

VILLAGE BOARD MEETING

SEPTEMBER 5, 1989

MINUTES

The Regular Meeting of the Sleepy Hollow Corporate Authorities was called to order on September 5, 1989 at 7:30PM. Present were President Peterson; Trustees Harney (arrived 7:40), Johnson, Roberts, Shields, and Tennis; Treasurer Panning; Police Chief Montalbano; Zoning Board Heffron; Plan Commission Wiedmeyer; Engineer Whiston; Deputy Clerk Olson; and Village Clerk McKeown.

MINUTES 1. Roberts moved with a second from Tennis to approve the minutes of the August 21, 1989 Regular Session as submitted.

MOTION CARRIED BY VOICE

2. Minutes of the August 21, 1989 Executive Session- On line 6 the direction should be NE not NW. Roberts moved with a second from Shields to approve the minutes as corrected. MOTION CARRIED BY VOICE

3. Roberts moved with a second from Shields to approve the minutes of the June 5, 1989 Executive Session as submitted. MOTION CARRIED BY VOICE.

- PRESIDENT
1. Peterson thanked the Board for their cards and flowers during the recent hospitalization of her husband.
 2. Illinois Emergency Conference will be held at University of Illinois-Chicago October 19 and 20.
 3. Workshop of Local Planning and Zoning (see 8/21/89 minutes- page 1-CLERK- #6)
 4. 'Friends of Jim Cook' dinner will be held September 20 at Villa Olivia. Cost is \$30 per person.
 5. Cardinal Area Chamber of Commerce will be holding a lunch/fashion show September 7 at Floyds.
 6. Peterson has been asked by the LWV to present "Vision of our Village" in the 90s on September 15.
 7. Zurich American Insurance on Urban Housing-Options in the Nineties- information in the Office.
(7:40PM Harney arrives)
 8. Deloris Doederlein has sent us the Agenda- which states her positions on items brought up in the State Assembly.
 9. Mona Auer of 1925 Sleepy Hollow Road called concerned about the overflow of the stream by her house.
 10. Rick Behm of the D.T. Park District conveyed to Peterson he would make no comment at the Spring Hill Plaza Concept Plan if there were to be no residences proposed.
 11. ZBA has 1 position open and the Zoning Board has 2 positions open.
 12. Called for an Executive Session at the end of the Meeting to consider a litigation matter.

CLERK 1. Asked to attend Elgin Chamber of Commerce seminar of Unemployment Insurance September 13, 1989 in Elgin. Cost is \$70 for non members. Harney moved with a second from Johnson to send the Village Clerk to the seminar September 13, 1989.

- AYE: Harney-Johnson-Roberts-Shields-Tennis MOTION CARRIED
2. September 15th is the IMLR Conference in Chicago.
 3. Part time Office employee quit after 4 days for personal reasons. We will advertise again.
 4. Water Bills will be estimated for the next few months until NIGAS system is set up.
 5. Lane Kendig contract agreements, Minutes approvals, and actual payments report was submitted.

PLAN COMMISSION 1. Doesn't anticipate the need to use Kendig's services again.

2. Recommends rezoning parcel #03-21-452-004 from R-1 to B-2. Harney moved with a second from Tennis to rezone Parcel #03-21-452-004 from R-1 to B-2.

Shields and Harney are concerned with the height of the buildings that could be put on that strip of land s. of 72 and w. of Locust. They feel the buildings should be limited to 1 story. The land slopes down to the residences in back and they fear a 2 story building would be overwhelming. We should give consideration to the residents who have been here for years. Shields moved with a second from Harney to amend the motion to limit the buildings on the strip of land s. of 72 and w. of Locust to 1 story. Roberts questions the legality of the amendment.

Walt Heffron spoke to the fact the B-2 allows a maximum of 2 stories. That doesn't mean we have to approve a 2 story building. He further stated a Public Hearing by the Zoning Board would have to be held on where the B-1 and B-2 would apply. This Zoning Map is now being reviewed by the lawyer. The map would change the property in question from R-1 to B-2. Motions were withdrawn.

Roberts moved with a second from Harney to authorize the Zoning Board to hold a Public Hearing. MOTION CARRIED BY VOICE This should be held at the earliest possible time. Attorney will be contacted about putting a 1 story limitation on the strip of land in question.

8:30 OPEN TO THE PUBLIC

1. Walt Heffron of 1056 Van Tassel was concerned about the negative input at the Public Hearing. He read a statement to the Board. (statement is attached)
2. Pine Lake Estates residents were allowed to comment when Harney gives her report later in the meeting.
3. John Bohanek and Robert Antic of Laurel Court again stated their concern over notification of Rezoning. They want to require certified notification sent to neighbors of parcels being rezoned and a sign to be placed on the parcel. We need a Public Hearing to change the Ordinance. Heffron will include these items in the Public Hearing for the Zoning Map. Roberts moved with a second from Harney to have Heffron contact the Attorney to see if the Zoning Board can, while holding a Public Hearing to consider the changes in the Zoning Map, also consider an

amendment requiring certified mailings to neighbors within 250 feet and to put a sign on the parcel to be rezoned and the legality of limiting the heights of buildings.

AYE:Roberts-Harney-Johnson-Shields-Tennis MOTION CARRIED

4. Art Neil of 523 Joy Lane and John D'Angelo of 519 Joy Lane spoke to put their problem on record. Their land backs up to Deer Creek. They are having problems with run off from that subdivision. Problem started in January when Windsor started building. The heavy rains in the past month have caused flooding of their land and houses. They have talked to Jay Cope and Jerry Deering who have been cooperative. Measures have been taken to solve the problem on a short term basis. Roberts pointed out the current heavy rains have presented problems throughout the Village. Roberts will follow up.

PLAN COMMISSION 3. Reported on the Concept Hearing on Spring Hill Plaza. Commission rejected, 4-3, the Concept Plan as presented. The Developers are to come back 9/13 with a revised Concept Plan. The Developers will notify the other taxing bodies.

Harney is opposed to a road cut on Locust. She is concerned that trucks and cars will short cut through Willow and down Locust to the Plaza. Could restrict trucks by using a weight limit.

Plan Commission was apposed to the Concept because of the problem of sewage, water, total size and store selection.

ZONING BOARD As stated above the Board is waiting on our Attorney for the changes in the Zoning Map. Should have an answer by the next meeting.

ENGINEER 1. MET Bids will be open September 7 at 100:00AM.
2. Jurisdictional/regional area map is being finished.
3. New house on Hemlock is causing water runoff problems to the house below. Problem is being taken care of.
4. Problem of drainage on Sycamore too. Problem is caused by low, flat land. Roberts suggested a 'community project' to develop a drainage system with Whiston.

ROADS- PARKS-VILLAGE PROPERTY 1. Water from Tartans Glen/Hills area is going into Pine Lake and carrying a large amount of silt with it. John Court, 4 Pine Cone Lane and President of the Pine Cone Lake Association, called Bill Sommer, West Dundee Administrator, who referred him to their Village Engineer when Tarten's Glen was in the Concept stage. Court was assured no additional flow would result. The Engineer, however, refused to put this in writing. On August 4th Court contacted Sommer who said he would look into it. He talked to Sommer again this morning. Sommer stated to Court he was aware silt going into a waterway is illegal. Court gave him 2 weeks to reply with solutions on a short term, and on a long term basis. Harney has also given him the same deadline and asked what W.D. plans to do

to dredge the lake. According to Whiston, the Developer has ultimate responsibility and W. D. has enforcement with performance bond. If W.D. refuses to enforce corrective action, we could take legal action.

Question on has the drainage changed from the original plans? Runoff was originally to be diverted to the East but it is going around Tuckers, under Rte 72, and into Pine Lake. Is the detention area higher than the drainage runoffs? Court says with all the silt coming across the road, the west end of Pine Lake is only 15" deep and the middle is only 20" deep. He estimates it is 2/3rds filled up.

Court asked for support from the Village. Board considered a letter to West Dundee. Harney moved with a second from Johnson that unless W.D. has taken appropriate action on a short term and a long term basis and some steps to fix the lake within 10 days, Harney be empowered to go to the Attorney to take appropriate legal action. MOTION CARRIED BY VOICE.

TREASURER 1. Bills- Panning presented an interim bills payable list in the amount of \$15,348.79 plus \$70.00 to Elgin Chamber of Commerce for WC seminar. Tennis moved with a second from Roberts to allow payment for vendor invoices of \$2,903.55 and payroll related disbursements of \$12,445.24 plus \$70 for E.C. of C. for a total of \$15,418.79.

AYE: Tennis-Roberts-Harney-Shields-Johnson MOTION CARRIED.

2. Grant Application- New updated version of Kane County Grant Application is being done. This version will only concern the water. Panning suggests we apply for a multi cycle grant where we could get up to \$150,000. Steps would be broken down into 3 cycles. An overall view would be presented but as each cycle occurs we would have to reapply. Public Notice must be done again for the initial submission. We would not have to republish for each cycle. Grant must be submitted by October 1. Trustees concurred Johnson would be the contact person.

Roberts moved with a second from Tennis to direct Panning to apply for a grant from the Kane County Community Assistance Program on a multi cycle basis.

AYE: Roberts-Tennis-Harney-Johnson-Shields MOTION CARRIED

ROAD-PARKS-VILLAGE PROPERTY 2. Recycling is going well. 23 tons have been collected in July.

3. Proposed newsletter was submitted for comments.

4. Park lighting for Saddle Club. The cheapest Harney has found is the \$3,000 reported at the August 21, 1989 Meeting. This includes labor, light, and wiring. There is money in the Capital Expenditures for Parks, but this item was not in the budget.

5. Dundee Pee Wee Football League has asked if they can use the park 3 days a week for practice. They can use the area east of Winmoor. Harney moved with a second from Tennis to allow Pee Wee Football to practice in the park 3 days a week. MOTION CARRIED BY VOICE.

WATER 1. NIGAS is being contacted with the signed contract.
2. Problem with Faber's water bill will be referred to the Attorney.

POLICE 1. Ordinance #11-7-A9-1 containing stops signs for Deer Creek was presented. Harney moved with a second from Tennis to approve Ordinance #11-7-A9-1.

AYE: Tennis-Harney-Johnson-Roberts-Shields MOTION CARRIED
2. Montalbano recommends hiring Richard C. DeLacey, Joseph H. Mullen, and David N. Sears at \$6 per hour. Roberts moved with a second from Tennis to hire the above named part time candidates.

AYE: Roberts-Tennis-Harney-Johnson-Shields MOTION CARRIED
3. Tennis asked Montalbano to look into Illinois Police Reserve.
4. Meeting and Seminar Report was submitted
5. Police Activity Report was presented. Usually 2-4 tickets are issued per stop.

HEALTH & SAFETY - Multi-flow Ordinance needs to be submitted to the State for approval. Shields is pursuing. Village should receive the semi annual report in conjunction with the servicing of multi-flows.

BUILDING- Due to the severe leakage in the Village Hall roof, Roberts wants authorization to go out for bids on repair of the roof. The roof meaning= from the joining of the Barn and Meeting Room forward to the front door and right to the joining of the Public Works Barn with the Squad Room. Roberts moved with a second from Tennis to go out for bids on the Village Hall roof not to exceed \$8,000.

AYE: Roberts-Tennis-Harney-Johnson-Shields MOTION CARRIED

Tennis moved with a second from Tennis to adjourn to Executive Session for purposes of litigation. MOTION CARRIED

Meeting adjourned into Executive Session 11:06 PM

Meeting reconvened at 11:30PM. Present were President Peterson; Trustees Harney, Johnson, Roberts, Shields, and Tennis; Deputy Clerk Olson; and Village Clerk McKeown.

Harney moved with a second from Roberts to adjourn the Meeting. Meeting was adjourned at 11:30PM.

Respectfully submitted


Janet McKeown
Village Clerk

6. Public Works- Installing remotes, checking each house number with meter number, and mowing is taking up all their time.
7. Jay Cope is willing to donate \$1,000 in Prairie Seed for Deer Creek. Harney would like to apply for a grant from the County to buy prairie seed for Sabatino Park. Tennis moved with a second from Roberts to apply for a County grant to purchase prairie seed. MOTION CARRIED BY VOICE
8. Harney moved with a second from Tennis to draft a resolution thanking the Plan Commission and Zoning Board for pushing to get the new zoning through quickly. MOTION CARRIED BY VOICE

FINANCE- Draft of Audit will be received September 12. The final product should be received in time for the next meeting.

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Respectfully submitted

Janet McKeown
Village Clerk



The Village of Sleepy Hollow, Illinois

One Thorobred Lane
Sleepy Hollow, Illinois 60118

Village Hall 426-6700
Village President 426-7641

Village Clerk 428-2266
Building Department 428-3388

Released

September 5, 1989

EXECUTIVE SESSION

Meeting of the Regular Session adjourned into Executive Session at 11.06PM for the purpose of litigation & land acquisition. Present were President Peterson; Trustees Harney, Johnson, Roberts, Shields and Tennis; Deputy Clerk Olson, and Village Clerk Mckeown.

1. Former Police ^{Chief} Clerk Gordon Bradley has refiled the lawsuit in the State for that portion of the original lawsuit that does not apply to Federal laws. Kreml is also named again.
2. Barancek wanted an update on water and sewer questions (see Exec. Min. 7.15.89)
3. Peterson has spoken to the purchaser of Bartels property which is West of Randall Road. He would like light commercial.
4. Pulte is negotiation with Nancy Thomas for her property west of Randall for residential.
5. Elgin was given a copy of our new Business District Zoning. They are looking for another meeting and then taking the proposals before the City Council. Johnson is not optimistic at getting more water from Elgin.
6. Shields has talked to Geier of Gilberts. They are hoping for a meeting the week of September 21st. Apparently Gilberts has not gotten any other towns for the meetings.
7. Pulte/Baumann's old well was 3 times over the new standards of Barium.
8. Spring Hill Plaza.- Everyone is agreed there is a need to change wording in the Zoning Ordinance to bring it up to date. Wiedmeyer is working on it. According to Shields, the developers had gone to W.D. first.
9. Saddle Club Estates- Pulte is still trying to build on unbuildable lot 31.

Harney moved with a second from Tennis to adjourn the meeting. Meeting was adjourned at 11:30PM

Respectfully Submitted

Janet Mckeown
Janet Mckeown

Village Clerk

The President and Board of Trustees of Sleepy Hollow:

Relative to the public meeting at the fire station in Sleepy Hollow last Wednesday, August 30 and the upcoming one September 13, I would like to read an open letter to you, not in the capacity of Zoning Board Chairman, but as a 28½-year, concerned resident who continues to feel a vital interest and stake in the future of the Village.

Sleepy Hollow is currently for all practical purposes a single-family, residential community, and a good case can be made for remaining exactly that way, without commercial development, to preserve the unique character of the Village despite the high tax burden that entails. That was my position for a number of years. However, times change and economic reality dictates that in a fast-growing region such as ours, commercial development will prevail wherever possible because of financial gain to original property owner, developer, and subsequent business operation. We probably all wish we could have remained a small, pristine village in a semi-rural setting, but that was not entirely within our power. Development has reached this area whether we like it or not. Since growth has become inevitable, it appears the most advantageous course for us is to:

1. enforce our ordinances and control development within our corporate boundaries in keeping with the Sleepy Hollow concept, and
2. try to regulate growth in immediately adjacent areas, by annexation or otherwise, to minimize or eliminate adverse impacts on Sleepy Hollow, and to secure appropriate commercial development to broaden our tax base when we can.

In this latter regard, we absolutely cannot turn down opportunities to control growth to our advantage and leave it instead in the hands of neighboring municipalities, hoping for the best. Either we are in charge of our future or they are. As an illustration of outside control, look at the difference in proposed berms between the West Dundee/Glimcher plan for the 62-acre property east of Locust and south of Route 72 (8 ft. high for West Dundee and 4 ft. high for Sleepy Hollow) and the Sleepy Hollow/Moser plan (about 10 ft. or higher for both). We cannot rely on others to assure proper buffering for residents.

I believe we must continue to work with the Moser group on development of the aforementioned property to overcome as many objections by the public as possible and make it conform as much as we can to our image of a suitable shopping center. This group has been cooperative and forthcoming thus far, making numerous improvements in response to our suggestions, providing requested information, attempting to comply with ordinances, and even planning to dedicate 24 acres for open space, some of which had been scheduled previously for development. Although there remain some questionable aspects - mainly intensity of use, handling of sewage, and perhaps water supply - everyone concedes the property will definitely go commercial. Even if, as West Dundee stated, they will do everything to deny it to us (and presumably try to keep it for themselves), our enlightened self-interest indicates we should make every effort to resolve any problems and annex, so we can control what happens there to the best of our ability. If we reject the project prematurely or without due consideration, we send a message to potential developers that Sleepy Hollow is not interested in commercial development or is prohibitively difficult to deal with. Our rejection will not prevent such development on this property, but only increase the likelihood of its going to West Dundee and out of our supervision.

In addition, we have just spent many months and thousands of dollars preparing and adopting new Business District zoning for precisely the kind of situation at hand. If we do not use this tool aggressively to advance our best interests, the time and money will have been wasted, and we will be abandoning our chance to participate constructively in the commercial growth around us. The revenue from such growth could well provide funds to help improve our infrastructure, not only making Sleepy Hollow a still more desirable place to live, but also attracting additional high-grade development.

I realize the path ahead is particularly difficult for Sleepy Hollow because we are hampered by certain constraints, yet I feel we must hang in there and not give up the field to others.

Walt Heffron

Walter Heffron
1056 Van Tassel Road