

REGULAR MEETING
MINUTES

JANUARY 18, 1999

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, and Williams; Police Chief Montalbano; Treasurer Panning; and Clerk Olson. Trustee Nemec was absent.

MINUTES:

1. HARNEY MOVED WITH A SECOND FROM DEBOLT TO APPROVE THE REGULAR MINUTES OF JANUARY 4, 1999 AS SUBMITTED. MOTION PASSED BY VOICE VOTE WITH MERKEL AND WILLIAMS ABSTAINING.

PRESIDENT:

1. Kane County has been declared a disaster area because of the recent snowstorm. Ellen Volkening will attend a county meeting to determine if we are eligible for reimbursement of any of our costs resulting from the storm.
2. TCI cable is merging with AT&T. We must sign a resolution agreeing to this transfer of control and in return will receive \$1,500. DEBOLT MOVED WITH A SECOND FROM HARNEY TO APPROVE RESOLUTION NO. 274 ENTITLED "A RESOLUTION APPROVING THE TRANSFER OF CONTROL OF THE CABLE COMMUNICATIONS FRANCHISE". AYE: DEBOLT, HARNEY, CZERNIAWSKI, MERKEL, WILLIAMS. MOTION PASSED.
3. The fire chief has requested that fire suppression and alarm systems be incorporated into our zoning ordinances as requirements for all commercial buildings. This draft ordinance will be submitted to Trustee Harney for comments and to advise KinderCare. It should then be forwarded to the village attorney for his review.
4. Jay Nollman sent us a letter concerning his easement given for the water main connection. He doesn't feel the drainage is working properly along his property since the work was completed. This was Dundee Township property who has signed off on this restoration work as being proper and complete.
5. President Shields, along with residents and a building contractor, viewed a Pulte development off Randall Road in Elgin and filmed the homes under construction to show the lack of quality by Pulte home builders.

CLERK:

1. Discussed the draft newsletter.

PLAN COMMISSION:

Chairman Markey distributed a draft of the lowland conservancy overlay district document for the Board's review.

ZONING BOARD:

No report.

ZBA:

No report.

ATTORNEY:

No report.

ENGINEER:

No report.

TREASURER:

1. Add \$162 for ICMA and \$75.53 for Mobile Comm. Delete the bill of \$7,200 from Sebastian Contracting for culvert work on Crane Drive. Trustee Williams noted that this was for culvert replacement work that was unrelated to the water main project and should be paid. This is not reimbursable from the bonding company. We will discuss this at the next meeting when our village attorney is present to give more details. CZERNIAWSKI MOVED WITH A SECOND FROM MERKEL TO APPROVE THE WARRANTS OF JANUARY 15TH IN THE AMOUNT OF \$75,156.48. AYE: CZERNIAWSKI, MERKEL, DEBOLT, HARNEY, WILLIAMS. MOTION PASSED.
2. Financial statements were reviewed. Trustee Czerniawski noted that the crack sealing appears to be over budget because we applied some of last year's monies to this year's project.
3. WILLIAMS MOVED WITH A SECOND FROM HARNEY TO APPROVE ORDINANCE NO. 99-3 ENTITLED "AN ORDINANCE AMENDING THE VILLAGE CODE, SECTION 6-3-7B.2b, SECTION 6-3-9B.1, SECTION 6-3-9C.1, SECTION 6-3-9D, AND ADDING SECTION 6-3-9E OF TITLE 6, CHAPTER 3, TITLES-VILLAGE WATER AND SEWER, OF THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS. AYE: WILLIAMS, HARNEY, CZERNIAWSKI, DEBOLT, MERKEL. MOTION PASSED.
4. Office computer purchases will be delayed until spring.

ROADS & PARKS:

1. Building Inspector Joe Prang will be going out to bid for roofing and siding of the Village Hall.
2. A couple mailboxes were damaged during the recent snowplowing. Some courts had problems with no place to put the snow that was removed from driveways by private snow plowers.
3. The parking lot lighting project was started, but delayed by the snow.
4. Resident Sue Bennett has applied for grants for the Lake Sharon project and will keep the Board advised.
5. The purchase order for the Service Club project discussed last meeting is for 100 bricks. The Village will pay the bill but immediately be reimbursed by the Service Club.
6. The final payment for the MFT project has been made to Curran Contracting.

FINANCE:

1. We have received a \$2,200 refund from Heinz Engineers for MFT engineering fees.
2. Budget papers will be prepared and distributed to trustees soon and this year will include suggested line item dollar amounts. The first budget meeting will be scheduled for March.

WATER:

No report.

POLICE:

1. MERKEL MOVED WITH A SECOND FROM CZERNIAWSKI TO CHANGE OFFICER ROBERT RYCRAFT FROM PART TIME TO FULL TIME STATUS, EFFECTIVE IMMEDIATELY WITH FULL BENEFITS AND AN ANNUAL SALARY OF \$27,200. AYE: MERKEL, CZERNIAWSKI, DEBOLT, HARNEY, WILLIAMS. MOTION PASSED.
2. Officer Wilson discussed the new peer jury program in which we will participate with surrounding communities. This is for juveniles who have committed non-violent crimes and is in lieu of the court system. They requested \$200 for the purchase of pagers, photocopying, and other expenses. HARNEY MOVED WITH A SECOND FROM MERKEL TO APPROVE \$200 FOR EXPENSES ASSOCIATED WITH THE PEER JURY PROGRAM. AYE: HARNEY, MERKEL, CZERNIAWSKI, DEBOLT, WILLIAMS. MOTION PASSED.

HEALTH & SANITATION:

No report.

BUILDING:

1. Board discussed the proposed flood plain ordinance and its effect on vacant property in the village. This ordinance incorporates what we are already required to do by law. HARNEY MOVED WITH A SECOND FROM DEBOLT TO APPROVE ORDINANCE NO. 99-4 ENTITLED "AN ORDINANCE AMENDING THE VILLAGE CODE, TITLE 7: BUILDING REGULATIONS TO ESTABLISH REGULATIONS FOR THE APPROVAL OF BUILDING PERMITS PROPERTY LOCATED IN THE FLOOD PLAIN". WILLIAMS MOVED WITH A SECOND FROM CZERNIAWSKI TO AMEND THE MOTION BY AMENDING SECTION 1(B), LAST UNDER UNDERLINED SENTENCE, INSERT AFTER "VILLAGE" "...AND FEDERAL AND STATE REGULATIONS...".

ON AMENDMENT: AYE: WILLIAMS, CZERNIAWSKI, DEBOLT, HARNEY, MERKEL. MOTION PASSED.

ON MAIN MOTION: AYE: HARNEY, DEBOLT, CZERNIAWSKI, MERKEL, WILLIAMS. MOTION PASSED.

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

(8:40 - 8:45 p.m.)

1. Greg Raab of the Service Club asked the Village to provide electrical hook up from Sabatino Park to the proposed new flagpole area at Lake Sharon to illuminate the flag which will be flown all night. We will obtain costs for this work.

BUILDING (continued):

Several additional building department ordinances were submitted for approval, all of which had been previously reviewed in a special session of the Board.

Discussed ordinance adopting Cabo one and two family dwelling code and changes to page 2 were reviewed and approved. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE ORDINANCE NO. 99-5 ENTITLED "AN ORDINANCE AMENDING THE BUILDING REGULATIONS IN THE VILLAGE BY ADOPTING THE CABO ONE- AND TWO-FAMILY DWELLING CODE WITH CERTAIN EXCEPTIONS" AS AMENDED". AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, WILLIAMS. MOTION PASSED.

CZERNIAWSKI MOVED WITH A SECOND FROM WILLIAMS TO APPROVE ORDINANCE NO. 99-6 ENTITLED "AN ORDINANCE TO PROVIDE FOR REIMBURSEMENT OF CERTAIN ENGINEERING AND ATTORNEY'S FEES RELATED TO BUILDING, ANNEXATION, SUBDIVISION AND RELATED MATTERS". AYE: CZERNIAWSKI, WILLIAMS, DEBOLT, HARNEY, MERKEL. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM MERKEL TO APPROVE ORDINANCE NO. 99-7 ENTITLED "AN ORDINANCE AMENDING THE BUILDING REGULATIONS IN THE VILLAGE BY ADOPTING THE INTERNATIONAL MECHANICAL CODE WITH CERTAIN EXCEPTIONS". AYE: HARNEY, MERKEL, CZERNIAWSKI, DEBOLT, WILLIAMS. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM DEBOLT TO APPROVE ORDINANCE NO. 99-8 ENTITLED "AN ORDINANCE MODIFYING THE SCHEDULE OF FEES FOR BUILDING PERMITS AND OCCUPANCY PERMIT IN THE VILLAGE". AYE: HARNEY, DEBOLT, CZERNIAWSKI, MERKEL, WILLIAMS. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE ORDINANCE NO. 99-9 ENTITLED "AN ORDINANCE AMENDING THE BUILDING REGULATIONS IN THE VILLAGE BY ADOPTING THE BOCA NATIONAL BUILDING CODE WITH CERTAIN EXCEPTIONS." AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, WILLIAMS. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM MERKEL TO APPROVE ORDINANCE NO. 99-10 ENTITLED "AN ORDINANCE AMENDING THE BUILDING REGULATIONS IN THE VILLAGE BY ADOPTING THE NATIONAL ELECTRICAL CODE WITH CERTAIN EXCEPTIONS." AYE: HARNEY, MERKEL, CZERNIAWSKI, DEBOLT, WILLIAMS. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM MERKEL TO APPROVE ORDINANCE NO. 99-11 ENTITLED "AN ORDINANCE AMENDING THE BUILDING REGULATIONS IN THE VILLAGE BY ADOPTING THE BOCA PROPERTY MAINTENANCE CODE WITH CERTAIN EXCEPTIONS." AYE: HARNEY, MERKEL, CZERNIAWSKI, DEBOLT, WILLIAMS. MOTION PASSED.

HARNEY MOVED WITH A SECOND FROM WILLIAMS TO APPROVE ORDINANCE NO. 99-12 ENTITLED "AN ORDINANCE AMENDING THE BUILDING REGULATIONS IN THE VILLAGE BY ADOPTING THE CABO MODEL ENERGY CODE WITH CERTAIN EXCEPTIONS." AYE: HARNEY, WILLIAMS, CZERNIAWSKI, DEBOLT, MERKEL. MOTION PASSED.

OLD BUSINESS:

1. The Joy Lane widening and turn lanes will be discussed at the next meeting when all trustees are present.

NEW BUSINESS:

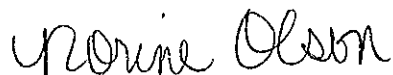
1. Discussed the new proposed agenda. Trustee DeBolt noted that the order of business is out of order and in violation of our village code. Rather than prepare an ordinance to change our Code, the agenda order will be changed back to conform to our Code.
2. Trustee Harney discussed the position paper for the DuKane Valley Council and will leave a copy for trustee review. She encouraged our participation at the breakfast meetings of the Council which are held on the second Tuesdays of the month in Batavia.

HARNEY MOVED WITH A SECOND FROM MERKEL TO ADJOURN TO EXECUTIVE SESSION AT 9:00 P.M. FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION AND EXECUTIVE MINUTES PURSUANT TO §§2(C)(11) AND 2(C)(21) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

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

MERKEL MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE MEETING AT 9:15 P.M. AYE: MERKEL, CZERNIAWSKI, DEBOLT, HARNEY, WILLIAMS. MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

JANUARY 18, 1999

The executive session of the Board of Trustees was convened at 9:00 p.m. for the purpose of discussing pending litigation and executive minutes pursuant to §§2(c)(11) and 2(c)(21) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, and Williams; and Clerk Olson.

Released 6-18-01
1. Discussed the Fahy lawsuit. Trustee Harney and Joel Kruse have been personally sued by Mr. Fahy in additional lawsuits and the Board agreed the Village should pay for their defense. They will need to obtain an attorney since there may be a conflict of interest to have Mark Schuster also defend them as well as the village. It is felt these personal suits can be dismissed fairly quickly and easily. Trustee Harney and Mr. Kruse may need to have separate attorneys to represent each of them, again because of a possible conflict between the two of them. A potential defense attorney is reviewing this matter. The Board would like a status report on the Fahy suit from our attorney.

Released 6-17-02
2. DEBOLT MOVED WITH A SECOND FROM HARNEY TO APPROVE THE EXECUTIVE MINUTES OF JANUARY 4, 1999 AS SUBMITTED. MOTION PASSED BY VOICE VOTE WITH MERKEL AND WILLIAMS ABSTAINING.

3. Trustees Czerniawski and Merkel, Ellen Volkening, and Chief Montalbano met to discuss the office situation relative to control of Becky Freemon's work duties. The meeting went well.

DEBOLT MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE EXECUTIVE SESSION AT 9:15 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk