

VILLAGE OF SLEEPY HOLLOW
REGULAR MEETING MINUTES

SEPTEMBER 8, 2009

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Pickett, Trustees Finney, Fudala, Getz, Seiler, Wind, and Ziemba, Police Chief Montalbano, Finance Director Volkening, Village Attorney Schuster, Village Engineer Weiss & Clerk Olson.

MINUTES:

1. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE REGULAR MEETING MINUTES OF AUGUST 17, 2009. MOTION PASSED.

PRESIDENT:

1. Kane County is again co-sponsoring an electronics and books recycling day on September 26 from 8 am- 12 pm at Santa's Village parking lot. Trustee Finney suggested the County also consider a recycling day in the area for paints and other chemicals.
2. Pace is holding a public hearing on September 24, 4:30-6:30 pm at the Kane County Government Center on their proposed fare increase.
3. The Illinois Municipal League congratulated the Village on earning the 2008 IMLRMA safety award for employee safety in the Village.

CLERK:

1. FINNEY MOVED WITH A SECOND FROM GETZ TO APPROVE THE LIVE UNITED WEEK PROCLAMATION FOR THE WEEK OF SEPTEMBER 21. MOTION PASSED.
2. Information was requested within the next couple weeks for the upcoming newsletter.

PLAN COMMISSION:

No report.

ZONING COMMISSION:

No report.

ZBA:

There will be a report next meeting on the recent hearing held on two applications for variance.

ATTORNEY:

1. Nicor has responded to Village comments on the franchise agreement and is still proposing a 50 year agreement. ZIEMBA MOVED WITH A SECOND FROM GETZ TO UN-TABLE THE MOTION FROM MAY 4, 2009 ON THE ORDINANCE APPROVING THE NICOR FRANCHISE AGREEMENT. AYE: ZIEMBA, GETZ, FINNEY, FUDALA, WIND. NAY: SEILER. MOTION PASSED.

On the un-tabled MOTION TO APPROVE ORDINANCE NO. 2009-6 ENTITLED "AN ORDINANCE GRANTING A FRANCHISE TO NORTHERN ILLINOIS GAS COMPANY (d/b/a NICOR GAS COMPANY) ("NICOR"), ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A NATURAL GAS DISTRIBUTION SYSTEM IN AND THROUGH THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS." AYE: ZIEMBA, GETZ, FINNEY, WIND, NAY: FUDALA, SEILER. MOTION PASSED.

2. Mr. Schuster presented a draft ordinance to re-establish a special permit requirement for overweight vehicles using Village roads. There was a permit requirement many years ago, but for some unknown reason, it was removed. This would allow the Village to be aware of overweight vehicles coming into the

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Village and for the police to determine an appropriate route for the vehicle. There is also a permit fee. ZIEMBA MOVED WITH A SECOND FROM FINNEY TO APPROVE ORDINANCE NO. 2009-17 ENTITLED "AN ORDINANCE AMENDING THE VILLAGE TRAFFIC REGULATIONS TO ESTABLISH A SPECIAL PERMIT FOR USE OF PUBLIC ROADWAYS BY CERTAIN OVERSIZE VEHICLES. The Board reviewed this ordinance and asked Mr. Schuster to revise the ordinance to include an exemption for garbage trucks and septic trucks servicing Village residents. ZIEMBA MOVED WITH A SECOND FROM GETZ TO TABLE FURTHER DISCUSSION OF THE ORDINANCE UNTIL THE NEXT BOARD MEETING ON SEPTEMBER 21. MOTION PASSED.

8:00 PM Ron Amen of Lauterbach & Amen, the Village auditors, presented the Annual Financial Report, and briefly reviewed the report. He noted there were no recommendations in the current management letter and last years recommendations had been implemented by the Village. He also noted that most municipalities have been adversely affected by the economy. ZIEMBA MOVED WITH A SECOND FROM FINNEY TO APPROVE THE AUDIT REPORT AND MANAGEMENT LETTER FOR FISCAL YEAR 2008-2009. MOTION PASSED.

ENGINEER:

1. Mr. Weiss reviewed the 2009 road patching program for possible additions due to the low bid received for the project. IDOT advised him that we cannot go outside the projects limits but can do additional patching on the roads already in the program. Mr. Weiss submitted a revised proposal that would raise the total cost from the bid of about \$52,000 to about \$68,000. ZIEMBA MOVED WITH A SECOND FROM WIND TO AUTHORIZE THE ENGINEERS TO EXPAND THE 2009 ROAD PATCHING PROGRAM. AYE: ZIEMBA, WIND, FINNEY, FUDALA, GETZ, SEILER. MOTION PASSED.

2. The 2009 storm sewer improvement plans for Joy Lane and Thorobred Lane were presented. Mr. Weiss would like to put this out to bid immediately, with a bid opening on September 21, and review of the bids at the board meeting that evening. It is anticipated that Joy Lane may be closed for as long as one week during construction. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE ENGINEERING PLANS AND AUTHORIZE THEM TO GO OUT TO BID ON THE PROJECT. The Board questioned what will happen if the project is underway but cannot be completed before winter and closing of the asphalt plants. Mr. Heinz replied that the specs call for completion by October 30. However, if weather prevents completion, a cold patch can be applied, or gravel could be left until spring. AYE: ZIEMBA, GETZ, FINNEY, FUDALA, SEILER, WIND. MOTION PASSED.

8:15 PM Attorney John Regan spoke on behalf of his potential tenants who wish to build in the last vacant spaces at the east end of the Spring Hill Meadows strip mall as The Thirsty Vine Café and Wine Bar. He feels the Village's building code inspector, ICCI, has harshly interpreted the Illinois Municipal Code and Village Code regarding exhaust hood requirements, which will cost the tenants an additional, and they believe unnecessary, \$22,000 and could affect their ability to proceed with the project. The architect for the tenants, Rick Gilmore, suggested the Village to instead adopt the Kane County Health Dept regulations, which would exempt the equipment requirements mandated by ICCI. Mr. Dettmer of ICCI, who was present, noted that there are other options and the tenants could request a modification to these requirements and that he would be happy to sit down with the developers and their representatives to work this out. The tenants would like to proceed with the project as soon as possible and Mr. Regan asked the Board to also consider modifications at the same time in the event the discussions with ICCI are not successful.

DIRECTOR OF FINANCE:

1. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE ACCOUNTS PAYABLE OF SEPTEMBER 8, 2009 IN THE AMOUNT OF \$70,434.43. AYE: ZIEMBA, GETZ, FINNEY, FUDALA, SEILER, WIND. MOTION PASSED.
2. ZIEMBA MOVED WITH A SECOND FROM SEILER TO APPROVE RESOLUTION NO. 398 AUTHORIZING THE PURCHASE OF A CD AT PARK NATIONAL BANK IN THE AMOUNT OF \$250,000. AYE: ZIEMBA, SEILER, FINNEY, FUDALA, GETZ, WIND. MOTION PASSED.

COMMENTS FROM THE PUBLIC:

1. Pam Zundl of 920 Willow Lane distributed several pictures and read a statement expressing her concerns with the proposed third garage to be constructed by her neighbor and the drainage problems it may cause, as well as the problems associated with the neighbor's alleged plans to do car repairs in the garage.
2. Ron Anderson, Pam Zundl's father, of 825 Walnut also expressed concern with the proposed garage addition and the water problems and issues of car repairs at a residence.
3. Christian Schmidling of 919 Willow expressed concern if the resident does auto repairs at his home.
4. Robert Jozefuericz of 743 Jamestowne Court asked about the status of the water issue on their court and said the swales are destroyed.
5. Barb Doporczk of 745 Jamestowne Court said the swales are holding deep water and she is concerned about the children in the area.
6. Richard Zeh of 918 Willow said he is concerned about the safety of the small children in the area if the neighbor does have an auto repair facility at his home.
7. Bill Kenney of 741 Pimlico is replacing an above-ground pool with an identical pool. His permit was denied by ICCI as he was advised that he needs a fence around the pool, although there is a wall/fence atop the pool already that makes it higher than the required fence around the pool. Barbara Dettner of ICCI explained the code and advised the Board that there are discrepancies between the requirements of the village code and the building code which requires a walkway and fence. Mr. Schuster said the Village may wish to review the Village code on pools and fences. Mr. Kenny asked the Board to reconsider his permit.

PARKS, ROADS & STREETS:

No report.

FINANCE:

1. The Finance Committee met last month to review the audit report and discuss monthly budgets.
2. Trustee Ziemba questioned the invoice for the ride program with the Township. He noted this was not in the new budget and the Finance Committee does not feel the Village should participate financially when only one resident uses this program. President Pickett will discuss with the Township Supervisor.

WATER & SEWER:

1. The water efficiency was at 100% last month and 78% for the two months prior, which included a water main break. It appears the leaks have finally been fixed. The second company used was better able at locating leaks but were substantially higher in price. If efficiency drops again, we can also have Public Works shut down portions of the system at night to check for possible leaks.
2. A letter was received from a company concerning compliance with cross connection control programs. This will be given to ICCI for their review.
3. A house on Hazel Court has been having problems with his water quality and did not have a filter installed. The resident has requested a credit on his water bill. This will be added to the next agenda.

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POLICE & PUBLIC SAFETY:

1. Trustee Wind noted that one full time officer is off work for about 8 weeks. The department is already short on part time officers and part time officers can only work 1500 hours per year. We may need to hire more officers or increase overtime hours to meet Village needs.

PUBLIC BUILDINGS & ENVIRONMENTAL:

1. There is an Environmental Committee meeting tomorrow night. Trustee Finney viewed the Township's Jelkes Creek project and said that although under construction, it is very impressive. He said the path from Village Hall to the Township property is in poor shape and needs to be better maintained. President Pickett said he has been advised by the Township Supervisor that the entrance at Glen Oaks will be made a more visible entrance for pedestrians only, and no parking. There will also be a sign added.
2. The balance of the wetland mitigation bank, about 6 acres, has been released by the Army Corps to Land & Water Resources for sale. The Village must now maintain the property with the \$35,000 from L&W. President Pickett suggested Trustee Finney talk with Township Supervisor Harney about the Township's maintenance plan for their wetland property to see if the Village and Township can work together on maintenance. Trustee Ziemba asked about the property sold so far, and the L&W agreement regarding higher receipts to the Village if a certain amount of the wetland mitigation bank was sold. This information may be in the Village accounting records or reports from L&W that were filed with the Corps.

BUILDING & ZONING ENFORCEMENT:

1. Trustee Fudala and ICCI reps will meet with Pam Zundl to discuss her concerns about the garage addition on Willow. The homeowner requesting the permit was advised that the permit should be issued within a couple days.

OLD BUSINESS:

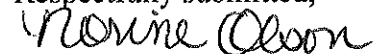
1. President Pickett summarized for the residents in attendance the water drainage issue from the west side of Randall, including the change in the velocity of water coming through Deer Creek. He also stated that the Village would re-sod some of the swales of the houses most severely affected by the water damage. He informed the residents from that area that the Village did not have the estimated \$150,000 necessary to replace the culverts as recommended by the engineer's watershed study. A resident on Jamestowne also noted a street light has been out in the area for some time.

NEW BUSINESS:

1. A resident requested permission to hold a garage sale, although she would exceed the maximum number of sale days allowed per year. FUDALA MOVED WITH A SECOND FROM GETZ TO APPROVE TWO EXTRA DAYS FOR A GARAGE SALE AT 305 SHARON. MOTION PASSED.
2. Trustee Ziemba asked, and was advised that the monthly police reports do not include if other police departments assist us, although the report shows when Sleepy Hollow Police assist other towns.

WIND MOVED WITH A SECOND FROM ZIEMBA TO ADJOURN THE MEETING AT 9:25 P.M.
MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk