

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

**New Lenox Village Hall,  
One Veterans Parkway  
Monday November 10, 2014  
#14-29**

**CALL TO ORDER**

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:01 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, Madsen and Mayor Baldermann

ABSENT - Trustees Dye 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, Public Works Director Brian Williams, Building and Zoning Administrator Warren Rendleman, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, Police Chief Bob Sterba and Attorney Chris Spesia.

**CONSENT AGENDA**

Motion to Approve 7 items on the CONSENT AGENDA #14-29 was made by Trustee Madsen and seconded by Trustee Smith.

- A - Consideration of an Ordinance #2458 Amending Comprehensive Plan – New Lenox Commons Master Plan – 2<sup>nd</sup> Read
- B - Approval of Request for Use of Council Chambers – New Lenox Park District
- C - Minutes of the Regular Meeting – October 13, 2014
- D - Surety Reduction – New Lenox Town Center Lot 6R
- E - Raffle License – St. Jude Church & School
- F - Raffle License – Village of New Lenox
- G - Raffle License – American Legion Post 1977

Upon roll call, the vote was:

**AYES:**                    **5**                    Trustees Butterfield, Smith, Bowden, Madsen

and Mayor Baldermann

**ABSTAIN:**            0

**NAYS:**                0

**ABSENT:**            2                    Trustees Dye and Tuminello

The motion carried.

**ORDER OF BUSINESS**

**Consideration for Approval of a Resolution #14-29 Authorizing the Execution of a Lease Agreement with the New Lenox Park District**

Mayor Baldermann reported the New Lenox Community Park District is asking the Village to enter into a lease agreement to allow them to utilize the building located at 901 Country Creek Drive which was formally the Public Works building.

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

Upon roll call, the vote was:

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

**NAYS:**                0

**ABSENT:**            2                    Trustees Dye and Tuminello

The motion carried.

**Consideration of Approval of a Request for Waiver of Building Code – 1940 Clearing Court**

Mr. Rendleman reported this recently annexed property has an existing building that was built under Will County Codes. The owner, Mr. Fox, has come to the Village for a permit to build an addition. The property is a corner lot, facing both Clearing Court and Schoolhouse Road and from a code definition, has two front elevations. Our local code amendments require masonry on the front elevation which for this property would include the elevation facing Schoolhouse Road. The existing building does not have masonry on the front elevation as it was constructed under the County code and was not required. The building owner would like the addition to match the existing construction and is requesting a waiver of the masonry requirement. Staff has no objections to this request, as masonry on the building addition would be out of character with the existing building and other buildings along Schoolhouse Road. Mr. Rendleman stated because of the weather and the time constraints the owner is anxious to get the foundation in the ground. Therefore, the owner is requesting a waiver of the Village Code to do a phase construction and do a foundation permit prior to full approval of the permit which cannot happen until the Village Board sees the site plan.

Trustee Smith asked if there would be an issue with the waivers.

Mr. Rendleman stated this would not be an issue.

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

Upon roll call, the vote was:

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

**NAYS:**                    0

**ABSENT:**                2                    Trustees Dye and Tuminello

The motion carried.

**Consideration for Approval of Site Plan – New Lenox Town Center Lot 5R**

Ms. Ellis reported this property is located between the building that has Jersey Mike’s and the building that just received occupancy for Mattress Firm and Pot Belly’s. She said the request is for a 7,000 square foot building having two tenants, one tenant being a dental office and one a possible medical related office. Ms. Ellis stated that all of Staff’s comments have been addressed.

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

Upon roll call, the vote was:

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

**NAYS:**                    0

**ABSENT:**                2                    Trustees Dye and Tuminello

The motion carried.

**Consideration for Approval of Setting of Surety – New Lenox Town Center Lot 5R**

Mr. Nash requested approval for the setting of surety in the amount of \$26,765.63 for the public improvements.

Motion to approve the setting of surety was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

**AYES:**                    5                    Trustees Butterfield, Smith, Bowden, Madsen

and Mayor Baldermann

**NAYS:**                 0

**ABSENT:**            2                   Trustees Dye and Tuminello

The motion carried.

**Consideration of an Ordinance Amending Subdivision Code – Preliminary Plat Phasing – 1<sup>st</sup> Read**

Ms. Ellis reported this proposed ordinance would require a phasing plan to be submitted with all preliminary plats filed after December 1, 2014. The phasing plan would depict the number of phases, number of lots in each phase, and public improvements to be constructed with each phase. The phasing plan would be subject to Plan Commission review and Village Board approval. The proposed ordinance would also require approval of final plats for subsequent phases annually until the subdivision is completed. As is currently in place, the Village Board would have the discretion to grant extensions to the timing requirements, as well as modifications to the approved phasing plan. For subdivisions that already have preliminary plat approval, final plats would continue to be required for 20% of the area in the preliminary plat every year, with a maximum of five phases.

Trustee Butterfield asked Ms. Ellis if she had heard any feedback from builders.

Ms. Ellis answered she wasn't sure how many are aware of the proposal but it puts the builders more in control than under our current ordinance which is 20%.

Trustee Smith stated this will require them to phase the development in a pattern.

Ms. Ellis stated the ordinance will require the builders to come before the Village Board if they request extensions or they want to modify the phasing plan.

**Consideration of an Ordinance #2459 Authorizing Execution of an Amendment and Restatement of a Municipal Waste Collection, Landscape Waste Collection and Curbside Recycling Agreement – NuWay Disposal**

Mayor Baldermann reported the Village was able to negotiate with NuWay on a deal for our New Lenox senior citizens. We have had over 700 seniors sign up for reduced rate with the 35-gallon toter.

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

Upon roll call, the vote was:

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

**NAYS:**                 0

**ABSENT:**            2                   Trustees Dye and Tuminello

The motion carried.

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

### **MAYOR**

Mayor Baldermann reminded all seniors that haven't already signed up for the reduced rate for garbage to please call the Village Hall and get on the list.

Mayor Baldermann invited the community to attend the Veteran's Day ceremony in the Commons on November 11<sup>th</sup> at 11:11am. He said at that time he will appoint two representatives from the American Legion, two from the VFW, Trustee Butterfield, Brian Williams and Mayor Baldermann to be on a committee for the restoration of the Veteran's Memorial that was vandalized. He thanked everyone who is currently and has served in our Military and their families for their sacrifices. He also thanked all individuals and organizations that have generously donate to the Veteran's Memorial.

### **VILLAGE ATTORNEY.**

No report.

### **VILLAGE ADMINISTRATOR**

Mr. Carroll reported that he had been in contact with NuWay Disposal who informed us that they are four or five weeks behind with the 35-gallon toters for the seniors. The seniors will not be charged extra for the larger toters.

Mayor Baldermann noted the seniors will be receiving a credit for the first month that they received the larger toters.

### **PAYROLL & DISBURSEMENTS**

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$1,729,765.24. In addition to this disbursement, approval is needed for bi-weekly payroll in the amount of \$331,062.72 paid on November 10, 2014.

Motion was seconded by Trustee Madsen.

Upon roll call, the vote was:

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

**NAYS:**                    **0**

**ABSENT:**                **2**                    Trustees Dye and Tuminello

The motion carried.

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

Mr. Fox, owner of Glass, Tile & Stone located at 1940 Clearing Ct. New Lenox, donated \$500.00 to the Veteran's Memorial Fund.

Mayor Baldermann thanked Mr. Fox and everyone who donated.

### **TRUSTEE COMMENTS**

#### **Trustee Smith**

Trustee Smith stated that he knows boy who is working towards becoming an Eagle Scout and is looking for a project he can do for the Village or a resident. Contact Trustee Smith.

#### **Trustee Bowden**

Trustee Bowden had no comments.

#### **Trustee Dye**

ABSENT

#### **Trustee Butterfield**

Trustee Butterfield wished everyone a Happy Veteran's Day.

#### **Trustee Madsen**

Trustee Madsen had no comments.

#### **Trustee Tuminello**

ABSENT

### **ADJOURNMENT**

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Butterfield. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on November 10, 2014 adjourned at 7:18pm.

---

Laura Ruhl, Village Clerk