

ABSENT: 0

The motion carried.

ORDER OF BUSINESS

Consideration for Approval of a Request for County Final Plat – Babcock’s Subdivision

Ms. Ellis reported this county subdivision involves property of the NE corner of Route 6 and Parker Road. The proposal is to divide the 3-acre piece into two lots. There is a house that would exist on the northern lot that that is just over an acre in size and there would also be 2-acres that would be on the southern portion. When Staff met the petitioners they indicated that they are not proposing to change the zoning at this time, but given the location on the corner of Route 6 they are hoping to attract commercial developments.

Trustee Smith asked if the Board and or Staff could talk to Will County to request a traffic light at the intersection.

Mayor Baldermann informed that this intersection is already being looked at for a traffic light.

Motion to not object to the County request was made by Trustee Smith and seconded by Trustee Butterfield

Upon roll call, the vote was:

AYES: 7 Trustees Butterfield, Smith, Bowden, Madsen, Dye,
Johnson and Mayor Baldermann

NAYS: 0

ABSENT: 0

The motion carried.

Consideration of an Ordinance Granting Special Use for Preliminary and Final P.U.D. Plat – The Shops at 101 American Pride Lane – 1st Read

Ms. Ellis reported this is the redevelopment of the former Mobile Gas Station that’s just east of Discount Tire. The proposal is to create two lots and construct two retail buildings. The proposed building on the western portion of the site would be a smaller single tenant building and a proposed multi-tenant building that could contain two or three tenants on lot 2. This ordinance would create the subdivision plat and also approve the site plan for these uses. Ms. Ellis presented a table that lists deviations that the developer is looking for through the P.U.D. Ms. Ellis noted there is an extremely wide right-of-way that was granted along Rt. 30 across the frontage that doesn’t match the right-if-way to the east or to the west. She said for the purposes of consistency and trying to keep the access drive behind Discount Tire and AutoZone that would connect along the northern portion, we are looking to maintain the setbacks. She went on to say because of the larger right-of-way it would actually be reduced from what would otherwise be required but it would match the other developments that are there. Ms. Ellis reported the

landscaping is consistent with the plan and the building elevations are comparable and consistent with what was done in New Lenox Town Center. Ms. Ellis stated because of the cross access it does function as an additional outlot of New Lenox Town Center. She said there are a few comments that need to be addressed at the Staff level before this is brought back for second read.

Mayor Baldermann stated that he has been talking with the developer of this property regarding the demolition of the gas station. The Mayor said he would like to see a timeline of the demolition before this ordinance is approved. The Board concurred.

Trustee Smith asked if the Village should be granted a cross access easement on the north east side of the property. He said this piece will eventually get developed.

Ms. Ellis stated this issue had come up at the Plan Commission meeting. Even though the road is called American Pride Lane, this is just an access easement. She said the developer is showing that there will be parking along the eastern part of that access easement with the elimination of two parking stalls in order to provide cross access to the east. Ms. Ellis stated the problem with going to the north is that there is significant wetlands there so its unsure if the road would go through, but the easement exists and is not being vacated. She went on to say there's a 66-foot wide easement that runs along the eastern part of this property to provide access to the east and to the north.

Trustee Smith asked if the developer knows this in case something develops to the north of them they can lose the parking. He asked if they lose the parking, will this affect their parking count.

Ms. Ellis stated right now with their mix of uses they have a slight surplus but long term, as uses change, there's no guarantees. But if it's developed with cross-access this is something we could take into consideration when it comes time to review the plans for the adjacent properties.

Trustee Dye asked if this will be added to the actual agreement for future businesses.

Ms. Ellis stated what will happen is they will be limited as to what tenants you can pursue.

Staff and the Board ensued in a conversation regarding future tenants and parking.

Trustee Smith recalled a petitioner had come to the Board in the past for the development of condominiums or a retirement home.

Ms. Ellis stated when the property was annexed to the north it was zoned for commercial uses. She went on to say that Staff has been talking to a developer who is looking at more of single-family development but this hasn't started the formal process.

Trustee Smith said he would like to see the entire 66-feet out because if anything is developed to the north or to the east with the other lot that's vacant, they might need that for a way in and out.

Ms. Ellis stated if that parking went away it would severely restrict the uses for the site. They have maintained this as a 25-foot wide drive isle to allow safe two-way traffic. It's not going to be a signalized intersection because of its proximity to Marley Road. With the cross access going through the WalMart development to get access to a light will help disburse the traffic. Ms. Ellis reported to eliminate all of the parking on the east side would result in a loss of one of the buildings.

Mayor Baldermann stated that he doesn't think we should eliminate the possibility of this development on the something that might happen down the road.

Ms. Ellis said the way they read the easement agreement is that as long as access is maintained that would be acceptable. It would not have to be dedicated 66-foot right-of-way because long term this is not something the Village is going to maintain. As long as they have safe access for two-way traffic the parking could stay.

Mr. Carroll stated they looked at utilities and will take a look at the road again.

Trustee Smith said he has no problem with leaving the parking as-is but in 5 or 10 years if a developer comes and they have to take the parking he doesn't want them to come back to the Village looking for money because we put this through.

Mayor Baldermann said if we say there's a 66-foot right-of-way any potential developer will walk away. If we knew this is something that was most likely going to happen he agrees with Trustee Smith that we don't want to have a quick success than 5 years down the road have a problem. He said there is other access from the WalMart site.

Ms. Ellis stated there is a significant amount of land to the north that is wetlands. They already have the approval of the Army Corps of Engineers and they have a letter of no objection.

Trustee Smith said there is a significant amount of property to the east of this site. He asked where the in and out road will be. You will either have to connect to the WalMart road or you will have to come up and over. Trustee Smith would like to see something so either the service road behind Walmart stays contiguous all the way through or a way so there's not another curb cut. He said he doesn't want a lot of curb cuts.

Trustee Bowden said she thinks Trustee Smith has a valid concern but on the same token unless something has been brought before the Board she has a hard time holding back this development.

Trustee Dye concurred with Trustee Bowden. She went on to say that she had been concerned with the access.

Mayor Baldermann said that he thinks the Board agrees with Trustee Smith when it comes to curb cuts.

Trustee Butterfield said that Trustee Smith has some good concerns but agrees about the development.

Trustee Madsen concurred with Trustee Butterfield.

Trustee Johnson said if you don't know that something's coming we can't hold out on "what if".

Trustee Smith said the Boards job is the future.

Mayor Baldermann said that Trustee Smiths comments are valid ones but because of the drastic impact it would have on this potential development now there's no way to memorialize what you're saying without the developer walking away. The consensus is that the 25-foot right-of-way is good.

Trustee Dye said the Board wants to see this building come down and the property developed.

Mayor Baldermann agreed with Trustee Dye. He said Trustee Smith is on record with his concerns. He said if the developer is approved they will have a very short window on the demolition of the building.

Ms. Ellis reported they have a contract for the demolition pending the approval of the Village Board.

Mayor Baldermann said once they are approved they will have 60-days to demo the building, if not, they will have to come back to the Board.

The Board concurred.

Mayor Baldermann stressed that the Board wants to see local labor working on this project.

Trustee Smith said he would like to see a 4x8 board with the list of the general contractors and the sub-contractors for the public to see.

Mayor Baldermann and the Board push to hire local companies.

Consideration of an Ordinance Authorizing Annexation Agreement, Ordinance Annexing Certain Territory & Ordinance Rezoning Newly Annexed Territory – Crossings at Spring Creek – 1st Read

Ms. Ellis reported said the public hearing was held on January 12th for this annexation agreement. The annexation concerns the northern 40-acres that are unincorporated. The request is annexation and zoning to R-2. The ordinance rezoning the property also includes rezoning the southern 30-acres to a C-7 Regional Commercial District. Ms. Ellis reported the Board had concerns about annexing this property now versus annexing once we know who the developer is and what exactly they are proposing. She said recognizing the Board concerns Staff and the Village Attorney worked with the petitioner and his attorney to find language that would address the Boards concerns and also allow this project to move forward. She said language has been added to the annexation agreement requiring them to submit a concept plat before they can apply for any subdivision or P.U.D. The concept plat would require a super majority vote of the Corporate Authorities of the Village. She reported that language was added that if the they don't move forward within the time period or the if the preliminary plat lapses then the concept plat becomes

null and void and they will have to come back and reapply and get the super majority vote at that time. There's language in the agreement that says that at such time as a concept plat is submitted the Villages discretion what the requirements would be for the utilities, roads which would all be done as part of the concept plat requiring that the super majority vote.

The petitioner had nothing to add.

Trustee Smith stated that he had wanted language in the agreement that it's the sole discretion of the Board and if not there can be no arbitration from the petitioner.

Attorney Spesia stated the way the agreement is set up they are required to submit a concept plan and cannot do any development without it. They have agreed to language that puts the Village as close as we can get to where we would be if there was no annexation agreement.

Trustee Madsen stated that he liked the revisions to the agreement.

Ms. Ellis went on to say the petitioner does not currently own the property therefore, language says the agreement will not be signed or recorded until after they close on the property and are given three month or the agreement is null and void.

Trustee Butterfield asked if this parcel is the very northern edge of New Lenox.

Ms. Ellis stated that Summerfield Drive is the New Lenox Township line. She said New Lenox probably wouldn't annex any property further north. The residential as in the annexation agreement is Homer Township Library, Fire District, Homer 33C and Lockport High School.

Consideration for Approval of Bid Award – Joliet Highway Standpipe Rehabilitation

Mr. Williams reported on January 28th there was a bid opening for the rehabilitation of the Joliet Highway Standpipe. Ten bids were open with the apparent lowest bidder being Horizon Brothers out of Howell, MI. When researching the bid packet it was determined by Staff and a consulting engineer that the references from a standpoint of project size and a poor record of completion Staff felt it was in the best interest of the Village not to go with the lowest bidder. The second lowest bidder was Tecorp in the amount of \$648,000. They have had numerous large scale projects with positive feedback.

Trustee Smith noted the tower will be tented while it's being painted. This is to protect the surrounding homes.

Trustee Dye appreciated the due diligence on looking into the backgrounds.

Motion to approve the bid award was made by Trustee Smith and seconded by Trustee Madsen.

Upon roll call, the vote was:

AYES: 7 Trustees Butterfield, Smith, Bowden, Madsen, Dye,

Johnson and Mayor Baldermann

NAYS: 0**ABSENT:** 0**The motion carried.****Consideration for Approval to Waive Bid Process for Tinley Park Priming System**

Mr. Williams reported the pump priming equipment in Tinley Park is 14 years old and is in need of replacement. He said we have had good luck with the current equipment which is Q-Vac from Combined Fluid Products and both New Lenox and Mokena would like to continue using this product based on the success we've had. Mr. Williams requested the bidding process be waived for the Priming System and purchase the system through Combined Fluid Products in the amount of \$22,787 which will be split with Mokena.

Trustee Smith asked if Mr. Williams had checked out the prices with other competitors.

Mr. Williams stated he had not checked prices with other competitors.

Mr. Carroll stated that New Lenox has a combined fund with Mokena for this type of operation. He said we will check the competitors. He noted the lifespan on this product is normally ten years and the system has lasted 14 years and performed very well.

Motion to approve the waiving of the bid process with the caveat that Staff compares the pricing with competitors was made by Trustee Bowden and seconded by Trustee Dye.

Upon roll call, the vote was:

AYES: 7 Trustees Butterfield, Smith, Bowden, Madsen, Dye,
Johnson and Mayor Baldermann

NAYS: 0**ABSENT:** 0**The motion carried.**

Motion to approve the expenditure with the above caveat was made by Trustee Bowen and seconded by Trustee Johnson.

Upon roll call, the vote was:

AYES: 7 Trustees Butterfield, Smith, Bowden, Madsen, Dye,
Johnson and Mayor Baldermann

NAYS: 0**ABSENT:** 0**The motion carried.**

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

A - John Calzaretta – In our Community

Mr. Calzaretta gave a presentation on marketing the Village. “In Our Community” is a custom branded, fully managed and self-funding civic engagement solution.

Mayor Baldermann

Mayor Baldermann congratulated Lincoln Way West Poms and Cheerleaders for all of their hard work.

Mayor Baldermann thanked the Public Works Department for a job well done with snow plowing during the recent heavy snow fall. He received many compliments from residents.

Mayor Baldermann announced that Buffalo Wild Wings had officially opened.

Mayor Baldermann announced that New Lenox is being recognized as being the 10th best city in the State of Illinois for families.

VILLAGE ATTORNEY

No report.

VILLAGE ADMINISTRATOR

No report.

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$875,931.94. In addition to this disbursement, approval is needed for a biweekly payroll in the amount of \$336,843.91 and a monthly payroll in the amount of \$6,296.67 paid on February 6, 2015.

Motion was seconded by Trustee Madsen

Upon roll call, the vote was:

AYES:	<u>7</u>	Trustees Butterfield, Smith, Bowden, Madsen, Dye, Johnson and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>0</u>	

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

Bill Walter, 1022 Grandview Drive, commented on the smell of the WWTP#1.

Mayor Baldermann stated the situation has been much better but there has been a recent issue that is being looked into.

Mr. Walter asked if the Veteran's Memorial will be ready for Memorial Day.

Mayor Baldermann said their committee is meeting this week and would like to see the Veteran's Memorial ready for Memorial Day.

TRUSTEE COMMENTS

Trustee Smith

Trustee Smith thanked the Public Works Staff for doing a great job with the snow plowing.

Trustee Smith reported that he had recently attended a fundraiser for the New Lenox Schools.

Trustee Bowden

Trustee Bowden thanked the Public Works Staff for a great job snow plowing.

Trustee Bowden asked Mayor Baldermann if he was able to announce the line-up for the 2015 Triple Play Concert Series.

Mayor Baldermann said he is in the process of finalizing the contracts.

Trustee Dye

Trustee Dye reported that the Village has given back \$3.8 million to the residents in property tax rebates.

Trustee Dye reported that she is associated with the New Lenox School Foundation. She reported on the recent trivia contest/fundraiser where the Village's team won \$500 which was donated back to the foundation which goes to the 2015-2016 Teacher Grant Program.

Trustee Butterfield

Trustee Butterfield commented on the new Buffalo Wild Wings saying he had attended the soft opening and it was very good.

Trustee Butterfield reported the VFW Post is hosting a fundraiser on February 28th to help 2-year old Connor Baldauf who has type-1 juvenile diabetes.

Trustee Madsen

Trustee Madsen stated that he will be attending the fundraiser.

Trustee Johnson

Trustee Johnson had no comments.

Mayor Baldermann announced that he had recently attended a wake for his brother-in-law Timothy Doyle. He praised his many accomplishments.

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Dye.
Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox
Board of Trustees held on February 9, 2015 adjourned at 8:32pm.

Laura Ruhl, Village Clerk