney will just verbally advise John Kedzior of this decision, although his offer is appreciated. Harney and Williams withdrew their motion and second.
3. The impact fees for both the Fahy and Steffen subdivisions have not yet been billed. HARNEY MOVED WITH A SECOND FROM MERKEL TO DIRECT THE FINANCE DEPT. TO SEND BILLS TO BOTH FAHY AND STEFFEN FOR THE APPROPRIATE IMPACT FEES. AYE: HARNEY, MERKEL, CZERNIAWSKI, DEBOLT, NEMEC, WILLIAMS. MOTION PASSED.
4. There is a municipal league meeting with state representatives on November 18th at 7:30 a.m. in Batavia.

OLD BUSINESS:

No report.

NEW BUSINESS:

The Service Club has asked if they can store their wagon and dunk tank in the back barn and have offered to clean out the barn in exchange for the storage. Trustees Merkel and DeBolt will work out the details and have Art remove anything he needs to keep before everything else is cleaned out.

HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE MEETING AT 10:05 P.M. AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

Released 6-16-03

NOVEMBER 3, 1997

The executive session of the Board of Trustees convened at 8:10 p.m. for the purposes of considering acquisition of real estate, pursuant to 5 ILCS 120/2c(5), and for the purposes of considering the appointment, employment, compensation, discipline, performance or dismissal of personnel, pursuant to 5 ILCS 120/2c(1). In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, Nemec and Williams; Attorney Schuster; and Clerk Olson.

1. The Board discussed the situation at Sleepy Hollow Road and State Route 72, in regard to the Village of West Dundee proposal to improve the intersection, status of the adjoining Galvin property, potential annexation of properties in the area of the intersection, and possible acquisition of right of way for purposes of making intersection improvements.

The Board directed Attorney Schuster to review these matters and report back to the Board for its further consideration.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk