

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

**New Lenox Village Hall,  
One Veterans Parkway  
Monday September 22, 2014  
#14-25**

**CALL TO ORDER**

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:03 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, Smith, Bowden, Tuminello, Madsen and Mayor Baldermann

ABSENT - Trustee 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 the Village Administrator Kurt Carroll, Village Clerk Laura Ruhl, Finance Director Kim Auchstetter, Community Development Director/Assistant Administrator Robin Ellis, Chief Bob Sterba, Public Works Director Brian Williams, Village Engineer Will Nash, Building and Zoning Administrator Warren Rendleman, and Attorney Chris Spesia.

**AUDIT REPORT –Tara Leja & Matt Shipley – McGladrey & Pullen**

Ms. Auchstetter introduced Tara Leja and Matt Shipley from McGladrey & Pullen who are going to present the April 30, 2014 audit results.

Mr. Shipley stated overall there have been no changes in any of the accounting principles or practices of the Village. The Village has not adopted or changed any significant accounting policies. He went on to say there are no audit adjustments associated with the audit which means Ms. Auchstetter and the Finance Department did a great job at providing a complete and accurate set of books and records. Mr. Shipley went over the comprehensive annual financial report of the Village. He highlighted some of the main schedules. He said the Village will once again receive a copy of a Certificate of Achievement for Excellence in Financial Reporting due to Ms. Auchstetter and her Staff. Mr. Shipley stated the opinion of McGladrey & Pullen states they believe the financial statements are fairly stated and all material respects. It's the highest level of opinion the Village can receive which is consistent with prior years. He went over the management's discussion and analysis. He highlighted the expenditures scheduled for the general fund.

In 2014 the Village adopted a programming based budgeting system so there were changes in how various expenditures were grouped and how the budget to actual schedules compared. He asked for comments or questions from the Trustees.

Mayor Baldermann and the Board concurred that Ms. Auchstetter and her Staff do an outstanding job. He thanked McGladrey & Pullen for their report.

**PUBLIC HEARING – Annexation Agreement – 1940 Clearing Court - Kendall**

Mayor Baldermann opened the Public Hearing at 7:12 p.m. Ms. Ruhl provided proof of notice and swore in all people testifying on this annexation agreement.

Ms. Ellis reported this annexation agreement concerns an approximate 2-acre piece of property on the southwest corner of Clearing Court and Schoolhouse Road. It's currently improved with the applicants Glass, Tile and Stone business. He approached the Village because he is contemplating an addition, so since it is contiguous we encouraged him to annex into the Village. Ms. Ellis stated on the annexation agreement they are requesting a rezoning to the I-1 Limited Industrial District which is consistent with existing zoning in the County and our Comprehensive Plan. There are also some non-conforming uses that would be allowed to remain until that portion of the site is developed. She said the building currently is a steel building which doesn't meet the Village's masonry requirement for facades that face public streets. Ms. Ellis reported there are also a few parking spaces that are included in the platted front yard setbacks both along Schoolhouse Road and Clearing Court which will be allowed to remain under the annexation agreement. Ms. Ellis went over a couple of requested/suggested improvements; 1) the parking lot needs to be restriped (there's no handicap parking space) and the lot could stand to be resurfaced. Staff is suggesting this be done before June 1<sup>st</sup> of 2015. 2) There is some fencing that is falling apart along the driveway which in the annexation agreement they are required to remove or replaced within 30 days after annexation. 3) The developer will be allowed two years to add some additional landscaping. 4) As such time as the site is redeveloped we will leave it open-ended as to whether improvements required to Clearing Court. Ms. Ellis reported the property currently has water and sewer within 200 feet. The annexation agreement requires connection at such time as either system fails or upon the redevelopment of the property.

Mayor Baldermann stated he will have Mr. Carroll look into any requirements with the Oak Lawn Water Agreement if the property is required to tap-on to the Village's water.

Mr. Paul Fox, property owner, thanked Ms. Ellis for her help with the annexation. He went on to give a brief description of his business.

Trustee Smith commented that it's nice to see his business in New Lenox.

No other comments or questions. Mayor Baldermann proceeded to close the public hearing at 7:18p.m.

**CONSENT AGENDA**

Motion to approve the 6 items on Consent Agenda #14-25 was made by Trustee Madsen and seconded by Trustee Bowden

- A - Minutes of the Council of the Regular Meeting – August 25, 2014
- B - Approval of Purchase – Window Coverings – Police Station
- C - Approval of Proposal – Sidewalk Replacement
- D - Approval of Proposal – Curb Replacement
- E - Ordinance #2444 Adopting Chapter 82 of the Municipal Code – Taxation, Article V, Cable Video Service Provider and Peg Access Support Fee – 2<sup>nd</sup> Read
- F - Ordinance #2445 Adopting Chapter 22 of the Municipal Code – Businesses, Article III, Cable and Video Customer Protection Law – 2<sup>nd</sup> Read

Upon roll call, the vote was:

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

The motion carried.

### **ORDER OF BUSINESS**

#### **Consideration of an Ordinance Amending Comprehensive Plan – New Lenox Commons Master Plan – 1<sup>st</sup> Read**

The Board concurred that this item be brought back to a future Village Board Meeting because Trustee Dye should be in attendance during the discussion and also there are technical difficulties in the Council Chambers.

#### **Consideration of an Ordinance #2446 Amending Zoning Ordinance – Signs in Hospital District – 1<sup>st</sup> Read**

Ms. Ellis reported when we created the Hospital Zoning District it also included some different sign provisions that would be applicable to other commercial zoning districts. One provision is that each hospital is allowed a type -2 primary tenant identification sign. The ordinance as written sets a maximum sign area of 200 square feet. Silver Cross Hospital has entered into a partnership with Cadence Neuroscience and are asking to be allowed to have the same size signage as Children’s Memorial so this ordinance would allow the sign area to increase to 250 square feet per side. It doesn’t change the height it just allows an additional panel to be placed.

Trustee Tuminello commented that he thinks as Silver Cross Hospital keeps growing the Village will be seeing more of these requests in the future.

Ms. Ellis stated at the Plan Commission meeting they discussed that in the future the signs will have to get a bit smaller because there is no more room on that structure to add signage.

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

Motion to approve the Ordinance was made by Trustee Tuminello and seconded by Trustee Madsen.

Upon roll call, the vote was:

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

The motion carried.

**Consideration for Approval of an Amendment to Agreement for Municipal Software – LAMA Web Module**

Ms. Ellis reported this amendment is to our existing agreement with the Davenport Group. This is for the public web module which will allow residents and builders to submit permit applications and contractor registrations on line. It allows them to upload documents. The builders will also be able to request inspections and review the status. Staff is in the process of discussing how to roll this plan out. The price of the module is \$22,000 and ongoing would be a \$4,000 annual maintenance fee.

Trustee Smith commented that for his work he receives most of his plans electronically. His said it's tremendously easier.

Trustee Tuminello stated this is a great step in the right direction.

Motion to approve the amendment to the agreement was made by Trustee Bowden and Seconded by Trustee Smith.

Upon roll call, the vote was:

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

The motion carried.

**Consideration of an Ordinance Amending Chapter 18 of the Municipal Code – Building Code – 1<sup>st</sup> Read**

Mr. Rendleman gave a copy of the amended codes to each Board member.

Mr. Rendleman reported this first read ordinance is for the adoption of the 2012 International Codes, the 2011 National Electric Code and the 2014 State Plumbing Code. Staff has reviewed each of these documents and added our local amendments. He stated from a structural technical standpoint and the building codes there have not been a lot

of changes. The major thing that has changed is the deletion of sprinkler systems in the residential code. He said any amendments and changes since 2007 have been added to the 2012 additions of the International Codes. Mr. Rendleman noted this proposed ordinance will have to be posted on the Capital Development Board website for 30 days. Mr. Rendleman will put together brief summary of the amendments for the Village Board.

## **REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

### **MAYOR**

Mayor Baldermann commended the Village Board and Staff for their great work of keeping a balanced budget.

Mayor Baldermann spoke about a letter that the residents will be receiving from NuWay Disposal. He stated the Village was able to negotiate a deal with NuWay Disposal for our garbage service and noted there will be no increase in the fees for the next two years. He said however, when you get your bill it will be higher because NuWay will now be billing for recycling, which used to be on the water bill. Also, a portion of your property tax went for garbage service which will now be billed by NuWay. Going forward residents will be getting billed quarterly which will include the cart rental fees and the fees that were previously billed by the Village. It will look like your rate went up but it did not. Mayor Baldermann also reported that those who did not have a garbage toter will now be required to have one.

Mr. Carroll noted that there will be one more water bill with the recycle fees.

Mayor Baldermann reported that he had attended the IML Conference downtown Chicago.

### **VILLAGE ATTORNEY.**

No report.

### **VILLAGE ADMINISTRATOR**

Village Clerk Ruhl reported on the upcoming General Election.  
Village Clerk Ruhl reported on the 2015 Consolidated Election.

### **PAYROLL & DISBURSEMENTS**

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$1,464,453.18. In addition to this disbursement, approval is needed for bi-weekly payroll in the amount of \$331,088.18 and a monthly payroll in the amount of \$6,361.67 paid on September 19, 2014.

Motion was seconded by Trustee Madsen.

Upon roll call, the vote was:

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

**NAYS:** 0  
**ABSENT:** 1 Trustee Dye

The motion carried.

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

No questions or comments from the floor.

**TRUSTEE COMMENTS**

**Trustee Tuminello**

Trustee Tuminello commented on the three high schools in New Lenox. He praised their football teams.

**Trustee Madsen**

Trustee Madsen had no comments.

**Trustee Butterfield**

Trustee Butterfield commented on the high school football teams.

Trustee Butterfield thanks Ms. Auchstetter and her Staff for all of their hard work on the budget.

**Trustee Dye**

ABSENT

**Trustee Bowden**

Trustee Bowden had no comments.

**Trustee Smith**

Trustee Smith had no comments.

**RECESS TO EXECUTIVE SESSION**

Motion to recess to executive session for land acquisition was made at 7:40pm by Trustee Bowden and seconded by Trustee Smith.

Upon roll call, the vote was:

**AYES:** 6 Trustees Butterfield, Smith, Bowden, Madsen  
Tuminello and Mayor Baldermann  
**NAYS:** 0  
**ABSENT:** 1 Trustee Dye

The motion carried.

**RECONVENE TO REGULAR SESSION**

All members of the corporate authorities previously in attendance before executive session including, Kurt Carroll, Chris Spesia and Village Clerk Laura Ruhl were in attendance when the Board reconvened at 7:54pm

Motion to reconvene to regular session was made by Trustee Smith and seconded by Trustee Madsen

Upon roll call, the vote was:

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

**NAYS:**                    0

**ABSENT:**                1                    Trustee Dye

The motion carried.

**ADJOURNMENT**

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Butterfield. Upon voice vote, the motion carried unanimously. The Regular Meeting of the Village of New Lenox Board of Trustees held on September 22, 2014 adjourned at 7:55pm.

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Laura Ruhl, Village Clerk