

VILLAGE OF SLEEPY HOLLOW
VILLAGE BOARD MEETING MINUTES

JUNE 4, 2018

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. at the Sleepy Hollow Village Hall. Board members in attendance were President Stephan Pickett and Trustees Dennis Fudala, Thomas Merkel, Joseph Nemec, Jeff Seiler, and Donald Ziemba. Trustee Scott Finney was absent. Also present were Village Attorney Mark Schuster, Village Engineer Jeff Steele, Police Chief James Linane, Director of Finance Henry Mionskowski, and Director of Public Works Kyle Killinger.

MINUTES

1. Seiler moved with a second from Merkel to approve the Village Board Meeting Minutes of May 21, 2018. Motion passed with Ziemba abstaining.

PRESIDENT

1. Ziemba moved with a second from Seiler to renew the agreement with the Kane County Community Block Grant Development Program. Aye: Fudala, Nemec, Seiler, Ziemba. Abstain: Merkel. Motion passed. This is a no-cost program that uses funds from federal grants to assist residents and is renewable every 3 years.

2. Seiler moved with a second from Nemec to hire Joanne Gresmer as a part time administrative assistant at \$11.30/hour. Aye: Seiler, Nemec, Fudala, Merkel, Ziemba. Motion passed. This is a part time position on an as-needed basis. Joanne is a former employee of the Village.

CLERK

1. Nemec moved with a second from Fudala to approve Ordinance No. 2018-12 "An Ordinance Ascertaining the Prevailing Rate of Wages for Laborers, Mechanics, and Other Workers Employed on Public Works for the Village of Sleepy Hollow, Kane County, Illinois." Aye: Nemec, Fudala, Merkel, Pickett. Nay: Seiler, Ziemba. Motion passed.

2. Seiler moved with a second from Ziemba to approve Resolution No. 509 "A Resolution Adopting a Schedule of Various Fees for Village Services, Licenses and Permits". Aye: Seiler, Ziemba, Fudala, Merkel, Nemec. Motion passed.

3. The draft newsletter was presented. The cost for this newsletter which includes a 2-page color insert for July 4th is \$1500.

PLANNING AND ZONING COMMISSION

No report.

ATTORNEY

1. Mr. Schuster reviewed the proposed transfer of the wetland mitigation bank to Dundee Township. Nemec moved with a second from Seiler to approve Resolution 510 "A Resolution Approving a Certain Intergovernmental Agreement with Dundee Township Regarding Transfer of the Former Wetland Mitigation Bank Property." Board discussion followed. It was noted that maintenance would be handled by the Township as part of the transfer although Village employees will assist in maintenance per the agreement. The property must be maintained as wetland property and no construction is allowed. Village costs to maintain the property are about \$5-7,000 annually. The Township wishes this property to maintain it to the standards they are currently maintaining the adjoining bird sanctuary property. Trustee Merkel had several concerns and questions about the

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agreement. The amount of property to be transferred is stated as both 41 and 70 acres and the correct number of acres should be verified. Mr. Schuster explained the State law which requires the Village to authorize this transfer with a resolution, rather than an ordinance as used by the Township. Approval of this resolution requires 5 affirmative votes, which includes the village president. Mr. Merkel requested a copy of the original Wetland Mitigation Bank Agreement and Deed Restriction/Covenant. He also asked whether the Village will be giving up any portion of Sleepy Hollow Road in this transfer. Mr. Merkel questioned why the Village would agree to the use of resident tax dollars for our employees to assist with maintenance in perpetuity on property that is not owned by the Village. He also had concerns with Village responsibility for worker's compensation, insurance and indemnification issues related to the property. Trustee Ziembra asked about tabling the motion. Trustee Nemec asked that the question be called. Aye: Nemec, Seiler. Nay: Fudala, Merkel, Ziembra. Motion did not pass.

2. Mr. Schuster advised that if the property conveyance occurs, a plat of easement must be recorded for the Village water main on the wetland property. Seiler moved with a second from Fudala to table the plat of easement direction to June 18, 2018. Motion passed unanimously.

ENGINEER

1. Mr. Steele reviewed the proposed street improvement program and estimated cost for 2018 which includes paving and patching. The Village has budgeted \$168,000 of Village funds which is in addition to the MFT funds. An IDOT resolution is necessary to transfer the MFT funds of \$119,400 for the program. Seiler moved with a second from Fudala to approve Resolution 510 "Resolution for Maintenance of the Illinois Highway Code." Aye: Seiler, Fudala, Merkel, Nemec, Ziembra. Motion passed.

2. Seiler moved with a second from Fudala to approve the "Maintenance Engineering to be Performed by a Consulting Engineer" for the 2018 road program. Aye: Seiler, Fudala, Merkel, Nemec, Ziembra. Motion passed.

3. Mr. Steel also presented an estimate for the Bullfrog Road culvert project which will determine how much in funds is available for the road program. The estimate for the culvert is approximately \$25,000 plus bid costs, inspections, and engineering fees. This would remove the old 48" culvert and replace it with a new one which is recommended by the engineer as the best option. The Army Corps, EPA and DNR must all be notified of the project. There would be substantial savings if Public Works could undertake the labor. The Board agreed labor should be included in the bid requests. Based on the Board preference to move forward with the culvert replacement, the engineer will prepare for the next meeting a revised road program to include the cost of the culvert project. Metal plates will be placed on the road so that it can be used for July 4th only.

4. The engineer was also asked to submit a plan for maintenance of the village complex parking lots over the next several years including different options.

DIRECTOR OF FINANCE

1. Ziembra moved with a second from Seiler to approve the accounts payable of June 4, 2018 in the amount of \$90,927.50. Aye: Fudala, Merkel, Nemec, Seiler, Ziembra. Motion passed.

2. A resident requested a waiver of the late fees for vehicle stickers that she mailed in but which arrived at the Village Hall after the due date. Merkel moved with a second from Fudala to waive the late fee.

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Aye: Fudala, Merkel, Nemec. Nay: Seiler, Ziemba. Motion did not pass. Four affirmative votes are required since it involves money.

3. Ziemba moved with a second from Seiler to approve the purchase from MorphoTrust in the amount of \$8,774 for the police Livescan system. Aye: Fudala, Merkel, Nemec, Seiler, Ziemba. Motion passed.

COMMENTS FROM THE PUBLIC

1. Roger Ferguson of 1754 Hillcrest Park discussed the water drainage problems on his property which have been on-going for many years. The Village recently had a contractor do work on this issue but Mr. Ferguson feels there are still problems and he asked the Village to look into it further. He also noted that a ComEd box in the area has been under water and ComEd has advised the resident to avoid the box until the water recedes. He showed the Board pictures of the area currently under water.

2. Gail Christensen of 1760 Hillcrest Park also noted the recent work done to correct the water problems and said it did not correct the problem and feels it made the situation worse on her property. She also questioned the qualifications of the contractor that did the work and asked about clean up and re-seeding of the area.

PARKS, ROADS AND STREETS

No report.

FINANCE

1. Trustee Ziemba distributed a summary of the current financials that he prepared and briefly reviewed them

WATER AND SEWER

No report.

POLICE AND PUBLIC SAFETY

No report.

PUBLIC BUILDINGS AND ENVIRONMENTAL

No report.

BUILDING AND ZONING ENFORCEMENT

1. Chief Linane noted that the Paula Court house issue is up in court on Wednesday.

OLD BUSINESS

1. Mr. Schuster presented an ordinance closing Bullfrog Road to help with enforcement of violations of the closure. Seiler moved with a second from Ziemba to approve Ordinance No. 2018-13 "An Ordinance Authorizing the Closure of and Prohibiting Vehicular Traffic on Bullfrog Road in the Village. It was questioned whether there would be a problem to reopen the road for July 4th. Nemec moved with a second from Ziemba to amend the ordinance to exempt July 4th from this closure with appropriate safety measures and to reopen the road when the culvert has been repaired

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or replaced. Chief Linane did not feel the ordinance was necessary for enforcement but did express concern about the weight of the fire truck on the metal plates on Bullfrog. It was noted that the truck would not be filled with water which would reduce the weight substantially.

On amendment: Aye: Nemec, Seiler. Nay: Fudala, Merkel, Seiler. Motion did not pass.

On main motion: Aye: Ziemba, Nemec. Nay: Fudala, Merkel, Seiler. Motion did not pass.

NEW BUSINESS

No report.

Seiler moved with a second from Ziemba to adjourn to executive session at 9:06 p.m. to review executive session minutes pursuant to §2(c)(21) of the Open Meetings Act. Aye: Fudala, Merkel, Seiler, Ziemba. Nay: Nemec. Motion passed. (Trustee Nemec left the meeting.)

The regular meeting resumed at 9:17 p.m.

Seiler moved with a second from Merkel to release the executive session minutes from December 4, 2017 and January 16, 2018 as the need for confidentiality no longer exists. Motion passed unanimously.

Seiler moved with a second from Ziemba to adjourn the meeting at 9:18 p.m. Motion passed unanimously.

Respectfully submitted,



Norine Olson
Village Clerk