

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

**New Lenox Village Hall  
1 Veterans Parkway, New Lenox, Illinois  
Monday, May 14, 2012 7:00 P.M.**

**#12-09**

**CALL TO ORDER**

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:06p.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, Dye, Smith, Bowden, Tuminello and Mayor Baldermann

Absent: Trustee Butterfield

**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 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

**PROCLAMATION - Martino Junior High Scholastic Bowl**

Mayor Baldermann presented Ms. Jennifer Corona and the Martino Junior High Scholastic Bowl students with a proclamation to congratulate them on their success.

**NATIONAL HISTORIC PRESERVATION MONTH – New Lenox Historical Society**

Mr. Mark Batson and Ms. Diane Batson presented the Mayor and Village Board with a "This Place Matters" poster to mark the recognition of the importance of the landmarks in historic New Lenox.

**PUBLIC HEARING – Community Development Block Grant Program (CDBG)**

Mayor Baldermann opened the Public Hearing at 7:23p.m. At that time Ms. Ruhl provided proof of notice.

Mayor Baldermann reported that the Staff will have the ability to apply for a competitive grant with CDBG to construct a water main along South Cooper Rd. He explained the well in the Sunset Trail Subdivision is over 50 years old and is in disrepair, this grant will help them be put on Village water.

He concluded the Resolution will be adopted under the Consent Agenda.

There were no comments or questions. Mayor Baldermann closed the Public Hearing at 7:24p.m.

**CONSENT AGENDA**

Motion to approve 7 items on Consent Agenda #12-09 as presented in packet was made by Trustee Madsen and seconded by Trustee Smith

- A – Minutes of Regular Meeting – March 12, 2012
- B – Minutes of Regular Meeting – March 26, 2012
- C – Minutes of Special Meeting – March 29, 2012
- D – Authorization to Purchase Vehicles – Public Works
- E – Authorization to Purchase Vehicles – Police Department
- F – Surety Reduction – Aldi
- G – Resolution #12-19 Authorizing the Mayor to Execute and Clerk to Attest to a Community Development Block Grant Program

Upon roll call, the vote was:

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

**ABSTAIN:**                0

**NAYS:**                    0

**ABSENT:**                1                    Trustee Butterfield

The motion carried.

**ORDER OF BUSINESS**

**Consideration for Approval of an Ordinance #2254 Creating Class G Liquor License - New Lenox Public Library**

Motion to approve the Ordinance creating Class G Liquor License for New Lenox Library was made by Trustee Bowden and seconded by Trustee Dye

No comments or questions from the Board.

Upon voice vote, the motion carried noting that Trustee Butterfield is ABSENT.

**Consideration for Approval of an Ordinance #2255 Creating Class OA Liquor License -Aged to Perfection**

Motion to approve Ordinance creating Class OA Liquor License for Aged to Perfection was made by Trustee Bowden and seconded by Trustee Dye.

No comments or questions from the Board.

Upon voice vote, the motion carried noting Trustee Butterfield is ABSENT.

**Consideration for Waiver of Variance Review Fees – Trinity Services Autism Center – Brian Rigsby**

Ms. Ellis reported that Trinity Services is in the process of purchasing property in Briarwood Office Condos and is requesting a variance to expand their parking lot. They are requesting a waiver of the \$500 variance application fee.

No comments or questions from the Board.

Motion to waive the variance review fee was made by Trustee Tuminello and seconded by Trustee Bowden.

Upon roll call, the vote was:

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

**ABSTAIN:**                0

**NAYS:**                    0

**ABSENT:**                1                    Trustee Butterfield

The motion carried.

**Consideration for a Request to Waive Village Code – Masonry Requirement – 1106 Georgia’s Way – Brian Rigsby**

Mr. Rendleman reported that Mr. Rigsby is requesting to waive the Village’s brick requirements for an existing house in the Steeple Run Subdivision. There is currently a home that is on Lot 2 that was built in the 1950s that Mr. Rigsby wants to add a large addition and garage addition with a combination of stone and horizontal siding. Mr. Rendleman says that because it is an existing house in the subdivision, Staff has no objections to the improvements and to waive the brick requirement.

Trustee Dye asked if we setting precedent by doing this or is this unusual because of the house and the age of it.

Mayor Baldermann said that we have waived the requirements in the past because of it being an existing home.

Mr. Rendleman added that the house meets the zoning criteria just not the brick requirements.

Trustee Dye stated that she is only asking because there are other residents that would like to have less brick but she is fine with the request.

Motion to waive Village Code was made by Trustee Bowden and seconded by Trustee Madsen.

Upon roll call, the vote was:

<b>AYES:</b>	<u>6</u>	Trustees Bowden, Madsen, Smith, Dye, Tuminello and Mayor Baldermann
<b>ABSTAIN:</b>	<u>0</u>	
<b>NAYS:</b>	<u>0</u>	
<b>ABSENT:</b>	<u>1</u>	Trustee Butterfield

The motion carried.

**Consideration for Approval of Contract – Route 30 Corridor Plan Implementation Study**

Ms. Ellis reported that the Village received a \$60,000 grant from C.M.A.P. to conduct the Route 30 Implementation Study. She stated that 12 proposals were received in response to our R.F.P. and after reviewing the top few choices, Houseal Lavigne Associates, LLC were selected to be the main consultant on the project. She informed that Ruettiger and Tonelli will be supplementing the work from an engineering standpoint.

Trustee Smith asked what this study will tell us differently than other Route 30 Corridor studies that have been done before.

Ms. Ellis answered this study will take us to the next level. There is a lot of grant money that is out there that requires you to have an adopted plan, so one of the goals is to have something that is more detailed than what we have had in the past.

Trustee Tuminello agreed with Trustee Smith saying he would like to see something come to fruition with this new study.

Ms. Ellis said that we asked as part of this study, for the Steering Committee to look at three key parcels that either may be right for redevelopment or may be good examples of opportunities to try and implement some of these and actually sketch up what they are going to look like. She stated that one of the things that the committee was impressed with this consultant was their ability to take things and actually get them implemented.

Trustee Bowden stated these consultants have a whole different approach. She said what they presented to us was something realistic.

Mayor Baldermann added that the \$60,000 grant covers the expenses.

Mr. Houseal approached the Board saying that they are excited about this project and gave a brief history of the firm.

Motion to enter the contract subject to C.M.A.P. concurrence was made by Trustee Bowden and seconded by Trustee Tuminello.

Upon roll call, the vote was:

<b>AYES:</b>	<u>6</u>	Trustees Bowden, Madsen, Smith, Dye, Tuminello and Mayor Baldermann
<b>ABSTAIN:</b>	<u>0</u>	
<b>NAYS:</b>	<u>0</u>	
<b>ABSENT:</b>	<u>1</u>	Trustee Butterfield

The motion carried.

**Consideration of an Ordinance Authorizing Amendment to Annexation Agreement – Calistoga – 1<sup>st</sup> read**

**Consideration of an Ordinance Granting Special Use for Preliminary P.U.D. Plat Lenox- 1<sup>st</sup> Read**

Mayor Baldermann stated that this Board is well aware that before they can even consider the P.U.D., they have to decide whether or not they even want to amend the annexation agreement.

Trustee Smith stated that speaking for himself, he read through the agreement and after talking to Mr. Bolker about all the land owners, he does not want to open it. He said that we can't do anything unless we open the annexation agreement.

Trustee Bowden agreed with Trustee Smith.

Trustee Madsen concurred.

Mayor Baldermann asked the Village Attorney, if in order to amend the annexation agreement does there need to be a super majority.

Attorney Spesia answered that there needs to be five votes.

Mayor Baldermann suggested that the Board put these items back on the agenda for a 2<sup>nd</sup> read at the May 29, 2012 meeting. Hearing that there will be three Trustees absent from that meeting, Mayor Baldermann asked that they be held over to the June 11, 2012 meeting. He asked that item F. be brought back for 2<sup>nd</sup> read. And item G. be brought back for a 1<sup>st</sup> read. The Board concurred.

**Consideration for a Bid Award – CN Railroad Quiet Zone Improvements**

Mr. Nash asked the Board for approval of a bid award for Camco, Inc. in the amount of \$152,229.43 which was the low bid and the only bid for this project. He reported that Canadian National will reimburse the Village as we submit invoices to them. He is projecting to start getting permits in June. Mr. Nash said that once the Village portion of the work is done, a notice of establishment will be submitted for the Quiet Zone. He stated that there will be a period of 21 days where the engineers all need to learn about it and the rail authorities come out and check that everything is safe and at that point you will have the Quiet Zone established.

Mayor Baldermann asked Mr. Nash to keep the Board updated. Mayor Baldermann noted that he had been getting calls from residents who are having structural issues because of the trains and he asked Mr. Nash to look into seeing if anything can be done from an engineering standpoint.

Motion to approve the Bid Award was made by Trustee Bowden and seconded by Trustee Dye.

Upon roll call, the vote was:

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

**ABSTAIN:**                0

**NAYS:**                    0

**ABSENT:**                1                    Trustee Butterfield

The motion carried.

**Consideration for Approval of an Ordinance #2256 Approving a Request for Qualification and Proposals and Waiving Local Government Professional Services Selection Act**

Mayor Baldermann requested approval of this Ordinance that would allow the Board to seek cost proposals in conjunction with the requests for qualifications from architectural firms and construction managers to build and design the new police station.

Attorney Spesia stated that this Ordinance is only for this project.

Motion to adopt the Ordinance was made by Trustee Smith and seconded by Trustee Bowden.

Upon roll call, the vote was:

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

**ABSTAIN:**            0  
**NAYS:**                0  
**ABSENT:**            1                    Trustee Butterfield

The motion carried

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

**MAYOR**

Mayor Baldermann reported on the tremendous amount of support from the community and the press regarding the gas prices.

Mayor Baldermann reported on the upcoming Carnival in the Commons.

Mayor Baldermann reported on the fifth annual New Lenox Experience.

Mayor Baldermann and the Village Board regarding the Video Gaming issue. Mayor Baldermann explained that there will be an upcoming ordinance Opting In or Opting Out.

**VILLAGE ATTORNEY**

No Report

**VILLAGE ADMINISTRATOR**

Absent

**PAYROLL & DISBURSEMENTS**

Trustee Madsen made the motion to approve bi-monthly disbursements in the amount of \$1,375,220.26. In addition to this disbursement, approval is need for bi-weekly payroll in the amount of \$288,865.36 paid on May 4, 2012, as well as a manual disbursement in the amount of \$9,574.82.

Trustee Tuminello seconded the motion.

Upon roll call, the vote was:

**AYES:**                6                    Trustees Bowden, Madsen, Smith,  
Dye, Tuminello and Mayor Baldermann  
**ABSTAIN:**           0  
**NAYS:**                0  
**ABSENT:**            1                    Trustee Butterfield

The motion carried

**QUESTIONS AND/OR COMMENTS FROM THE FLOOR**

Bill Walters, 1022 Grandview Drive, asked if CN will be repairing the railroad crossings when the Quiet Zones are finished.

Mr. Nash replied that the crossings are the railroads responsibilities.

**TRUSTEE COMMENTS**

**Trustee Tuminello**

Trustee Tuminello commented on the Pro Camps Program.

Trustee Tuminello commented on Career Day at Spencer Pointe School.

Trustee Tuminello commented on the slow process of the Quiet Zones.

Trustee Tuminello reported on the Streets & Drainage Committee meeting that was held. He discussed the meeting they had with ESN Energy Efficiency regarding converting street lights to LED.

Trustee Tuminello reported on sidewalk issues and the new process for complaints.

Trustee Tuminello reported on the tree program. He discussed the Ash Borer situation.

Trustee Tuminello stated the Committee discussed the proposed sidewalk from Nelson Road to Lincoln-Way West.

Mayor Baldermann reminded everyone of the upcoming Pine Street construction.

**Trustee Madsen**

Trustee Madsen commented on how impressed he was with the French Market.

**Trustee Butterfield**

Absent

**Trustee Dye**

Trustee Dye commented on the commuter parking lot and explained the token process.

**Trustee Bowden**

Trustee Bowden asked if a resident has to remove their parkway tree because of the Ash Borer will they be put on the 50/50 Parkway Tree Program for replacement. Trustee Tuminello reported that those residents will be put at the top of the list for replacement.

Trustee Bowden reported on the French Market.

**Trustee Smith**

Trustee Smith reminded drivers to keep an eye out for kids in the summer months.

Trustee Smith reported on Lincoln-Way Central Girls Water Polo Team.

**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 May 14, 2012 adjourned at 8:18p.m.

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Laura Ruhl, Village Clerk

APPROVED