

# VILLAGE OF SLEEPY HOLLOW

## VILLAGE BOARD MEETING MINUTES

APRIL 17, 2023

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. at the Sleepy Hollow Village Hall. 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 the meeting. President Stephan Pickett, Village Clerk Anthony Mills, Chief of Police Samuel Parma, Director of Finance Eugene Vann, Trustees Mark Thorne, Steven DeAtley, Joe Nemec, Edward Harney, and Village Attorney Mark Schuster attended in person. Trustee Anthony Piraino and Village Code Official Barbara Dettmer attended the meeting by Zoom. Konrad Rybak, the applicant developer for the use of 1601. W. Main Street attended by phone.

### MINUTES

Trustee DeAtley moved with a second from Trustee Harney to approve the Village Board Meeting Minutes of April 3, 2023. On a roll call vote with Trustee Nemec, DeAtley, Harney, Piraino and Thorne voting aye, and with no nay votes the motion passed, and the minutes of April 3, 2023 were approved.

### PRESIDENT'S REPORT

President Pickett asked for a motion to amend the agenda to advance the introduction and approval Irvin Petersen as part-time Patrol Officer for the Village of Sleepy Hollow. Trustee DeAtley moved with a second by Trustee Nemec to approve the request to amend the agenda and on a roll call vote with Trustee Thorne, Nemec, Piraino, DeAtley and Harney voting aye and with no nay votes the motion passed. Trustee DeAtley asked Chief Parma to introduce Irvin Petersen to the Board, after which time Trustee DeAtley moved with a second by Trustee Thorne to approve the hiring of Irvin Petersen as part-time Patrol Officer at the rate of \$24.00 per hour and on a roll call vote with Trustee Piraino, Nemec, Harney, Thorne and DeAtley voting aye and with no nay votes the motion passed.

The Village Clerk administered the Oath of Office to Irvin Petersen and then introduced Officer Petersen to the residents attending the meeting.

President Pickett reminded the Board that Governor Pritzker's proclamation which allows public meetings to be held remotely, in accordance with Public Act 101-0640, runs until May 11, 2023 and as of the date of this meeting has not been extended. Thereafter absent exigent circumstances, all Board members will be required to attend in person to take part in any vote.

President Pickett asked the board for a motion to authorize Bill Hof as Chair of the Sleepy Hollow Beautification Committee, to organize and hold roadside cleaning activities on April 22, 2023 from 9:00 – 12:00 pm. President Pickett explained to the Board that non-Village employees are required to execute a Release of Liability which requires the notarization of all signatures. President Pickett noted that most Village Patrol Officers are notaries and therefore should be available to notarize each release. Trustee Nemec moved with a second by Trustee DeAtley to approve the Beautification Committee's request to proceed with the roadside cleanup and on a roll call vote with Trustee Piraino, Nemec, Thorne, DeAtley and Harney voting aye and with no nay votes the motion passed.

President Pickett reported that after the meeting on April 3, 2023, one or more trustees expressed to him that they were confused over the vote on the motion made at the meeting to approve ORDINANCE 2023-4, an Ordinance for Approval of a Special Use to allow a self-service storage facility at 1601 West Main Street in the B-2 Village Business District in the Village. Trustee Nemec made a MOTION TO RECONSIDER the Board's vote on ORDINANCE 2023-4, and Trustee Harney seconded the motion. Village Attorney Mark Schuster advised the Board that such motion to reconsider was in order, per Robert's Rules of Order.



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On a roll call vote with Trustee Harney, Nemec, Thorne, and DeAtley voting aye and with Trustee Piraino voting nay, the motion to reconsider passed and **ORDINANCE 2023-4** was reopened for debate.

Trustee Nemec requested the Village Attorney to clarify and summarize the motion now before the Board. President Pickett read the original motion presented by Trustee Piraino at the April 3, 2023 meeting, to wit: "I make a motion to approve the ordinance that is before us, in the draft form that Attorney Schuster provided us." Attorney Schuster reminded the Board that the Ordinance suggested – and the process for consideration of any special use allowed for – imposing conditions on the approval of the requested use. Some of the suggested conditions had not been specifically addressed by the Board at the April 3 meeting, prior to the vote. Attorney Schuster further clarified that the Village has already agreed that the B-2 Village Business District allows for the requested special use, so the main issue before the Board was what conditions the Board might want to place on the construction and operation of the storage facility. Moreover, many other types of commercial, retail and office uses are permitted in the B-2 Village Business District. At the direction of President Pickett and the Village Attorney, the members of the Board discussed the various conditions to be imposed on the proposed special use.

After a lengthy discussion, Trustee DeAtley moved with a second by Trustee Thorne to approve amendments to **ORDINANCE 2023-4** to state various conditions to be applied to the proposed special use, and on a roll call vote with Trustee Nemec, Harney, DeAtley, and Thorne voting aye and with Trustee Piraino voting nay, the motion passed.

Trustee Piraino then moved, with a second by Trustee Nemec, to postpone decision of the main motion until after the newly elected Board members are sworn in on May 1, 2023. On a roll call vote with Trustees Nemec and Piraino voting aye and with Trustee DeAtley, Harney and Thorne voting nay, the motion to postpone failed.

Trustee DeAtley then moved to approve **ORDINANCE 2023-4** as amended by the Board, seconded by Trustee Harney. On a roll call vote with Trustee DeAtley, Harney, Thorne and Village President Pickett voting aye, and Trustees Nemec and Piraino voting nay, the motion to approve **ORDINANCE 2023-4** as amended passed.

**CLERK**

No report

**PLANNING AND ZONING COMMISSION**

No report

**ATTORNEY**

Village Attorney Mark Schuster reported on the status of the negotiations with the Illinois Council of Police (ICOP) reminding the Board that the current Collective Bargaining Agreements for both the Full-Time Officers, and the Part-Time Officers, is set to expire on April 30, 2023. An agreement with ICOP for the Full-Time police officers has been reached and included in the agenda packet is **RESOLUTION 551** titled **A RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH ILLINOIS COUNSEL OF POLICE FOR FULL-TIME SWORN POLICE OFFICERS IN THE VILLAGE**. Trustee Piraino moved with a second by Trustee Nemec to authorize President Pickett to execute on behalf of the Village the Collective Bargaining



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Agreement with ICOP for Full-Time Sworn Officers and on a roll call vote with Trustee Thorne, Harney, Piraino, DeAtley and Nemec voting aye, and with no nay votes, the motion passed.

Next, Attorney Schuster reported on the status of the negotiations with ICOP for the Collective Bargaining Agreement for Part-Time Officers, noting that while an agreement has been reached in principal, ICOP was polling the officers for approval. The Village has not received the final vote from ICOP. In anticipation that the CBA will be approved by the part-time officers, Trustee DeAtley moved with a second by Trustee Nemec to approve RESOLUTION 552 – A RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH ILLINOIS COUNCIL OF POLICE FOR PART-TIME OFFICERS IN THE VILLAGE. The motion authorizes the Village President to execute the CBA upon receipt of notice of final approval and execution by ICOP on behalf of its sworn part-time officers. On a roll call vote with Trustee Piraino, DeAtley, Thorne, Harney and Nemec voting aye and with no nay votes the motion passed.

### ENGINEER

Village Engineer Jeffrey Steele had submitted his analysis and recommendation to the Board regarding NiCor Gas Permit Application SH-1364D for property at 1001 W. Main Street Trustee Thorne moved with a second by Trustee Harney to accept the Village Engineer's recommendation, subject to the conditions stated therein (Clerk's Note: NiCor will also need to secure the approval of West Dundee for work to be performed on property with that municipality's jurisdiction) and on a roll call vote with Trustee Nemec, Piraino, Thorne, DeAtley and Harney voting aye and with no nay votes the motion passed.

### COMMENTS FROM THE PUBLIC

- **Richard English** indicated to the Board that someone had removed the meeting signup sheet at which time President Pickett accepted the request by Resident English to address the Board at which time to noted that the Village has not always lowered the flag when called to do so and that he requested the Village be more diligent when called to do so.

President Pickett then opened the floor for other public comments, subject to proper identification of each speaker and the five minute limitation on each speaker's comments.

- **Eydie Rease** complained of the Board's action to reconsider and approve the ordinance granting the special use in the B-2 Village Business District. She stated that she had filed a FOIA request with the State's Attorney General Office.
- **John Payton, Candra Kowalski, and Kyle Kowalski** spoke in opposition to the Board's granting approval of the ordinance approving a special use in the B-2 Village Business District.
- **Shane Thurman** stated that he was concerned about the Board's actions suggesting that their decision had the appearance of politics, and he questioned the value of their decision.
- Other unidentified individuals yelled profanities at the Board regarding the decision to grant a special use in the B-2 Village Business District.
- **Alicia Grace** submitted a written statement in opposition to the approval of the special uses in the B-2 Village Business District which President Pickett read to the audience.

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### DIRECTOR OF FINANCE

Trustee Haney moved with a second from Trustee Thorne to approve the accounts payable of April 17, 2023 for \$125,154.66. Pursuant to a roll call vote with Trustee DeAtley, Thorne, Nemec Harney and Piraino voting aye and with no nay votes, the motion passed.

DOF Vann explained that on this year's calendar, the last date to secure vehicle stickers falls on a weekend and that since the Village Hall is closed, he suggested that the last date to register vehicles and avoid the penalty for late filing be extended to 3:30 pm on May 1, 2023. Trustee Piraino moved with a second by Trustee Thorne to approve the suggestion to extend the last date for registration and on a roll call vote with Trustee DeAtley, Nemec, Thorne, Harney and Piraino voting aye with no nay votes the motion passed.

### **PARKS, ROADS, AND STREETS**

Trustee Harney reported on the status of the installation of new playground equipment at Sabatino Park noting that the installation should be completed, weather permitting, by the end of April.

### **WATER AND SEWER**

Trustee Nemec moved with a second by Trustee Thorne to authorize the Village to repair work be performed on the swale at 112 Hilltop Lane which had been damaged by Public Works. On roll call vote with Trustee Piraino, Nemec, Thorne, Harney and DeAtley voting aye and with no nay votes the motion passed.

### **POLICE AND PUBLIC SAFETY**

Trustee DeAtley praised the Village team that negotiated the contracts with the police union and thanked them for their effort in successfully negotiating both the contracts for full time and part time patrol officers

### **PUBLIC BUILDINGS AND ENVIRONMENTAL**

No report.

### **BUILDING AND ZONING ENFORCEMENT**

No report

### **OLD BUSINESS**

None

### **NEW BUSINESS**

None.

President Pickett reminded the audience that the Sleepy Hollow Service Club is sponsoring the Village and Club's anniversary at Bleu Root and he encouraged anyone who has not made reservations to do so.

### **ADJOURNMENT**

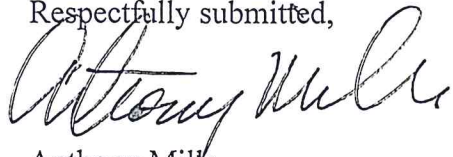
With no further business to address, Trustee DeAtley moved with a second from Trustee Thorne to adjourn the meeting at 9:44 p.m. On a roll call vote with Trustee Nemec, Thorne, DeAtley, Piraino

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and Harney voting aye and with no nay votes the motion to adjourn passed unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Anthony Mills".

Anthony Mills  
Village Clerk