

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

**New Lenox Village Hall,  
One Veterans Parkway  
Monday August 11, 2014  
#14-20**

**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 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, Dye, Smith, Madsen and Mayor Baldermann

Absent: Trustees Bowden and Tuminello

**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, Finance Director Kim Auchstetter, Community Development Director/Assistant Administrator Robin Ellis, Chief Bob Sterba, Economic Development Director Nancy Hoehn, Village Engineer Will Nash, Building and Zoning Administrator Warren Rendleman, and Attorney Marty Shanahan.

**PROCLAMATION – Providence Catholic High School Varsity Baseball 2014 IHSA 4A State Baseball Champions**

Mayor Baldermann recognized and presented a Proclamation to the Coaches and Players of the Providence Catholic High School Varsity Baseball Team for being the 2014 IHSA 4A State Baseball Champions.

**PROCLAMATION – SHAREFEST – September 2014 as “Thirty Days of Service”**

Mayor Baldermann presented Gary Chaney, Share Fest Committee Chairman, with a Proclamation for his work on the upcoming Share Fest which is to be held on September 13<sup>th</sup>. Mr. Chaney thanked the Mayor and Board for their support as well as all the volunteers who help out with this event throughout the month. Mr. Chaney then discussed the information of this upcoming event.

**CONSENT AGENDA**

Motion to approve the 8 items on Consent Agenda #14-20 was made by Trustee Dye and seconded by Trustee Smith

- A - Minutes of the Council of the Regular Meeting – July 14, 2014
- B - Surety Reduction – New Lenox Town Center Lot 14
- C - Surety Reduction – Heather Glen Unit 1
- D - Resolution #14-17 Declaring Currently Owned Computer Equipment as Surplus and Authorizing it's Disposal
- E - Resolution #14-18 Releasing Certain Previously Undisclosed Executive Session Meeting Minutes
- F - Ordinance #2437 Granting Special Use for Final P.U.D. Plat – New Lenox Town Center Third Re-Subdivision – 2<sup>nd</sup> Read
- G - Acceptance of Easement – New Lenox Town Center Lot 5 & 6
- H - Approval of Sign Request – Friends of the New Lenox Public Library – Garage Sale

Upon roll call, the vote was:

**AYES:**                    5                    Trustees Butterfield, Smith, Dye, Madsen  
and Mayor Baldermann

**ABSTAIN:**                0

**NAYS:**                    0

**ABSENT:**                2                    Trustees Bowden and Tuminello

The motion carried.

### **ORDER OF BUSINESS**

#### **Consideration of an Ordinance #2438 Creating Class A2 Liquor License – White Horse Inn – 1<sup>st</sup> Read**

Mayor Baldermann introduced the petitioners who will be taking over the White Horse Inn. Ms. Annette Rizza and Mr. Jim Hedberg, who are residents of New Lenox, stated they are hoping to take over the White Horse Inn in September. Mayor Baldermann noted the background check came back from the Police Department with no issues.

Motion to waive second read was made by Trustee Smith and was seconded by Trustee Madsen. Upon voice vote, the motion passed recording Trustees Bowden and Tuminello as ABSENT.

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

Upon roll call, the vote was:

**AYES:**                    5                    Trustees Butterfield, Smith, Dye, Madsen  
and Mayor Baldermann

**NAYS:**                    0

**ABSENT:**                2                Trustees Bowden and Tuminello

The motion carried

**Consideration for Approval of Site Plan Amendment – Providence Athletic Fields**

Ms. Ellis reported this site plan was approved about a year ago. All the landscaping was installed with the exception of the parkway trees along Ferro Drive. She stated that the representatives of Providence have concerns regarding numerous utility lines buried along the easement of Ferro Drive. They believe there could be long term damage if the trees are installed. Ms. Ellis reported that Staff has no objections to waiving this requirement.

Motion to approve the amendment was made by Trustee Smith and seconded by Trustee Madsen

Upon roll call, the vote was:

**AYES:**                5                Trustees Butterfield, Smith, Dye, Madsen and Mayor Baldermann

**NAYS:**                0

**ABSENT:**                2                Trustees Bowden and Tuminello

The motion carried

**Consideration for Approval of Surety Release – Providence Athletic Fields**

Mr. Nash requested approval of a surety release in the amount of \$13,960.00.

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

Upon roll call, the vote was:

**AYES:**                5                Trustees Butterfield, Smith, Dye, Madsen and Mayor Baldermann

**NAYS:**                0

**ABSENT:**                2                Trustees Bowden and Tuminello

The motion carried

**Consideration for Approval of an Ordinance #2439 Amending Village Code – Multi-Family Tap-On Fees – 2<sup>nd</sup> Read**

Ms. Ellis stated that Staff put additional information in the report but the ordinance remains unchanged from when it was presented at the first read. This ordinance will bring

the multi-family tap-on fees under the same methodology that's used for commercial and age-restricted senior housing.

Trustee Smith asked about the \$250.00 fee.

Ms. Ellis stated the tap-on fees will be based on the size of the water line and there will be an additional \$250.00 fee for water and \$250.00 fee for sewer per unit.

Trustee Smith asked if this is equitable.

Ms. Ellis stated it is the same as the age restricted housing. This will be for all multi-family housing.

Trustee Smith's gave his opinion saying this is encouraging multi-family housing. He went on to discuss the impact of multi-family housing on the Village.

Mr. Carroll explained this fee is based on the usage of the water and the capacity of the system. He said technically from the water distribution, the amount of water typically in a single-family neighborhood comes from an 8 or 12 inch line. In the example water is coming from a 4-inch line. You cannot produce the amount of water in a multi-family home from a 4-inch line that you can in a single-family home from an 8-inch line because of the restriction of the size of the line.

Ms. Ellis added the way the proposed ordinance is written it is only applicable to buildings containing nine or more units. She explained under our current zoning any project of this size would be a planned unit development so we will not have multi-family housing in areas where it is not appropriate. Ms. Ellis went on to say townhomes will be paying the current fee.

Mayor Baldermann stated what Trustee Smith thinks is equitable, the other Board members and Staff might think that what we are doing now is inequitable.

Trustee Dye stated when she read the report and saw the demand for water usage is less on a multi-family development makes her believe the Village can afford this change.

Mayor Baldermann explained that Staff looked at other surrounding communities to come up with the fee formula. The Village's proposed Ordinance resembles Glen Ellyn

Ms. Ellis stated the majority of the communities came up with their fees according to the function of the water meter size. Glen Ellyn had a per unit fee on top of the other fees.

Mayor Baldermann concluded that Staff researched other communities and recommend the proposed ordinance.

Motion to Approve the Ordinance was made by Trustee Dye and seconded by Trustee Butterfield

Upon roll call, the vote was:

**AYES:**                4                Trustees Butterfield, Dye, Madsen  
and Mayor Baldermann

**NAYS:**                1                Trustee Smith

**ABSENT:**            2                Trustees Bowden and Tuminello

The motion carried

**Consideration of an Ordinance #2440 Authorizing the Release of Recapture Agreement – Parcel 3 Delaney Road Improvements – 1<sup>st</sup> Read**

Motion to waive second read was made by Trustee Smith and seconded by Trustee Madsen with Trustees Bowden and Tuminello recorded as ABSENT

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

Upon roll call, the vote was:

**AYES:**                5                Trustees Butterfield, Smith, Dye, Madsen  
and Mayor Baldermann

**NAYS:**                0

**ABSENT:**            2                Trustees Bowden and Tuminello

The motion carried

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

**MAYOR**

Mayor Baldermann asked residents to please be aware of children when driving since school will be back in session next week. Please refrain from using your phone while driving.

Mayor Baldermann gave his condolences to Leonard Caria for the loss of his wife.

**VILLAGE ATTORNEY.**

No report.

**VILLAGE ADMINISTRATOR**

Ms. Hoehn reported on the upcoming Ladies Night Out in the Commons.

Ms. Hoehn reported on the upcoming Sharefest.

**PAYROLL & DISBURSEMENTS**

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$1,099,001.99. In addition to this disbursement, approval is needed for bi-

weekly payroll in the amount of \$386,625.09 and a monthly payroll in the amount of \$6,266.67 paid on August 8, 2014.

Motion was seconded by Trustee Madsen.

Upon roll call, the vote was:

<b>AYES:</b>	<u>5</u>	Trustees Butterfield, Smith, Dye, Madsen and Mayor Baldermann
<b>NAYS:</b>	<u>0</u>	
<b>ABSENT:</b>	<u>2</u>	Trustees Bowden and Tuminello

The motion carried.

### **QUESTIONS AND/OR COMMENTS FROM THE FLOOR**

William Walter, 1022 Grandview Drive, thanked the Mayor and Board for the improvements on Nelson Road.

### **TRUSTEE COMMENTS**

#### **Trustee Smith**

Trustee Smith commented to please be aware of children while driving.

#### **Trustee Bowden**

ABSENT

#### **Trustee Dye**

Trustee Dye thanked Gary Chaney and all the volunteers of ShareFest.

#### **Trustee Butterfield**

Trustee Butterfield thanked Gary Chaney for his work on ShareFest.

#### **Trustee Madsen**

Trustee Madsen stated he will be donating to ShareFest.

#### **Trustee Tuminello**

ABSENT

### **RECESS TO EXECUTIVE SESSION**

Motion to recess to executive session was made at 7:37 by Trustee Smith and seconded by Trustee Dye

Upon roll call, the vote was:

<b>AYES:</b>	<u>5</u>	Trustees Butterfield, Smith, Dye, Madsen and Mayor Baldermann
<b>NAYS:</b>	<u>0</u>	

**ABSENT:**                2                Trustees Bowden and Tuminello

The motion carried.

**RECONVENE TO REGULAR SESSION**

All members of the corporate authorities previously in attendance before executive session including, Kurt Carroll, Marty Shanahan and Village Clerk Laura Ruhl were in attendance when the Board reconvened at 7:51pm.

**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 August 11, 2014 adjourned at 7:52pm.

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Laura Ruhl, Village Clerk

APPROVED