

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

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, December 19, 2011**

#11-30

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 Smith, Bowden, Dye, Tuminello, and Mayor Baldermann

Absent: Trustee Madsen and 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 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, Director of Operations Ron Sly, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, Assistant to the Administrator Carol Hennessy and Attorney Chris Spesia

PUBLIC HEARING – Annexation Agreement – 225 West Wood Street – Brian Rigsby

Mayor Baldermann opened the public hearing at 7:05p.m. At that time Ms. Ruhl provided proof of notice. There were no speakers to swear in at that time.

Ms. Ellis reported this annexation agreement is for a residential property at 225 West Wood Street that is owned by Trinity Services and is currently operating as a residential group home. She stated Trinity Services would like to annex the property primarily to connect to Village utilities because of some up-coming changes to the state regulations.

Ms. Ellis explained the property is contiguous to the east therefore it can be annexed. She explained that because there are six residents served in the group home they are required to obtain a Special Use permit. She added there are currently two residential structures on the property which is not permitted in the Village, however, they've been in existence and operated as a group home by Trinity Services for more than 20 years. Ms. Ellis reported that in article #3 of the agreement it states in the event this property is no longer operated as a group home, one of the residential structures will have to be removed or altered to be an accessory structure. Ms. Ellis stated that Staff recommends there be a time frame for this conversion included in the agreement. She added another condition specifically limits Trinity Services to six residents and that they maintain current state licensing requirements. Ms. Ellis reported they will be connecting to the Village's sewer and water services however; they would like to keep the existing well for outside irrigation purposes which is one of the proposed provisions in the annexation agreement.

Trustee Smith questioned Staff on whether we had allowed prior petitioners to keep existing wells for irrigation purposes in the past.

Ms. Ellis replied that the Village had allowed these types of wells for some commercial properties but that she would have to review the matter regarding other residential properties.

Trustee Dye questioned Staff if there was a downside to allowing residential properties keeping wells for irrigation purposes.

Mr. Nash answered using the well for outside irrigation doesn't cause any harm.

Trustee Smith noted that the systems can not be connected and has to be totally separated.

Mr. Nash stated the well would only be for outside irrigation and not connected to the interior plumbing.

Trustee Tuminello stated he would like to see the 60 day timeframe, which the second principal structure is removed, change to allow 120 days in the agreement. He added that he has no problem with the well as long as it's used for outside irrigation purposes.

The Mayor and Village Board had a lengthy discussion regarding the use of existing wells for irrigation.

Brian Rigsby, representing Trinity Services was sworn in by the Village Clerk.

Mr. Rigsby, on behalf of Trinity Services, explained that the request from Trinity Services to keep the well for irrigation was not intended to cause any issues and that Ms. Ellis can strike this portion from the annexation agreement and move forward.

Mayor Baldermann stated that as additional properties annex into the Village this issue will have to be dealt with.

Trustee Bowden suggested bringing the issue to the Water & Sewer Committee to discuss this further.

Mayor Baldermann closed the Public Hearing at 7:20pm.

CONSENT AGENDA

Motion to approve 9 items on Consent Agenda #11-30 as presented in packet was made by Trustee Dye and seconded by Trustee Smith

Items up for approval:

- A - Ordinance #2225 Authorizing Execution of Annexation Agreement – Morningstar Mission/2571 E. Lincoln Highway – 2nd Read
- B - Ordinance #2226 Annexing Certain Territory – Morningstar Mission/2571 E. Lincoln Highway – 2nd Read
- C - Ordinance #2227 Rezoning Newly Annexed Territory - Morningstar Mission/2571 E. Lincoln Highway – 2nd Read
- D - Ordinance #2228 Granting Special Use for Residence Above a Commercial Use – Morningstar Mission/2571 E. Lincoln Highway – 2nd Read
- E - Request for Temporary Signs - NLGSA
- F - Surety Reduction – Hibernia Estates Unit 3
- G - Surety Reduction – Windermere Lakes Unit 2
- H - Surety Reduction – Sky Harbor Unit 1
- I - Request for Temporary Signs – Kids & Company Pre-School

Upon roll call, the vote was:

AYES: 5 Trustees Smith, Dye, Tuminello
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 2 Trustee Butterfield and Madsen

The motion carried.

ORDER OF BUSINESS

Mayor Baldermann requested to move Item 6E up on the agenda

Consideration of a Resolution Authorizing the Execution of the First Amendment to Landscape Maintenance Agreement – Silver Cross Hospital

Mr. Rendleman explained this is a revised agreement regarding the installation and maintenance of four permanent signs along the west side of the Silver Cross Blvd right-of-way. These are mainly directional signs that give people adequate direction to get into the various parking areas and the right buildings.

No comments or questions from the Board.

Motion to approve the resolution was made by Trustee Tuminello and seconded by Trustee Dye. Upon voice vote, the motion carried with Trustees Madsen and Butterfield recorded as ABSENT.

Consideration of an Ordinance #2229 Creating Class G Liquor License – Silver Cross Hospital – 1st Read

Mayor Baldermann explained that Silver Cross Hospital has different events during the year where they may provide alcoholic beverages. He stated there are no issues with the background check and the Village will waive the Class G fees as well as 2nd Read.

Motion to waive 2nd Read was made by Trustee Smith and seconded by Trustee Bowden. Upon voice vote, the motion carried with Trustees Madsen and Butterfield recorded as ABSENT.

Motion to approve the Ordinance creating Class G Liquor License and waive the fees was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

AYES: 5 Trustees Smith, Dye, Tuminello
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 2 Trustee Butterfield and Madsen

The motion carried.

Consideration of an Ordinance #2230 Adding Section 135, Synthetic Cannabis, of Chapter 54, Offenses and Miscellaneous Provisions

Mayor Baldermann reported this issue was discussed in the Public Safety Committee. He explained that this ordinance will outlaw the possession of synthetic cannabis.

Chief Sterba added this ordinance will also amend the towing ordinance to allow the Police to treat synthetic cannabis and regular cannabis the same with regards to towing after an arrest.

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

Upon roll call, the vote was:

AYES: 5 Trustees Smith, Dye, Tuminello
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 2 Trustee Butterfield and Madsen

The motion carried.

Consideration of an Ordinance Amending Section 18-2 of the International Building Code – Plan Review Deposit – 1st Read

Consideration of an Ordinance Amending Section 18-2 of the International Building Code – Construction Value – 1st Read

Mr. Rendleman reported that these first read ordinances have been reviewed and recommended by the Public Improvements Committee.

He explained the first ordinance will require a plan review deposit with the submittal of plans. Mr. Rendleman said the minimum deposit would be \$250.00 based on the cost estimates for the project and the highest deposit would be \$1,000 which would be for anything over \$500,000 up to and over \$1,000,000 or more in construction value. He added this ordinance will have to go on the Capital Development Website for 30 days as required by law and then come back for second read and adoption and take effect.

Mr. Rendleman reported the second ordinance also amends the building code's fee structure. He stated that the Public Improvements Committee had discussions with some of the local builders who are concerned about how Staff calculates permit fees. He explained instead of utilizing the 2006 building code tables which have been increased by the Village by 5% annually, the revised ordinance adopts the August 2011 table and recommends the table be evaluated annually similar to the Village's review of impact fees. This ordinance will also have to go on the Capital Development Website for 30 days then come back for second read and adoption.

Mayor Baldermann commented the Board works well with the developers and builders without sacrificing quality.

No other comments or question from the Board.

Consideration of a Contract for Surveillance Cameras – Metra Lot

Mayor Baldermann stated that Chief Sterba and Deputy Chief Pawlicz have spend a great deal of time researching the appropriate methods to try and deter criminal activity that might take place at the Village's Metra Lots.

Deputy Chief Pawlicz explained the concept of the Metra Lot surveillance cameras. He presented two different proposals for review. He explained the difference between the two and recommended to accept the proposal made by Current Technologies to provide video surveillance equipment for the Metra Lot.

Trustee Bowden asked if there will be live feed as well as recorded.

Deputy Chief Pawlicz stated that these devices can be monitored from the squad cars.

Trustee Dye noted that five cameras doesn't sound like a lot, but the range is broad enough to cover all the cars in the lot.

Deputy Chief Pawlicz agreed and stated that the cameras have very high resolution so that gives us the ability to zoom in on a certain area.

Trustee Dye questioned if the communities that have installed the surveillance cameras have seen a dramatic reduction in crime or have eliminated it completely.

Deputy Chief Pawlicz said he spoke with Mokena who said they have had very little crime since they've installed the cameras.

Motion to accept the contract with Current Technologies subject to the Attorney reviewing and having no issues with the standard terms language on page 4 was made by Trustee Smith and seconded by Trustee Dye.

Upon roll call, the vote was:

AYES: 5 Trustees Smith, Dye, Tuminello
Bowden and Mayor Baldermann

NAYS: 0

ABSENT: 2 Trustee Butterfield and Madsen

The motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

On behalf of the Mayor and the Board thank you to all the Staff for a great year. To all of our neighbors and other taxing bodies Merry Christmas and Happy New Year. To all of our families and residents thank you and Merry Christmas and Happy New Year.

VILLAGE ATTORNEY - None

VILLAGE ADMINISTRATOR -None

PAYROLL & DISBURSEMENTS

Trustee Dye made the motion to approve bi-monthly disbursements in the amount of \$761,836.20. In addition approval is needed for bi-weekly payroll in the amount of \$292,261.57 & a monthly payroll with the total amount of \$5,970.00 that were paid out on December 16, 2011.

Trustee Bowden seconded the motion.

No comments or questions from the Board

Upon roll call, the vote was:

AYES: **4** Trustees Dye, Tuminello, Bowden, and Mayor Baldermann

NAYS: **0**

ABSENT: **3** Trustees Butterfield and Madsen

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

Bill Walter, 1022 Grandview Drive, thanked the Mayor and Board for the progress at lumberyard.

Mr. Walter voiced his concern about private wells.

TRUSTEE COMMENTS

Trustee Smith

Trustee Smith thanked the parents and kids that attended the Christmas in the Commons.

Merry Christmas and Happy New Year!

At 7:42p.m. Trustee Smith left the dais and the meeting.

Trustee Tuminello

Merry Christmas and Happy New Year

Trustee Dye

Happy Holiday's to everyone.

Trustee Bowden

Merry Christmas and Happy New Year.

Trustee Butterfield

Absent

Trustee Madsen

Absent

EXECUTIVE SESSION - None

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Dye 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 December 19, 2011 adjourned at 7:45 p.m.

Laura Ruhl, Village Clerk

APPROVED