

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

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, September 24, 2012 7:00 P.M.**

#12-19

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:01p.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, Butterfield, Tuminello and Mayor Baldermann

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 the Village Clerk Laura Ruhl, Community Development Director Robin Ellis, Chief of Police Bob Sterba, Economic Director Nancy Hoehn, Public Works Ken Brozovich, Village Administrator Kurt Carroll, Finance Director Kim Auchstetter, Assistant to the Village Administrator Kate Andris and Attorney Chris Spesia

**PUBLIC HEARING – Amendment to Annexation Agreement – U.S. Route 30 and
Washington Street – Providence Catholic High School**

Mayor Baldermann opened the PUBLIC HEARING at 7:02p.m. Ms. Ruhl provided proof of notice and swore in the petitioner and interested parties.

Ms. Ellis explained that this request is by Providence Catholic High School to annex two parcels located at the southeast corner of Washington Street and Rt. 30. She said the east parcel is somewhat improved with at parking lot and the west is unimproved with the exception of a billboard sign. Ms. Ellis stated that Staff is suggesting that language be added to the agreement to require the billboard sign be removed within 30 days after the expiration of the existing lease agreement which is due to expire on March 31, 2020.

Ms. Ellis stated the only other comment is the typical condemnation language which is not included in the agreement but because there really is no improvement Staff has no objection to it being omitted to this agreement.

Ms. Maureen Harton, attorney for Providence, had nothing else to add.

Trustee Smith asked if the billboard lease agreement will be attached to the annexation agreement.

Ms. Harton stated she would attach the lease agreement to the annexation agreement.

Trustee Tuminello asked if there are any lease options.

Ms. Harton answered no.

No other comments or questions.

Mayor Baldermann closed the PUBLIC HEARING at 7:04p.m.

PUBLIC HEARING – Vacation of Washington Street

Mayor Baldermann opened the PUBLIC HEARING at 7:04p.m. Ms. Ruhl provided proof of notice.

Ms. Ellis reported adjacent to this property is the old right-of-way for Washington Street which was re-aligned to provide a better intersection at Rt. 30 leaving this unimproved right-of-way. So the request is to vacate this right-of-way.

No comments or questions.

Mayor Baldermann closed the PUBLIC HEARING at 7:06p.m.

CONSENT AGENDA

Motion to approve the 3 items on Consent Agenda #12-19 as presented in packet was made by Trustee Madsen and seconded by Trustee Bowden

- A - Minutes of Regular Meeting – August 13, 2012
- B - Ordinance #2285 Creating Class TE Liquor License – Providence Catholic Women’s Club
- C - Ordinance #2286 Declaring Surplus Vehicles and Authorizing their Sale at Auction – Seized Vehicles

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Bowden, Tuminello, Butterfield, Madsen, Smith, Dye, and Mayor Baldermann
ABSTAIN:	<u>2</u>	Trustee Tuminello – Item A Trustee Butterfield – Item A
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Consideration of an Ordinance #2287 Authorizing the Execution of Contracts for Public Works Building – Northern Builders – 1st Read –Subject to Review of the Contract by 4M Group

Mr. Carroll reported that this ordinance simply formalizes and puts in contractual terms the purchase of the property and the construction of the new Public Works Facility.

Bradley Wood of Northern Builders stated there is a section in the contract that stipulates that Northern Builders is required to disclose who the contractors will be for approval by the Village's representatives. He went on to say that this is part of their effort to comply with certified payrolls.

Attorney Spesia commented that Northern Builders is following the prevailing wage act. He went on to say there is nothing specific in the contract that says the Northern Builders has to hire local contractors.

Mr. Wood stated that Northern Builder's objective is to hire as many New Lenox local area employees and companies as possible.

Trustee Tuminello asked when Northern Builder's anticipated the bidding process.

Mr. Wood answered around 2-3 months.

Mayor Baldermann informed that this ordinance is before them for first read.

Trustee Smith stated he would like to see the ordinance come back to the next meeting for 2nd read to give the 4M Group time to review the contract.

Mr. Wood said he would was hoping to pass the ordinance that evening so he could get the architect to start on the design process which could take up to six weeks.

Mayor Baldermann commented that the Board and the Attorney have reviewed the contact. Also, we have given 4M Group direction of what they want them to do.

Trustee Smith stated he would like to see 4M review the contract first.

Ms. Drilling of 4M stated she would like to review the contract but agrees with Northern Builders that they need to get the design underway.

Trustee Tuminello asked if the Board could approve the ordinance subject to 4M Group's review and approval of the contract.

The Board concurred.

Motion to waive 2nd Read was made by Trustee Tuminello and seconded by Trustee Butterfield. Upon voice vote, the motion carried.

Mayor Baldermann stated 1 – 2.8%

Trustee Tuminello asked if the term of this issue remains the same.

Mr. Carroll answered yes, the term of this issue remains the same.

Motion to waive 2nd read was made by Trustee Smith and seconded by Trustee Bowden. Upon voice vote, the motion carried.

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

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Bowden, Madsen, Smith, Dye, Tuminello, Butterfield and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Consideration for Approval of a Request for Extension of Concept Plat – Leigh Creek South

Ms. Ellis reported that in 2010 the Village Board approved an annexation agreement for Leigh Creek South located just immediately east of the Heather Glen Subdivision. There was a provision in the agreement that said the concept plat would be voided if there was not a preliminary plat approved within two years. We are now at that two year mark and because of the state of the housing market and the existing stock of improved lots the developer is requesting a two year extension to have the preliminary plat approved. Ms. Ellis noted that Staff has no objections.

Motion for approval of a request was made by Trustee Tuminello and seconded by Trustee Bowden.

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Bowden, Madsen, Smith, Dye, Butterfield, Tuminello and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Consideration for Approval of a Request for Preliminary Plat Extension – Sky Harbor Single-Family

Ms. Ellis reported Sky Harbor single-family is owned in part by Hartz Construction and Cachey Builders aka Orland Golf View Partnership. They are requesting a one year extension of the single family portion of the Sky Harbor preliminary plat due to the poor housing market conditions.

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

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Bowden, Madsen, Smith, Dye, Tuminello, Butterfield and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Consideration for Approval of Plat of Dedication – Ellis Road

Mr. Nash reported as the Cherry Hill Business Park has expanded on both the New Lenox and Joliet sides of the development it was necessary for the developer to connect Ellis Road from the New Lenox side of the development to the Joliet side of the development. The existing roads used to be cul-de-sacs on both sides. He went on to say the connection road allows access from Gougar Rd. thru the development to Cherry Hill Rd. Mr. Nash reported the developer is dedicating right-of-way and public utility and drainage easements to the Village.

Motion to approve the Plat of Dedication was made by Trustee Bowden and seconded by Trustee Dye.

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Bowden, Madsen, Smith, Dye, Tuminello, Butterfield and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Consideration for Approval of Ordinance #2290 Adding Chapter 10 of Municipal Code – Amusement and Entertainment Article IV Raffles and Chances License

Chief Sterba reported this is a housekeeping ordinance. This raffle license is for non-profit and charitable organization in New Lenox.

Motion to waive 2nd read was made by Trustee Smith and seconded by Trustee Tuminello. Upon voice vote the motion carried.

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

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Bowden, Madsen, Smith, Dye, Tuminello, Butterfield and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

Consideration for Approval of Raffle License – American Legion Post 1977

Motion to consider Approval of Raffle License – American Legion Post 1977 was made by Trustee Smith and seconded by Trustee Butterfield.

Upon voice vote the motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reported the Staff is working with Will County on an upcoming event, Suburban Heroin Conference, on September 27th at LW Central High School.

Mayor Baldermann reported that October 4th is the “Take Back the Night” which deals with domestic violence and violence against women.

Mayor Baldermann reported on the Rt. 30 Corridor Implementation Plan meeting is September 26th which is a community workshop.

VILLAGE ATTORNEY

Nothing to report.

VILLAGE ADMINISTRATOR

Village Clerk Ruhl reported on Early Voting for the upcoming General Election.

Village Clerk Ruhl reported on filing nominating petitions for the April Consolidated Election.

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve bi-monthly disbursements in the amount of \$361,799.00. In addition to this disbursement, approval is needed for bi-weekly payroll in the amount of \$311,354.80 paid on September 21, 2012.

Motion was seconded by Trustee Madsen.

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 0

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

William Walter, 1022 Grandview Drive, announced that the VFW Post is also conducting a raffle on Sundays.

TRUSTEE COMMENTS

Trustee Smith

No comments.

Trustee Bowden

Trustee Bowden reported on the last two French Markets for the season.

Trustee Dye

Trustee Dye commented on the success of the French Market.

Trustee Butterfield

No comments.

Trustee Madsen

No comments.

Trustee Tuminello

Trustee Tuminello thanked Trustee Bowden for all her work on the French Market.

EXECUTIVE SESSION

None

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 September 24, 2012 Adjourned at 8:02p.m.

Laura Ruhl, Village Clerk

APPROVED