

VILLAGE OF SLEEPY HOLLOW

VILLAGE BOARD MEETING MINUTES

October 3, 2022

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. at the Sleepy Hollow Village Hall. President Stephan Pickett, Village Clerk Anthony Mills, Trustees Mark Thorne, George Hoffman, Steven DeAtley, Anthony Piraino, Director of Finance Eugene Vann, Village Code Office Barbara Dettmer, and Village Attorney Mark Schuster attended in person. Director of Public Works Kyle Killinger, Chief of Police Samuel Parma and Village Engineer Jeffrey Steele attended via Zoom. Trustee Ed Harney was absent. After asking all participants to stand and recite the Pledge of Allegiance, President Pickett directed the Clerk to call the roll of trustees in attendance at which time each trustee responding to the roll call confirmed the ability to hear all statements. President Pickett confirmed that the comments of all trustees remotely attending the meeting could be heard.

MINUTES

Trustee DeAtley moved with a second from Trustee Thorne to approve the Village Board Meeting Minutes of September 19, 2022. On a roll call vote with Trustees Hoffman, Thorne, DeAtley, Nemec, and Piraino voting aye, with no nay votes the motion passed, and the minutes of September 19, 2022 were approved.

PRESIDENT'S REPORT

President Pickett reported that Governor Pritzker issued a proclamation which allows public meetings to continue to be held remotely, in accordance with Public Act 101-0640, as long as certain requirements are met. This order will remain in effect until **October 15, 2022**. At such future date if the Governor does not further extend the proclamation, Board members will be required to attend meetings in person in order to participate and vote on Village matters.

President Pickett expressed his gratitude to Richard English for his assistance in making the "Move with the Mayor" tour a successful event. Representatives from all of the surrounding municipalities joined in the ride making this a multi-community event.

President Pickett submitted a request to the Board to approve the appointment of Malcolm Morris to the Finance Committee. A copy of Mr. Morris' CV had been included in the agenda packet for the meeting. Trustee Hoffman moved with a second from Trustee Thorne to approve the appointment of Malcolm Morris to the Sleepy Hollow Finance Committee. On a roll call vote with Trustee Piraino, Nemec, Hoffman, Thorne and DeAtley voting aye and with no nay votes, the motion to appoint was unanimously passed by the Board.

President Pickett reported that Trustee Hoffman has requested the appointment of Jennifer McGuire to the Sleepy Hollow Finance Committee. A copy of Ms. McGuire's letter seeking the appointment had been included in the agenda packet for the meeting. Trustee Piraino moved with a second by Trustee DeAtley to approve the appointment of Jennifer McGuire to the Sleepy Hollow Finance Committee. On a roll call voting with Trustee DeAtley, Piraino, Hoffman, and Nemec voting aye, with Trustee Thorne abstaining and with no nay votes the motion to appoint Jennifer McGuire was approved.

CLERK

No report

PLANNING AND ZONING COMMISSION

No report

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ATTORNEY

Village Attorney Mark Schuster submitted to the Board for review and approval RULES OF PROCEDURE for those situations wherein the Board sits as the Board of Appeals on issue of building code violations. After Attorney Schuster responded to the questions presented by various trustees, President Pickett requested a motion to adopt the RULES OF PROCEDURE as presented. Trustee Piraino moved with a second by Trustee Thorne to adopt the RULES OF PROCEDURE and by roll call vote with Trustee Nemec, DeAtley, Thorne, Piraino and Hoffman voting aye and with no nay votes, the motion passed.

ENGINEER

Village Engineers reported that a pre-construction meeting with the contractor awarded the contract for the 2022 Road Project will be held on October 5, 2022. In response to a question by Trustee Nemec, Engineer Steele stated the water main replacement project was 85% completed and his report would be presented to the board as soon as it was completed.

DIRECTOR OF FINANCE

Trustee Thorne moved with a second from Trustee DeAtley to approve the accounts payable of October 3, 2022 for \$81,468.05. Pursuant to a roll call vote with Trustee DeAtley, Nemec, Thorne, Piraino, and Hoffman voting aye and with no nay votes, the motion passed.

COMMENTS FROM THE PUBLIC

- *Richard English* addressed the Board on a recurring road blockage/safety issue frequently occurring on Crane Drive when contractors park along the roadway when performing work in that area. After learning of this issue, President Pickett asked Chief Parma to look into the problem and provide ideas/suggestions as to how best to alleviate the traffic hazard.

PARKS, ROADS, AND STREETS

No report

FINANCE

Trustee Hoffman reported on his continuing review of Village expenditures questioning certain payments itemized in the Warrants of 10-3-2022. One item in question was a \$5800 payment for a slide pump repair. Central to Trustee Hoffman's question is why this type of repair, due to it being located on the resident's property was paid by the Village. He voiced his continuing frustration over the Village absorbing costs that individual residents should pay noting that the Village cannot afford such responsibility.

Trustee Hoffman also asked why he sees continuing violations of the Village Code and yet few if any code citations being issued. Stated differently – what has happened to code enforcement? President Pickett noted that as part of the original contractual agreement, in an effort to keep expenses to a minimum, the Code Enforcement officer would work on an hourly basis. The officer is not charged with the duty to patrol the Village for code violations and instead has been directed to wait until a resident reports a violation. Chief Parma noted that his patrol officers have been told to report open and obvious code violations so that the Code Enforcement Officer can act on the report. Trustee Hoffman suggested that on an increasing basis the residents are ignoring the requirement to comply with the Village Municipal Code and that the Board needs to review and address the issue of code enforcement. This issue will be placed on the October 17th, 2022 agenda.

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WATER AND SEWER

No report

POLICE AND PUBLIC SAFETY

Trustee DeAtley reported on Chief Parma's efforts to obtain monetary grants for expenditures to upgrade and improve police services and that these efforts have resulted in approval of the grants for the purchase of in-car video cameras (approximately \$21,000) as well as new bullet proof vests (approximately \$2100).

PUBLIC BUILDINGS AND ENVIRONMENTAL

No report

BUILDING AND ZONING ENFORCEMENT

No report

OLD BUSINESS

NEW BUSINESS

Sitting in its capacity as the BOARD OF APPEALS FOR Building Code Violations the Board was tasked to address an appeal by Robert Lindemann for the denial of his application for a swimming pool fence at 916 Glen Oak Drive.

Mr. Robert Lindemann summarized his appeal as follows: The Village Code dictates that any new swimming pool must be at least fifteen (15') feet from a residential structure, and fifteen (15') from any septic tank, twenty-five (25') feet from any septic apparatus. Because of the slope in his rear yard, he is unable to practically meet these requirements. Also, the Village Code requires a fence around a pool, not less than 48" in height. The slope also makes it difficult to meet this requirement. Finally, the Village Code requires a three (3') foot walkway around the pool, inside the fencing.

Lindemann has proposed that he be allowed to put fence material on top of the edge of the pool, which would serve the main purpose – safety – of the fence requirement. He noted that the sidewall of the pool is 52" high. He has also asked that the three (3') foot walkway be eliminated. Last, he proposes that the pool be allowed fourteen (14') feet from his structure, and closer than twenty-five (25') feet from his septic field. He noted that the pool, although defined as "permanent" (because of its size), is in fact "collapsible" so that it could be moved in the event that full access to the septic field was required for any reason. Lindemann said he could remove dirt where the fence would be lowest, so as to make the fence higher "from grade." If the Village would allow his proposal, as a modification of the strict requirements of the Code, he would order a permanent fence as described in his application and install it promptly. (Note: the former fencing was not "permanent" and was blown down by strong winds; the new fence would not be susceptible to such damage).

Mrs. Barbara Dettmer, the Village Building official, responded. She explained that Lindemann installed the pool in 2021, and then removed the pool last fall. The permit issued in 2021 approved the plan, including fencing of not less than 4' height. Lindemann did not obtain a permit to re-install the pool in 2022. The fence he now proposes does not meet the height requirement of the Village Code, all around the pool, especially considering the slope of the yard. That is, if you go uphill a

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short way from the pool, the fence is in effect lower. At best, the fence is 23" above grade, and 47" high. She has not measured the setbacks from the septic tank and septic field. In response to a question from the Board, she stated that the pool could be installed if the fencing met the minimum height requirement of the Village Code.

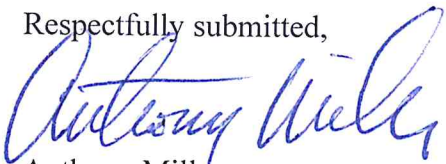
Questions from the Board members addressed the height of the fencing; the location of the septic field; the requirement for a walkway; and, the updated Codes to be adopted by the Village.

After discussion by the Board members, a motion was made by Trustee Piraino, seconded by Trustee DeAtley to approve the plan proposed by R. Lindemann for installation of swimming pool with a surrounding fence (on the property at 916 Glen Oak Drive), subject to compliance with the minimum height requirement (4') for the fencing, and inspections by the Building Official, to be completed within thirty (30) days of October 3, 2022, unless otherwise agreed by Village Building Official for good cause shown by the owner. The vote on the motion was 5 aye, 0 nay. Motion passed.

ADJOURNMENT

With no further business to address, Trustee DeAtley moved with a second from Trustee Thorne to adjourn the meeting at 9:07 pm. On a roll call vote with Trustee Nemec, Piraino, Hoffman, Thorne, and DeAtley voting aye and with no nay vote the motion to adjourn passed unanimously and the meeting was adjourned.

Respectfully submitted,



Anthony Mills
Village Clerk