

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

**New Lenox Village Hall,
One Veterans Parkway
Monday October 13, 2014**

#14-26

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, Deputy Chief April DiSandro, Public Works Director Brian Williams, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, and Attorney Marty Shanahan.

Mayor Baldermann commented on the recent vandalism that took place at the Veteran's Memorial in the Village Commons. He said this was a despicable act. He reported that the New Lenox Police Department has a suspect in custody. Mayor Baldermann stated that he is thankful for the donations that have been made. He mentioned that Spesia & Ayers, the Village Attorney's, made a generous donation. Mayor Baldermann also mentioned that there have been donations from around the country. He stated the Village will work together with the VFW and the New Lenox Veterans to make sure the Memorial is restored to the greatness that it was.

PRESENTATION – New Lenox Community Park District

Brian Fischer, Park Board President, addressed the Village Board regarding their upcoming referendum. Mr. Fischer explained the Sanctuary Golf Course will be paid off in 2015. The NLCPD wants to redirect the tax money, approximately \$750,000, to other capital projects within the Park District. He went on to discuss potential capital projects. Mr. Fischer stated this referendum will not increase the Park District's property tax rate. They will stay the same.

Mayor Baldermann commended on the NLCPD for all their efforts of their Board and Staff. They do a great job and our New Lenox residents are better off with our Park District.

Trustee Bowden stated that New Lenox has the best children and that are very active academically as well as sports oriented.

CONSENT AGENDA

Trustee Tuminello requested that **Item H – Approval of Purchase – Fleet Radio – Public Works** be pulled from the Consent Agenda and discussed separately.

Motion to Approve CONSENT AGENDA #14-25 with Removal of Item H – was made by Trustee Smith and seconded by Trustee Madsen.

- A - Minutes of the Council of the Regular Meeting – September 9, 2014
- B - Approval of Temporary Sign Extension – American Legion Post #1977
- C - Ordinance #2447 Creating Class TE Liquor License – Women’s Club Dinner/ Auction – Providence Catholic High School
- D - Surety Release – New Lenox Town Center Lot 4R
- E - Approval of Contract – Ditch Re-Grading – Bisping Construction
- F - Resolution #14-21 Authorizing the Mayor to Execute and Directing the Village Clerk to Attest to a License Agreement with New Lenox Township for Oak Street
- G - Ordinance #2448 Authorizing the Sale by Public Auction of Personal Property Owned by the village of New Lenox

- I - Approval of Purchase – Fleet GPS – Public Works

Item H – Approval of Purchase – Fleet Radio – Public Works

Trustee Tuminello stated a couple years ago there was an issue with digital radios in our Police vehicles not being able to communicate with other departments outside of the Village. He asked, if the Village had gone with analog radios would we have been able to communicate with them.

Mr. Williams, Public Works Director, said this is correct if we were able to program the analog radios with other bands we would be able to communicate with the other departments. With the digital we will not.

Trustee Tuminello asked if the analog radios would be worth having in an emergency.

Mr. Williams stated this had been discussed but ultimately it was decided that if we need to communicate with other departments we have portable radios that can be used. Mr. Williams explained that the cost between digital and analog were approximately the same over a five year period. There was no comparison between the digital and analog regarding the communication quality and distance. Digital was far superior.

Trustee Tuminello thanked Mr. Williams for his answer.

Motion to approve Item H – Approval of Purchase – Fleet Radio – Public Works was made by Trustee Bowden and seconded by Trustee Smith.

Upon roll call, the vote was:

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

The motion carried.

ORDER OF BUSINESS

Consideration of an Ordinance #2449 Creating Class D1 Liquor License – Buffalo Wild Wing – 1st Read

Mayor Baldermann reported there are no issues with the required background check. He said Mr. Fralich is requesting to waive the second read.

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

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

Upon roll call, the vote was:

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

The motion carried.

Consideration of an Ordinance's Authorizing the Execution of an Annexation Agreement, Annexing Certain Territory & Rezoning Newly Annexed Territory – 1940 Clearing Court – 1st Read

Ms. Ellis reported the annexation agreement has not changed since the Public Hearing at the last Board meeting. She said one issue is the title commitment that the owner has is when he purchased the property. She explained rather than have an updated title we will get a current affidavit of title, but Mr. Fox is requesting that we not require a new title commitment policy. If the Board is in agreement the language will have to change in one of the paragraphs of the annexation agreement.

No comments or questions from the Board.

Consideration for Approval of a Request for Preliminary Plat Extension – Sky Harbor Single Family

Ms. Ellis stated that Hartz Construction is requesting a one year extension of the preliminary plat for Sky Harbor. She said they have had a number of permits pulled over the last year but there is still only 29 out of the 70 lots that have had permits issued.

No comments or questions from the Board.

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

Upon roll call, the vote was:

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

The motion carried.

Mayor Baldermann asked Mr. Blocker about the parkway trees in the Heather Glen Subdivision. He said he had talked to the residents and informed them the trees would be in this year.

Mr. Blocker stated that yes, it will be this year. He said they should be in by the end of the month.

Mayor Baldermann asked Mr. Blocker to let Staff know if there are any issues because he had spoken to the residents and assured them they would be getting the trees this year.

Consideration for Approval of a Request for Preliminary Plat Extension – Sky Harbor – Jacobs Field

Ms. Ellis reported this is a similar request for similar reasons. This is a request for one year extension.

No comments or questions from the Board.

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

Upon roll call, the vote was:

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

ABSENT: 1 Trustee Dye

The motion carried.

Consideration for Approval of Waiver of Bidding Requirement – Parkway Tree Program

Ms. Ellis reported for the past couple years Staff has worked with the same nursery for the supply of the trees and a different nursery for the installation. We have had good success with them both. She said there is a chance we may exceed the \$20,000 bid limitation. If this happens we are asking the Board to waive the formal bidding requirement.

No comments or questions.

Motion to approve the waiver of bidding requirement was made by Trustee Butterfield 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.

Trustee Bowden asked when there are certain trees that have over grown is there a maintenance program.

Mr. Carroll stated we budgeted for the maintenance of parkway trees.

Consideration for Approval to Open-Cut Road – 404 Root Street

Mr. Nash reported this proposal is to open cut the street so 404 Root Street can connect to the water main.

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

Upon voice vote the motion carried. Recording Trustee Dye and ABSENT.

Consideration of an Ordinance #2450 Amending Chapter 90, Article IV of the Municipal Code – Stopping, Standing and Parking – Independence Boulevard – 1st Read

Deputy Chief DiSandro reported this request is to prohibit parking on Independence Boulevard due to the fact that is the main ingress and egress for the new Police Department.

No comments or questions.

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

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

Upon roll call, the vote was:

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

The motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reported that the Village entered into a new contact with NuWay Disposal. Staff has received several calls from seniors regarding having to go to carts instead of stickers. He went on to say that Staff is working with NuWay to see if there is something we can do for our seniors. This will come back to the Board for an amendment to the contract. Mayor Baldermann stated it's difficult for a lot of seniors living on a fixed income to have an increase to their NuWay Disposal bill. The Board and Staff will work quickly on this amendment to the agreement.

Mayor Baldermann reported he had attended the State of the Village Address. He said it was extremely successful and the attendance was approximately 200 people. He thanked the Board and Staff for everything they do to make New Lenox thrive.

Trustee Bowden said Mayor Baldermann and the whole event was outstanding.

VILLAGE ATTORNEY.

No report.

VILLAGE ADMINISTRATOR

Village Clerk Ruhl reported on the upcoming Early Voting.

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$2,586,719.73. In addition to this disbursement, approval is needed for bi-weekly payroll in the amount of \$327,442.89 paid on October 3, 2014.

Motion was seconded by Trustee Madsen.

Trustee Bowden reminded that the French Market has ended and they are in the planning stages for the Christmas in the Commons.

Trustee Smith

Trustee Smith concurred with the Board regarding the State of the Village and the New Lenox Police Department.

Trustee Smith noted that it's getting darker earlier and to be careful driving.

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith 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 October 13, 2014 adjourned at 7:46pm.

Laura Ruhl, Village Clerk