

**MINUTES OF THE REGULAR MEETING OF THE
NEW LENOX BOARD OF TRUSTEES**

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, January 9, 2012**

#12-01

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:04p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

ROLL CALL

Upon Roll Call by the Village Clerk, the following members of the corporate authorities answered "Here" or "Present":

Trustees Madsen, Bowden, Dye, Smith, Butterfield and Mayor Baldermann

Absent: Trustee Tuminello

QUORUM

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

OTHER OFFICIALS IN ATTENDANCE

Also in attendance were Village Administrator Kurt Carroll, Finance Director Kim Auchstetter, Village Clerk Laura Ruhl, Planning & Development Director Robin Ellis, Building & Zoning Administrator Warren Rendleman, Police Chief Bob Sterba, Public Works Superintendent Ken Brozovich, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, Assistant to the Administrator Carol Hennessy and Attorney Marty Shanahan

PUBLIC HEARING – Second Amendment to the Annexation Agreement – Sky Harbor Multi-Family – Tom Scofield

Mayor Baldermann opened the public hearing at 7:06p.m. At that time Ms. Ruhl provided proof of notice and swore in the speakers.

Ms. Ellis reported this is an amendment to the annexation agreement for Sky Harbor. She stated Mr. Scofield represents the bank that now controls the multi-family portion. Ms. Ellis reported that she and the Engineering Department have been working with the bank

trying to tie things up for this portion of the development so they can start selling some of the lots and the four-unit building that's already been constructed. She explained there was already a provision in the original annexation agreement that required a secondary entrance into the residential area to be constructed with the final plat containing the 100th unit. She stated 115 units have been final platted, and at the time the second unit came in there was an existing runway that satisfied that secondary entrance requirement. Ms. Ellis noted the runway has now been removed, so in order to clear things up so the property can be transferred, this proposed amendment to the annexation agreement would clarify that the secondary entrance would not be required until the next final plat containing the 116th unit is constructed. She stated in packet is a letter from Fire Chief Meade that states he has no objections to the change of the provision.

No comments or questions from the Board.

Ms. Ellis said she would bring this back for first read at the next meeting.

Mayor Baldermann closed the Public Hearing at 7:00p.m.

CONSENT AGENDA

Motion to approve 4 items on Consent Agenda #12-01 as presented in packet was made by Trustee Madsen and seconded by Trustee Smith

Items up for approval:

- A - Request for Temporary Signs – LW TEAM Asset Family Faire – New Lenox Community Park District
- B - Request for Use of Board Room – New Lenox Park District
- C - Authority to Order 2 Squad Cars
- D - Resolution #12-01 Authorizing the Execution of a Settlement Agreement and General Release

Trustee Smith noted the Village is waiving the fees for the Park District to utilize the Village Board room for their Park Board meetings.

Upon roll call, the vote was:

AYES: 6 Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

ABSTAIN: 0

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

ORDER OF BUSINESS

Consideration for Approval of a Request for Temporary Use for Special Event – Silver Cross Hospital

Ms. Ellis reported that Silver Cross Hospital is planning a two-day special event to celebrate their grand opening in February. She stated they do meet all the requirements for granting a temporary use for a special event outlined in the subdivision ordinance. Ms. Ellis added the ZBA reviewed this request back in December and recommended approval as did Staff subject to conditions that are noted in the Staff report.

Motion to approve the request was made by Trustee Madsen and seconded by Trustee Dye. Upon voice vote, the motion carried with Trustees Tuminello recorded as ABSENT.

Consideration for Approval of an Ordinances Authorizing Execution of an Annexation Agreement, Annexing Certain Territory, Granting Special Use for a Large Residential Care Home – 225 W. Wood Street – 1st Read

Ms. Ellis reported the Public Hearing for 225 W. Wood Street was held at the last Board meeting and at that time the primary concern of the Board was the request to maintain the existing well for outside irrigation purposes; she noted that provision has been deleted from the amended agreement. Ms. Ellis noted another change had to do with putting a timeframe for when the second residential structure would have to be remodeled or removed from the site if it no longer operates as a group home.

The petitioner had nothing to add.

Trustee Dye reported the Sewer & Water Committee had discussed the issue regarding the use of the existing well for outside irrigation. She noted that Mr. Nash will have the Village Attorney look at the existing ordinance to make sure it's all encompassing for anticipated requests moving forward.

Mayor Baldermann noted that if the existing ordinance should be amended it would apply to 225 W. Wood Street.

Ms. Ellis said the ordinance will come back to the Board at the next meeting for second read.

Consideration for Approval of a Water Main Easement – Water Main Extension

Mr. Nash explained this easement was finalized with the property owner and Attorney. He asked for Board approval of a water main extension towards Silver Cross Hospital.

There were no comments or questions.

Motion to adopt the Water Main Easement was made by Trustee Bowden and seconded by Trustee Butterfield

Upon roll call, the vote was:

AYES: 6 Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

Consideration for Approval of a Grant of Easement – 218 West Wood Street

Consideration for Approval of a Grant of Easement – 238 West Wood Street

Mr. Nash reported that 218 West Wood Street was sub-divided to two lots. He explained when two homes have the same sanitary sewer the EPA considers it a sanitary sewer main, therefore, the Village needs an easement allowing us access to the property to provide maintenance for the sanitary sewer main.

Motion to adopt the Grant of Easement for 218 W. Wood Street was made by Trustee Butterfield and seconded by Trustee Smith

Upon roll call, the vote was:

AYES: 6 Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

Motion to adopt the Grant of Easement for 238 W. Wood Street was made by Trustee Butterfield and seconded by Trustee Smith

Upon roll call, the vote was:

AYES: 6 Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

Consideration for Approval of a License Agreement for Access to Grade Crossing Data – CN Railroad

Mayor Baldermann reported when the Village worked with CN there was a provision for detection equipment that will be sent to the 911 Center which allow the 911 Center to view the location of trains.

Trustee Smith briefed the Board that Lincoln Way Communications is working with the other two municipalities on this item. He stated that CN will send \$700 to each of the three communities who in turn will send it to Lincoln Way Communications for the purchase of the computer equipment.

There were no other comments or questions

Motion to adopt the License Agreement was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

AYES: 6 Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

Consideration for Approval of CN Quiet Zone Engineering Contract – Christopher Burke Engineering

Mr. Nash reported this contract for \$35,000 will include plan preparation and specifications for the Quiet Zone measures as well as implementation and establishing the Quiet Zones with the Federal Rail Authority. He stated this contract has been confirmed and will be reimbursed by CN.

There were no comments or questions.

Motion to adopt the Contract was made by Trustee Bowden and seconded by Trustee Dye

Upon roll call, the vote was:

AYES: 6 Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

Consideration for Approval of a Resolution #12-02 Authorizing and Intergovernmental Agreement – CN Railroad Quiet Zones – Will County

Consideration for Approval of a Resolution #12-03 Authorizing and Intergovernmental Agreement – CN Railroad Quiet Zones – New Lenox Township

Mayor Baldermann explained the bulk of the Quiet Zone crossings are in the Township or Will County jurisdiction.

Mr. Nash reported both Intergovernmental Agreements state the Village as the lead organization for the installation and maintenance of the equipment required as part of the Quiet Zones.

Motion to adopt the Resolution – Will County was made by Trustee Bowden and seconded by Trustee Dye

Upon roll call, the vote was:

AYES: **6** Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: **0**

ABSENT: **1** Trustee Tuminello

The motion carried.

Motion to adopt the Resolution – New Lenox Township was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

AYES: **6** Trustees Butterfield, Dye, Madsen, Smith
Bowden and Mayor Baldermann

NAYS: **0**

ABSENT: **1** Trustee Tuminello

The motion carried.

Mr. Nash reported on the timing of the creation of the Quiet Zones. It appears that they will implemented towards the end of the summer of 2012.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reminded that January 14th will be the Jim Peterik and World Stage Concert at Lincoln Way West High School.

Mayor Baldermann discussed Suicide Prevention Signs that will be posted in various locations in New Lenox.

Mayor Baldermann announced that a gun shop in New Lenox was burglarized on a couple of occasions. He praised the New Lenox Police Department for their work. He added the Village Attorney is working on an Ordinance that will be stricter with this and any future gun shops that may want to come to our community. This issue will go the Public Safety Committee for review.

VILLAGE ATTORNEY - None

VILLAGE ADMINISTRATOR - None

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve bi-monthly disbursements in the amount of \$636,320.78. In addition approval is needed for bi-weekly payroll in the amount of \$302,457.79 paid on December 30, 2011 and a special payroll with the total amount of \$3,758.58 paid on January 3, 2012.

Trustee Madsen seconded the motion.

No comments or questions from the Board

Upon roll call, the vote was:

AYES: 6 Trustees Dye, Smith, Butterfield,
Bowden, Madsen, and Mayor Baldermann

NAYS: 0

ABSENT: 1 Trustee Tuminello

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

Bill Walter, 1022 Grandview Drive thanked the Board for their work with CN Railroad.

Mr. Walter asked the status of the land negotiations with Mr. Voss.

Mayor Baldermann answered the Board is continually working towards an agreement.

TRUSTEE COMMENTS

Trustee Smith

Trustee Smith reported on the parkway tree trimming. He explained that this is regular maintenance to prevent trees from damaging the snow plow or the snow plows from damaging the trees. He noted that information was put in the water bills and our website.

Mr. Brozovich gave a list of subdivisions that would next for tree trimming.

Trustee Bowden

Trustee Bowden reported the Streets & Drainage Committee met and discussed the Silver Cross Boulevard lights are up and running and the temporary lights at Cedar Crossings Boulevard should be on sometime in February.

Trustee Dye

Nothing tonight.

Trustee Butterfield

Happy New Year!

Trustee Madsen

Nothing tonight.

Trustee Tuminello

Absent

EXECUTIVE SESSION - None

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Bowden. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on January 9, 2012 adjourned at 7:30 p.m.

Laura Ruhl, Village Clerk