

REGULAR MEETING
MINUTES

DECEMBER 1, 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:

1. The minutes of November 17, 1997 should be amended on page 1, under Attorney, second paragraph, by deleting the second sentence and putting in its place: "...President Shields stated that he was changing the order of business, not the agenda. He read from the Illinois Municipal Handbook the section which he believed gave the Village President the authority to change the order of business." Trustee DeBolt distributed a written description of Robert's Rules of Order which states that all business transacted out of order is null and void, which would be the motion made after "Open to the Public" to table the intersection vote. However, since this would eliminate a partial record of the meeting, this will be left in. Also, on page 2 under "Open to the Public", include under Marlene Drozd's comments that Trustees Harney and Williams did return her calls. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE REGULAR MINUTES AS AMENDED. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

No report.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

No report.

ZBA:

Chairman Kedzior told Trustee Harney that a ZBA meeting is scheduled for December 18th. She is very concerned about the long delays in scheduling hearings. She believes that fences are not allowed except under hardships and that fence requests should be brought to the building department, rather than the ZBA. The resident can then go to the ZBA as the next step if they wish to appeal the decision. Trustee Harney will discuss with the Zoning Chairman possibly including in the next ordinance changes that fence issues will be handled by the building department rather than by the ZBA.

ATTORNEY:

1. Discussed the new burning ordinance which deletes the "sunny days" requirement. All other parts of the burning ordinance remain the same. WILLIAMS MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE ORDINANCE NO. 97-20 ENTITLED "AN ORDINANCE AMENDING THE REGULATION OF OPEN BURNING IN THE VILLAGE". Trustee Harney would like additional restrictions on burning. HARNEY MOVED WITH A SECOND FROM NEMEC TO AMEND THE ORDINANCE TO PERMIT BURNING FROM 9 AM TO 3 PM ON FRIDAYS, SATURDAYS, AND SUNDAYS ONLY.

ON AMENDMENT: AYE: HARNEY, NEMEC. NAY: CZERNIAWSKI, DEBOLT, MERKEL, WILLIAMS. AMENDMENT FAILED.

ON MAIN MOTION: AYE: WILLIAMS, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC. NAY: HARNEY. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM NEMEC TO ADJOURN TO EXECUTIVE SESSION AT 8:10 P.M. FOR THE PURPOSE OF REVIEWING EXECUTIVE MINUTES AND THREATENED LITIGATION, PURSUANT TO SECTIONS 2c(21) AND 2c(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting reconvened at 8:25 p.m. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO RELEASE THE FOLLOWING EXECUTIVE MINUTES TO THE PUBLIC: ENTIRE MINUTES OF 5/1/95, PARAGRAPH 1 OF 7/1/96 MINUTES, PARAGRAPHS 1 AND 2 OF 10/7/96 MINUTES, ENTIRE MINUTES OF BOTH 3/17/96 AND 5/19/97. MOTION PASSED BY VOICE VOTE.

ATTORNEY (Continued)

2. Attorney is preparing an ordinance regarding tobacco products restrictions.
3. Still working on completion of the Bluffs subdivision.
4. Attorney Schuster and Trustee Williams are working on closing out the water main connection matter with the bonding company.

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

(8:30 - 8:40 p.m.)

1. Jay Cameron of Willow Lane discussed the Village open pathways located behind Willow Lane which are being used by some residents as part of their private property, including installation of electric dog fences. These dog fences are being addressed by the Zoning Enforcement Officer. Trustee Harney suggested we may want to indicate this is public property for Village residents by cleaning out the overgrown portions and installing some signs similar to those in the parks. We may need to survey the area to determine the boundary lines. Mr. Cameron is willing to sit on a village committee to work on this matter.

ENGINEER:

1. The vendors have not yet submitted reports on the water quality matter.
2. We have no further involvement on the Randall Road water meter.
3. The Illinois Dept. of Natural Resources has responded with comments on our application concerning the Bullfrog culvert and indicate they will require additional information. A meeting will be scheduled with the IDNR on the Bullfrog, Thorobred, and Locust flooding problems and Trustee Harney requested that she be included in this meeting. The previous computer modeling information to be used in these studies has been more difficult to obtain than anticipated and some may not even be available any longer.
4. Engineer has done some initial work on costs of traffic studies as they relate to the entire village as well as the Route 72/Sleepy Hollow Road intersection. Preliminary study costs could run approximately \$5,000 or more. The Board asked the Engineer to submit their proposals and alternatives in writing as soon as possible for the Board's review. Should include costs for the Route 72 intersection but mainly focus on a comprehensive study throughout village. Questioned if we can really obtain a viable solution to the traffic problems after all the studies are complete. Also asked if we can look at results obtained from studies in similar communities to determine if any would be applicable for us.

5. Trustee Harney is very concerned about the cost for the Bullfrog culvert project and requested that responsibility for this project be transferred to the trustee of roads & parks. The Engineer should now report to Trustee DeBolt on this matter.

TREASURER:

1. Add Dome Corporation for \$43,650 and Dave Williams for \$42.87. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE THE WARRANTS OF DECEMBER 1, 1997 IN THE AMOUNT OF \$114,140.76. AYE: CZERNIAWSKI, HARNEY, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED. Trustee Czerniawski noted that our insurance bill from the Illinois Municipal League was about \$5,000 under budget. Trustee Harney congratulated Treasurer Panning on the installation of the alarm system.

2. The tax levy of \$338,600 represents an increase of about 3.1% over last year. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE ORDINANCE NO. 97-21 ENTITLED "TAX LEVY ORDINANCE". AYE: CZERNIAWSKI, HARNEY, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.

3. Finance Committee reviewed impact fees and recommends an increase for the Village. A detailed report will be submitted to the Board shortly.

4. A water filter proposal was submitted to five plumbers with responses expected by December 11th. We are also expecting a proposal from our engineer concerning chemical treatment related to this issue.

ROADS & PARKS:

1. All board members should have received a letter from former trustee Dirk Fuqua regarding stop signs.
2. There is power for the lights at Saddle Club. This intersection is very dark and the lights should be hooked up as the wiring is already in place.

FINANCE:

1. The proposed purchase order and contract guidelines should be reviewed and any comments given to Trustees Czerniawski or Harney.

WATER:

No report.

POLICE:

1. Quad Com is about to begin negotiations on their contract.
2. Quad Com is considering the inclusion of other entities into the system and said this could reduce our yearly fees by about \$16,000. They also said any additional costs would be passed on to the new groups in Quad Com, which include both a village and fire departments. There may be a conflict of interest for the Quad Com attorney who also represents one of the fire departments that may join Quad Com.
3. A tobacco ordinance is being prepared as a result of recent problems at Spring Hill Apartments with juvenile smoking.

HEALTH & SANITATION:

Trustee Nemec asked if we would be interested in using trained residents to clock speeders on village streets although no tickets could be issued by the residents. The Board had no interest.

BUILDING:

Joel Kruse has received no requests for fences along Randall Road. Residents should submit a permit application if they want to put one up.

OLD BUSINESS:

No report.

NEW BUSINESS:

Trustee DeBolt has heard gun shots from his home, but hunting is not allowed in the Village, although it is permitted in the unincorporated area just outside the southern Village limits.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Norine Olson".

Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

DECEMBER 1, 1997

Released
7-20-98

The executive session of the Board of Trustees was convened at 8:10 p.m. for the purpose of reviewing executive minutes and discussing threatened litigation. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, Nemec, and Williams; Attorney Schuster, and Clerk Olson.

1. Executive minutes were reviewed for possible release to the public. We will not release the minutes from 11/15/93 and 2/20/95. We will release in entirety the minutes from 5/1/95, 3/17/96 and 5/19/97 and also paragraph 1 of 7/1/96 minutes and paragraphs 1 and 2 of the 10/7/96 minutes. Motion will be made in open session.
2. Attorney Schuster noted that all executive minutes should be approved in executive session. Executive minutes of 11/3/97 were reviewed. HARNEY MOVED WITH A SECOND FROM DEBOLT TO ACCEPT THE EXECUTIVE SESSION MINUTES OF NOVEMBER 3, 1997 AS SUBMITTED. MOTION PASSED BY VOICE VOTE.
3. Attorney Schuster and President Shields met with the attorney for Geske & Sons regarding the contractual requirements of both Geske and the Village in relation to the MFT road work and our hold back of approximately \$31,000 from their invoice. We will discuss our contract requirements with the Village Engineer to see what, if anything, he did in this regard. The Village Attorney will report back to the Board by the next meeting with any recommendations on settling this matter.
4. President Shields and Attorney Schuster are attempting to schedule a meeting with West Dundee officials regarding possible right of way acquisition at Route 72 and Sleepy Hollow Road.

HARNEY MOVED WITH A SECOND FROM DEBOLT TO ADJOURN THE EXECUTIVE SESSION AT 8:25 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson
Village Clerk