

APPROVED

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

**New Lenox Village Hall,
One Veterans Parkway
Monday September 14, 2015
#15-23**

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:00 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 Johnson, Bowden, Butterfield, Madsen, Smith and Mayor Baldermann

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 Administrator Kurt Carroll, Village Clerk Laura Ruhl, Community Development Director/Assistant Administrator Robin Ellis, Public Works Director Brian Williams, Village Engineer Will Nash, Police Chief Bob Sterba, Building and Zoning Administrator Warren Rendleman and Attorney Chris Spesia

APPOINTMENT OF VILLAGE TRUSTEE

Motion was made to appoint Douglas Finnegan to position of Trustee to fill the vacancy on the Board was made by Trustee Bowden and seconded by Trustee Johnson.

Upon roll call, the vote was:

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

NAYS: **0**

ABSENT: **0**

The motion carried.

At this time Village Clerk, Laura Ruhl, swore in Douglas Finnegan.

Trustee Finnegan thanked the Board and Staff for this opportunity and joined the meeting.

This term will be up in 2017.

PROCLAMATION – Constitution Week – 2015

Mayor Baldermann proclaimed September 17th - 23rd as Constitution Week

CONSENT AGENDA

Motion to Approve 8 items on the CONSENT AGENDA #15-23 was made by Trustee Smith and seconded by Trustee Johnson.

- A - Ordinance #2514 Authorizing Execution of the Illinois Public Works Mutual Aid Network Agreement – 2nd Read
- B - Resolution #15-26 Authorizing Approval of Water Tower Lease Agreement – T-Mobile
- C - Rescission of Bid Award – Demolition – BP Amoco
- D - Approval of Bid Award – Demolition – BP Amoco
- E - Approval of Purchase – Dump Trucks with Plows – Public Works
- F - Raffle License – Joliet Area Youth Association
- G - Ordinance #2515 Creating Class TE Liquor License – Providence Catholic Women’s Club

Mayor Baldermann commented on item B – he thanked Will County Board Member Ray Tuminello, Village Staff and the residents for making this T- Mobile agreement happen.

Mayor Baldermann commented on items C & D – we are glad to see the BP Amoco come down and the re-development to begin.

Upon roll call, the vote was:

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

ABSTAIN **1** Trustee Finnegan

NAYS: **0**

ABSENT: **0**

The motion carried.

ORDER OF BUSINESS

Consideration for Approval of a Request for Site Plan – New Lenox Township Food Pantry

Ms. Ellis reported the New Lenox Food Pantry is proposing to construct an addition to the former Township Road Commissioner building to better accommodate the needs of the residents. Staff has been working with the architect and the Township Supervisor on the plans and have everything resolved. We are still waiting on an easement for a water main extension that had to be constructed to serve it. Once we get this, Staff will bring it to the Board for approval. Staff is recommending approval at this time.

Mayor Baldermann stated the Food Pantry is in need 12-months a year. He thanked Kathy Johnson for her efforts.

Motion to approve the request for Site Plan was made by Trustee Butterfield and seconded by Trustee Smith.

Upon roll call, the vote was:

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

ABSTAIN 1 Trustee Finnegan

NAYS: 0

ABSENT: 0

The motion carried.

Consideration of an Ordinance Amending Ordinance #2402 Class D1 Liquor License – Bulldog Ale House – 1st Read

Representatives from Bulldog Ale House are requesting to amend their existing liquor license to change their closing time to 2:00am on Thursday, Friday and Saturdays.

This item will come back to the Board for second read.

Consideration for Approval of Preliminary Plat Extension – Hibernia Estates Unit 6 & 7

Ms. Ellis reported a year ago the Board approved the preliminary plat extension and final plat approval for Phase 5. The Board also discussed allowing them to extend the subdivision out to seven phases. Unit 5 just had the public improvements complete and was issued one building permit. The letter in packet indicates they still have or 40 lots that are already improved so rather than move forward with another phase the developer is asking for a one year extension.

Motion to approve the extension was made by Trustee Bowden and seconded by Trustee Johnson

Upon roll call, the vote was:

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

ABSTAIN 1 Trustee Finnegan

NAYS: 0

ABSENT: 0

The motion carried.

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

Ms. Ellis reported Sky Harbor was 70 lots that were final platted in Unit 1. There are still a number of phases to come so they are requesting an extension. There have been several permits issued over the last year and we hope to see this trend continue. Staff supports a one year extension.

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

Upon roll call, the vote was:

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

The motion carried.

Consideration for Approval of Preliminary Plat Extension – Leigh Creek South

Ms. Ellis reported this would be the first extension of the preliminary plat. They received final plat approval for the first phase one year ago and just completed the public improvements. At this point permits have been issued for three model homes. Staff recommends approval of a one year extension.

Motion to approve the extension was made by Trustee Johnson and seconded by Trustee Bowden

Upon roll call, the vote was:

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

The motion carried.

Consideration for Approval of Waiver of Water Tap-On Fees – Wellington Townhomes

Ms. Ellis reported that Wellington Townhome Assn. approached the Village regarding the replacement of their current sprinkler system. Currently each building has its own

system with one of the units having a deduct meter with the association reimbursing that resident for the water that is used outside. They are proposing to connect the system and provide a one 2-inch meter and meter vault near Bishops Gate and Wellington Court. Under our code we should charge them a \$23,000 tap-on fee. In this case it is really not new usage it is more just changing the way it's billed. Staff is recommending a waiver of the full tap-on fee. They will still have to purchase the equipment and do the labor.

Trustee Smith asked if there is a way to put in the policy or change the ordinance to say if another subdivision does this we can approve this without having to come to the Village Board for a waiver. This would clear up the language for anyone just coming into the Village.

Mayor Baldermann stated that the ordinance could say if the tap-on fees have already been paid and they are just upgrading the system with no additional cost incurred.

Trustee Smith stated this would clear up the language in the ordinance.

Trustee Butterfield stated since there are HOA's that have dissolved, what if the bill doesn't get paid.

Ms. Ellis stated they Village would have the ability to shut off the water.

Mayor Baldermann asked Ms. Ellis to put together the amendment to the ordinance and bring it back to the Board.

Motion to approve the waiver of tap-on fees for Wellington Townhomes was made by Trustee Madsen and seconded by Trustee Smith

Upon roll call, the vote was:

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

The motion carried.

Consideration for Approval of Gougar Road Water Main Extension Design Proposal

Mr. Williams stated this is a proposal submitted by Christopher Burke Engineering for the design and permitting services of the Gougar Road water main design not to exceed \$31,142. This project consists of adding approximately 1,900 feet of water main on Gougar Road.

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

Upon roll call, the vote was:

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

The motion carried.

Consideration of an Ordinance Approving Agreements with IDOT for the Transfer of Streets to Municipal Street System – 1st Read

Will County approached the Village and sought our help. The State is trading roads in Will County with the County. In the trade, the County will be taking over Cedar Road from Francis Road to Route 6. They were also going to have to accept a portion of old Cedar Road and new section of Terry Lane, which is located just north of the I-80 Bridge. Because it was contiguous to land the Village had previously annexed Will County requested our assistance to take the jurisdictional transfer of these two roads? The State will pay the Village \$20,700 for the acceptance of these roads. These streets are not contiguous to any of our roads and have been maintained by the Township. Staff has approached the Township Road Commissioner about a jurisdictional transfer of the roads and the money to the Township. At the time of this memo there is no confirmation of this acceptance. They are considering the transfer. It logistically makes more sense for their acquisition of the roads.

Mayor Baldermann stated the Village tries to maintain beneficial relationships with the other governmental bodies. This is one of those cases, especially if the New Lenox Township is agreeable to continue to maintain the streets, is a lot of assistance to Will County.

Consideration of an Ordinance Amending Chapter 94, Article II, Division 5, Section 94-142 of Village Code – Sewer Rates – 1st Read

Mr. Carroll stated this proposed ordinance was discussed at the last Council of the Whole meeting. This new rate will provide funding for the operations and maintenance of our sanitary sewer system and will provide for the funding for the expansion and revamping of WWTP#2 as well as some of the things that were talked about at the Strategic Planning Session, such as upgrading and/or improving WWTP's #1 & 3. This proposed ordinance also includes a rate for seniors that use the least amount of our sanitary sewer system. This rate effects the first thousand gallon of usage for residents who own or occupy a rental property in which the discount is sought, and the property that they are seeking the discount is their principal residence.

Mayor Baldermann explained senior's, 65-yrs and older, will have no increase in the sewer debt cap rate and the first thousand gallons of consumption would stay at today's current rate for the first year.

Mr. Carroll stated currently our sewer deb cap structure pays for not only our current debt but any capital improvement charges. The current rate is \$7.00 which will go to \$11.19. This will create a funding source to help pay for the improvements to the WWTP's and prepare for the expansion of WWTP#3 as we grow in the future. Mr. Carroll stated the volumetric rate would go from \$5.01 to \$7.87. These funds would go towards the debt and capital but more importantly it would go into the maintenance and operation of the existing plants.

Mayor Baldermann explained between the debt cap rate increase and the volumetric rate increase the average single-family residential home, with 4,000 gallons, would increase roughly \$15.00. Regarding seniors, there are some that don't use much water and subsequently do not create much waste water or aren't at their homes all year. If that is the case they will not see an increase in their sewer bills. Mayor Baldermann explained this is not a pleasant thing for a Board to do but the reason we have such a great community is because we stay on top of our capital improvements. As New Lenox grows we have to maintain the WWTP's.

Trustee Smith echoed Mayor Baldermann saying this is not easy for the Board to make these decisions but this will be a good investment for our future.

Trustee Bowden said the Board also lives in New Lenox and their bills will be going up. Infrastructure is a necessity to maintain a good quality of life.

The other Board members concurred.

Mr. Carroll stated by setting the rates today we are putting ourselves in a position to go after IEPA loans which is the lowest rates.

Mayor Baldermann announced this will come back for second read on September 28th.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reported the Metra Southwest Service Line tracks on Laraway Road are scheduled for emergency repair. They will be closed for ten days starting on September 23rd.

Mayor Baldermann reported on the final Triple Play Concert for 2015. Lynyrd Skynyrd put on a fantastic concert. It was another successful series. He thanked the Board for all of their support and to all of the Staff and volunteers for all of their efforts.

Mayor Baldermann announced that 5-Guys is coming to New Lenox next to LA Fitness. They will break ground shortly and hope to be open in the spring.

VILLAGE ATTORNEY

No report.

VILLAGE ADMINISTRATOR

Mr. Carroll announced there will not be a Council of the Whole Meeting on September 21st.

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$2,131,714.20 and a manual disbursement in the amount of \$42,855.09. In addition to these disbursements, approval is needed for a biweekly payroll in the amount of \$361,867.68 paid on September 4, 2015.

Motion was seconded by Trustee Madsen

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 0

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

Bill Walter thanked the Mayor and the Village Board for working with the New Lenox Township on the Food Pantry addition.

Mr. Walter thanked Mayor Baldermann and the Village Board for the 9-11 Ceremony.

Mr. Walter thank Mayor Baldermann and the Village Board for the sewer rates for seniors.

TRUSTEE COMMENTS**Trustee Johnson**

Trustee Johnson welcomed Trustee Finnegan to the Village Board.

Trustee Butterfield

Trustee Butterfield welcomed Trustee Finnegan.

Trustee Bowden

Trustee Bowden welcomed Trustee Finnegan and noted that there were twelve residents interested in the Trustee position. It takes a lot of courage to put yourself out there to do this job. We are residents as well as Board members. She thanked the residents that cared and showed interest in the job.

Trustee Madsen

Trustee Madsen welcomed Trustee Finnegan.

Trustee Madsen was pleased to see that there have been 95 single-family permits so far this year.

Mayor Baldermann stated it's nice to see a lot of areas starting to grow.

Trustee Finnegan

Trustee Finnegan thanked the Mayor and Board members for this opportunity.

Trustee Smith

Trustee Smith welcomed Trustee Finnegan.

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Bowden and seconded by Trustee Smith. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on September 14, 2015 adjourned at 7:52pm.

Laura Ruhl, Village Clerk