

REGULAR MEETING  
MINUTES

JULY 20, 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 Czerniawski, DeBolt, Harney, Merkel, Nemec (7:40 p.m.), and Williams; Police Sgt. Childs; Treasurer Panning; and Clerk Olson.

MINUTES:

1. DEBOLT MOVED WITH A SECOND FROM HARNEY TO APPROVE THE JULY 6, 1998 REGULAR MINUTES AS SUBMITTED. MOTION PASSED BY VOICE VOTE WITH CZERNIAWSKI AND MERKEL ABSTAINING.

PRESIDENT:

No report.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

1. Chairman Neil distributed a zoning report on all pending matters. They are currently writing a fence ordinance for Randall Road which will be finalized at their July 22<sup>nd</sup> meeting and then forwarded to the village attorney for review. This final draft will also be given to the trustees.
2. The board is also preparing an ordinance concerning play houses and swing sets which will also be forwarded to the village attorney upon completion.
3. There was a concept meeting with Arthur Rubloff concerning development of the Route 72/Locust Road parcel for a furniture retailer. The developers wish to talk to our engineers about water detention and traffic issues. The Board would like our village attorney to prepare an agreement with the developers that any costs of the engineers are to be paid by the developers, either billed directly to them or reimbursed to us. Chairman Neil will inform the developers of this agreement in the meantime.
4. Ladi Kolacny is talking with West Dundee trustees to obtain a sewer line hook up for the KinderCare development. When this line is secured, the development will then be able proceed. (Trustee Nemec arrives.)
5. Two zoning board members would like to attend a zoning seminar presented by the Illinois Municipal League. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE SENDING TWO OR MORE PEOPLE TO THE ALL DAY ZONING SEMINAR AT THE ROSEMONT HORIZON ON JULY 31<sup>ST</sup> AT \$65.00 PER PERSON. AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.

ZBA:

1. DEBOLT MOVED WITH A SECOND FROM HARNEY TO APPROVE THE VARIANCE FOR FILE #202 CONCERNING SIGNS AT RANDY'S VEGETABLE FARM. This variance request does not greatly exceed our current allowable percent of signage on commercial property. Trustee Harney expressed concern with the number of signs and a precedent we may set for any other commercial development in the village by allowing in excess of our ordinance. MOTION PASSED BY VOICE VOTE.
2. WILLIAMS MOVED WITH A SECOND FROM MERKEL TO APPROVE THE VARIANCE FOR FILE #200 CONCERNING AN ENTRY WAY SIGN FOR THE BLUFFS. This vote was delayed because of concerns should the subdivision fail to maintain this sign but Trustee DeBolt has discussed the matter with our

village attorney since that meeting. DEBOLT MOVED WITH A SECOND FROM NEMEC TO AMEND THE MOTION WITH THE STATEMENT THAT IF THE SIGN EVER FALLS INTO DISREPAIR, THE VILLAGE OF SLEEPY HOLLOW HAS THE OPTION OF REPAIRING OR REMOVING THE SIGN.  
ON AMENDMENT: MOTION PASSED BY VOICE VOTE.  
ON MAIN MOTION: MOTION PASSED BY VOICE VOTE.

3. Chairman Kedzior confirmed with the Board that the variance requests for Randall Road fencing are now closed files relative to the ZBA since this matter has been transferred to the Zoning Board.
4. Chairman Kedzior distributed a short list of decorative fences in the village and discussed how the Board wishes to handle the issue of these fences. It was agreed we need to prepare a master list of all "grandfathered" fences. It will then be much easier to pursue those fences in violation.

#### ATTORNEY:

1. Treasurer Panning briefly explained the purpose of the electricity ordinance which was prepared as a result of the deregulation of electrical utilities and the way the utility tax is collected. President Shields requested that Finance compare the revenue collected from this new table versus the old formula and report back to the Board. DEBOLT MOVED WITH A SECOND FROM CZERNIAWSKI TO ADOPT ORDINANCE NO. 98-15 ENTITLED "AN ORDINANCE PROVIDING FOR A METHOD OF COLLECTING TAXES FOR THE PRIVILEGE OF USING ELECTRICITY IN THE VILLAGE, BASED UPON KILOWATT-HOUR USAGE OF INDIVIDUAL CUSTOMERS". AYE: DEBOLT, CZERNIAWSKI, HARNEY, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.

#### ENGINEER:

No report.

#### TREASURER:

1. Add to the warrants \$130.00 for the Illinois Municipal League Zoning seminar and \$300.00 for ZBA variance hearing refunds to Saddle Club residents. The Board questioned the Steve Wiedmeyer invoice for seed for \$1,186 and who authorized this purchase. Trustees Harney and Nemec said they both supplied free seed that would have adequately covered the area seeded. This invoice will be withheld from payables and Trustee DeBolt will contact Mr. Wiedmeyer. NEMEC MOVED WITH A SECOND FROM MERKEL TO PAY THE JULY 17, 1998 WARRANTS IN THE AMOUNT OF \$74,364.47. AYE: NEMEC, MERKEL, CZERNIAWSKI, DEBOLT, HARNEY, WILLIAMS. MOTION PASSED.
2. There were no comments on the June financial statements.
3. We have received a proposal for fire alarm testing. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE CONTRACT WITH SIMPLEX FOR THE YEARLY MAINTENANCE OF THE FIRE ALARM EQUIPMENT IN THE AMOUNT OF \$430.00. AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.
4. We have received several "hits" to the Village website, including one from Japan, and have received one e-mail from a resident.

#### ROADS & PARKS:

1. Trustee DeBolt walked the village open area walking path behind Willow Lane homes and found that residents are using this as their private property for burn piles, swing sets and chipping greens. The area has also been mowed in some places. There have also been problems with outlots in the Holly Court/Jill Peak Court area and a compost pile is established behind a house on Pimlico, again on village property. We will not allow any further use of these outlots and will have the Code Enforcement Officer send a letter to all involved residents requesting compliance with our village ordinances before taking any further action.

2. The Park District recently used village facilities for their programs and have been advised that these are not part of the Park District land and should not be used for park programs.
3. Trustee DeBolt felt the recent landscaping contract for Village Hall landscaping should have included watering so Public Works does not have to do the work.
4. MFT bids will be opened July 27<sup>th</sup> at 8:30 a.m.

FINANCE:

No report.

WATER:

No report.

POLICE:

1. The monthly police activity report for June was presented.

HEALTH & SANITATION:

1. The two new houses on Hillcrest are almost ready for sewer tanks and pumps. The expense of this equipment is charged to the builder when obtaining the building permit, but if our cost for this equipment is higher, we should be able to recoup the additional costs per our ordinance. NEMEC MOVED WITH A SECOND FROM HARNEY TO APPROVE P.O. #8402 TO BIEHLER TEC IN THE AMOUNT OF \$17,819 FOR TWO COMPLETE SEWER TANKS AND FIVE EXTRA PUMPS. Trustee Czerniawski felt this should have been put out to bid per our purchasing procedures as this is not an emergency purchase. Trustee Nemec will contact our engineers to get their opinion as to whether this price is a fair one. These tanks are custom made and it may be difficult to get bids from other vendors. TRUSTEES NEMEC AND HARNEY WITHDREW THEIR MOTION AND SECOND.
2. The play ground equipment has been ordered for Saddle Club and will be installed by the vendor.
3. The Park District's equipment inspectors reviewed our park playground equipment and said that while it was in code at the time of installation, it has not been maintained, and we may wish to consider replacing it within the next few years.
4. Trustee Nemec met with the Park District concerning a village walking path. The Park District would like to enlarge the pathway from our initial proposal around Sabatino Park to encompass other areas. Their grant writers will work with us to search for available money for this project.

\*\*\*\*\*OPEN TO THE PUBLIC\*\*\*\*\*  
(8:40-8:45 P.M.)

1. A homeowner from the Bluffs asked about their entrance sign and was informed that it had been approved with the maintenance modification. The subdivision is also planning a block party for next month and would like to block off Katrina Lane with horses from Public Works. CZERNIAWSKI MOVED WITH A SECOND FROM NEMEC TO APPROVE THE BLOCK PARTY IN THE BLUFFS ON AUGUST 23<sup>RD</sup>. MOTION PASSED BY VOICE VOTE.

BUILDING:

1. Doug Martin from Kane County was present and has responded to Jim Markey's request for a comparison to the wetlands and village flood ordinances. There was concern about repetition between the two ordinances and he has responded that they are two different ordinances.

2. Trustee Harney met with Paul McVicker on the Lake Sharon erosion. Trustee DeBolt will be handling this matter as it is in his department.
3. The DuKane Valley Council will be lobbying the legislature on several issues. Any requests to lobby particular issues should be given to Trustee Harney.
4. Trustee Harney met with Jim Podbregar regarding his yard which he has filled with dirt in violation of flood plain regulations. She would like to have a separate meeting with the board to discuss this matter and will distribute the engineer's report on this property for everyone's review. He must either remove a substantial amount of fill from his property or supply 1-1/2 times that amount as compensatory storage elsewhere in the village. Failure to comply will affect federal flood insurance for our residents living in the flood plain.
5. There is a School District 300 community meeting next Monday from 10 a.m. until 2 p.m.
6. Trustee Harney requested that the Board receive a monthly report on all work done by Curt Susanke, the horticulturist who weeds and transplants in the village entryways and Village Hall area once a month for \$300. President Shields said his report is attached to his invoice submitted to us and we should obtain this from Financing. Trustee Nemec suggested we may want Mr. Susanke come to a village board meeting to discuss his work with the Board.
7. Trustee Williams noted the improvement to the cul-de-sacs and entryways that Steve Wiedmeyer has been maintaining.
8. We have already used our year's supply of building permits.
9. Trustee Nemec questioned the maintenance of swales and was advised that maintenance responsibility varies through the village, but that residents are responsible in most areas.

#### OLD BUSINESS:

1. Trustee Merkel wished to reconsider the installation of temporary (until 11/1/98) stop signs on Joy Lane. MERKEL MOVED WITH A SECOND FROM NEMEC TO RECONSIDER ORDINANCE NO. 98-16 ENTITLED "AN ORDINANCE AMENDING SECTION 5-3-2 A. OF THE MUNICIPAL CODE OF SLEEPY HOLLOW BY ADDING THREE (3) TEMPORARY STOP INTERSECTIONS AT JOY LANE AND FAWN COURT AND THREE (3) TEMPORARY STOP INTERSECTIONS AT JOY LANE AND JAMESTOWNE ROAD". The Board discussed this matter. AYE: MERKEL, NEMEC, DEBOLT, SHIELDS. NAY: CZERNIAWSKI, HARNEY, WILLIAMS. MOTION PASSED.
2. Trustee Merkel also wished to reconsider the vote against the variance for a fence at 1211 Carol Crest. MERKEL MOVED WITH A SECOND FROM DEBOLT TO RECONSIDER ZBA FILE #189, A FENCE REQUEST FOR 1211 CAROL CREST. The Board also discussed this matter. AYE: MERKEL, DEBOLT, NEMEC. NAY: CZERNIAWSKI, HARNEY, WILLIAMS, SHIELDS. MOTION FAILED.
3. Trustee Merkel next discussed the variance requests for fences along Randall Road which were denied. Zoning Chairman Neil stated what they are including in their ordinance and the Board said what they wished them to include in this ordinance currently being prepared. WILLIAMS MOVED WITH A SECOND FROM CZERNIAWSKI TO DIRECT THE ZONING BOARD TO WRITE AN ORDINANCE THAT SETS SPECIFICATIONS FOR THE FENCE AND ADDRESSES MAINTENANCE ISSUES, BUT DOES NOT ADDRESS ASSESSMENTS OR BONDING OR PLACE A REQUIREMENT ON A CONTINUOUS FENCE THROUGH THE SUBDIVISIONS. The Board does not expect all residents to install this fence and realize there may be gaps in the fence. The Board again requested that this matter be expedited as quickly as possible. AYE: WILLIAMS, CZERNIAWSKI, DEBOLT, HARNEY, MERKEL, NEMEC. MOTION PASSED. Mr. Holcomb, a Saddle Club resident, stated that they will again apply for a variance after this ordinance is completed.
4. Trustee Harney noted that we have received a management plan for Rainbow Creek.

CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO ADJOURN TO EXECUTIVE SESSION AT 9:40 P.M. FOR THE PURPOSE OF REVIEWING EXECUTIVE MINUTES PURSUANT TO §2(C)(21) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

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The regular meeting reconvened at 9:50 p.m.

HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE RELEASE OF THE EXECUTIVE MINUTES FROM DECEMBER 1, 1997 AND DECEMBER 15, 1998. MOTION PASSED BY VOICE VOTE.

NEW BUSINESS:

1. Trustee Merkel noted that a resident who is an engineer has volunteered his time to assisting with the stream bank stabilization program.
2. President Shields noted that the bids for the stream bank stabilization program were never voted on.

HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE MEETING AT 9:55 P.M. AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.

Respectfully submitted,



Norine Olson  
Village Clerk

Released 12/20/99

EXECUTIVE MEETING  
MINUTES

JULY 20, 1998

The executive session of the Board of Trustees was convened at 9:40 p.m. for the purpose of discussing executive minutes pursuant to §2(c)(21) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, Nemec, and Williams; and Clerk Olson.

1. The Board agreed to release the executive minutes from December 1, 1997 and December 15, 1997 but did not wish to release the minutes from January 6, 1997.

2. DEBOLT MOVED WITH A SECOND FROM HARNEY TO APPROVE THE EXECUTIVE MINUTES FROM APRIL 6, 1998, MAY 18, 1998, JUNE 1, 1998, JUNE 15, 1998, AND JUNE 29, 1998. MOTION PASSED BY VOICE VOTE.

WILLIAMS MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE EXECUTIVE SESSION AT 9:50 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson  
Village Clerk