

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Pickett, Trustees Ander, Finney, Getz (7:45 p.m.), and Wind, Police Chief Montalbano, Finance Director Volkening, Village Attorney Schuster, Village Engineer Heinz, and Clerk Olson. Trustees Grom and Ziemba were absent.

President Pickett explained the rules for speaking under the public comments section.

MINUTES:

1. ANDER MOVED WITH A SECOND FROM WIND TO APPROVE THE REGULAR MEETING MINUTES OF OCTOBER 20, 2003. MOTION PASSED.

PRESIDENT:

No report.

CLERK:

1. Two more permit requests were received from Comcast. WIND MOVED WITH A SECOND FROM ANDER TO APPROVE PERMIT REQUEST NO. PSH-021 FROM COMCAST. MOTION PASSED.
ANDER MOVED WITH A SECOND FROM WIND TO APPROVE PERMIT REQUEST NO. PSH-022 FROM COMCAST. MOTION PASSED.
2. The Village received one bid for the copy machine. ANDER MOVED WITH A SECOND FROM WIND TO ACCEPT THE BID OF \$451 FOR THE COPY MACHINE. MOTION PASSED.

PLAN COMMISSION:

No report.

ZONING COMMISSION:

No report.

ZBA:

1. ZBA Chairman Kedzior presented file #240 for 300 Churchill Court, a variance request to the side yard setback, where the homeowners wish to construct a third car garage adjacent to the current garage. (Trustee Getz arrives at 7:45 p.m.) The structure would encroach 5' into the setback. At the October 9th public hearing, the ZBA voted 5:0 to deny the request. ANDER MOVED WITH A SECOND FROM FINNEY TO ACCEPT THE RECOMMENDATION OF THE ZBA TO DENY THE VARIANCE REQUEST. The homeowners were present and explained their request and the Board discussed. There is no hardship involved. MOTION PASSED.
2. ZBA Chairman Kedzior presented file #244 for 835 Hemlock Drive, a variance request to build an addition to a house. The house is a non-conforming structure. However, the addition would follow all current zoning codes. It was noted there was previous construction on the property that was granted a permit without a variance request. The ZBA voted 5:1 to approve the request at the October 30th public hearing. MOTION PASSED.

ATTORNEY:

1. The ordinance amends the duties of the ZBA secretary to change the custodian of the records to the Village Clerk. ANDER MOVED WITH A SECOND FROM GETZ TO APPROVE ORDINANCE NO. 2003-25 ENTITLED "AN ORDINANCE AMENDING THE DESCRIPTION OF DUTIES FOR THE SECRETARY OF THE ZONING BOARD OF APPEALS." AYE: ANDER, GETZ, FINNEY, WIND. MOTION PASSED.

2. The Village must undertake a project to "televis" the sewer line from the apartments to KinderCare. Permission will be obtained from both Sleepy Hollow and West Dundee property owners to do so and the Village will rent a televising unit for the work.
3. We are working out the details of an intergovernmental agreement with a neighboring municipality to share use of their equipment on an as-needed basis.
4. We must obtain two Hemlock Court property owner easements in order to continue water system improvements to benefit area residents. The residents have not granted permission for the easements. The Village Attorney suggested he obtain appraisals for these easements and then have discussions with the two property owners. If the Village is unable to come to an agreement with the property owners for the easements, we will proceed with condemnation. ANDER MOVED WITH A SECOND FROM WIND TO AUTHORIZE THE VILLAGE ATTORNEY TO ENGAGE AN APPRAISER TO OBTAIN APPRAISALS FOR THE EASEMENTS. MOTION PASSED BY VOICE VOTE.
5. We have not yet received any notification from Kane County that the Village is a "certified community" for the county's stormwater management regulations. The Village's petition was sent to the County in July.
6. Appraisals have been ordered for the two Village out lots. We will probably not receive the appraisals until mid-December.
7. WIND MOVED WITH A SECOND FROM GETZ TO APPROVE ORDINANCE NO. 2003-26 ENTITLED "AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING CODE AS A PART OF THE BUILDING REGULATIONS IN THE VILLAGE OF SLEEPY HOLLOW" AS AMENDED. AYE: WIND, GETZ, ANDER, FINNEY. MOTION PASSED.
8. WIND MOVED WITH A SECOND FROM ANDER TO APPROVE ORDINANCE NO. 2003-27 ENTITLED "AN ORDINANCE ADOPTING THE INTERNATIONAL RESIDENTIAL CODE AS A PART OF THE BUILDING REGULATIONS IN THE VILLAGE OF SLEEPY HOLLOW" AS AMENDED. AYE: WIND, ANDER, FINNEY, GETZ. MOTION PASSED.
9. The Board briefly discussed draft ordinances in relation to the upcoming Zoning hearing on November 13th.

ENGINEER:

1. The Village Engineer submitted an estimate of \$14,000 to install a meter at a resident on Elm Court. This meter installation is required by West Dundee. We do not have this amount of money budgeted and will need a supplemental appropriation. ANDER MOVED WITH A SECOND FROM GETZ TO APPROVE THE CONSTRUCTION COST OF \$14,000 TO METER THE LAST KNOWN REMAINING UN-METERED RESIDENCE IN THE VILLAGE. AYE: ANDER, GETZ, FINNEY, WIND. MOTION PASSED.
2. The Village Engineer has been unable to reach the general contractor, Madden Construction, regarding the bridge project completion. They will send a letter to the contractor. Rocks were moved with the assistance of the Service Club. A resident suggested we cover the bridge post tops with wooden caps.

DIRECTOR OF FINANCE:

1. ANDER MOVED WITH A SECOND FROM GETZ TO APPROVE THE ACCOUNTS PAYABLE OF NOVEMBER 3, 2003 IN THE AMOUNT OF \$95,053.54. AYE: ANDER, GETZ, FINNEY, WIND. MOTION PASSED.
2. The Village life insurance company was bought out by another company. FINNEY MOVED WITH A SECOND FROM WIND TO AUTHORIZE PRESIDENT PICKETT TO SIGN THE CHANGE OVER FORM AND PROXY. MOTION PASSED BY VOICE VOTE.
3. The Village is changing its payroll service as of January 1st. The cost will be lower and all payroll information can be sent on-line rather than over the telephone.

COMMENTS FROM THE PUBLIC:

1. Mona Auer of Sleepy Hollow Road thanked many people for their efforts during the bridge repair project, including Heinz & Associates, Madden Construction, Dundee Landscape, and Police Chief Montalbano. She encouraged enforcement of the Pleasure Drive ordinance, requested less obtrusive signs on the new bridge, and made other comments on Sleepy Hollow Road. She encouraged the Village to catalog the unique trees in the Village and commented on the Michalski property purchase offer by the County Forest Preserve and open space purchases by Dundee Township.

PARKS, ROADS & STREETS:

1. The light pole at Saddle Club and Arlington Parkways is cracked and must be replaced. There are other poles that will also need replacement in the future and we should set up a long-term replacement schedule in the budget. We received only one bid for this replacement. WIND MOVED WITH A SECOND FROM GETZ TO ACCEPT THE BID OF \$4,232.50 FOR THE LIGHT POLE REPLACEMENT FROM CROSSTOWN ELECTRIC. AYE: WIND, GETZ, ANDER, FINNEY. MOTION PASSED.

2. The Kane County Department of Transportation requested Village passage of a resolution approving their proposed transportation plan. Following discussion, the Board asked Attorney Schuster to add language to this resolution to maintain Sleepy Hollow Road south of Route 72 with its current pleasure road designation to discourage more traffic on this leg of the road.

FINANCE:

No report.

WATER & SEWER:

No report.

POLICE & PUBLIC SAFETY:

1. The Quadcom Jets board approved improvements to the current 911 equipment for the system. To help fund the improvements, they would like to increase the surcharge per telephone land-line from the current \$.65 to \$1.65 per month. This will be a referendum question in the March 2004 primary. Sleepy Hollow, West and East Dundee, and Carpentersville will all vote on this issue. South Barrington residents are already charged over \$1.65 per line. The Board discussed how to properly inform the residents prior to the election and hope all villages will work together to present this to the residents effectively. WIND MOVED WITH A SECOND FROM ANDER TO APPROVE ORDINANCE NO. 2003-28 ENTITLED "AN ORDINANCE AUTHORIZING A REFERENDUM QUESTION TO INCREASE THE MONTHLY 91 EMERGENCY TELEPHONE SYSTEM SURCHARGE. AYE: WIND, ANDER, FINNEY, GETZ. MOTION PASSED.

2. The Department has been given 19 gas masks as part of Homeland Security and the police will receive training on their use.

3. The Service Club donated money to fix the drone squad car, and resident Bill Gruppe donated his services to make all necessary repairs.

PUBLIC BUILDINGS & ENVIRONMENTAL:

1. The I.D.N.R. asked if the Village had a tree ordinance in connection with our request for a matching funds grant and were informed that we are working on one.

BUILDING & ZONING ENFORCEMENT:

No report.

OLD BUSINESS:

1. The latest draft of the tree conservation ordinance was reviewed. There are some concerns of infringing on resident's rights on their own property. Trustee Ander briefly explained this proposed ordinance to members of the audience, including an individual with property for sale south of the Village limits on Sleepy Hollow Road. This ordinance will again be discussed at the next meeting.

NEW BUSINESS:

1. Trustee Wind spoke with several residents and speed bumps were suggested as a deterrent to speeding vehicles. It was stated that speed bumps damage village snowplows and are a serious problem for emergency vehicles. The Police Dept. feels speeding is under control in the Village and is adequately enforced.

GETZ MOVED WITH A SECOND FROM ANDER TO ADJOURN TO EXECUTIVE SESSION AT 9:25 P.M. FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION, LAND ACQUISITION, AND EXECUTIVE MINUTES PURSUANT TO SEC. 2(C)(11), 2(C)(5) AND 2(C)(21) OF THE OPEN MEETINGS ACT. MOTION PASSED.

The regular meeting reconvened at 9:55 p.m.

WIND MOVED WITH A SECOND FROM ANDER TO ADJOURN THE MEETING AT 9:55 P.M. MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING MINUTES

NOVEMBER 3, 2003

The executive session of the Sleepy Hollow Board of Trustees convened at 9:25 p.m. for the purpose of discussing pending litigation and land acquisition to '2(c)(11) and (5) of the Open Meetings Act. In attendance were President Pickett; Trustees Ander, Finney, Getz, Wind, Village Attorney Schuster; and Clerk Olson. Trustees Grom and Ziemba were absent.

1. Sleepy Hollow v. Pulte. Pulte modified the language of the release agreement. The Board discussed additional language modifications for Attorney Schuster to present to Pulte. These changes relate to any future claims against Pulte and the release of former board members, etc. from future claims by Pulte. The next court hearing is December 4, 2003.

2. West Dundee Dispute over Sleepy Hollow Road right of way width. The Board reviewed and discussed tables of Sleepy Hollow Road measurements related to the number of feet on the west side of the road. West Dundee proposed that the right of way extend to the top of the ditch line to the west which is approximately 14' from the pavement edge. The new fence line, on average, is about 22' from the pavement edge. The Board prefers that the Village right of way extend to the closer (older) fence line that is approximately 15' from the pavement edge. This compromise will be proposed to West Dundee.

3. Mercedes Development. Mercedes submitted a two-page release for the Village to sign relating to our collection lawsuit. The Village Attorney did not feel this was necessary and will so advise Mercedes. The case will be dismissed with prejudice at court.

4. Hemlock Condemnations. The easements are necessary to make improvements to the water system for all residents. We will make an offer to the two residents for their easements after we receive appraisals, but if there is no agreement, the Village will begin condemnation proceedings on the properties.

5. Lawsuit/Utility Taxes. Attorney Schuster is still reviewing the pending class action Cook County lawsuit regarding telecommunication taxes to municipalities and possible refunds to the companies. The Village receives substantial annual income from these taxes. Mr. Schuster is not sure if we will join in this suit.

ANDER MOVED WITH A SECOND FROM WIND TO ADJOURN THE EXECUTIVE SESSION AT 9:55 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk

Released 5-3-04

Released 6-20-05