

REGULAR MEETING  
MINUTES

SEPTEMBER 21, 1998

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, Harney, Merkel, and Williams; Police Sgt. Childs; Treasurer Panning; Engineer Heinz; and Clerk Olson. Trustees DeBolt and Nemec were absent.

MINUTES:

1. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE THE SEPTEMBER 8, 1998 REGULAR MINUTES AS SUBMITTED. MOTION PASSED BY VOICE VOTE WITH MERKEL ABSTAINING.

PRESIDENT:

1. There will be an executive session regarding personnel under Old Business.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

1. There was a public hearing on the KinderCare rezoning from R1 to B2 which was recommended for approval by the Zoning Board. WILLIAMS MOVED WITH A SECOND FROM HARNEY TO INSTRUCT THE VILLAGE ATTORNEY TO PREPARE AN ORDINANCE CHANGING THE ZONING OF SAID PROPERTY FROM RESIDENTIAL TO B2. MOTION PASSED BY VOICE VOTE. Chairman Neil asked that this process be completed as soon as possible so KinderCare could proceed with their construction plans.
2. A public hearing has been tentatively scheduled for October 14<sup>th</sup> for the Randall Road fence and playhouse issues.

ZBA:

1. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ACCEPT THE RESIGNATION OF MEMBER LINDA IMHOFF WITH REGRET. MOTION PASSED BY VOICE VOTE.
2. MERKEL MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE APPOINTMENT OF VIC WUERSTL TO THE ZBA. MOTION PASSED BY VOICE VOTE.
3. ZBA File #203 contains five variance requests for the KinderCare development. Ladi Kolacny, owner of the property and his attorney James Kiss were present. Phil Wroblewski, engineer of the development, presented the plans, explained the variance requests and answered questions from the Board. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ACCEPT THE ZBA RECOMMENDATION TO APPROVE THE VARIANCES ON ZBA FILE #203. MOTION PASSED BY VOICE VOTE. Mr. Kiss said additional documentation or an ordinance may need to be prepared concerning partial disconnection of the property between West Dundee and Sleepy Hollow.
4. ZBA File #204 was a variance request for a neon sign at Verlo Mattress. Neon signs are not allowed per ordinance and the ZBA recommended denial. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE THE ZBA DENIAL OF FILE #204. MOTION PASSED BY VOICE VOTE.

Mike Reckhamp of Mueller & Co. presented the Village audit report which shows no problems. The management letter recommended minor improvements in our accounting procedures, most of which are already being implemented. Trustee Czerniawski commended the treasurer and accounting staff for their work on the village's accounting records and the auditor agreed.

Tom Mammoser of the Dundee Township Park District made a presentation on the referendum question that the Park District will have on the November ballot. This involves a tax re-structuring which will not increase the tax rate to the Park District and will enable several projects to be undertaken in the township, including a new pool and recreation center. If this is not passed, the tax rate to township residents would be reduced.

Tom Rickert of the Kane County Division of Transportation discussed the county's plans for addressing population growth and transportation problems in Kane County through the year 2020. Randall Road will become a six lane road between Route 72 and Big Timber in the future. This future expansion will be taken from land on the west side of Randall only. The county has entered into an intergovernmental agreement with Elgin which allows Elgin access intersections with traffic signals at ¼ mile intervals along this stretch, including Saddle Club Pkwy. and Joy Lane. These access points coincide with entrances to their commercial developments west of Randall. All costs of the intersection improvements will be paid by the City of Elgin and the developers. The Board expressed concern for protecting our Randall Road residents from the noise, light and sound.

Mark Ebacher of Wispark made a presentation on the corporation and their development under construction west of Randall Road. The proposed widening of the Joy Lane intersection will be done in two phases. Initially, one additional lane would be added and when Randall is widened to six lanes, a grass median would also be added to further widen Joy. Don Rage stated that these intersections every ¼ mile will create continual and intense lighting that will affect the Randall residents. He also said storm water may become a problem with the improvements. President Shields will meet with Mr. Rickert to discuss our Village's expenses in relocating any village property located at Joy Lane. Our engineers were asked to determine what property will be affected by this Joy Lane design and report back to the Board. President Shields also expressed his disappointment that Sleepy Hollow was not consulted or included in discussions on the intergovernmental agreement. Board also concerned that this intersection widening will increase traffic through the Village while giving no benefits to Sleepy Hollow. No decision will be made on this intersection until President Shields meets with Tom Rickert of Kane County.

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

(9:25 - 9:45 p.m.)

1. Kevin Jermyn asked how soon after the public hearing on October 14<sup>th</sup> he could apply for a building permit to install his fence on Randall. He was told it would be when the Zoning Board recommends approval and the trustees also approve and pass an ordinance, which could be as early as the October 19<sup>th</sup> meeting. Mr. Jermyn also asked Mr. Rickert of Kane County why Elgin has received all their requested access points while South Elgin was denied their requests. He replied that it depends on the studies and traffic analysis of each particular area of road.

2. Mr. Holcomb wanted Board assurance that they would not change the rules again concerning fences, specifically on notice requirements. He thanked Don Rage for his support in getting guard rails installed on Randall and asked if the county would address the flooding problems they have encountered as a result of the Randall widening. Mr. Rage suggested this flooding problem be brought to Jeff Daley at Kane County. President Shields will discuss this with Mr. Daley.

3. Matt Mayer of 1014 Beau Brummel would like to purchase an 80' easement next to his home to install tile because of water problems. He backs up to the Galvin property. The Board asked him to submit his request in writing for their review.

4. Ed Benes of 7 Plum Court said he has been cutting the village property behind his house for 32 years. He felt the actions of Trustee DeBolt were illegal and that the Village should clean up its own area behind the village buildings.

5. Jeff Seiler suggested the county address the problem of Randall Road traffic turning right into Saddle Club and Joy Lane and consider adding right turn lanes into those entrances to avoid possible rear end collisions.

6. Don Rage asked about the grassy/natural area in front of the Village Hall and was told that it is now being maintained by an outside landscaping service. He also noted the two non-binding referendum questions on

the ballot concerning the stop signs on Joy and the no left turn onto Route 72 and asked the board members if they would change their vote on these issues if the residents indicated otherwise. Board answered how they would respond. He also asked if the stop signs on Joy would be removed as they are illegal. President Shields responded that the Board has not yet had a chance to discuss this matter since receiving our legal opinion.

ENGINEER:

1. The culverts were installed across Sleepy Hollow Road and grading was completed. The contractor for the MFT project said paving will begin next week. Work will not begin on Sleepy Hollow Road prior to notifying the Police Dept. of any anticipated road closure.

TREASURER:

1. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE THE WARRANTS OF SEPTEMBER 18, 1998 IN THE AMOUNT OF \$83,050.63. AYE: CZERNIAWSKI, HARNEY, MERKEL, WILLIAMS. MOTION PASSED.

2. There were no comments on the financial statements.

3. The IEPA has advised us that we will receive a \$10,647.91 refund for the underground tank removal if the funds become available.

4. The treasurer submitted a breakdown of the revenue and expenses concerning building fees.

5. Central Management Services will be conducting an audit for a health plan compliance review program.  
(Attorney Schuster arrives)

ATTORNEY:

1. Discussed recommended changes to building codes and fees, and their relation to amounts budgeted and received. We will proceed with these changes as recommended by Trustee Harney and review this matter again at budget time to decide if other changes are necessary. Several ordinances will be presented at the next meeting.

2. Discussed the detention pond problem in the Bluffs and its ownership and maintenance responsibilities. The condition of the pond has not been professionally analyzed. The completion bond expires October 1<sup>st</sup> and we do not yet have the required maintenance bond from the developers, who have not appeared before the board concerning our acceptance of the subdivision. Our attorney has sent notice to the developers to correct the detention pond problems and he will review the covenants of the homeowner's association. The Board directed the Village Attorney to take all steps to pull this bond prior to its expiration and have it converted to a maintenance bond.

3. Discussed village stop signs and the traffic studies to justify the signs. Board will receive copy of memo prepared by village attorney on this matter before making any decision on the future of the signs.

4. There has been no recent communication with the potential developers of the Locust parcels concerning access issues when those parcels are developed. Our engineers recently met with the developer concerning water main requirements and a meeting will be scheduled with Trustee Williams.

(Attorney Schuster leaves)

ROADS & PARKS:

No report.

FINANCE:

1. A contract is being developed for all service providers.

WATER:

1. The City of Elgin has been awaiting information from us since March concerning the water main connection on Randall Road. Public Works will be instructed to locate the pipe and advise Elgin of the location and type of pipe by Wednesday.

2. The east side water treatment program will cause severe discoloration for the next few months. Public Works must flush the pipes 2-3 times per week to help the situation.

POLICE:

1. MERKEL MOVED WITH A SECOND FROM CZERNIAWSKI TO PURCHASE THE BL4000 SVGA MULTIMEDIA PROJECTOR AT A COST OF \$3,824.00 FROM BOXLIGHT CORPORATION. AYE: MERKEL, CZERNIAWSKI, HARNEY, WILLIAMS. MOTION PASSED. This will be used for training new police officers.

HEALTH & SANITATION:

No report.

BUILDING:

1. The fence violation on Mrs. Cook's property will be taken to court through our usual procedures.
2. There will be a flood plain audit of the village conducted on October 14<sup>th</sup> with a report given to the board by October 19<sup>th</sup>.
3. Trustee Harney will complete a permit application for the Army Corps for the Bullfrog Lane shore bank restoration project even though she feels we violated no rules of the Corps.
4. Resident Sue Bennett and a group of people would like to undertake a wetland restoration project of the west end of Lake Sharon. Their only requirement to us would be to pull back the shore bank for about 150'. The Board would like a written proposal from this group before agreeing to this project.

OLD BUSINESS:

1. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN TO EXECUTIVE SESSION AT 10:50 P.M. TO DISCUSS PERSONNEL PURSUANT TO 2(C)(1) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

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

CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE ELLEN VOLKENING'S NEW PAY RATE OF \$31,491.00 ANNUALLY AS DISCUSSED IN EXECUTIVE SESSION AND HER NEW TITLE OF OFFICE ADMINISTRATOR, EFFECTIVE SEPTEMBER 14, 1998. AYE: CZERNIAWSKI, HARNEY, MERKEL, WILLIAMS. MOTION PASSED.

2. Discussed the village open space property behind Willow Lane. Trustee Merkel suggested we first have a title search made of the property to determine if any covenants run with this village property. Clerk will contact Mark Schuster to obtain. Board agreed we should take the appropriate steps to get all personal property removed from the village property.

NEW BUSINESS:

No report.

WILLIAMS MOVED WITH A SECOND FROM MERKEL TO ADJOURN THE MEETING AT 11:35 P.M. AYE: WILLIAMS, MERKEL, CZERNIAWSKI, HARNEY. MOTION PASSED.

Respectfully submitted,



Norine Olson, Village Clerk

Released 7-7-14

EXECUTIVE MEETING  
MINUTES

SEPTEMBER 21, 1998

The executive session of the Board of Trustees was convened at 9:40 p.m. for the purpose of discussing personnel pursuant to §2(c)(1) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, Harney, Merkel, and Williams; and Clerk Olson.

President Shields and Trustee Merkel met with Police Chief Montalbano to discuss an annuity upon his retirement. The trustees were somewhat surprised the village president discussed this matter with the chief and also felt he should not have given a press release on this as it was discussed in executive session and the board had not officially agreed to or voted on this matter. Trustees commented on any possible obligation we may have to give this annuity since a press release was issued stating that we were, and also commented on the possible financial difficulty in giving this annuity. Also commented on possible problems with offering this to only one member of the police department and encountering charges of discrimination.

At the meeting with the chief, they also discussed Ellen Volkening's new position and Becky Freemon's responsibilities. Becky will continue to work under the chief's direction. However, Ellen may go through the chief if she has office work for Becky. The Board also reiterated their desire that the office staff be cross-trained.

Apparently, Ellen told Terri herself about her new position and the office changes rather than letting the president do so. Board felt this was not appropriate and may cause future problems with office personalities.

Discussed Art Sunderlage's continual inability or lack of motivation to complete Public Works tasks given by Board members. Trustees must thoroughly document all incidents in writing, but should handle any incidents through Trustee DeBolt. Art should also be given copies of these reports and advised of the seriousness of the situation.

WILLIAMS MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE EXECUTIVE  
SESSION AT 11:25 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson  
Village Clerk