

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

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, August 22, 2011**

#11-22

CALL TO ORDER

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

Absent: None

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 Ron Sly, Village Engineer Will Nash, Assistant to the Administrator Carol Hennessy and Attorney Chris Spesia

CONSENT AGENDA

Motion to approve 9 items on Consent Agenda #11-22 as presented in packet made by Trustee Madsen and seconded by Trustee Dye

Items up for approval:

- A - Ordinance #2191 Amending Chapter 6 of Village Code – Alcoholic Beverages – 2nd Read
- B - Ordinance #2192 Amending Municipal Code – Fines and Penalties – 2nd Read

- C - Minutes of Regular Meeting – August 8, 2011
- D - Request for Temporary Signs – Spaghetti Dinner Fundraiser – New Lenox Historical Society
- E - Request for Temporary Signs – Kruzing 4 Kids Make – A – Wish Benefit
- F - Request for Temporary Signs – Lincoln Way Xplosion Basketball Club
- G - Request for Temporary Signs – ShareFest
- H - Resolution #11-22 Authorizing the Village Mayor to Proclaim and Recognize the Month of September 2011 as National Preparedness Month
- I - Proclamation for ShareFest 2011

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Madsen, Dye, Bowden, Smith Tuminello and Butterfield Mayor Baldermann
ABSTAIN:	<u>2</u>	Trustees Tuminello & Butterfield #4C
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Mayor Baldermann thanked the New Lenox Police Department, CERT Members, ESDA and all the community volunteers that make New Lenox a Safe Community and being prepared for any type of disaster.

Mayor Baldermann briefly discussed the ShareFest 2011. He thanked the ShareFest volunteers for coming together to help those in need.

ORDER OF BUSINESS

Consideration for Approval of Ordinance Amending the Hours of Class J Liquor License – Prime Time Restaurant & Bar – 1st Read

Mayor Baldermann explained this ordinance will extend the hours of the Class J liquor license for Prime Time Restaurant & Bar from Sunday thru Thursday 11:am- 11:pm to 11:00am – 12:00am. for the inside of the restaurant.

Mr. Gellis addressed the Board saying the owners are requesting to keep the restaurant open an additional hour because of the upcoming televised sporting events that run later in the evening. He stated this is imperative to the business because customers like to stay for the whole game. He added that there have been no complaints with the New Lenox

Police Department and they have been up to date with New Lenox laws. Mr. Gellis feels they have been model citizens. He stated that Prime Time is primarily a restaurant.

Mayor Baldermann agreed there have been no Police issues but he had received complaints from residents that on a couple of occasion's customers were on the patio later than the 10:00pm.patio closing. Mayor Baldermann proceeded to say that the reason the Village Board was ok with Prime Time at that location was because the Les Family is very well respected and has been in New Lenox for a very long time. Mayor Baldermann told Mr. Gellis he cannot violate the 10:00pm patio closing and he will have the New Lenox Police Department patrolling. Mayor Baldermann asked if there were any residents present wishing to address the Board.

Mr. Mikeris addressed the Board regarding his concerns with Prime Time staying open the extra hour during the week. He stated that he believes that Prime Time is not a family restaurant as originally proposed. He and his neighbors are concerned that it will turn into another Bluestone Bar/Grill and he does not want to see this location turn into another sports bar.

Trustee Bowden stated she feels that Prime Time is more of a bar then restaurant but with the new liquor ordinance that was adopted tonight she has a higher comfort level with the requirement to provide the receipts proving they are more of a restaurant then a bar which will take care of these issues.

Trustee Dye went on record stating that when Georgia Les came before the Board they made it very clear to why they were getting shorter hours versus other places in town, so if they are disenfranchised, remember it was their choice to put your business there. She added there was a very good reason why the Board had voted for shorter hours. Trustee Dye stated, on the other hand weather or not withstanding, it is difficult to say you can not have the extension because there are no police reports. Trustee Dye added the first thing she thought of when she heard of this request was, were there any bona fide complaints that were filed and if there's not it's hard to argue that they are not deserving.

The ordinance will be back for 2nd read on September 12, 2011

Consideration for Approval of Employment Contract – Nancy Roman

Mr. Carroll explained that he had the pleasure of working with Ms. Roman in the past. He stated the Village is seeking someone who can be outgoing and bring businesses not only on Rt. 6 but to also help our businesses on Rt. 30 who are being effected by the construction. He concluded that Ms. Roman will be an ideal candidate for the job of Economic Development Director.

Ms. Roman talked briefly about herself and her goals. She stated that New Lenox is in the perfect position to take advantage of growth when it comes back around.

There were no more comments or questions from the Board.

Motion to approve the ordinance was made by Trustee Dye and seconded by Trustee Smith

Upon roll call, the vote was:

AYES: 7 Trustees Madsen, Dye, Bowden, Smith, Tuminello, Butterfield, Mayor Baldermann

NAYS: 0

ABSENT: 0

The motion carried.

Mayor Baldermann congratulated Ms. Roman.

Consideration of Request for Extension of Time to Install Landscaping – American Legion

Ms. Ellis reported that the American Legion is requesting an extension of time to install the landscaping along the new parking lot which is along their west property line. Ms. Ellis stated that the letter from the American Legion states that they will install the landscape as soon as possible in 2012.

There were no comments or questions from the Board.

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

Upon voice vote, the motion was carried

Consideration of Request for Extension of Time to Pay Fees and Execute Final Plat – Falcon Ridge Unit 1 – John Voss

Ms. Ellis reported that the final plat was approved in 2009 the Village Board has granted a couple of extensions for Mr. Voss to pay the construction inspection fees submit the letter of credit and pay the tap-on fees. She added that because of the number of vacant lots in inventory, it would not make sense to start a new subdivision just for the sake of meeting time lines and would probably not be in the best interest of the developers or the Villages, therefore Mr. Voss is requesting a one year extension.

Trustee Tuminello asked, for the record, all the money for the third party engineering has been paid and the Village has been reimbursed their fees.

Ms. Ellis stated the Village has been reimbursed their fees.

Motion to approve the ordinance was made by Trustee Bowden and seconded by Trustee Dye

Upon roll call, the vote was:

AYES: 7 Trustees Madsen, Dye, Tuminello, Butterfield
Bowden, Smith, and Mayor Baldermann

NAYS: 0

ABSENT: 0

The motion carried.

Consideration of an Easement Agreement - Aldi

Mr. Nash asked the Village Board for approval of an easement agreement to provide water service and fire hydrants for the new Aldi store.

No comments or questions from the Board.

Motion to approve the ordinance was made by Trustee Madsen and seconded by Trustee Bowden

Upon roll call, the vote was:

AYES: 7 Trustees Madsen, Dye, Tuminello, Butterfield
Bowden, Smith, and Mayor Baldermann

NAYS: 0

ABSENT: 0

The motion carried.

Consideration of an Engineering Agreement to Provide Construction Management Services for Rt. 6 & Cedar Crossings Drive – Zarembo

Mr. Nash stated that this agreement is to provide construction management services similar to the Rt. 30 project in front of Walmart/Menards. He said this is basically to supervise the work that's being done at Rt. 6 and Cedar Crossings Drive. He explained that the Village will hold the permit so we will be responsible for completion of the project in accordance with IDOT specifications.

Motion to approve the ordinance was made by Trustee Tuminello and seconded by Trustee Madsen

Upon roll call, the vote was:

AYES: 7 Trustees Madsen, Dye, Tuminello, Butterfield
Bowden, Smith, and Mayor Baldermann

NAYS: 0

ABSENT: 0

The motion carried.

An Ordinance Authorizing Condemnation of Properties – Vancina Lane – 1st Read
Mayor Baldermann reported that this first read ordinance is from a prior annexation agreement with boiler plate language.

Trustee Dye asked if there were no other alternative then to condemn the property. She added that any community hates to condemn a property.

Mayor Baldermann answered this is the last resort.

No other comments or questions from the Board

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reminded this is the last meeting before the REO Speedwagon concert which is sold out. There are no tickets available. He stated this is a highly anticipated concert and asked residents going to the concert to please be on their best behavior.

Mayor Baldermann spoke briefly about the electrical aggregation stating that this is an absolute savings for everyone and if you want to opt out you have the option at any time and at no cost.

VILLAGE ATTORNEY

None

VILLAGE ADMINISTRATOR

None

PAYMENT OF BILLS

Trustee Butter field made the motion to approve the monthly disbursements in the amount of \$1,078,807.86 and manual disbursements in the amount of \$4,063.43. In addition to this disbursement approval in needed for biweekly payrolls with the combined total amount of \$622,628.96 that were paid out July 29th & August 12, 2011; as well as a monthly payroll in the amount of \$5,910.00 payable on August 12, 2011.

Motion was seconded by Trustee Madsen

Upon roll call, the vote was:

AYES: 7 Trustees Madsen, Dye, Tuminello, Butterfield
Bowden, Smith, and Mayor Baldermann

NAYS: 0

ABSENT: 0

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR - None

TRUSTEE COMMENTS

Trustee Tuminello

Trustee Tuminello reported that today is the first day of school and to please be cognizant of the busses and the kids on the corners.

Trustee Tuminello reported that the MFT program was finally approved at the state level and IDOT, the work should start on Monday August 29th.

Trustee Tuminello reported that he will be bringing a possible solution to the corner of Joliet Highway and Schoolhouse Rd.

Trustee Madsen

Go Bears! And he will see everyone at the concert.

Trustee Butterfield

None

Trustee Dye

Trustee Dye reported that Will County Board member Laurie Smith will be moving to Florida. She thanked Ms. Smith for all she has done for New Lenox and she will be missed.

Trustee Bowden

Trustee Bowden reported that she is donating four tickets for the Triple Concert Series to the French Market for a drawing at 10:00am and noon on Saturday August, 3, 2011.

Trustee Smith

Trustee Smith asked for confirmation regarding the MFT program.

EXECUTIVE SESSION

No executive session

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Dye. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on August 22, 2011 adjourned at 7:42 p.m.

Laura Ruhl, Village Clerk