

REGULAR MEETING
MINUTES

OCTOBER 7, 1996

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Shields; Trustees DeBolt, Fuqua, Harney, Johnson, Tennis, and Williams; Assistant Treasurer Volkening; Police Chief Montalbano; Attorney Schuster; Engineer Koenig; and Clerk Olson.

MINUTES:

1. TENNIS MOVED WITH A SECOND FROM FUQUA TO APPROVE THE SEPTEMBER 17, 1996 REGULAR MINUTES AS PRESENTED. MOTION PASSED BY VOICE VOTE.
2. TENNIS MOVED WITH A SECOND FROM DEBOLT TO APPROVE THE SEPTEMBER 17, 1996 EXECUTIVE MINUTES AS PRESENTED. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

1. Randy's Vegetable Stand is adding more children's attractions to his farm stand. President Shields discussed village liability with our attorney who advised him that we have no liability. The President has also asked Randy to make sure all vendors on his property are properly crediting Sleepy Hollow with the sales tax.
2. The entrance way plantings at Locust were destroyed by Ameritech during work at the location. They have agreed to pay for replacing the landscaping which will be planted in the spring.
3. TENNIS MOVED WITH A SECOND FROM JOHNSON TO APPROVE THE APPOINTMENT OF JIM MARKEY AS CHAIRMAN OF THE PLANNING COMMISSION. MOTION PASSED BY VOICE VOTE.
4. Received bids for Village Hall landscape work, which ranged from \$7,000 to over \$14,000. The low bid was from Steve Wiedmeyer and the President conducted a phone vote of the trustees. TENNIS MOVED WITH A SECOND FROM FUQUA TO CONFIRM ACCEPTANCE OF STEVE WIEDEMEYER LAWN CARE & LANDSCAPING'S BID OF \$7,342.75 FOR LANDSCAPING. AYE: TENNIS, FUQUA, DEBOLT, HARNEY, JOHNSON, WILLIAMS. MOTION PASSED. President Shields also recommended we contract with Martin Design to do oversight work on the project for a fee of \$1,000. The Board felt this cost was high and instead suggested that Trustee Harney oversee the plantings portion of the contract and the Building Department approve other work (walkway) according to the bid specs.
5. President Shields reviewed the entryways with a horticulturist who recommends dividing several of the plants and transplanting to those entryways which do not have as much vegetation. This will still leave us with many excess plants which the President recommends we sell to residents. This information will be added to the newsletter.

CLERK:

1. There were no bids received for the crack sealing project. Art will contact the companies that usually bid on this and ask them to submit bids to us, from which we will pick the lowest bidder.
2. A draft newsletter was distributed earlier. The Motorola meeting with residents has been confirmed for October 30 at the Village Hall. The Halloween trick or treat hours will be changed to end at 7 p.m. instead of 8 p.m. Trick or treating will still begin at 3:00 p.m.

PLAN COMMISSION:

No report.

ZONING BOARD:

No report.

ZBA:

1. The ZBA changes to procedures were discussed. We will have three signs made with general language which must be posted on all property requesting a variance. A deposit equal to the cost of the sign will be required by applicants. It was not felt written notice to owners within 250 feet was necessary since a sign would be posted. The application form will encourage applicants to attach a sheet with additional information on the reason for the variance request. These changes should all be added to the Zoning Ordinance.
2. ZBA File #177 (518 Joy Lane) from the last meeting was again discussed. Engineer Koenig viewed the area in question to determine the effect the building would have on the water situation. He made several recommendations to help the water problems. JOHNSON MOVED WITH A SECOND FROM TENNIS TO APPROVE THE VARIANCE FOR ZBA FILE #177 AT 518 JOY LANE WITH THE RESTRICTIONS ON THE BUILDING PERMIT AS SUBMITTED BY OUR VILLAGE ENGINEER. MOTION PASSED BY VOICE VOTE.

ATTORNEY:

1. Discussed the trash pick up bid specs prepared by Treasurer Panning and reviewed by the Village Attorney. Trustee Harney would like to add more recyclables to the list. The bid specs should also be changed to show that a consecutive two day per week pick up is acceptable. We are also asking them to bid on different options; one is for a one year contract, after which we could re-bid jointly with East Dundee. Another option is for us to bill the residents on their monthly water bill instead of the hauler sending out quarterly statements. The Board feels it may not be cost effective for us to handle the billing, but we will obtain the quote on this option and then decide. Trustee Harney wanted to include in the contract that they are to use Sleepy Hollow Road only on days when picking up trash in the village. The Board felt we should be able to award a new contract prior to expiration of our current one on December 31. HARNEY MOVED WITH A SECOND FROM FUQUA TO GO OUT TO BID FOR A NEW TRASH PICK UP CONTRACT. MOTION PASSED BY VOICE VOTE.
2. TENNIS MOVED WITH A SECOND FROM JOHNSON TO APPROVE ORDINANCE NO. 96-16 ENTITLED "AN ORDINANCE AMENDING THE MUNICIPAL CODE TO PROHIBIT THE OBSTRUCTION OF PUBLIC WAYS IN THE VILLAGE." AYE: TENNIS, JOHNSON, DEBOLT, FUQUA, HARNEY, WILLIAMS. MOTION PASSED.
3. The paver has completed his portion of work on the Twin Sewer project and the landscaper is meeting this week with CMT. We will discuss close out of this contract when the punch list is complete.
4. The attorney reviewed the matter of the new fence installed on Joy Lane and agrees with the Board's position--it is not allowed.
5. JOHNSON MOVED WITH A SECOND FROM TENNIS TO APPROVE ORDINANCE NO. 96-17 ENTITLED "AN ORDINANCE AMENDING THE VILLAGE ZONING CODE TO PROVIDE FOR SMALL DISH-TYPE TELEVISION ANTENNAS" WITH TWO MINOR CHANGES. AYE: JOHNSON, TENNIS, DEBOLT, FUQUA, HARNEY, WILLIAMS. MOTION PASSED.

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

8:30 - 8:40 p.m.

1. Ladi Kalocny, owner of Century Plaza, introduced himself as the individual planning to purchase the vacant property on Route 31 (formerly Chateau location). He showed concept plans for the property, which backs up to Sleepy Hollow residents on Hemlock. He was advised to discuss proper procedures with our attorney after he has purchased the property.

ENGINEER:

1. The MFT program is complete. Engineer Koenig thanked Art Sunderlage for his help and work on a drainage problem on Kay Court.
2. Submitted a summary of estimated costs to pave out all of the remaining roads that are seal coated.
3. Trustee Johnson thanked Engineer Koenig for his quick review of the water problem on Joy Lane.
4. Engineer is meeting with the landscape supervisor this week concerning the Twin Sewer project.

FUQUA MOVED WITH A SECOND FROM HARNEY TO ADJOURN TO EXECUTIVE SESSION AT 8:45 P.M. FOR THE PURPOSE OF DISCUSSING PENDING AND POTENTIAL LITIGATION AND PERSONNEL PURSUANT TO SECTIONS 2(c)(11) AND 2(c)(1) OF THE OPEN MEETINGS ACT. AYE: FUQUA, HARNEY, DEBOLT, JOHNSON, TENNIS, WILLIAMS. MOTION PASSED.

The regular meeting reconvened at 9:15 p.m.

FUQUA MOVED WITH A SECOND FROM TENNIS TO AUTHORIZE THE VILLAGE PRESIDENT AND CLERK TO EXECUTE THE SETTLEMENT AGREEMENT BETWEEN THE VILLAGE OF SLEEPY HOLLOW, ALPER DEVELOPMENT, INC. AND METROPOLITAN DEVELOPMENT, INC. AND THE VILLAGE OF WEST DUNDEE. AYE: FUQUA, TENNIS, DEBOLT, HARNEY, JOHNSON, WILLIAMS. MOTION PASSED.

TREASURER:

1. Warrants. Add \$485 for a police car cage. The check for the auditors should be held until we receive the auditors' report. TENNIS MOVED WITH A SECOND FROM HARNEY TO APPROVE THE WARRANTS IN THE MODIFIED AMOUNT OF \$83,662.28. AYE: TENNIS, HARNEY, FUQUA, DEBOLT, JOHNSON, WILLIAMS. MOTION PASSED.

ROADS & PARKS:

1. The problems on Van Tassel brought before the Board this summer by two residents were examined. We discovered there is a 4" underdrain along the area where we had agreed to dig out a swale; we cannot dig out without destroying the underdrain or without considerable work. We will wait to see if there is any flooding over the next several months. The hole at the end of the street will be filled in as requested.
2. The money to pay the permanent part time employee has run out. Additional money will be transferred from another line item to keep him employed until the end of October.
3. Reviewed the cost estimate from CMT to overlay the remaining seal coat roads in the village. Cost would be about \$200,000. Trustee Fuqua would like to expand the MFT program next year and try to get this work completed next spring by going to bid early next year.
4. We would like Art to stripe the parking lot.

FINANCE:

1. Finance Committee met in September and reviewed the audit, financial statements, and employee benefits. The auditor should be attending the next meeting to discuss the yearly audit. One of the committee members has express desire to leave the finance committee but join another village committee.
2. Attended the Women League of Voters community dinner. Thanked the Police Chief for his very good presentation at the dinner.

WATER:

1. The leaking hydrants have been repaired and the amount of the bill will be deducted from the amount we pay to the bonding company.

POLICE:

1. We have applied for a \$5,000 state grant for special police programs involving the grade school children of the Village.

2. The police are changing the location of their firearms training and must sign a hold harmless agreement. DEBOLT MOVED WITH A SECOND FROM TENNIS THAT THE BOARD APPROVE THE AGREEMENT BETWEEN THE VILLAGE OF SLEEPY HOLLOW AND KENNETH BAKLEY AND HARRIS BANK OF WOODSTOCK AS TRUSTEE UNDER TRUST NO. 2464. AYE: DEBOLT, TENNIS, FUQUA, HARNEY, JOHNSON, WILLIAMS. MOTION PASSED.

3. Chief Montalbano received a thank you from resident Joe Kelly for his involvement and time spent with the two teenage boys from Ireland who stayed in the Village during an exchange program this summer.

4. Trustee DeBolt has received one bid for the work at Mr. Gresko's on Crane Court for \$1,000. He will now obtain the release from the Petersons and agreement from Mr. Gresko that this will be the end of work done and that he will pay one-half the cost.

HEALTH & SANITATION:

1. Trustee Harney sent a draft letter to Randy Gaitsch with a copy to the Village Attorney concerning his agreement to let the Village lease land west of Randall to decrease the siltation flow into Deer Creek.

2. Thanked the boy scouts for spending many, many hours cleaning out areas along Crane and planting.

3. A prairie project is underway at Sleepy Hollow School which has had good publicity for the Village.

4. Any comments on legislative matters should be given to Trustee Harney for the DuKane Valley Council meeting.

5. Trustee Harney feels we should reconsider a tree replacement program along Sleepy Hollow Road. This was brought up at the last meeting where we would split the cost with ComEd. The trees would be replaced in sections with low growing trees/bushes that would not exceed the height of the wires, thus eliminating the need for the "butchering" which takes place every few years. The Board would like to view specific areas where ComEd has already instituted this type of program to see how the replacement areas look compared to the previous landscaping.

BUILDING:

No report.

OLD BUSINESS:

No report.

NEW BUSINESS:

No report.

WILLIAMS MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE MEETING AT 9:55 P.M. AYE: WILLIAMS, HARNEY, FUQUA, TENNIS, DEBOLT, JOHNSON, MOTION PASSED.

Respectfully submitted,

Norine Olson

Norine Olson, Village Clerk

EXECUTIVE MEETING
MINUTES

OCTOBER 7, 1996

The executive meeting of the Sleepy Hollow Corporate Authorities began at 8:45 p.m. In attendance were President Shields; Trustees DeBolt, Fuqua, Harney, Johnson, Tennis, and Williams; Attorney Schuster; Rob Roberts; Zoning Chairman Walt Heffron; and Clerk Olson.

1. We have received a settlement agreement on the Metropolitan lawsuit. It contains substantially what we have been discussing for the past few years: Metropolitan will demolish the buildings within 120 days. To ensure their demolition, they will deposit funds in an escrow account. We will re-zone the parcels to our B2 zoning and West Dundee will provide water and sewer. We will also disconnect the parcels from Sleepy Hollow; however, West Dundee will agree to not annex these parcels until the buildings are demolished. We will also dismiss our lawsuit with the court retaining jurisdiction, with the condition that it can be reinstated if the buildings are not demolished. Finally, if the buildings are not demolished within 120 days, we can use the escrow funds to hire someone, or terminate the settlement agreement. The Metropolitan property is being sold to the owner of the Century Plaza in West Dundee, a Ladi Kalocny. He will require variances to build on the two parcels in Sleepy Hollow.

2. Building Inspector Joe Prang is out long term, possibly permanently. We should remove him from the payroll and put him on medical leave.

3. Trustee Tennis feels there is a potential for litigation with the disputed fee situation with Crawford, Murphy & Tilly. He received a call from Steve Moulton of CMT asking the status. We submitted this to the bonding company, and thought CMT was aware of this, but we should send a letter to them under President Shields's signature explaining our position that we are not paying the fees over the contracted amount, but have submitted this portion to the bonding company, and suggesting that CMT deal directly with them. Trustee Fuqua will also call Joel Koenig tomorrow to briefly tell him that they need to settle this matter with the bonding company.

TENNIS MOVED WITH A SECOND FROM HARNEY TO RETURN TO REGULAR SESSION AT 9:15 P.M. AYE: TENNIS, HARNEY, DEBOLT, FUQUA, JOHNSON, WILLIAMS. MOTION PASSED.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk

Released 12-1-97

Released
6-21-99