

VILLAGE OF SLEEPY HOLLOW
VILLAGE BOARD MEETING MINUTES

JULY 6, 2010

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:35 p.m. at the Sleepy Hollow Village Hall. Board members in attendance were President Stephen Pickett, Trustees Scott Finney, Dennis Fudala, Jeff Seiler, Steve Wind, and Donald Ziemba. Trustee Getz was absent. Also in attendance were Police Chief Jim Montalbano, Finance Director Ellen Volkening, Village Attorney Mark Schuster and Village Engineer Mark Reimers.

MINUTES

1. Finney moved with a second from Wind to approve the Village Board Meeting Minutes of June 21, 2010. Motion passed unanimously with Seiler abstaining.

PRESIDENT

1. President Pickett thanked the Service Club for their outstanding job on the July 4th festivities.
2. There is a public hearing tonight in Elgin concerning sign amendments along the I-90 business area.

CLERK

No report.

PLAN COMMISSION

No report.

ZONING COMMISSION

No report.

ZBA

No report. (Trustee Ziemba arrived.)

ATTORNEY

1. The Board reviewed the resolution for the new procedures for use of the turf fields. Seiler moved with a second from Fudala to approve Resolution No. 416 entitled "A Resolution Establishing Certain Procedures and Fees for Use of the Open Turf Fields in Sabatino Park and on Other Land Owned by the Village." The Board agreed the new procedures should take effect immediately. It was noted that the fields are currently used on a regular basis by an adult soccer group. Seiler moved with a second from Fudala to exclude the soccer group from these new rules and procedures for the remainder of the 2010 season with the new rules to take effect in 2011. On amendment: Passed with Finney voting nay.

On main motion: Passed with Finney voting nay.

2. There was a brief board discussion on the contents of the current newsletter, mainly the excluded details on the budget/police situation and the inclusion of a personal letter from a resident. Mr. Schuster noted that the Village must be cautious in what is put in the newsletter when using taxpayer money, especially in possibly stating a position on an issue.

3. Mr. Schuster responded to a trustee inquiry regarding the number of board votes required to pass various types of motions. Four votes are required to pass ordinances, to approve financial expenditures, and for creating any liability on the Village. He also explained other voting requirements. The budget is not a legally binding document and its approval does not require 4 votes, but the appropriations ordinance does.

4. Wind moved with a second from Fudala to approve ordinance number 2010-9 entitled "An Ordinance Modifying the Stop and Yield Intersections Designated at Certain Intersections in the Village." This ordinance would remove the stop sign at Hilltop Lane and replace the stop sign at Hilltop Court with a yield sign. Trustee Finney asked if the stop signs have caused any accidents; they have not. He asked if

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there is any data that removing the stop sign would improve traffic; there is not, but Chief Montalbano felt it would improve the flow of traffic. Aye: Wind, Fudala, Seiler, Ziemba. Nay: Finney. Motion passed.

5. Mr. Schuster reviewed in detail a draft ordinance proposing a referendum to increase the "limiting rate" prescribed by the Property Tax Extension Limitation Law (PTELL) to provide additional tax funds for police services. He explained the tax rate and tax cap system, the calculation of "limiting rates" under PTELL, and how funds are distributed on property tax bills. He also explained the limitations on increases imposed by PTELL and what increase may be proposed for a referendum. The deadline to approve an ordinance proposing a referendum for the November General Election is August 30 and it must then be filed with Kane County by September 2. The Village must decide on the amount of funds that are needed by the Village - \$200,000 or a lesser amount - before the calculations of the "limiting rate" can be made and the ordinance finalized. The ballot must also include substantial information for the voters on the issue, including an estimate of the increase to their taxes. Mr. Schuster will check on whether any increase in the "limiting rate" will revert back after one year, if only one year's increase is requested.

Trustee Finney distributed and reviewed his charts and summaries of the budget situation, including the revenue sources for the Village. He noted that sales taxes are not a large source of revenue for the Village, but we have lost substantial revenue from utility taxes but it is not clear why and we should see if that loss can be reversed. He suggested the Village could increase the fines on traffic tickets. Trustee Finney said the Illinois Municipal League has recently noted that the State cannot legally withhold the funds from municipalities and he feels we should restore \$100,000 as the local government distributive fund of income taxes back in the budget as revenue. He also suggests we do not replace the open office position which would save \$39,000. He feels that requesting resident donations is not a good option as we cannot do this every year. Trustee Finney feels an increase in vehicle stickers is necessary to close the budget gap and will benefit police and roads with the required split of the revenue. Trustee Ziemba suggested we cut one police officer from the night shift to reduce costs and questioned whether crime statistics show a need for two officers at night. Trustee Wind pointed out that Sleepy Hollow has the lowest property tax rate and lowest wages to police officers in the area. Finney moved with a second from Wind that \$100,000 be restored back into the budget as revenue. President Pickett noted that this was not an agenda item, but could be brought up under "Old Business" under "Budget Adjustment". It was the general consensus of the Board to authorize a referendum for the November General Election and to let the residents decide on a tax increase, but alternate plans must be considered if the referendum fails. Even if the budget deficit is now figured to be much less than the original \$200,000 estimate, Trustee Finney feels the Board should authorize a referendum to increase the "limiting rate" to such amount that would result in \$200,000 additional tax revenue, so the Village can continue with other infrastructure improvements in the Village. He asked that the Finance Committee put together what the Village needs for capital projects and other necessary maintenance to correctly determine the amount to be requested in the referendum. President Pickett and Trustee Ziemba will discuss a possible joint meeting with the Board of Trustees and the Finance Committee to discuss alternatives for the budget, and any referendum.

ENGINEER

1. The Engineer recommends approval of the final payment for the 2009 storm sewer improvements. This payment is on tonight's accounts payable warrants.
2. The state has given approval and authorization for the bike path project. Finney moved with a second from Wind to proceed with the engineering work on the bike path project. Aye: Finney, Wind, Fudala, Seiler, Ziemba. Motion passed.
3. There is about \$88,000 available for road work this year which will probably only permit patching and small repairs. Beau Brummel, Darien, and Jamestowne were noted as needing repairs. The Board can

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send other suggestions to Ellen Volkening who will forward them to the engineer. The engineer was asked to send his final recommendations for the next meeting so the bidding process can begin.

4. The work on the new retail development on Route 72 has stopped due to the union strike. A sanitary sewer issue concerning this parcel appears to have been resolved with West Dundee.

DIRECTOR OF FINANCE

1. Ziemba moved with a second from Seiler to approve the accounts payable of July 6, 2010 in the amount of \$57,618.83. Aye: Ziemba, Seiler, Finney, Fudala, Wind. Motion passed.
2. The appropriations hearing will be held on July 19 at 7:15 p.m.

COMMENTS FROM THE PUBLIC

1. Margaret O'Connell of Sharon Drive stated her displeasure with a ticket given her grandson's friend for parking in the street when her driveway with filled with vehicles doing construction at her house. She also said the road at the end of her driveway is in poor condition and a hazard.
2. Robert Jozefowicz of Jamestowne Court said the water has not stopped running from the west side of Randall Road since April and the swales are ruined again.
3. Steve O'Neill of Darien Lane complimented the Service Club's work on all events for the Village. He has a complaint with a neighbor who keeps a commercial vehicle on their property, which has been cited previously, and is now again in violation of village ordinance. He asked that ICCI become involved but was told that approval is required because of the cost. He was advised that he can contact the trustee or village president to discuss this matter in the future rather than attend a board meeting. Mr. O'Neill does not feel the Board should count on receiving the state funds in the budget.
4. Laura Rice (with son Thomas Rice) of Jamestowne Court agreed with the comments concerning the water coming from the commercial developments on Randall. She said the boards have been put back up in the detention pond and the water level has risen.
5. Eva Tipps of 123 Hilltop Lane also thanked the Service Club for the July 4 festivities. She also asked if the village budget can be put on the website.
6. Elizabeth Morrison of Pine Cone Lane complimented the police department and said she would be willing to pay to keep the police department at its current staffing levels.

PARKS, ROADS AND STREETS

No report.

FINANCE

No report.

WATER AND SEWER

1. A large leak was found at the pressure station at Crane Drive. It has been shut down until the parts are received to fix it. Trustee Seiler noted the letter received from IEPA and was advised that Mr. Schuster is reviewing it and will report back to the Board.

POLICE AND PUBLIC SAFETY

No report.

PUBLIC BUILDINGS AND ENVIRONMENTAL

No report.

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BUILDING AND ZONING ENFORCEMENT

1. Trustee Seiler asked about the process for ordinance violation complaints. President Pickett stated that the trustee or village staff usually attempt to resolve complaints first, sometimes with a letter requesting compliance. The police or ICCI can issue a ticket depending on the violation. However, ICCI bills the Village at \$100/hour.

OLD BUSINESS

1. Short discussion on returning the \$100,000 revenue from the State back to the budget. Finney moved with a second from Wind to adjust the budget by \$100,000 for state income taxes. On question by a trustee, Mr. Schuster responded that this is a legitimate motion, although the Board would typically vote on the entire budget and not just an adjustment. Aye: Finney, Wind, Fudala. Nay: Seiler, Ziemba. Motion passed.

2. Wind moved with a second from Fudala to not release any of the executive minutes reviewed in executive session on June 21, 2010 as presented by the clerk. Motion passed.

NEW BUSINESS

1. The Board discussed the open office position with Terri Jersky's retirement. There will now be two full time and one part time person in the office. Ellen Volkening discussed some of the duties in the position. She also presented a schedule of the cost savings if a the position was changed to a part time position. The Board asked her to prepare a job description and look into temp services for the next meeting.

2. The Board reviewed the schedule of costs to give all non-union full time employees the same vacation and holiday benefits as the union police officers. Wind moved with a second from Finney to approve the recommendations to equalize the vacation and holiday benefits for non-union full time employees. Aye: Wind, Finney, Fudala. Nay: Seiler, Ziemba. Motion passed.

3. Earl DeFrates of Glen Oaks Drive, who lives next to Sleepy Hollow School, distributed photographs and discussed the culvert project which damaged his yard and has not been restored to its original condition. This matter will be referred to Public Works and the engineer for review.

4. The Village has received the first offer from the union representing the part time police officers. A meeting will need to be scheduled between union and village officials. Mr. Schuster gave the Board a memorandum regarding union matters with the full time police officers.

Ziemba moved with a second from Seiler to adjourn the meeting at 10:28 p.m. Motion passed unanimously.

Respectfully submitted,



Norine Olson
Village Clerk