

REGULAR MEETING
MINUTES

JUNE 1, 1998

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, Merkel, and Nemec; Police Chief Montalbano; Treasurer Panning; Attorney Schuster; Engineer Heinz; and Clerk Olson. Trustees Czerniawski, Harney, and Williams were absent.

MINUTES:

1. The minutes of May 18th should be amended on page 3 under Building, #3, to read Trustee Joe Nemec instead of Code Enforcement Officer Joel Kruse. NEMEC MOVED WITH A SECOND FROM MERKEL TO APPROVE THE REGULAR MINUTES OF MAY 18, 1998 AS AMENDED. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

1. President Shields introduced Joe Heinz from Gerald L. Heinz & Associates, the new village engineers. He requested that the engineers forward their background history to the village board.
2. Received a contact report from 1102 Crane concerning a dead tree on the property. President Shields noted that we received no bids for our recent request on tree trimming and dead tree removal in the village.
3. A phone vote was taken on May 20th concerning Phase III of the village landscaping project. The Board discussed the procedures for obtaining bids. The bid specs should indicate when and where the bids will be opened and the opening should be witnessed by two officials. All bids should be directed to Clerk. MERKEL MOVED WITH A SECOND FROM DEBOLT TO RATIFY THE PHONE VOTE OF MAY 20, 1998 AWARDED THE LANDSCAPING BID TO RLS COMPANY IN ELBURN IN THE SUM OF \$14,458.50. AYE: MERKEL, DEBOLT, NEMEC, SHIELDS. MOTION PASSED.
4. A phone vote was also taken on May 20th for bids received to prepare and paint fire hydrants. It was recommended that all bids, ranging from \$42 to \$65 per hydrant, be rejected as too high. President Shields hired a village resident to do this job at a cost of \$30 per fire hydrant. The deal negotiated by the Village President requires this resident to pay his own expenses, insurance, taxes, and provide his own tools. The Board discussed the procedures for rejecting bids and negotiating contracts and the qualifications required for this particular fire hydrant job. Trustee Nemec also questioned the procedures and authority for signing purchase orders. The Village Attorney said there should be a contract with this resident and no work should be done without proof of his insurance. If the purchase orders contains all the agreed terms, it can serve as the contract. MERKEL MOVED WITH A SECOND FROM DEBOLT TO RATIFY THE PHONE VOTE OF MAY 20, 1998 AUTHORIZING A CONTRACT TO BE LET TO VINCENT NEIL TO PAINT FIRE HYDRANTS ACCORDING TO SPECIFICATIONS AT \$30 PER HYDRANT, NOT TO EXCEED 190 HYDRANTS, SUBJECT TO RECEIPT OF PROOF OF INSURANCE. AYE: MERKEL, DEBOLT NEMEC, SHIELDS. MOTION PASSED.

CLERK:

1. Please submit changes to the newsletter or additional items by the end of the week.
2. NEMEC MOVED WITH A SECOND FROM MERKEL TO APPROVE ORDINANCE NO. 98-13 ENTITLED "AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND OTHER WORKERS EMPLOYED ON PUBLIC WORKS FOR THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS". AYE: NEMEC, MERKEL, DEBOLT, SHIELDS. MOTION PASSED.
3. The Headless Horseman lease agreement is up for renewal. There will be no changes to the yearly lease.

PLAN COMMISSION:

No report.

ZONING BOARD:

No report.

ZBA:

1. Chairman Kedzior noted that a ZBA hearing is scheduled for this month concerning several pending matters, including a request from four homeowners for fences along Randall Road. Discussed how allowing these fences will affect fencing in general for the Village. The Board asked the Village Attorney to prepare a draft ordinance amending our zoning to specifically allow unstained, cedar fences along the rear yards of houses backing to Randall Road. This amendment will require a public hearing. The Board reiterated that while they will agree to fencing along Randall, the fencing must all be the same. If we amend our ordinance to allow this fencing, no variance would be required by these homeowners. The Board would have the option of then refunding the ZBA hearing fees to these homeowners.

NEMEC MOVED WITH A SECOND FROM MERKEL TO ADJOURN TO EXECUTIVE SESSION AT 8:20 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 8:45 p.m.

DEBOLT MOVED WITH A SECOND FROM SHIELDS TO DIRECT THE VILLAGE ATTORNEY TO COMMENCE LEGAL PROCEEDINGS CONCERNING THE OCCUPANCY AND BUILDING PROBLEMS CONCERNING JOHN FAHY AND MR. AND MRS. ROEHRIG. AYE: DEBOLT, SHIELDS, MERKEL, NEMEC. MOTION PASSED.

ATTORNEY:

1. The Village Attorney will be discussing the Twin Sewer matter with Trustees DeBolt and Williams.

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

(8:50 - 9:05 p.m.)

1. Ben Burford of 605 Joy Lane discussed the increased traffic on Joy as well as the speeding and asked for any solutions. The Board will install temporary three-way stop signs at two intersections on Joy Lane. Bill Harris of Sharon Drive questioned whether this problem has increased as a result of the left turn ban at Sleepy Hollow Road and Route 72 and wondered if the Board is tracking the effects to residents of this ban. NEMEC MOVED WITH A SECOND FROM MERKEL TO INSTALL TEMPORARY THREE-WAY STOP SIGNS AT JOY LANE AND FAWN COURT AND ALSO JOY LANE AND JAMESTOWNE ROAD TO BE REMOVED ON NOVEMBER 1, 1998. MOTION PASSED BY VOICE VOTE. Mr. Burford also stated that several cracks were cut out along Joy Lane but not filled during the recent crack sealing project.

ENGINEER:

No report.

TREASURER:

1. Add \$1,079.23 for ERM. DEBOLT MOVED WITH A SECOND FROM NEMEC TO APPROVE THE APRIL 30, 1998 WARRANTS IN THE AMOUNT OF \$4,247.26. AYE: DEBOLT, NEMEC, MERKEL, SHIELDS. MOTION PASSED.

2. Add \$91.61 for Rebecca Freemon-petty cash. SHIELDS MOVED WITH A SECOND FROM MERKEL TO APPROVE THE MAY 29, 1998 WARRANTS IN THE AMOUNT OF \$54,940.42. AYE: SHIELDS, MERKEL, DEBOLT, NEMEC. MOTION PASSED.

3. Treasurer Panning noted that we have extra funds in crack sealing for the work on Joy Lane.
4. There were no comments on the financial statements.
5. The appropriations hearing will be held at 7:15 p.m. on July 6th.
6. The Finance Committee will meet on June 18th.
7. Model ordinances have been given to Mark Schuster to change our rate structure for our Commonwealth Edison utility taxes.
8. The auditors will begin work June 8th.

ROADS & PARKS:

1. The public works project list is being prepared.
2. Bids were received from Langford, Ralph Helm and Payline for a new 48" lawn mower. It was requested that we make sure the mower has a hydraulic drive to prevent any possibility of the belt snapping back and injuring the driver. Trustee DeBolt will check and get back to the Board.
3. The proposed bike path along Boncosky was reviewed by a paving company who estimated a cost of \$2,800. West Dundee previously obtained a bid of \$2,400 and asked Sleepy Hollow to split the cost.
4. There is to be a baseball game at Sabatino Park between the police and fire departments on June 7th. The men's soccer team has only three more games this year on our field—June 5th, June 19th, and August 7th.

FINANCE:

No report.

WATER:

1. We received approval from the IEPA for the phosphate water treatment program. The Board suggested that details of this program be included in the upcoming newsletter. The chemicals are to be added at the McLean hook up.

POLICE:

No report.

HEALTH & SANITATION:

1. The office ordered 25 extra recycling bins for residents and Waste Management charged us \$125. The Board said to return the bins and let residents order bins directly from Waste Management. Each resident currently has two bins.
2. Treasurer Panning will set up a master e-mail mailing list of residents to receive current information from the Village.
3. The Sign Depot has a sign to be approved by the Board. Code Enforcement Officer Kruse stated it was ready for approval since it conforms to our regulations. The Board said this sign must go through normal approval procedures before the appropriate committee prior to presentation to the Village Board.
4. Trustee Nemec has examined the equipment at Saddle Club Park and found some safety issues and several aesthetic issues. He feels Art can correct some of the problems, but we may need to purchase some new pieces and remove others as a possible safety hazard. He will report back to the Board.

BUILDING:

No report.

OLD BUSINESS:

No report.

NEW BUSINESS:

No report.

MERKEL MOVED WITH A SECOND FROM DEBOLT TO ADJOURN THE MEETING AT 9:35 P.M.
AYE: MERKEL, DEBOLT, NEMEC, SHIELDS. MOTION PASSED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Norine Olson".

Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

Released 6-18-01

JUNE 1, 1998

The executive session of the Board of Trustees was convened at 8:20 p.m. for the purpose of discussing pending litigation pursuant to §2(3)(11) of the Open Meetings Act. In attendance were President Shields; Trustees DeBolt, Merkel, and Nemec; Attorney Schuster; and Clerk Olson.

Discussed the John Fahy impact fee matter. Attorney Schuster recommends we go into local court against Dale and Mary Joe Roehrig, the homeowners at 694 Deer Lane, one of the houses Fahy built. This would be on their violations of moving into their house without an occupancy permit, failing to register for water service, and completing the unfinished items in the house in violation of the stop order we issued. We would also charge Fahy with allowing them to occupy the property without the occupancy permit, but he may argue that the homeowners did this on their own. Fahy's attorney, Catherine Hurlbut, has stated that if we institute this action in the local court, she will file a restraining order in the Chancery Division in Geneva to stop all proceedings until the impact fee matter is settled. The Board agreed the Fahy matter is a separate issue from the Roehrig matter and that we should work this out with the Roehrigs. They will need to get an occupancy permit and fines are permissible under the law. We would like to them to reimburse our attorney's fees and Joel Kruse's fees on their matter. However, the local judge could also determine the fine in court. Mark Schuster will handle this matter in court as he is familiar with the details.

John Fahy's refusal to pay us impact fees will be determined in the Chancery Division. Attorney Schuster feels we have a strong case in our favor concerning this impact fee matter. Fahy may first appeal the Village Board's decision on his impact fees and we are required to hear his appeal. We could receive this appeal request from Ms. Hurlbut for the next meeting which should be heard prior to the board meeting. If it is requested, this hearing will begin at 6:30 p.m. on June 15th.

NEMEC MOVED WITH A SECOND FROM DEBOLT TO ADJOURN THE EXECUTIVE SESSION AT 8:45 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson
Village Clerk