

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

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, February 13, 2012**

#12-03

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:02p.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, Smith, Butterfield, Tuminello and Mayor Baldermann

Absent: Trustee Dye

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, Director of Operations Ron Sly, Assistant to the Administrator Carol Hennessy and Attorney Chris Spesia

PUBLIC HEARING – Amendment to Annexation Agreement – Calistoga – William Bolker

This Public Hearing to be Continued to the March 12, 2012 Village Board Meeting

CONSENT AGENDA

Items up for approval:

A - Minutes of Regular Meeting – December 19, 2011

- B - Minutes of Regular Meeting – January 9, 2012
- C - Ordinance #2238 Authorizing Execution of Second Amendment to Annexation Agreement – Sky Harbor Multi-Family – 2nd Read
- D - Request for Temporary Signs – New Lenox Youth Football Association
- E - Rescind Employment Agreement
- F - Surety Release – White Castle
- G - Request for Temporary Signs – Spring/Summer Events – New Lenox Park District

Motion to approve 7 items on Consent Agenda #12-03 as presented in packet was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

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

ABSTAIN: 3 Trustee Tuminello – **Item B**
Trustee Butterfield – **Item A**
Trustee Madsen – **Item A**

NAYS: 0

ABSENT: 1 Trustee Dye

The motion carried.

ORDER OF BUSINESS

Consideration for Approval of a Request to Open Cut Road – 225 W. Wood Street – Brian Rigsby

Mr. Nash asked for Board approval to open cut Wood Street to install a sanitary sewer extension.

No comments or questions from the Board

Motion to approve the request was made by Trustee Smith and seconded by Trustee Tuminello

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Trustee Dye

The motion carried.

Consideration for Approval of a Request for Waiver of Fees – 225 W. Wood Street – Brian Rigsby

Ms. Ellis reported in conjunction with the open cut to the road as well as some utility work that Trinity is doing on their property on Route 30, they are requesting a waiver of the in-house review and inspection fees. She added last month the Board approved the annexation agreement for 225 W. Wood Street which required the homes to be metered separately and have two separate taps. Ms. Ellis stated in talking with the petitioner and recognizing the property is served by a single well and electric service they are asking the Board waive one of the tap-on fees and allow one tap to serve both residence.

Trustee Smith had the petitioner confirm that there will be just one meter for both houses and if one of the houses gets demolished only one house will be serviced in the future.

Motion to approve the request was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Trustee Dye

The motion carried.

Consideration for Approval of a Request for Waiver of Fees – Lincoln-Way Special Recreation Association

Ms. Ellis explained that the New Lenox Park District has been working with the Lincoln-Way Recreational Association on a plan for a new recreation building at the Heather Glen Park Site. She stated the New Lenox Park District is asking what fees the Village would consider waiving. Ms. Ellis said the Board may consider waiving the site plan application fees, engineering construction inspection and review fees and potentially the in-house building permit fees. Ms. Ellis noted that any outside fees in which the Village incurs the Park District would be expected to pay and also historically the Village does not waive tap-on fees.

No comments or questions from the Board.

Motion to approve the request was made by Trustee Madsen and seconded by Trustee Smith

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Trustee Dye

The motion carried.

Consideration for Approval of a Request for County Special Use – 12820 Clyde Court

Ms. Ellis report this is property at the northwest of Clyde Court and Schoolhouse Road. She explained that currently there is a used car facility but this special use pertains to an outside storage for a dirt pulverization business that also operates from the building. Ms. Ellis stated under the county zoning all outside storage requires a special use. Ms. Ellis noted that Jeff Smith had gone to the property and that there are some hazardous materials that are stored on site which are to be removed. She said in the pre-annexation for this property there is to be some screening and fencing along Schoolhouse Road which is not feasible because of the way the cars are parked. Ms. Ellis stated in addition to the special use they have also requested variances which are outside of the Village’s jurisdictional review. She concluded the Plan Commission considered the request and are recommending not object to the County Special Use for the outside storage subject to the conditions noted in the Staff report.

Trustee Madsen asked what kind of hazardous material is on the property.

Ms. Ellis stated she didn’t know but that it would be removed.

Motion to not file an objection was made by Trustee Tuminello and seconded by Trustee Smith upon voice vote the motion carried with Trustee Dye noted as ABSENT.

Consideration of an Ordinance Adding Chapter 54 of the Municipal Code, Offenses and Miscellaneous Provisions, Article IV, Weapons, Division 3, Sale of Firearms: Security Measures – 1st Read

Chief Sterba explained the contents of the ordinance.

There were no comments or questions from the Board.

Mayor Baldermann said this will come back for second read and adoption.

Consideration for Approval of an Ordinance #2239 Authorizing the Sale by Public Auction of Personal Property Owned by the Village of New Lenox

Mayor Baldermann explained this ordinance is for one seized vehicle to be sold at public auction.

There were no comments or questions from the Board.

Motion to adopt the ordinance was made by Trustee Smith and seconded by Trustee Madsen

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Trustee Dye

The motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann gave details for the New Lenox Fire Department's Save a Life Raffle.

Mayor Baldermann explained that the New Lenox Football Association and Mustang Football Association weren't able to get their sign requests in time for this agenda. Mayor Baldermann asked the Board for approval of these requests and that they will be formally adopted at the next meeting.

Mayor Baldermann asked that a request from Lincoln-Way West High School for the issues at Illinois Highway and Nelson Road be brought to the P.T.A.B. for review.

Mayor Baldermann reported on the Lincoln-Way Foundation Dinner and discussed briefly the Silver Cross Open House.

Mayor Baldermann reported on the Dwayne Wade and Devon Hester Camp.

Mayor Baldermann announced the band lineup for the upcoming Summer Triple Play Concert Series.

Trustee Bowden added there will be containers at the concerts for people to bring food items for the New Lenox Township Food Pantry.

VILLAGE ATTORNEY - None

VILLAGE ADMINISTRATOR

Village Clerk Ruhl gave a brief report on the upcoming early voting for the Primary Election to be held on March 20, 2012.

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve bi-monthly disbursements in the amount of \$628,839.88. In addition approval is needed for bi-weekly payroll in the amount of \$319,660.37 paid on January 27, 2012, as well as a biweekly payroll with the total amount of \$312,127.29 and a monthly payroll with the total amount of \$6,310.00 both paid on February 10, 2012.

Trustee Madsen seconded the motion.

No comments or questions from the Board

Upon roll call, the vote was:

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

NAYS: **0**

ABSENT: **1** Trustee Dye

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

None

TRUSTEE COMMENTS

Trustee Tuminello

Trustee Tuminello spoke briefly about the new Silver Cross Hospital

Trustee Tuminello reported the Streets & Drainage Committee discussed future road improvements and gave an update on current road projects.

Trustee Madsen

Trustee Madsen wished everyone Happy Valentine’s Day.

Trustee Butterfield

Trustee Butterfield reminded everyone to participate in the Save a Life Raffle.

Trustee Butterfield announced the Fire Station Senior Breakfast on February 25th.

Trustee Bowden

Trustee Bowden reported on the French Market. She encouraged home businesses to participate.

Trustee Smith

Trustee Smith reported that Clinton Road in the Township is bad.

Trustee Dye

Absent

EXECUTIVE SESSION

Motion to adjourn to Executive Session made by Trustee Smith and seconded by Trustee Bowden.

Upon roll call, the vote was:

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

NAYS: **0**

ABSENT: **1** Trustee Dye

The motion carried.

The Board adjourned to Executive Session at 7:40 p.m.

Reconvene

All Board members present before Executive Session were in attendance upon the Board meeting reconvening at 7:58p.m.

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Madsen. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on February 13, 2012 adjourned at 8:58 p.m.

Laura Ruhl, Village Clerk