

REGULAR MEETING
MINUTES

NOVEMBER 1, 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 Chief Montalbano; Treasurer Panning; Attorney Schuster; Engineer Heinz; and Clerk Olson.

MINUTES:

1. MORRIS MOVED WITH A SECOND FROM PICKETT TO APPROVE THE REGULAR MINUTES OF OCTOBER 18, 1999 AS SUBMITTED. MOTION PASSED BY VOICE VOTE WITH MERKEL ABSTAINING.

PRESIDENT:

1. The listed item under the Clerk's report was deleted from the agenda.
2. There will be an executive session under the Attorney's report.

CLERK:

No report.

PLAN COMMISSION:

The Plan Commission is currently reviewing the Kane County storm water ordinance.

ZONING BOARD:

Chairman Neil said the Zoning Board will be reviewing the Kane County ordinance also and has already prepared their summary of our proposed ordinance as requested previously.

ZBA:

1. Chairman Kedzior presented file #209 for Twin Oaks Baptist Church requesting two signs, both over 6' in size, and recommended approval. MORRIS MOVED WITH A SECOND FROM NEMEC TO APPROVE FILE #209 FROM THE ZBA. Board just received the information tonight and wanted more time to review. NEMEC MOVED WITH A SECOND FROM PICKETT TO TABLE THE MOTION UNTIL THE NEXT BOARD MEETING. AYE: NEMEC, PICKETT, CZERNIAWSKI, MERKEL, MORRIS, RZONCA. MOTION PASSED.

2. Chairman Kedzior presented file #210, a request for a size variance for a children's play structure, which is substantially built and which the resident had registered with the Village in March and assumed was permitted. RZONCA MOVED WITH A SECOND FROM MORRIS TO ACCEPT THE ZBA RECOMMENDATION FOR APPROVAL OF THE VARIANCE. Board discussed and heard from the homeowner who lives on Sycamore Lane. AYE: RZONCA, MORRIS, CZERNIAWSKI, MERKEL, NEMEC, PICKETT. MOTION PASSED.

ATTORNEY:

1. Attorney Schuster brought the agreement with Hey & Associates to be signed by the Village. He has also prepared a draft contract for Hey to be used with all work we authorize in the future. This sets out their fee structure in general, but each project would still require a written proposal from Hey and prior approval by the Board.
2. Attorney Schuster has received confirmation of a petition filed to change the boundaries of the Sleepy Hollow FPA relating to the Galvin property.

MERKEL MOVED WITH A SECOND FROM RZONCA TO ADJOURN TO EXECUTIVE SESSION AT 7:55 P.M. FOR THE PURPOSE OF DISCUSSING LITIGATION PURSUANT TO §2(C)(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

Prior to adjournment to the executive session, Glen DeCosta told the Board he did not feel the Open Meetings Act allowed us to discuss the petition to change the boundaries of our FPA in executive session.

The regular meeting reconvened at 8:15 p.m.

ATTORNEY (continued)

The Village Attorney stated that as of today NIPC has received a petition to amend the boundaries of the Sleepy Hollow Facilities Planning Area. He explained the Level II procedure, where we or any individual can submit comments/objections, but there will not be a public hearing, only a public meeting. Upon our receipt of the notice of the public comment period, we can then prepare and submit our response, which must be submitted within a certain number of days. The Board noted the proposed Level II status of this matter and that changing to a Level III would allow litigation as an attempt to stop the change, which is not permitted under Level II.

PICKETT MOVED WITH A SECOND FROM RZONCA TO DIRECT THE VILLAGE ATTORNEY TO BEGIN TO ANALYZE THE PETITION THAT HAS BEEN FILED. MOTION PASSED BY VOICE VOTE.

In view of the question raised before executive session regarding discussion of this matter in a closed meeting, it was the Board's decision to discuss this matter in open session instead.

ENGINEER:

1. The problem at 1718 Hillcrest has been corrected to the engineer's satisfaction.
2. Engineer Heinz has obtained information from Jim Podbregar necessary for his calculations. Attorney Schuster should be kept advised of any action in this matter by the engineer.
3. The Corps has been restructured and we should request grant money again at a later date.
4. The engineers prepared a drawing the proposed bike path extension along Boncosky Road to the Bluffs.
5. This year's MFT project is complete. The back flow along Locust is acceptable as long as it remains in the right of way.
6. The engineers received grading plans for soils in the wetland area which will be reviewed.
7. Engineer Heinz presented a proposal for \$1,950 to put our water main system onto a CAD program. Board discussed how this would benefit the village and other information from previous engineering studies which could be helpful. President Shields has some information that he will forward to Heinz. The Board will delay a vote on this proposal until Heinz Engineers have received other information that may affect this proposal.

TREASURER:

1. Three additional items were added. Trustee Czerniawski commented on the comparison sheet for worker's compensation costs. NEMEC MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE ACCOUNTS PAYABLE OF OCTOBER 29, 1999 IN THE AMOUNT OF \$74,271.61. AYE: NEMEC, CZERNIAWSKI, MERKEL, MORRIS, PICKETT, RZONCA. MOTION PASSED.
2. There will be a Finance Committee meeting on November 29th at 7:00 p.m.

COMMENTS FROM THE PUBLIC:

1. Glen DeCosta of 2711 Preston Lane, West Dundee, encouraged the Board to do all necessary to challenge the FPA and offered to share information he has obtained that would help our challenge. Also concerned about hearing that members of both Sleepy Hollow & West Dundee boards have met privately to discuss issues.

2. Walt Heffron of 1056 Van Tassel, noted that he did not agree with granting the ZBA variance approved earlier for the play set/tree house and also questioned whether a building permit had been issued. Mr. Heffron urged that the ordinances be upheld and enforced.

3. Susan and Kevin Hagan of 705 Hialeah Court, strongly urged the Board to ban open burning in the Village entirely for health reasons and said they have a daughter who is severely affected by leaf burning.

ROADS & PARKS:

1. Trustee Pickett thanked the Service Club for cleaning out Lake Sharon last weekend.

2. The painting of the interior of the Village Hall will begin this week.

3. We have received two quotes for maintenance of the heating & air conditioning system in the Village. Both quotes contained flat fees for scheduled maintenance inspections twice a year and another based on hourly rates. Board discussed which plan would be more cost effective and requested that the office staff contact each vendor and obtain more details on the yearly inspection, including number of hours involved in each inspection.

4. We are buying a new salt spreader for the truck which has been previously approved and is in the budget.

5. IDOT said we previously agreed to pay for flashing warning lights on the south side of Route 72, just west of Sleepy Hollow Road and the hill. We do not recall stating this and IDOT should be advised we would not pay for this as it is in the county, or will be West Dundee eventually, not Sleepy Hollow village limits.

6. Trustee Pickett asked if we would be interested in a tree preservation ordinance in the Village. Trustee Nemec mentioned that we can become a certified tree city village through the Arbor Day Society if certain requirements are met by the Village but would then prevent anyone from cutting down trees without prior approval. A copy of the proclamation will be obtained for review.

7. Trustee Pickett said we can become a certified local government through the Illinois Historical Preservation Committee which would allow us to designate and preserve historic landmarks in the Village, such as Sleepy Hollow Road, which would then prevent it from being changed (widened). Information will be obtained for review.

8. We have received a sign off from Mr. and Mrs. Nollman on the swale and other repair work.

9. A resident called about the trees on Locust just across from the apartments and said they block the view of cars at the stop sign. Public Works should trim this area.

10. Reflectors will be added to all new posts installed along the roads.

FINANCE:

1. A distribution of Ellen's duties while she is out on medical leave has been prepared.

2. A resident suggestion on ensuring that all residents purchase vehicle stickers is being reviewed.

3. Trustee Czerniawski spoke at length to a Willow Lane resident and said the issue of use/maintenance of village property behind that road cannot wait until next spring to be resolved. The draft ordinance prepared by Trustee Morris will be given to all trustees and the Village Attorney for review and preparation.

WATER:

1. The amount of visible improvement to the water treatment program will probably decrease as the weather turns colder as the chemicals are not as effective.

2. There was a water complaint from resident John Bohanek which should be discussed when the Village Attorney is present.

POLICE:

1. Trustee Czerniawski does not feel we should encourage employees to do volunteer work on village time.

2. The Friends of the Fen/Farm have been billed \$493 for the use of two police officers at their fund raiser. There was discussion whether we should waive payment of this bill or whether the Friends requested the police protection. This matter will be discussed at the next meeting when Dan Stroick is present.

HEALTH & SANITATION:

1. (Trustee Morris recused himself and returned after the discussion of the waste disposal bids.) MERKEL MOVED WITH A SECOND FROM NEMEC TO ACCEPT THE LOWEST BID OF VAN WEELDEN DISPOSAL, INC., PROPOSAL #3. Trustee Merkel and Treasurer Panning discussed the evaluation of the bids received. They both noted that we have been very happy with Waste Management and have had few complaints from residents. Two officers of Van Weelden were present to answer questions from the Board. AYE: MERKEL, NEMEC, CZERNIAWSKI, PICKETT, RZONCA. MOTION PASSED. Board members thanked Waste Management (representative present) for their service but noted the quote from Van Weelden was lower. The details of switching from Waste Management to Van Weelden will be worked out later.
2. The Mocklers are hooking up to the Village septic system.

BUILDING:

1. The HomeLife store has been assigned a street address of West Main Street. The post office asked if we wish to assign new addresses to all Sleepy Hollow residents currently listed as either Route 72 (north side) or Higgins Road (south side) so that there is consistency. Board was undecided if we wanted to change all addresses. It was suggested we could contact these residents and ask their opinion
2. We have received the report from Hey & Associates concerning the Wispark impact on Deer Creek. We now need to present these report results to Elgin and Hey & Associates are willing to negotiate with Elgin on this matter for \$900. The information does confirm that Deer Creek cannot handle the discharge from the Wispark development.

OLD BUSINESS:

1. Trustee Nemec suggested we issue press releases concerning the new leaf burning restrictions and also) install several signs around the village with these new restrictions. It was suggested we automatically replace the sprinkling ban signs every fall with the burning restriction signs.

NEW BUSINESS:

No report.

MORRIS MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE MEETING AT 9:55 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

NOVEMBER 1, 1999

The executive session of the Sleepy Hollow Board of Trustees was convened at 7:55 p.m. for the purpose of discussing litigation pursuant to §2(c)(11) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, Merkel, Nemec, Morris, Pickett and Rzonca; Village Attorney Schuster, and Clerk Olson.

2. Fahy lawsuit - depositions of Sue Harney and Joel Kruse are scheduled for later in November. The status of Village portion of the suit has not changed.

3. Attorney Mark Schuster commented on the propriety of discussing in executive session the pending Petition for Amendment of the State Water Quality Management Plan to change the boundaries of the Sleepy Hollow Facilities Planning Area filed with the Northeastern Illinois Planning Commission by the Village of West Dundee. A question was raised whether proceedings on such Petition constituted "litigation" under the Open Meetings Act. In light of this question, it was the consensus of the Board to conduct the discussion of the status of said Petition, and the Village's response to it, in open session.

4. Nothing new on the Podbregar matter.

MORRIS MOVED WITH A SECOND FROM PICKETT TO ADJOURN THE EXECUTIVE SESSION AT 8:15 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk

Released 6-18-01