

PUBLIC HEARING - JULY 19, 1999 7:15 P.M.

APPROPRIATION ORDINANCE

Attendance: Village President – Robert Shields, Trustees - Richard Czerniawski, Tom Merkel, Joe Nemec, Steve Pickett, Greg Rzonca, Treasurer - Ron Panning, Public – none.

Village President Called the Hearing to order at promptly 7:15 P.M. and turned over the presentation to Finance Chairman and Trustee Richard Czerniawski. Trustee Czerniawski explained how the appropriation amounts were taken form the Operating Budget and Set approximately 20-25% higher as the legal expenditure level with the addition of contingency amounts. The Village Finance committee reviewed the total appropriation amount of \$2,788,090 and recommends approval.

The Floor was open to questions. There were no questions from the public.

The Village President called the Hearing closed at 7:20 PM.

## Public Attendance Log

Public Hearing  
Appropriation Ordinance  
July 19, 1999 7:15 PM  
Village Hall

[illegible]

REGULAR MEETING  
MINUTES

JULY 19, 1999

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, Merkel, Morris, Nemec, Pickett and Rzonca; Police Sargeant Childs; Treasurer Panning; and Deputy Clerk Sommerlot.

MINUTES:

1. CZERNIAWSKI MOVED WITH A SECOND FROM NEMEC TO APPROVE THE REGULAR MINUTES OF JULY 5, 1999 AS SUBMITTED. RZONCA HAD A CHANGE TO THE MINUTES AS FOLLOWS: TRUSTEE RZONCA REPORTED THAT, CONTRARY TO THAT WHICH HE REPORTED IN THE LEGEND, THE LICENSED RETAIL SALE OF FIREARMS FROM MOTORIZED VEHICLES IS PROHIBITED BY ATF. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

1. Called for an Executive Session for imminent litigation. Trustee Morris asked Shields if he asked the village attorney about the recent flood lawsuit. Shields said he did not get a response and will follow-up.

CLERK:

1. RZONCA MOVED WITH A SECOND FROM MORRIS TO APPROVE ORDINANCE NO. 99-22 ENTITLED "AN ORDINANCE AMENDING TITLE 4, PUBLIC HEALTH AND SAFETY REGULATIONS, OF THE SLEEPY HOLLOW MUNICIPAL CODE TO ADD A NEW CHAPTER, CHAPTER 9; FIREARM DEALERS, FOR THE REGULATION OF THE SALE OF FIREARMS IN THE VILLAGE". Rzonca mentioned a few changes to reduce the ordinance in size and make it more clear by dropping items 1., 2., and 3 in Section B, page 2, which should be incorporated by the village attorney. AYE: MERKEL, PICKETT, CZERNIAWSKI, MORRIS, NEMEC, RZONCA. MOTION PASSED.

PLAN COMMISSION:

No report.

ZONING BOARD:

Neil requested a joint meeting between the Plan Commission and Zoning Board to discuss the Wetlands Conservancy Overlay District and the legal ramifications of the ordinance to the Village Board at the next Board meeting on August 2, 1999. Shields agreed to allow about one hour time for discussion at the next Board meeting.

ZBA:

No report.

ATTORNEY:

No report.

ENGINEER:

No report.

TREASURER:

1. Trustee Panning suggested four add-ons for the warrants, one for St. Joseph Hospital for \$134, Amoco gas for \$13.74, Mobile Communications \$76.20 and U.S. Postage for \$300. Also an additional \$100 could be added for one of the invoices received, which was thought to be part of the Independent Contractors Agreement.

Panning mentioned that all of the independent contractors are working without a contract, pending a review by board members. Panning asked for approval to pay the invoices of the independent contractors that are working without a contract. MORRIS MOVED WITH A SECOND FROM RZONCA TO APPROVE THE WARRANTS SUBMITTED BY STEVE WIEDMEYER, KURT SUSANKE, GERALD HEINZ & ASSOCIATES AND DAVID & ASSOCIATES IF THE ACTS PERFORMED UNTIL THE INDEPENDENT CONTRACTORS AGREEMENT IS EXECUTED, LIMITED TO THE WORK SATISFACTORILY PERFORMED TO DATE. AYE: CZERNIAWSKI, PICKETT, MERKEL, MORRIS, NEMEC, RZONCA. MOTION PASSED.

2. NEMEC MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE STEVE WIEDMEYER TO PROVIDE THE MOWING SERVICES FOR THE VILLAGE AS DEFINED IN THE INDEPENDENT CONTRACTORS AGREEMENT WITHOUT GOING OUT TO BID, NOT TO EXCEED THE BUDGETED AMOUNT. AYE: CZERNIAWSKI, PICKETT, MERKEL, MORRIS, NEMEC, RZONCA. MOTION PASSED. Hey & Associates bill for \$588.50 was pulled out until we decide how it was submitted without a proposal first.

3. CZERNIAWSKI MOVED WITH A SECOND FROM MERKEL TO APPROVE THE ACCOUNTS PAYABLE FOR JULY 16, 1999 IN THE AMOUNT OF \$70,835.64. AYE: CZERNIAWSKI, PICKETT, MERKEL, MORRIS, NEMEC, RZONCA. MOTION PASSED. Trustee Czerniawski commented on the Financial Statements for the month of June, noting that we received better than 1/4 of the annual amount and it has only been two months, primarily because we received a large portion of our property taxes. Czerniawski also mentioned about the Expenses section and the only section that needs a closer look is the Commodities. Right now commodities are at 77% and should be about 83% of the annual budget. Panning said that some of it was MDT items for the car, which is a one-time item.

#### ROADS & PARKS:

1. Trustee Pickett stated, as a result of the floods and the concerned residents, we asked Hey & Associates to develop a figure for what our storm water capacity is relative to the storm water coming from the WisPark Development. Hey & Associates proposes to take our existing design on file from Windsor, take some field measurements and calculate a figure of what it was originally designed to support and what it can currently support. Hey suggests that we take that information to Elgin. Trustee Rzonca said it was his understanding that Elgin will take our data into consideration and make recommendations to WisPark based on our calculations. Shields said that Elgin is planning a second detention pond across from Jamestowne Court. RZONCA MOVED WITH A SECOND FROM NEMEC TO APPROVE THE JULY 13, 1999 PROPOSAL FROM HEY & ASSOCIATES, NOT TO EXCEED \$2,000, FOR THEIR CONVEYANCE ASSESSMENTS OF WINDSOR'S FIFTH EDITION SUBDIVISION. AYE: CZERNIAWSKI, PICKETT, MERKEL, NEMEC, RZONCA ABSTAIN; MORRIS. MOTION PASSED.

\*\*\*\*\*OPEN TO THE PUBLIC\*\*\*\*\*  
(8:30 - 8:50 p.m.)

1. Resident Ralph Tileston, 743 Hillcrest Drive spoke regarding a letter he received about a dam to be repaired. He wanted to know if this is step one or is this a single activity. Trustee Pickett said he will address all three dams in his report. Tileston voiced concern about the swales which are not sufficiently processing the flow of water. Pickett responded that Shields obtained \$20,000 from Senator Rauschenberger that we can use on our flooding problem. Heinz & Associates is looking into the entire village to develop a total village flood control program, which includes swales. Pickett stated, we found we can use some of our MFT funds on swales. Tileston offered his assistance and the assistance of his neighbors to resolve this problem.

2. Resident Ron Knapik on Maria Court asked why is the water fire hydrant flushing so erratic? Trustee Nemec replied, as of two weeks ago the recommendation was Tuesdays and Fridays.

3. Resident Rita Gerhardt requested a permit to block off Katrina Lane for their fifth annual block party on Sunday, August 22nd. Tents will be set up on vacant lot #43 on Katrina Lane. Shields explained that no alcohol can be served on village property. Pickett asked Gerhardt to provide him with the details before the August 2, 1999 Board meeting, so that it can be brought up at that time.

#### ROADS & PARKS (continued):

Trustee Pickett reported on the Sleepy Creek and Lake Sharon area dams have been breached recently. Also, east of Bullfrog has totally cut under the dam. Pickett would like to call in Hey & Associates at an estimate of about \$6,500. Rzonca said the dam was built in 1974 and the creek has increased 10 feet in 10 years. Pickett asked the Board to review his document on land use and park lands regarding the land behind the houses on Willow Lane, and assist him with the determination. Shields told him that it must be maintained as park land or we lose it. Trustee Rzonca suggested a bike or jogging path. Trustee Nemec suggested small signs on posts marking village green space to indicate the park area. Both Pickett and Morris received calls from residents along this property. Trustee Morris asked how he and his neighbors go about getting permission of planting tree saplings on village property. Nemec suggested Sleepy Hollow can adopt the stewardship program vision that is in place in West Dundee.

#### FINANCE:

1. CZERNIAWSKI MOVED WITH A SECOND FROM MERKEL TO APPROVE ORDINANCE #99-23 APPROPRIATION ORDINANCE FOR FISCAL YEAR COMMENCING 1ST DAY OF MAY 1999 AND ENDING ON THE 30TH DAY OF APRIL 2000. AYE: CZERNIAWSKI, PICKETT, MERKEL, NEMEC, RZONCA, MORRIS. MOTION PASSED.
2. CZERNIAWSKI MOVED WITH A SECOND FROM RZONCA TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT AS DRAWN UP BY MARK SCHUSTER, FAXED HERE ON JULY 16, 1999. MOTION PASSED BY VOICE VOTE, WITH MORRIS ABSTAINING.
3. New Personnel manuals were distributed to all village personnel.

#### WATER:

1. Trustee Nemec stated that residents have indicated that the water is still bad, but there are more good days than bad days. The state standard is 1 mg per liter, the highest that came back was 4.69 m.g. per liter in April. Now we have a baseline and have an idea of where the phosphates are in the system.

#### POLICE:

1. Screening of candidates is completed and skills testing will be held at Wabaunsie College on July 31st. Seven candidates responded.
2. Trustee Morris discovered that there is a state law that state law that makes it unlawful for children 13 and under from carrying loaded air rifles (including paint ball guns). The statute also makes it unlawful for any person to discharge an air rifle on or across public property.
3. Morris received a complaint regarding speeding traffic on Joy Lane. Morris said he will work with the police to see what can be done to rectify this situation.

#### HEALTH & SANITATION:

Trustee Merkel received information that 222 Rainbow's septic field is failing. The residents requested permission to hook-up to the existing sewer. There is a discrepancy if they are part of the sewer district. Debbie made a map showing they are in the district, however they have not paid into the sewer district as of yet. There is also a concern about our current capacity. Merkel said he will get the capacity readings from Debbie and pass those on to Mark Schuster.

BUILDING:

1. Trustee Rzonca wants opinions on the Independent Professional Liability Insurance coverage, as Joel Kruse has an exception to paying \$2,500 for this coverage.
2. Shields read a letter from residents Joe and Sarah Ratachinski appealing a code enforcement violation regarding a shed they began building almost one year ago. The residents are appealing their violation to the Board. RZONCA MOVED WITH A SECOND FROM MERKEL TO DENY THE APPEAL OF A CODE ENFORCEMENT VIOLATION. MOTION PASSED BY VOICE VOTE WITH MORRIS ABSTAINING. Shields suggests that a letter be sent to the residents saying that your appeal to the board for the code enforcement violation has been denied.

OLD BUSINESS:

Rzonca said that a resident, Ed Rozylowicz is offering to put a link from the Sleepy Hollow web site, which includes the Board's profile information. Rozylowicz needs the profiles as soon as possible. He also requested a disk with the village ordinances to be included on the web site.

NEMEC MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN TO EXECUTIVE SESSION AT 9:55 P.M. FOR THE PURPOSE OF DISCUSSING PERSONNEL AND IMMINENT LITIGATION PURSUANT TO SECTIONS 2(C)(1) AND 2(C)(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

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Regular meeting resumed at 10:35 p.m.

MORRIS MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE MEETING AT 10:35 P.M. MOTION PASSED BY VOICE VOTE.

) Respectfully submitted,



Denise Sommerlot  
Village Deputy Clerk

12/3/01  
The executive meeting of the Sleepy Hollow Corporate Authorities was called to order at 9:55 p.m. In attendance were President Shields; Trustees Czerniawski, Merkel, Morris, Nemec, Pickett and Rzonca; and Deputy Clerk Sommerlot.

1. Discussion about Joel Cruse's liability coverage and cost. Fahy is counter suing the village of Sleepy Hollow, Sue Harney and Joel Cruse due to the impact fees of \$10,000.
2. Jim Podbreger indicated to Rzonca that he would sue the village, possibly Sue Harney and Joel Cruse for selective enforcement of compensatory storm water storage. Podbreger still does not have an occupancy certificate. Mark Schuster will give final notice for Podbreger to comply this month.
3. Shields received letters and phone calls regarding joining in the law-suit against Pulte. John Regan stated to Shields that if we did join in the law suit, West Dundee would close the door to us for future negotiations for a very long time. Therefore Regan would de-annex his 40-acre parcel north of Rt. 72 as he feels West Dundee would not grant sewer access to his property.

4-19-04  
Rzonca spoke to Mark Schuster who said he would not suggest we go with the suit. He also spoke to John Mayer, West Dundee Village Board and a proponent of annexing. He said, if approved, the sewer will come from Elgin and connect somewhere around Randy's farm and that Pulte will pay for it. Rzonca does not suggest we join the fight, merely find a way to express to Pulte the potential adverse effects this development can have on our community.

Pickett said that Mike Roth, who represents the concerned homeowners in the Pulte development, has agreed to a special closed session with us and Mark Schuster. There is a very short time-line schedule, if we chose to meet with him. Pickett indicated that the residents would be extremely disappointed if the Board did not agree to at least listen. Morris suggested that we agree to listen to the presentation to show support of the residents.

4. Shields is talking with engineers about changing the course of Sleepy Hollow road to exit more to the east with a possible light and T into the shopping center just north of Rt. 72 on the Regan property. Shields is anticipating \$4,000-\$5,000/year revenue from Locust retailers.

12/3/01  
MORRIS MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE EXECUTIVE SESSION AT 10:35 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Denise Sommerlot  
Village Deputy Clerk