

# **APPROVED**

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

**New Lenox Village Hall,  
One Veterans Parkway  
Monday October 26, 2015  
#15-28**

### **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 Finnegan, Madsen, Smith, Butterfield and Mayor Baldermann

Absent: Trustees Johnson and Bowden

### **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, Finance Director Kim Auchstetter, Public Works Director Brian Williams, Village Engineer Will Nash, Police Chief Bob Sterba, Building and Zoning Administrator Warren Rendleman, Village Planner Jeff Smith and Attorney Chris Spesia

### **RECOGNITION – New Lenox Fire Protection District & 9-1-1 Dispatcher**

Mayor Baldermann and the Village Board recognized the New Lenox Fire Department and the Lincoln Way Communications, 9-1-1 Dispatch for saving the life of a New Lenox resident.

### **PRESENTATION – GFOA Distinguished Budget Award – Kim Auchstetter**

Mayor Baldermann and the Village Board presented Finance Director/Treasurer Kim Auchstetter with the GFOA Distinguished Budget Award

### **CONSENT AGENDA**

Motion to Approve 9 items on the CONSENT AGENDA #15-28 was made by Trustee Smith and seconded by Trustee Madsen.

- A - Ordinance #2524 Authorizing the Sale of Land – 1425, 1435 and 1445 Edmonds Avenue – 2<sup>nd</sup> Read
- B - Approval of Proposal – Curb Replacement

- C - Resolution #15-28 Authorizing the Execution of an Agreement with Christopher B. Burke Engineering for Nelson Road Extension Design and Amending the Village Budget.
- D - Approval of Request for Use of Council Chambers – New Lenox Park District
- E - Resolution #15-29 Authorizing Execution of a First Amendment to Lease Agreement with New Lenox Community Park District
- F - Ordinance #2525 Declaring Surplus Vehicles and Authorizing Sale at Public Auction.
- G - Raffle License – Thomas E. Hartung American Legion Post 1977
- H - Ordinance #2526 Creating Class SE Liquor License – Annual Blizzard Benefit – New Lenox Lions Club
- I - Surety Reduction – Coldwell Banker

Upon roll call, the vote was:

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

**ABSTAIN:**                0

**NAYS:**                    0

**ABSENT:**                2                    Trustees Bowden and Johnson

The motion carried.

### **ORDER OF BUSINESS**

#### **Consideration for Approval of a Resolution #15-30 Establishing Criteria for Tax Refund Authorized by Resolution 08-33**

Mayor Baldermann reported this is the annual tax rebate that was promised to New Lenox resident's years ago. The Board has increased the amount of the refund to 70%. The refund applications will be sent out in November and are due back December 15<sup>th</sup> and the checks are normally mailed out in March. If you don't have the form back by December 15<sup>th</sup> you are no longer eligible for the rebate.

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

Upon roll call, the vote was:

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

**NAYS:**                    0

**ABSENT:**                2                    Trustees Bowden and Johnson

The motion carried.

**Consideration of Ordinance's Authorizing an Amendment to an Annexation Agreement & Rezoning Property – Deer Point South – 1<sup>st</sup> Read**

Mayor Baldermann explained these ordinances are back for first read because of the comments and concerns of the Village Board. The right-in and right-out on Laraway Road is no longer being proposed.

Jeff Smith, Village Planner, reported since the petitioner met with the Village Board in late September Staff has worked with the applicant on a number of issues with the Annexation Agreement as well as the Special Use Ordinance. He stated most of the issues were resolved.

- The Concept Plat as well as the R-2A Zoning would be valid for up to five years
- There was previous discussion about installing a trail along Schoolhouse Road, since there will be a trail constructed along the completed east side of Schoolhouse Road as part of Sky Harbor, Staff agreed with the petitioner that it wasn't necessary to construct a trail along the west side of Schoolhouse Road
- There will be an interior trail system connecting the park to the church as well as the commercial and a sidewalk on the west side of Schoolhouse Road which is required by code
- Engineering has some recommendations in terms of water and sewer, routing and the Concept Plat has been updated to show the sewer and water lines
- The Annexation Agreement mentions if a traffic light is warranted in the future at either the north or south access roads, the owner will be required to contribute 50% to the cost to the future traffic signal
- At the last Village Board meeting the scope of the Schoolhouse Road improvements were discussed. The Comprehensive Plan recommends a minor arterial which is a four lane cross section. Based on the existing and future uses the commercial/residential Staff, Engineering, Planning and Administration took a look what the applicant was proposing. A four lane and three lane road cross section which Staff feels will be an efficient way on improving Schoolhouse Road. The right-of-way was already dedicated along the west side of Schoolhouse Road as well as the east side with the Sky Harbor development. The initial improvements with the church will extend from Laraway Road south to Highview Rd with some tapering and when the first phase of the single-family subdivision they will be required to make the improvements south of Highview Rd. down to Illini Drive with tapering.
- The traffic study that was conducted in 2007 and updated with the church stated about 25-30% of the church traffic would be coming eastbound on Laraway Road so they will be able to utilize the right-in/right-out. The applicant has responded that based on the projections of initial church traffic along with the improvements of Schoolhouse Rd. it would be acceptable to defer the balance of the private drive to Laraway Rd. until a commercial development is proposed. The property owner feels it would help them market the commercial site better if this road wasn't installed upfront. As a result all of the traffic initially will going on to Schoolhouse Rd. so Staff asked the petitioner and their traffic consultant to go back and look at some impacts with the initial church development on the Schoolhouse and Laraway Roads intersection as well as the impact to the intersection of Schoolhouse and Highview Roads. Right now the only access out of the Sky Harbor development is on Schoolhouse Rd. There are about 35-40

existing homes and they will not get secondary access to Laraway Road until the 100<sup>th</sup> home is built which is one of the conditions of their Annexation Agreement.

- Staff asked the petitioner to look at the impacts on to both the Laraway and Schoolhouse Road intersection and the Highview Road and Schoolhouse Road intersection. They went out twice on Sunday mornings to do traffic counts because the church would have their services initially at 9:00am and 11:00am on Sunday mornings. The results looked at the peak hour of traffic which is the hour between one service ending and the next service beginning. The traffic showed that the church would generate approximately 187 cars coming in and out and that's including both the north and south access.
- In terms of the impact to Sky Harbor the existing traffic is very minimal at that intersection and with the build-out of the single family it would still be pretty minimal. The majority of traffic exiting Sky Harbor residential would be turning right onto Schoolhouse Rd. They would have the right-of-way so if they were exiting as the church traffic was coming out they would have the right-of-way.
- The level of service would be acceptable at all of the intersections, Laraway and Schoolhouse Roads would be a Level Service B which is minimal delays. The intersection of Highview Rd and Schoolhouse Rd would be a Level Service A or B at every approach with the exception of left turn coming out would be a Level Service C.
- Based on the proposed improvements of Schoolhouse Road as well as the results of the traffic study and the acceptable level of service the applicant feels it would be acceptable to defer the installation of the balance of the road to Laraway Rd. until a commercial development comes in.
- The site has 375 parking spaces with up to 400 for over flow. If for special events and holidays they are at full capacity they may need to have Police service to help direct traffic out of the site. The Special Use Ordinance was updated to include if the Village Police assists with the traffic they church will be required to reimburse the Village.

Mayor Baldermann stated the language should say the Village of New Lenox will determine if the New Lenox Police are needed, even if it is every Sunday.

Mr. Smith stated that is correct. He went on to say the church would like to give a presentation showing the differences in this site and the site in Orland Park.

Trustee Smith commented that he has concerns about the bottleneck at Laraway and Schoolhouse Roads.

Bill Brown, Pastor at Parkview Christian Church, compared the Orland Park Campus to the proposed New Lenox Campus. The Orland Campus has about 2400 seat compared to the 615 seats in New Lenox and do not plan on ever getting any bigger. He went on to say the Orland Campus is 24-acres with a 150,000 square feet building and 1310 parking spaces compared to 28,000 square feet with 375 parking spaces. Mr. Brown presented slides of the proposed building to the Village Board and discussed the prime hours at the Orland Park Campus. He went on to discuss the services at the proposed New Lenox Campus. Mr. Brown noted that the church will not add additional services until the worship center is at least 85% full for each service. Once the services are 85% full they

will look at adding an additional service. It would most likely be a Sunday night service. Mr. Brown stated there are no plans of expanding in the future.

Mayor Baldermann asked if the 370 people attending will come from the Orland Campus.

Mr. Brown stated he thinks it will be a mix of current and new attendees.

Mayor Baldermann asked how long the 9:00am service last.

Mr. Brown stated it depends on how long the Pastors want to preach. Typically about 70 minutes.

Mayor Baldermann asked if the cars from the 9:00am service be completely cleared out of the parking lot before the cars for the 11:00am service come in.

Mr. Brown stated yes.

Mark Michuda thanked Staff for all of their efforts. He went on to present slides showing where the sanitary sewer line would be located. It would be brought down the far western property line and around the detention to keep all of the utilities away from the maximization of how the remaining property can be developed. He went on to discuss the traffic study. He said if the Village sees that traffic flows are anything but what we want them to be the church will pay for the Police to do traffic control. Every study that they have looked at is showing that we should not have any appreciable impact at traffic with the roads the way they are represented. Mr. Michuda stated this 600 seat church is the right size to do services and also intimate weddings and funerals if needed.

Trustee Smith asked if this passes when construction would start.

Mr. Michuda stated they are looking at a spring start. The goal is to get this stage completed so they can move to the next step which is the Site Plan and then permit drawings. Hope to open by Christmas of 2016.

Trustee Butterfield stated that he thinks the church will be full from the first day.

Mayor Baldermann stated as much as the Village Board wants to see the church have great success, there will be no request, ever, in the future for additional buildings on the site, is that correct.

The church representatives agreed.

Mayor Baldermann stated he has a concern with the constant flow of traffic that would be coming out of the parking lot to northbound Schoolhouse Road and the residents of Sky Harbor having a hard time getting out of their subdivision. If this becomes an issues it will be 100% at the Village's discretion to say we are putting out Police for traffic control. He went on to say for every Sunday or for special events.

The church representatives agreed.

Mayor Baldermann asked Mr. Nash if the residential component comes before the commercial will there be an issue with the additional traffic.

The church representative stated the capacity analysis show everything is working at a very good level of service, A or B. There is sufficient capacity to accommodate the additional traffic. It will not be an issue even with the build out of the subdivision. The volume of traffic on a Sunday morning is very low in this area.

Trustee Smith when you add 65 homes to the south there will be traffic not only on Sunday's.

The representative stated the church generates very little traffic on the weekdays. There is Youth services on Wednesday's at 6:00pm which will not generate much traffic.

Mayor Baldermann asked Mr. Nash if the Village should conduct our own traffic study.

Mr. Smith said the initial traffic study from 2007 mentioned a potential second through lane on Laraway Road with another potential through lane on Schoolhouse Road in 2027 with the build out of Sky Harbor, Deer Point residential and commercial.

Mayor Baldermann asked Mr. Nash if the church is built with what they are talking about and 66 homes are built to the south and there's nothing else additionally done other than Schoolhouse Road to the south, are you saying you have no concerns with the traffic?

Mr. Nash said the additional homes would function fine without the commercial. If the commercial piece is built it would still function ok. Looking at what the county has projected I don't think the residential is going to drop that level of service at the light. Not much more from an A to a B level of service, which is still very acceptable. With the commercial projects will generate a lot of trips all day long. The residential is typically rush hour in the morning and the afternoon.

Mayor Baldermann said if the Village Engineer feels that the Schoolhouse Road improvements that are being proposed can accommodate all of the Deer Point South residential as well as the Sky Harbor residential, and it only becomes an issue once the commercial end is approved then he agrees.

Mr. Carroll said when they were having a conversation with the developers, the right-in right-out from Laraway Road would be beneficial but the not worth putting in at this time.

Mayor Baldermann said he can appreciate that, but whether it's a non-for-profit or for profit development our concern is our residents and the impact. The Village Engineer is saying the impact will be minimal until the commercial develops. We have existing residents that the Board and Staff have to answer to. Mayor Baldermann said he's personally satisfied with the proposed development.

The Board concurred.

**Consideration of an Ordinance Rezoning Property – Deer Point South – 1<sup>st</sup> Read**

See above –

**Consideration of an Ordinance Granting Special Use for Church – Parkview Christian Church – 1<sup>st</sup> Read**

See above –

**Consideration of an Ordinance Authorizing the Village of New Lenox of Will County, Illinois, to Borrow Funds from the Water Pollution Control Loan Program – 1<sup>st</sup> Read**

Mr. Carroll reported this ordinance will allow the Village to pursue the IEPA loans, which have the lowest rates, for the expansion and rebuild of WWTP#2.

No comments or questions.

**Consideration for Approval of a Resolution Demanding Payment of Certain Irrevocable Letters of Credit – Coldwell Banker**

This item was taken care of and removed from the agenda. No action was taken.

**Consideration of an Ordinance Accepting Warranty Deed for and Authorizing the Subsequent Conveyance of, Outlot 5, Prairie Ridge Estates Subdivision – 1<sup>st</sup> Read**

Mr. Smith reported this ordinance authorizes the acceptance and transfer of the 2.47-acre park site in the Prairie Ridge Subdivision to the New Lenox Community Park District.

No comments or questions.

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS****MAYOR**

Mayor Baldermann reported that Silver Cross Hospital is requesting to post signs for their Christmas opening at the Encore Shop.

Mayor Baldermann stated there continues to be issues in Springfield regarding the state budget. He went on to discuss the service that is provided at the local level and the state budget issues.

Mayor Baldermann announced the trick-or-treat hours – 3pm-7pm on Halloween.

**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 \$1,521,380.79 In addition this disbursement, is needed for bi-weekly payroll in the amount of \$341,028.00 and a monthly payroll in the amount of \$5,891.67 paid on October 16, 2015.

Motion was seconded by Trustee Madsen

Upon roll call, the vote was:

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

**NAYS:**                    0

**ABSENT:**                2                    Trustee Bowden and Trustee Johnson

The motion carried.

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

Bill Walter asked about the sewer and water capacity in the area of Schoolhouse and Laraway Roads.

Mr. Nash stated that there is planning for a booster pump that provides a better flow. The sewer is currently running to capacity and there will be an expansion.

### **TRUSTEE COMMENTS**

#### **Trustee Smith**

Trustee Smith said if we ran New Lenox the way the state is run we would be broke. He went on to say the Village Board receives no pension, no health care benefits and minimal pay from the Village. This is the way government should be. We are here because care to serve and want to serve the community.

#### **Trustee Finnegan**

Trustee Finnegan had no comments.

#### **Trustee Bowden**

ABSENT

#### **Trustee Madsen**

Trustee Madsen concurred with Mayor Baldermann's comments regarding Springfield.

#### **Trustee Butterfield**

Trustee Butterfield congratulated Finance Director Kim Auchstetter for accomplishments.

Trustee Butterfield commented on the Nelson Road extension.

#### **Trustee Johnson**

ABSENT

**ADJOURNMENT**

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Finnegan. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on October 26, 2015 adjourned at 8:24pm.

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Laura Ruhl, Village Clerk