

REGULAR MEETING
MINUTES

DECEMBER 4, 2000

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Shields; Trustees Merkel, Morris, Nemec, Pickett and Rzonca; Police Chief Montalbano; Treasurer Panning; Attorney Schuster; Engineer Heinz; and Clerk Olson.

MINUTES:

1. PICKETT MOVED WITH A SECOND FROM NEMEC TO APPROVE THE REGULAR MINUTES OF NOVEMBER 20, 2000. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

1. NEMEC MOVED WITH A SECOND FROM MORRIS TO AMEND THE AGENDA TO ADD AN EXECUTIVE SESSION AFTER NUMBER 13 OF THE AGENDA. MOTION PASSED BY VOICE VOTE.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

No report.

ZBA:

No report.

ATTORNEY:

1. Mr. Schuster drafted an ordinance adopting the international residential code for one and two family dwellings. Some changes will be made and this will be presented for adoption at the next meeting.
2. Mr. Schuster also drafted an ordinance adopting a local government taxpayers' bill of rights which will be presented for adoption at the next meeting.
3. Mr. Schuster discussed the swale/water problem on the Podbregar property which has been reviewed by the Village Engineer. A possible solution would be to connect an underground drain tile to the storm sewer located across Locust in West Dundee, which could be done by our Public Works. President Shields will contact the Village Manager to discuss. It may also help if a neighboring house altered its discharge point slightly to reduce the flow into the Podbregar's swale. Trustee Rzonca will speak with that homeowner.
4. The waterworks ordinance will be presented at the next meeting.

ENGINEER:

1. There are two days remaining in the pigging project. The work on the 4" mains has been stopped due to several breaks and the engineer recommends we do no further pigging on those pipes. It was recommended that the 4" pipes be replaced with 8". We do have some of the money in the budget already. NEMEC MOVED WITH A SECOND FROM RZONCA TO AUTHORIZE JOE HEINZ TO PREPARE A CHANGE ORDER TO THE FLOWMORE CONTRACT TO ELIMINATE THE REMAINING 4" PIPE WORK. AYE: NEMEC, RZONCA, MERKEL, MORRIS, PICKETT. MOTION PASSED. The Board and Engineer discussed the pigging project and the 4" replacement program. The affected residents will receive a letter with all updated information.

2. NEMEC MOVED WITH A SECOND FROM RZONCA TO AUTHORIZE HEINZ & ASSOCIATES TO PREPARE A 10 YEAR WATER PLAN & BUDGET FOR THE VILLAGE, AT A STUDY COST NOT TO EXCEED \$750. AYE: NEMEC, RZONCA, MERKEL, MORRIS, PICKETT. MOTION PASSED.

Trustee Nemec will give the Board a copy of a water plan that was prepared some time ago.

3. The proposed engineering plan for water system improvements will be discussed at the next meeting.

4. Another bridge repair estimate is expected in the near future.

5. The Deer Creek bid documents for Jamestowne will be ready for the next meeting.

TREASURER:

1. There were several additions to the warrants. MORRIS MOVED WITH A SECOND FROM PICKETT TO APPROVE THE WARRANTS IN THE AMOUNT OF \$69,257.18. AYE: MORRIS, PICKETT, MERKEL, NEMEC, RZONCA. MOTION PASSED.

2. RZONCA MOVED WITH A SECOND FROM MERKEL TO APPROVE ORDINANCE NO. 2000-22 ENTITLED "TAX LEVY ORDINANCE". The levy request is 2.89% and no public hearing is required. AYE: RZONCA, MERKEL, MORRIS, NEMEC, PICKETT. MOTION PASSED.

3. The Finance Committee recommends an increase in water rates due to the 2.8% water rate increase from Elgin and 3.8% sewer treatment increase from West Dundee, both which will be passed on to residents. MORRIS MOVED WITH A SECOND FROM PICKETT TO AUTHORIZE PREPARATION OF AN ORDINANCE REFLECTING AN INCREASE IN THE WATER AND SEWER RATE SCHEDULES AS PRESENTED BY THE FINANCE COMMITTEE, EFFECTIVE JANUARY 1, 2001. Treasurer Panning explained the increases to the Board. AYE: MORRIS, PICKETT, MERKEL, NEMEC, RZONCA. MOTION PASSED.

COMMENTS FROM THE PUBLIC:

1. Rick Carlson of 231 Hilltop Lane asked the Board to consider increasing the 20' maximum of RVs allowed to be stored in the Village. This will be referred to the Zoning Board for review and they will be asked to also review the section on boats for possible clarification of language. Mr. Carlson was advised he could also discuss a possible variance with the ZBA.

PICKETT MOVED WITH A SECOND FROM MERKEL TO ADJOURN TO EXECUTIVE SESSION AT 8:35 P.M. FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION PURSUANT TO §2(C)(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting reconvened at 9:20 p.m.

MORRIS MOVED WITH A SECOND FROM MERKEL TO ADJOURN TO EXECUTIVE SESSION AT 9:20 P.M. FOR THE PURPOSE OF DISCUSSING PERSONNEL PURSUANT TO §2(C)(1) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting reconvened at 9:30 p.m.

ROADS & PARKS:

No report.

FINANCE:

No report.

WATER:

The water report was submitted. Trustee Nemec described the pigging of a pipe with the equipment from the pigging contractor.

POLICE:

1. Five police applicants were interviewed. MORRIS MOVED WITH A SECOND FROM NEMEC TO AUTHORIZE THE POLICE DEPARTMENT TO OFFER THE PART TIME POSITION TO DOMINIC CAPUTO AT A STARTING WAGE OF \$10.00 PER HOUR. AYE: MORRIS, NEMEC, MERKEL, PICKETT, RZONCA. MOTION PASSED. We will still need to hire additional part time officers next year.
2. The review of the police jurisdiction matter is still pending.

HEALTH & SANITATION:

No report.

BUILDING:

1. We are currently under budget for hours for our zoning enforcement officer.
2. A final occupancy permit will be issued for the Podbregar residence and Engineering Enterprises will have to pursue their outstanding bill with Mr. Podbregar directly.
3. We have received the final Deer Creek report from Hey & Associates.

OLD BUSINESS:

No report.

NEW BUSINESS:

1. Discussed badges/i.d.s for Village employees and Village board members. The employees have i.d.s and the police department has the equipment to make badges/photo i.d.s for any board member who wishes one. Any board member who wants business cards should purchase at their own expense.

MORRIS MOVED WITH A SECOND FROM PICKETT TO ADJOURN THE MEETING AT 9:50 P.M.
MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

DECEMBER 4, 2000

The executive session of the Sleepy Hollow Board of Trustees was convened at 8:35 p.m. for the purpose of discussing pending litigation pursuant to 2(c)(11) of the Open Meetings Act. In attendance were President Shields; Trustees Merkel, Nemec, Morris, Pickett and Rzonca; Village Engineer Heinz; Village Attorney Schuster; and Clerk Olson.

1. West Dundee lawsuit: Mr. Schuster distributed a memorandum and diagram concerning the West Dundee lawsuit regarding the Sanitary Sewer Agreements and the metering devices. Board discussed where to install the two meters and it was agreed to do installations at 850 Willow Lane and just west of Kindercare, where a manhole already exists. The Village's Public Works Dept. can complete these projects and it should be done as a priority. A time schedule for the work should be set up and Mr. Schuster will then advise West Dundee of our plans. Mr. Schuster will file our answer to the complaint by December 15th. Regarding the other count of the Complaint, the pigging contractor, Flowmore, has talked with the IEPA and was advised that the IEPA has never issued a permit for pigging work in the state of Illinois. It was suggested that the Village may wish to obtain a sample of water exposed to the pigging process and have it tested to refute the claim that it is polluted or contaminated.

(Engineer Heinz leaves meeting.)

2. Pulte lawsuit: Mr. Schuster advised the Board that the Supreme Court has declined to review the Appellate Court case in Orland Park. Pulte has filed a motion to dissolve the injunction and asks for damages against Sleepy Hollow. Friday is our deadline to file our answer to Pulte's motion and the hearing on this matter is January 12, 2001. Mr. Schuster discussed our options concerning Pulte's claim for damages and that he will respond that the injunction cannot be dissolved as it is a moot point because of the other recent decision. While we would probably prevail in preventing any damage award, a trial would be costly. Mr. Schuster will be ordering a transcript from the hearing where our case was dismissed. December 8th is also the deadline to file a motion to reconsider the recent dismissal of our case, if Mr. Schuster decides to do so.

RZONCA MOVED WITH A SECOND FROM PICKETT TO ADJOURN THE EXECUTIVE SESSION AT 9:20 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

Released
12-21-09

DECEMBER 4, 2000

The executive session of the Sleepy Hollow Board of Trustees was convened at 9:20 p.m. for the purpose of discussing personnel pursuant to 2(c)(1) of the Open Meetings Act. In attendance were President Shields; Trustees Merkel, Nemec, Morris, Pickett and Rzonca; Village Attorney Schuster; and Clerk Olson.

Trustee Morris advised Sgt. Childs of the Board's decision regarding his harassment complaint. Sgt. Childs feels he should be able to review the written decision from the minutes since President Shields would have access to that information. The Board decided that Sgt. Childs could attend an executive session and read only that portion of the executive minutes pertaining to his matter. He would not be given any copy, however. If he still requests a copy of this portion for his personnel file, he would be waiving the confidentiality of this matter.

MORRIS MOVED WITH A SECOND FROM RZONCA TO ADJOURN THE EXECUTIVE SESSION AT 9:30 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk