

) 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, Grom, Wind, and Ziemba, Police Chief Montalbano, Finance Director Volkening, and Clerk Olson.

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

MINUTES:

1. ZIEMBA MOVED WITH A SECOND FROM GROM TO APPROVE THE REGULAR MEETING MINUTES OF FEBRUARY 2, 2004. On Page 1, under ZBA, last sentence, the percentage was under 1%. MOTION PASSED.

PRESIDENT:

1. We have received a notice from NIPC regarding East Dundee' water expansion plans. There will be a meeting in Chicago on March 10th and written comments may be submitted no later than March 2nd.
2. President Pickett explained a request to approve a mayors' caucus resolution concerning education funding improvements in the state to lessen the impact on personal property taxes. ANDER MOVED WITH A SECOND FROM ZIEMBA TO APPROVE RESOLUTION NO. 324, ENTITLED "A MODEL RESOLUTION REGARDING EDUCATION REFORM." MOTION PASSED.

CLERK:

1. The Dundee Township Democrats requested use of the Village Hall meeting room the first Tuesday of every month at 7 p.m. The police will have to unlock the building for the group's meetings. The Board approved their use as requested.
2. One bid was received for the used office computers. FINNEY MOVED WITH A SECOND FROM ZIEMBA TO ACCEPT THE BID FROM RUSSELL GETZ IN THE AMOUNT OF \$40 FOR THE GATEWAY P5-100 SYSTEM. MOTION PASSED. The other system will be offered for sale in the newsletter.
3. A draft newsletter was distributed to the Board previously. Any further comments should be given to the Clerk as soon as possible as the newsletter will be finalized later this week.

PLAN COMMISSION:

No report.

ZONING COMMISSION:

1. Chairman Art Neil said the main issue for the zoning meeting on the 19th is to discuss the PUD ordinance with Paul Bednar, who will assist the board in writing the ordinance. They will also discuss building heights in the Village. Mr. Neil has picked 11 homes in the Village where the building elevations will be measured by the Village Engineer. Mr. Neil feels there are three different situation to consider for elevations restrictions: tear-downs, buildable outlots, and new developments.
2. There is a public hearing on the 25th concerning the petition for 24-hour, drive-through restaurant facilities on Route 72. Trustee Ander noted that a 1990 Village ordinance appears to restrict this parcel to office development. President Pickett will review this with the Village Attorney.

ZBA:

) No report.

ATTORNEY:

1. ANDER MOVED WITH A SECOND FROM ZIEMBA TO APPROVE ORDINANCE NO. 2004-6 ENTITLED "AN ORDINANCE AMENDING THE PROVISIONS OF TITLE 2: BOARDS AND COMMISSIONS OF THE VILLAGE CODE." The Board discussed this ordinance which makes all three committees consistent in their guidelines/rules. Any chair appointment by the Village President should be approved by the Board and a few other minor corrections were also noted. Board also questioned what would constitute a conflict to prevent a member from voting on an issue. It was felt this would include a financial interest, but it was not clear what else would be considered a conflict. AYE: ANDER, ZIEMBA, FINNEY, GETZ, GROM, WIND. MOTION PASSED.

2. The real estate sales contract will be discussed at the next meeting with the Village Attorney.

3. ANDER MOVED WITH A SECOND FROM ZIEMBA TO APPROVE ORDINANCE NO. 2004-7 ENTITLED "AN ORDINANCE VARYING THE LIVING AREA REQUIREMENT OF THE R-1 RESIDENTIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT 45 KATRINA IN THE VILLAGE." AYE: ANDER, ZIEMBA, FINNEY, GETZ, GROM, WIND. MOTION PASSED.

4. ANDER MOVED WITH A SECOND FROM ZIEMBA TO APPROVE ORDINANCE NO. 2004-8 ENTITLED "AN ORDINANCE VARYING THE SIDE YARD COVERAGE REQUIREMENT OF THE R-1 RESIDENTIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT 1205 CAROL CREST DRIVE IN THE VILLAGE." AYE: ANDER, ZIEMBA, FINNEY, GETZ, GROM WIND. MOTION PASSED.

ENGINEER:

1. Questioned when the Jelkes Creek bridge project would be finalized with Madden Construction. We are still holding \$15,000 back from payment. There was a suggestion to cap the posts on the bridge and Trustee Wind will check into the cost.

2. The final sewer connection will be made within the next few week on Elm Court.

3. We have not heard from IDOT about using MFT funds for a five year road plan.

DIRECTOR OF FINANCE:

1. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE FEBRUARY 16, 2004 ACCOUNTS PAYABLE IN THE AMOUNT OF \$80,089.69. AYE: ZIEMBA, GETZ, ANDER, FINNEY, GROM, WIND. MOTION PASSED.

COMMENTS FROM THE PUBLIC:

1. Eydee Reese of Laurel Court spoke with many residents about the tree ordinance, almost all of who were in favor of it. She expressed her concern about the Route 72 development and asked about Carpentersville's police comments on 24-hour restaurants, and also whether the property owner had submitted a current IDOT traffic report on Route 72.

2. Steve Ondera of Sharon Drive, while in favor of saving trees, did not feel the Village should place any further restriction on private property owners.

3. Todd Prigge of Hilltop Lane obtained 269 resident signatures, out of 286 people spoken with, who were in favor of the tree ordinance. He also distributed paperwork and discussed PUDs in relation to tree preservation.

4. Walt Heffron of Van Tassel read letters previously presented to the Board in favor of the tree ordinance and the reason why it should be passed based on current village ordinances and the comprehensive plan.

5. John Barsanti, a candidate for the Kane County State's Attorney, presented his background and his goals if elected to the position.

PARKS, ROADS & STREETS:

1. We received a resident contact report complimenting Public Works for their recent snowplowing.
2. We have installed some new street light poles; the others will be installed when received from the supplier.

FINANCE:

1. Trustee Ziemba reviewed the financial statements for the period ended 12/31/03 and compared to the same time period a year earlier. Revenue is up 2% and expenses are comparable to a year ago. Police payroll is down slightly as are legal and engineering fees. Overall, the financial situation to date looks good.

WATER & SEWER:

1. We have received the Elgin water bill for over \$34,000.

POLICE & PUBLIC SAFETY:

1. GROM MOVED WITH A SECOND FROM GETZ TO APPROVE THE PURCHASE OF A 2004 CROWN VICTORIA FORD FROM LANDMARK FORD, AT A COST OF \$20,476, WITH DELIVERY AFTER 5/1/04. AYE: GROM, GETZ, ANDER, FINNEY, WIND. NAY: ZIEMBA. MOTION PASSED. By ordering the vehicle through the state purchase contract, the Village saves several thousand dollars.

PUBLIC BUILDINGS & ENVIRONMENTAL:

1. ANDER MOVED WITH A SECOND FROM GETZ TO EXTEND THE CONTRACT FOR TWO YEARS FOR UNLIMITED SERVICES. AYE: ANDER, GETZ, FINNEY, GROM, WIND, ZIEMBA. MOTION PASSED. This is for the Village cleaning services.

BUILDING & ZONING ENFORCEMENT:

1. There is no update on the Sharon Drive RV parking matter.

OLD BUSINESS:

1. The Board discussed the proposed draft pre-annexation agreement with Dundee Township on a portion of the Township open space property located at Sleepy Hollow Road and Boncosky Road. The Township does not wish to annex the entire parcel to the Village. The Board also discussed the county property adjacent to this parcel that includes 120 acres. The Board would like to see a drawing of the Township portion to be annexed but approved that the draft agreement be sent to Dundee Township for their comments.
2. Trustee Ander wanted to re-open the tree ordinance issue at the request of several residents. ANDER MOVED WITH A SECOND FROM GROM TO APPROVE ORDINANCE NO. 2004-9 ADOPTING TREE CONSERVATION REGULATIONS. The Board discussed this at length. There are two main concerns of the trustees opposing this ordinance. One is an objection to placing any restrictions on residents and their property. Trustee Ander responded that there are not restrictions on residents in the last ordinance draft. The second objection is that this ordinance could be punitive and prohibitive to developers and prevent them from bringing commercial and residential development to the few remaining parcels in the Village. They want to ensure that this ordinance is not cost prohibitive to development and want some idea of what it could cost the developers of the Michalski property if this ordinance were in effect. Edith of the Morton Arboretum offered to obtain from other villages with tree ordinances, the cost to developers to comply with their ordinances on a property similar to the Michalski property. We will also question Mr. Regan on the tree survey on the Route 72 property where an estimate to comply with our proposed ordinance would have cost over \$100,000. TRUSTEES ANDER AND GROM WITHDREW THEIR MOTION AND SECOND.

NEW BUSINESS:

1. Trustee Ander attended the recent Plan Commission meeting on the Michalski property application and asked if we have received proof of an option to purchase from the developer. He submitted a three page letter to the Commission stating several deficiencies in the Application and felt that it should not have been accepted by the Commission. The developer's Application shows the destruction of over five acres of woodland. He also said the developer brought a new plan to the meeting. When he asked the developer and their attorney, they denied any plans for commercial development on this property and Trustee Ander felt their subsequent comments to him were inappropriate. Trustee Ander wants the Village to obtain bids for a wetlands specialist to prepare a wetlands delineation at the developer's expense. President Pickett does not feel this process is at the appropriate stage for these requirements.

ZIEMBA MOVED WITH A SECOND FROM WIND TO ADJOURN THE MEETING AT 10:34 P.M.
MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk