

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

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, October 10, 2011**

#11-25

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:00 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, Tuminello, and Mayor Baldermann

Absent: Trustees Tuminello, Smith and 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, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, Assistant to the Administrator Carol Hennessy, Public Works Director Ron Sly and Attorney Chris Spesia

CONSENT AGENDA

Motion to approve 11 items on Consent Agenda #11-26 as presented in packet was made by Trustee Madsen and seconded by Trustee Bowden

Items up for approval:

- A - A Resolution #11-25 Appointing the Southwest Agency for Risk Management (SWARM) and Southwest Agency for Health Management (SWAHM) Designate and Alternate Representatives

- B - A Resolution #11-26 Approving Memorandum of Understanding – NLSD 122
- C - A Resolution #11-27 Adopting Hickory Creek Water Shed Plan
- D - An Ordinance #2204 Annexing Properties – Kurtz Memorial Chapel – 2nd Read
- E - An Ordinance #2205 Amending Special Use – Kurtz Memorial Chapel – 2nd Read
- F - An Ordinance #2206 Granting a Variance – Kurtz Memorial Chapel – 2nd Read
- G - Minutes of Special Meeting – September 1, 2011
- H - Minutes of Regular Meeting – September 12, 2011
- I - Lease Purchase Contract – 1 Vehicle
- J - A Resolution #11-28 Adopting a Policy for the Inclusion of Contribution Language in Annexation Agreements
- K - A Resolution #11-29 Adopting a Temporary Amendment to Resolution #98-13 – Letter of Credit Procedures

Upon roll call, the vote was:

AYES: 4 Trustees Madsen, Bowden, Butterfield
And Mayor Baldermann

ABSTAIN: 0

NAYS: 0

ABSENT: 3 Trustees Tuminello, Smith and Dye

The motion carried.

Mayor

Mayor Baldermann introduced Rachel Chesley. Ms. Chesley is a 2007 Lincoln Way Central graduate and a 2011 graduate of St. Mary’s College of Notre Dame. On January 2nd Ms. Chelsey will be going to Malaysia to teach English to secondary Malaysian students. Mayor Baldermann presented Ms. Chelsey with a New Lenox flag for her classroom.

Mayor Baldermann introduced Seth Jansen of Congressman Adam Kinzinger’s Office. Mr. Jansen thanked the Board for allowing him to attend the meeting and introduce himself. He stated that he is Congressman Kinzinger’s Field Representative. Mr. Jansen distributed his business card to the Mayor and Board.

ORDER OF BUSINESS

Consideration of an Ordinance #2207 Creating Class TE Liquor License – Women’s Club Social & Auction – Providence Women’s Club – 1st Read

Mayor Baldermann explained that this is the Women’s Clubs biggest fundraiser for Providence High School. He stated there are no issues with background checks.

There were no questions or comments from the Board.

Motion to set aside the rules for second read was made by Trustee Bowden and seconded by Trustee Butterfield.

Upon voice vote the motion carried.

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

Upon roll call, the vote was:

AYES: 4 Trustees Madsen, Butterfield, Bowden, and Mayor Baldermann

NAYS: 0

ABSENT: 3 Trustees Smith, Dye and Tuminello

The motion carried.

Consideration of an Ordinance #2208 Creating Class B Liquor License – Aldi – Timothy Mallaney – 1st Read

Mayor Baldermann informed the Board that Aldi is proposing to open on November 17th. Once again there are no issues with the background check.

Motion to set aside the rules for second read was made by Trustee Bowden and seconded by Trustee Butterfield

There were no questions or comments from the Board.

Upon voice vote the motion carried.

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

Upon roll call, the vote was:

AYES: 4 Trustees Madsen, Butterfield, Bowden, and Mayor Baldermann

NAYS: 0

ABSENT: 3 Trustees Smith, Dye and Tuminello

The motion carried.

Consideration of a Request for Preliminary Plat Extension – Jacob’s Field Phase 2 & 3 – Flaherty Builders

Ms. Ellis reported that staff has no objection with a one year extension.

There were no questions or comments from the Board

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

Upon roll call, the vote was:

AYES: 4 Trustees Madsen, Butterfield, Bowden, and Mayor Baldermann

NAYS: 0

ABSENT: 3 Trustees Smith, Dye and Tuminello

The motion carried.

Consideration of an Ordinance Granting Special Use for Final P.U.D. Plat – Century Oaks Subdivision – 1st Read

Ms. Ellis reported that this is a re-subdivision of lot 10 in the Cedar Crossings Unit 1 Subdivision that was previously known as Parkview Subdivision. She stated in the past the Board had approved a Meier Store and gas station for this site, but Meier Store let their option lapse. She said what is now proposed is a re-subdivision to create three lots, approximately 2-acres each, and a remainder 11-acre lot. Ms. Ellis informed the Board that there has been a site-plan submitted for a medical office building for the northwest lot. She said the Plan Commission recommended approval subject to resolution of staff’s comments which relate mostly to public improvements that are associated with the re-subdivision plat. Ms. Ellis reported that there is some utility routing that needs to be finalized, as well as some related access issues. Ms. Ellis stated that this ordinance will come back for second read in two weeks if all the remaining engineering issues have been resolved.

Trustee Bowden noted that there are a lot of issues that need to be resolved. She asked why the apparent rush to approve this request.

Ms. Ellis explained the developers are anxious to get started because the construction season is about to end. She noted the engineering plans were recently received.

Trustee Butterfield asked about the revised plans.

Ms. Ellis answered she thinks there are still some issues to be resolved but nothing major.

Mayor Baldermann asked Ms. Ellis to email the three absent Board members to update them on the status of this request and to let them know this ordinance will be coming back for second read in two weeks in case they have any questions.

Consideration of a Resolution #11-30 Authorizing a Term Extension Amendment to the Water Supply Agreement Between the Village of Oak Lawn and the Village of Mokena & New Lenox

Mr. Carroll reported that this agreement with Oak Lawn will be expiring and they are looking for a nine month extension with an option to add another three months to the agreement. The communities served by Oak Lawn are in negotiations to develop a long term agreement to construct a secondary water line which would service New Lenox and the other communities serviced by Oak Lawn.

Trustee Bowden asked if there were any costs associated with this new agreement. Mr. Carroll informed there are no costs with this agreement extension. He added this extension keeps all the terms the same.

There were no other comments or questions from the Board.

Motion to approve the resolution was made by Trustee Madsen and seconded by Trustee Butterfield

Upon roll call, the vote was:

AYES: 4 Trustees Madsen, Butterfield, Bowden, and Mayor Baldermann

NAYS: 0

ABSENT: 3 Trustees Smith, Dye and Tuminello

The motion carried.

Consideration of an Ordinance Amending Chapter 90, Traffic and Vehicles, Article IX, Vehicle Seizure and Impoundment – 1st Read

Chief Sterba explained that this Ordinance is primarily housekeeping. He noted that this ordinance will allow the hearing officer to reduce fees in case of a hardship.

There were no questions or comments from the Board

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann wished Ms. Chelsey the best while in Malaysia and thanked Mr. Jansen for coming to the meeting.

VILLAGE ATTORNEY

None

VILLAGE ADMINISTRATOR

Mr. Carroll noted that Economic Development Director, Nancy Hoehn would be giving a staff report.

Ms. Hoehn reported that she had attended the International Council of Shopping Centers Convention in Chicago. She reported that the attendance was up and that the overall mood was very optimistic. Ms. Hoehn stated that the booth New Lenox has represents the community very well. She thanked Ms. Ellis and Ms. Kulovitz for their participation.

PAYROLL & DISBURSEMENTS

Motion to approve the bi-weekly disbursements in the amount of \$429,622.49, in addition to this disbursement approval is needed for bi-weekly payrolls with the total amount of \$298,020.39 that were paid out on October 7, 2011; as well as a monthly payroll in the amount of \$6,405.00 payable on October 7, 2011 was made by Trustee Butterfield and seconded by Trustee Madsen

Upon roll call, the vote was:

AYES: 4 Trustees Madsen, Butterfield, Bowden, and Mayor Baldermann

NAYS: 0

ABSENT: 3 Trustees Smith, Tuminello and Dye

The motion carried

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

Bill Walters, 1022 Grandview Drive, asked if there was a date to tear down the buildings at the lumberyard on Cedar Road.

Mr. Carroll responded that the contractor was out of town and will back the beginning of November for the demolition.

Mr. Walters asked about the CN Quiet Zones.

Mayor Baldermann stated the Quiet Zones are moving forward and are a 12 to 18 month process.

TRUSTEE COMMENTS

Trustee Bowden

Trustee Bowden reminded residents that there are only two weeks left for the French Market and the last day is October 22nd. She explained the Halloween decorating contest at the French Market.

Trustee Butterfield

Nothing tonight

Trustee Madsen

Nothing tonight

Trustee Dye

Absent

Trustee Smith

Absent

EXECUTIVE SESSION

None

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Bowden and seconded by Trustee Butterfield. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on October 10, 2011 adjourned at 7:25 p.m.

Laura Ruhl, Village Clerk