

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 (7:35 p.m.), Grom, Wind, and Ziemba, Police Chief Montalbano, Village Attorney Schuster, Village Engineer Heinz, and Clerk Olson.

President Pickett explained the rules for speaking under the public comments section of this meeting.

MINUTES:

1. ZIEMBA MOVED WITH A SECOND FROM GROM TO APPROVE THE REGULAR MEETING MINUTES OF APRIL 19, 2004. On page 3 under Public Buildings, paragraph numbers 2 and 3 should be moved to the Building report. MOTION PASSED.

PRESIDENT:

1. Sleepy Hollow has been invited to participate in the Memorial Day parade on May 30<sup>th</sup> in Dundee. If any individuals or groups are interested, contact President Pickett for details.
2. The Village is planning a "garage sale" at the Village Hall, probably the second week in June, where Village equipment, etc. will be offered for sale.
3. President Pickett made the following appointments to be in effect until the next election: Plan Commission Chairman: Jim Hendricks; Zoning Commission Chairman: Art Neil; ZBA Chairman: John Kedzior; Village Attorney: Mark Schuster; Village Engineer: Heinz & Associates; Village Prosecutor: Bruce David; Village Sanitarian: Kane County Department of Health; Zoning Enforcement Officer: Joel Kruse. FINNEY MOVED WITH A SECOND FROM ZIEMBA TO APPROVE THE APPOINTMENTS. Trustee Grom requested that the engineer doing the village work be the same engineer who attends board meetings. President Pickett will discuss this request with the firm. MOTION PASSED.

CLERK:

No report.

PLAN COMMISSION:

President Pickett has 3-4 applicants for the open board position and will make a decision shortly.

ZONING COMMISSION:

No report.

ZBA:

No report.

ATTORNEY:

1. The Board discussed the draft liquor license ordinance and hours of operation and fees. WIND MOVED WITH A SECOND FROM GETZ TO SET MIDNIGHT AS THE CLOSING HOUR FOR SERVING ALCOHOL IN RESTAURANTS. MOTION PASSED. There was further discussion on opening hours for restaurants serving alcohol. WIND MOVED WITH A SECOND FROM ZIEMBA TO SET AN INITIAL APPLICATION FEE OF \$500 AND AN ANNUAL LIQUOR PERMIT FEE OF \$1,500, AND TO SET OPENING HOURS FOR SERVING ALCOHOL IN RESTAURANTS AT 11 A.M. MONDAY THROUGH SATURDAY, AND 10:00 A.M. SUNDAY FOR THOSE RESTAURANTS SERVING BRUNCH. MOTION PASSED. A final ordinance will be presented for approval at the next meeting.

2. The contract for the sale of the public outlots has been sent to the four residents who would be buying the lots. ZIEMBA MOVED WITH A SECOND FROM GETZ THAT WE AMEND THE AGENDA TO ALLOW THOSE RESIDENTS TO SPEAK NOW. MOTION PASSED. Jay Landgraf of Hilltop Lane asked several questions concerning the fees for the purchase and the Village Attorney responded. The survey shows that SBC and ComEd laid their lines outside of the standard 10' easement and it will be necessary to list a 20' easement on the sale documents. The resident would like the companies to move those lines into the 10' area and asked the Village to send a letter asking these utility companies to do so. President Pickett offered to call ComEd on this matter and the Board agreed to send letters as requested. If the lines are moved, the easement on the parcel will later be reduced back to 10'.

3. We have not yet heard back from Dundee Township to our response on the pre-annexation agreement.

4. Board reviewed the Kane County impact fee ordinance and did not feel it would burden the Village to require proof of payment of the county fee before the Village issues a permit. GROM MOVED WITH A SECOND FROM ZIEMBA TO APPROVE THE KANE COUNTY INTERGOVERNMENTAL AGREEMENT CONCERNING IMPACT FEES AND AUTHORIZE THE VILLAGE PRESIDENT AND CLERK TO SIGN. Board discussed paragraph 3a that will be amended to remove "ensure" with language that the Village will "adopt a policy." It will be necessary to prepare an ordinance amending our building code. ZIEMBA MOVED WITH A SECOND FROM GETZ TO AMEND THE MOTION TO MODIFY PARAGRAPH 3A. AS DISCUSSED.

ON AMENDMENT: MOTION PASSED. ON MAIN MOTION: MOTION PASSED.

5. East Dundee signed and returned the Jetter Services Agreement and the Board briefly discussed concerns of liability with this agreement. WIND MOVED WITH A SECOND FROM GETZ TO AUTHORIZE THE VILLAGE PRESIDENT AND CLERK TO SIGN THE JETTER SERVICES AGREEMENT WITH THE VILLAGE OF EAST DUNDEE. MOTION PASSED.

6. An ethics ordinance was presented that must be passed this month. GROM MOVED WITH A SECOND FROM GETZ TO APPROVE ORDINANCE NO. 2004-10 ENTITLED "AN ORDINANCE REGULATING THE POLITICAL ACTIVITIES OF, AND SOLICITATION AND ACCEPTANCE OF GIFTS BY, VILLAGE OFFICERS AND EMPLOYEES. AYE: GROM, GETZ, ANDER, FINNEY, WIND, ZIEMBA. MOTION PASSED.

#### ENGINEER:

No report. Until the budget is approved, we are unable to move forward on certain projects.

#### DIRECTOR OF FINANCE:

1. ZIEMBA MOVED WITH A SECOND FROM GROM TO APPROVE THE MAY 3, 2004 ACCOUNTS PAYABLE IN THE AMOUNT OF \$45,738.13. AYE: ZIEMBA, GROM, ANDER, FINNEY, GETZ, WIND. MOTION PASSED.

#### COMMENTS FROM THE PUBLIC:

1. Eydie Reese of Laurel Court read a lengthy statement concerning the board's approval of the drive through restaurant permit and her concerns and objections on this matter.

#### PARKS, ROADS & STREETS:

No report.

#### FINANCE:

1. The 11 month financial statements were reviewed with a member of the Finance Committee which show that Village spending is down for the year, possibly due to no road improvements last year. Another budget session is necessary before the budget will be ready for approval.

WATER & SEWER:

No report.

POLICE & PUBLIC SAFETY:

No report.

PUBLIC BUILDINGS & ENVIRONMENTAL:

No report.

BUILDING & ZONING ENFORCEMENT:

No report.

OLD BUSINESS:

1. Affordable Housing Act. The Village Attorney reminded the Board that under current estimates, it appears that the Village will not be exempt from the Act, and will be required to file a compliance plan by July 1. However, the deadline for filing may be extended by the General Assembly before adjournment; and some municipalities may legally challenge the Act before the due date.
2. The Village previously chose to remain part of class action suit for taxes paid by wireless providers. There is now a class action lawsuit against landline providers for taxes. The Board wishes to also remain part of this class action suit and not "opt" out.

ANDER MOVED WITH A SECOND FROM WIND TO ADJOURN TO EXECUTIVE SESSION AT 9:13 P.M. FOR THE PURPOSE OF REVIEWING EXECUTIVE MINUTES PURSUANT TO §2(C)(21) OF THE OPEN MEETINGS ACT. MOTION PASSED.

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The regular meeting reconvened at 9:18 p.m.

1. Board discussed marking the new boundary along Sleepy Hollow Road per the agreement with West Dundee. It was agreed that we should set about 12 monumental markers. Mr. Schuster will obtain information concerning total costs for the markers and installation.
2. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE RELEASE OF EXECUTIVE MINUTES TO THE PUBLIC AS LISTED IN THE CLERK'S MEMO OF APRIL 30, 2004. MOTION PASSED.

NEW BUSINESS:

1. Mr. David Dorgan, City of Elgin, informed the Board that Elgin is discussing making a boundary line agreement with the Village of West Dundee, setting a boundary along Boncosky Road just west of the Frontenac Subdivision. The City of Elgin has also invited the Village to discuss an amendment to the existing Boundary Line Agreement between Elgin and Sleepy Hollow, to allow retail uses in Elgin along Randall Road on the Motorola property. The Board discussed some of the pros and cons on this idea, and will consider the matter further at a subsequent meeting. The Board may wish to consult with a financial or planning expert for advice on this matter.

ZIEMBA MOVED WITH A SECOND FROM GETZ TO ADJOURN THE MEETING AT 10:35 P.M. MOTION PASSED.

Respectfully submitted,  
Norine Olson, Village Clerk

*Norine Olson*

Released 6-20-05

EXECUTIVE MEETING MINUTES

MAY 3, 2004

The executive session of the Sleepy Hollow Board of Trustees was convened at 9:13 p.m. for the purpose of discussing executive session minutes pursuant to §2(c)(11) of the Open Meetings Act. In attendance were President Pickett; Trustees Ander, Getz, Groff, Finney, Wind, and Ziemba; Village Attorney Schuster; and Clerk Olson.

1. The Board reviewed the executive minutes recommended for release in the Clerk's memo of April 30, 2004 and agreed to the release of all minutes or portions as listed.

2. ANDER MOVED WITH A SECOND FROM WIND TO APPROVE THE EXECUTIVE SESSION MINUTES OF APRIL 19, 2004. MOTION PASSED.

WIND MOVED WITH A SECOND FROM GETZ TO ADJOURN THE EXECUTIVE SESSION AT 9:18 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson  
Village Clerk