

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

**New Lenox Village Hall,
One Veterans Parkway
Monday, April 22, 2013**

#13-11

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:02 p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

ROLL CALL

Upon Roll Call by the Clerk, the following members of the corporate authorities answered "Here" or "Present":

Trustees Butterfield, Madsen, Dye, Smith, Tuminello, and Mayor Baldermann

The following were absent:

Trustee Bowden

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 Administrator Kurt Carroll, Village Clerk Laura Ruhl, Community Development Director Robin Ellis, Village Engineer Will Nash, Attorney Chris Spesia, Police Chief Bob Sterba, Director of Operations Ron Sly, Director of Public Works Ken Brozovich, Building and Zoning Administrator Warren Rendleman, and Assistant to the Village Administrator Kate Andris

PROGRESS REPORT – Electrical Aggregation – David Hoover

Mr. Hoover gave a brief review of the aggregation program the Village put in place two years ago. He addressed the Village Board saying New Lenox was one of the first 20 municipalities in Illinois who made the choice to allow the electrical aggregation. Mr. Hoover went over the savings since we first started the new program. He reported the average single-family homeowner has saved just under \$500.00 in 18 months.

CONSENT AGENDA

Motion to approve the 8 items on Consent Agenda #13-11 as presented in packet was made by Trustee Madsen and seconded by Trustee Dye

- A - Surety Reduction – Sanctuary Point
- B - Surety Reduction – Taylor Glen Unit 2
- C - Ordinance #2333 Amending Village Code – Plan Review Deposits – 2nd Read
- D - Contract Amendment – Public Works Building
- E - Resolution #13-08 for Maintenance of Highway & Streets – MFT
- F - Request for Temporary Banner – Walk of Hope 5K Fun Run – Cancer Support Center
- G - Ordinance #2334 Authorizing the Disposal of Personal Property Owned by the Village of New Lenox
- H - Resolution #13-10 Declaring Arbor Day in the Village of New Lenox

Upon roll call, the vote was:

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

ABSTAIN: 0

NAYS: 0

ABSENT: 1 Trustee Bowden

The motion carried.

ORDER OF BUSINESS

Consideration for Approval of a Request for County Special Use – 1024-1036 South Cedar Road

Ms. Ellis reported that the New Lenox Girls Softball Association rents space in one of the industrial buildings for indoor batting cages and practice field work which under the County Zoning Ordinance this requires a Special Use. She said Staffs concerns have to do with the condition of the parking lot and making sure it is safe and logical for people getting in and out of the site. Ms. Ellis reported the Plan Commission considered the request and concurred with Staff’s recommendation that we not object to the County Special Use but we ask that the existing gravel and asphalt parking lot be resurfaced and striped.

Trustee Dye asked if they would be holding registration at this site.

The petitioner answered no they would not.

No other comments or questions from the Board.

Motion not to object was made by Trustee Smith and seconded by Trustee Butterfield.

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Trustee Bowden

The motion carried.

**Consideration of Approval of a Request for Temporary Use for Real Estate
Subdivision Sign – Nelson Ridge**

Ms. Ellis reported that Nelson Ridge Subdivision is just south of Palmer Ranch Subdivision on Nelson Road. She said the developer is requesting a two-year extension for the temporary sign. Ms. Ellis noted Staff has no objections to the extension but noted the sign is very difficult to read. She stated if the Board grants the request Staff would condition that upon replacing or repainting the sign.

Trustee Tuminello suggested granting a three year extension.

Staff had no objections.

No comments or questions from the Board.

Motion to approve the request contingent upon the developer erecting a new sign or repainting the existing sign and granting a three year extension was made by Trustee Tuminello and seconded by Trustee Smith

Upon voice vote, the motion carried with Trustee Bowden recorded as ABSENT.

**Consideration of an Ordinance #2335 Rezoning Property – American Legion – 1st
Read**

Ms. Ellis reported that the American Legion is requesting approval to rezone to the C-3 General Business District to allow a catering business to operate in the kitchen of the American Legion.

No comments or questions from the Board

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

Motion to approve the ordinance was made by Trustee Butterfield and seconded by Trustee Dye. Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Trustee Bowden

The motion carried.

Consideration for Approval of a Resolution #13-09 Demanding Payment on a Certain Irrevocable Letter of Credit – Crystal Springs Unit 2

Mr. Nash reported this resolution is demanding payment for letter of credit which comes due before the first Board meeting in May. He anticipates receiving the new letter of credit from the developer.

No other comments or questions from the Board.

Motion to approve the resolution was made by Trustee Smith and seconded by Trustee Dye. Upon roll call, the vote was:

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

The motion carried.

Consideration for Approval of a Grant of Easement – New Lenox Town Center Lot 4R

Mr. Nash reported this grant of easement is for Lot 4R which is the multi-tenant building just east of Culver’s in the New Lenox Town Center.

No comments or questions from the Board.

Motion to approve the grant of easement was made by Trustee Madsen and seconded by Trustee Butterfield. Upon roll call, the vote was:

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

The motion carried.

Consideration of an Ordinance Amending Section 18-132 of Municipal Code – Radon Resistant Construction

Mr. Rendleman reported this ordinance amends our building code and adopts Appendix F of the International Residential Code regarding Radon regulation. He stated that earlier this year the State passed a law that said all new single-family homes built after June 1, 2013 need to have radon resistant construction incorporated with their plans, however they didn’t give any building specs. Mr. Rendleman is recommending Appendix F as part of our Building Code which would give rules and construction standards. He noted this

goes into effect on June 1st for all single-family homes whether we adopt this ordinance or not.

Trustee Tuminello asked if this ordinance will have to be published and if yes, how do we know what to post if they have no set standards or regulations.

Mr. Carroll explained this is a passive removal system rather than a unit with a motor.

Mr. Rendleman stated this ordinance will be posted on the Capital Development Board website for 30 days. This ordinance will come back for adoption the last meeting in May for adoption and go into effect in June.

A developer in the audience asked if a passive system consists of running a pipe through the roof.

Mr. Rendleman explained it is a minimum 3 inch pipe from the basement floor up through the roof, no mechanicals, no motors and no electric. He said it's basically a big conduit from your basement floor through the roof and a vapor barrier through the floor.

The developer stated that New Lenox has a history of having low radon levels.

No other comments or questions from the Board.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann noted because of the Memorial Day Holiday, the Village Board will hold two regular meetings on May 13 and 20th. There will not be a Council of the Whole meeting in the month of May.

Mayor Baldermann reported on the upcoming Student Government Day.

Mayor Baldermann reported that there are free flood clean-up kits available at the New Lenox Police Department which is being sponsored by the American Red Cross and the Will County Emergency Management Agency.

Mayor Baldermann reported the ticket sales for the 2013 Triple Play Concert Series are going fast. He stated there are only 401 tickets left after 3 weeks and 1 day of them being on sale. He anticipates the tickets will be sold out by the end of the week. Mayor Baldermann thanked the Staff for their work. He also thanked the New Lenox Patch and other press for keeping our residents informed of the ticket sales.

Mayor Baldermann congratulated the winning candidates of the recent Consolidated Election.

Mayor Baldermann congratulated Trustees Bowden, Smith and Tuminello on their recent re-election.

VILLAGE ATTORNEY

No reports.

VILLAGE ADMINISTRATOR

No reports

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$624,458.41. In addition to these disbursements approval is needed for a biweekly payroll with the amount of \$311,659.35 and a monthly payroll in the amount of \$5,850.00 that was paid out April 19, 2013.

Motion was seconded by Trustee Madsen

Upon roll call, the vote was:

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

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

No comments from the public.

TRUSTEE COMMENTS

Trustee Tuminello

Trustee Tuminello thanked the public who voted in the Consolidated Election. He looks forward to working with Mayor Baldermann and the Village Board for the next four years.

Trustee Madsen

No comments.

Trustee Butterfield

No comments.

Trustee Dye

Trustee Dye reminded everyone of the upcoming Loyalty Day Parade to be held on Sunday, May 5th.

Trustee Bowden

ABSENT

Trustee Smith

Trustee Smith thanked everyone who voted in the Consolidated Election.

Trustee Smith reminded everyone that nice weather is on the way and to be careful driving because there are a lot of kids out and about.

Mayor Baldermann announced the next Route 30 Corridor Plan Open House is scheduled for April 29th from 5:30 – 7:30p.m. at the Village Hall. He noted this Plan can also be viewed on their website – www.hlplanning.com/dnn/route30corridor and the Village website at www.newlenox.net

EXECUTIVE SESSION

None

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Dye. Upon voice vote, the motion carried unanimously. The Regular Meeting of the Village of New Lenox Board of Trustees held on April 22, 2013 adjourned at 7:32 p.m.

Laura Ruhl, Village Clerk

APPROVED