

# **APPROVED**

## **COUNCIL OF THE WHOLE MEETING** **NEW LENOX BOARD OF TRUSTEES**

**New Lenox Village Hall,  
One Veterans Parkway  
Monday, November 16, 2015**

**#15-30**

### **CALL TO ORDER**

The Council of the Whole 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 Smith, Bowden, Finnegan and Mayor Baldermann

Trustees Johnson and Madsen ABSENT

Trustee Butterfield joined the meeting at 7:06

### **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 Village Administrator Kurt Carroll, Village Clerk Laura Ruhl, Village Engineer Will Nash, Finance Director Kim Auchstetter, Community Development Director/Assistant Administrator Robin Ellis, Director of Public Works Brian Williams, Police Chief Bob Sterba and Attorney Chris Spesia

**The Village Board asked for a moment of silence for the tragedy in Paris.**

### **DISCUSSION ITEMS**

#### **Discussion of CN Overpass on Gougar Road – HR Green/Christopher Burke Engineering**

Mayor Baldermann noted that this area is not the Village's jurisdiction but we were able to secure some of the initial funds from Canadian National for the study.

Sean LaDieu, HR Green Engineering, reported that he had been working with Staff on alternative ideas for the CN railroad tracks on Gougar Road. One of the main reasons for deciding on an overpass is not only the cost but the other ideas required temporary tracks to be located on the north side of the existing tracks which would have added to the cost. Also, this is a main utility corridor/right-of-way that ComEd owns and through dealings

with ComEd they basically declined any option that would put the railroad tracks on their right-of-way. Mr. LaDieu presented a PowerPoint of the proposed overpass to the Village Board. He went over the basic main points of what the structure is starting to look like. Mr. LaDieu pointed out the main difference between the south side and north side of the tracks. He stated on the south side they are looking to put embankment as it comes off the bridge, compared to the north side will have retaining walls because of the constraints we have on the north side with the east side being the high school and the west side being utilities. The bridge is itself is about 244-feet long and about 87-feet wide. The reason it is so wide is to accommodate a five lane cross section in the future, two lanes in each direction and a median. On the east side there will be a multi-use trail and the west side will have a sidewalk. The right-of-way varies on how much acquisition there is, the widest part is on the south side where it's about 100-feet wide. HR Green met with Will County and they are comfortable with the progress so far. HR Green will be sending the engineering to CN Railroad and IDOT for them to look at. Christopher Burke Engineering is working with HR Green on the environmental documentation which seems to be going ok. We are looking at dates for a public meeting and then will be putting the project report together and submitting it to IDOT for design approval. Mr. LaDieu stated this is Phase I and there will be funding needed for Phase II which is the final design and then Phase III is the construction.

Mayor Baldermann questioned the slope of the bridge for cars.

Mr. LaDieu stated the max is a 5% slope.

Trustee Smith questioned the retaining wall.

Mr. LaDieu stated there will be retaining wall on both sides of the roadway on the north side of the tracks.

Mayor Baldermann said the construction of this project is near \$40 million dollars.

Mr. LaDieu said yes, they are still compiling some of the costs.

Mr. Carroll said the initial number was \$25-30 million but CN Railroad wanted the bridge wider for three tracks also it escalated because of the utility costs. They looked at adding an overpass on other streets and the cost was higher.

Mayor Baldermann noted that the Village Board has been upfront with the residents. The county will not build a \$40 million overpass. He asked what the likelihood is that this will be constructed any time in the future.

Mr. LaDieu said they will need to tap all sources; CN Railroad (who would have to put in 5%), the ICC, STP Funds, etc. The good this is the Phase I projects that have a design approval are the ones that will be looked at first. The Village is in a good position to apply for these funds.

Mayor Baldermann commented that the Federal Railroad Administration said there was no impact to our community, so CN was off the hook. Are we just hoping that CN will come up with the 5%.

Mr. Carroll said they have to by law.

Trustee Smith asked about the shelf life of Phase I.

Mr. Welch stated he didn't know the exact amount of time but it would have to be reviewed again, but we would not have to start over. The environmental and traffic would have to looked at again.

Trustee Bowden asked what would be discussed at the public meeting.

Mr. LaDieu stated it would be a presentation of the design. HR Green recommends the meeting to be an open house format where the project team members along with representative of the Village. There would be general exhibits of how the phases of the project will work and what they are about. And have drawings. A public notice was put in the newspaper and the invite is extensive.

### **Discussion of Route 30 & Cedar Road Water Mains**

Mayor Baldermann stated the water lines are very old on Route 30 and north on Cedar Road and there are water main breaks.

Mr. Carroll stated the Village had the water model done for our entire water system last year. Unfortunately, there have been a number of water main breaks on Rt. 30 and Cedar Rd. Staff asked Christopher Burke Engineering to come up with a cost for the replacement of certain sections of water main. This would also be a good time to upgrade in the size of the water main that would not only help with the water flow but also with any anticipated redevelopment along Rt. 30. On Cedar Rd. north of Rt. 30 and on Cedar Rd. south of Rt. 30. These lines were built 40-years ago and when they were built they were bedded on rock and they are not bedded in rock. Over a period of time you get the acidity from the ground eating through it. Christopher Burke Engineering priced this in two different ways; one would be an open-cut or directional bore which might not be an option because of the rock. IDOT will have to agree with whatever we decide to do. The total price (conservative) for the open-cut \$7.2 million to do all of the pipes on Rt. 30 and Cedar Rd. both north and south. The Village does not have that much on hand but the Village can approach an IEPA loan. Because of the reserves the Village has we do not believe we will have to ask for an increase in rates.

Trustee Smith agreed that this work needs to be done. He asked about the City of Chicago and the water agreement.

Mr. Carroll stated they won't have another increase until June of 2016.

Ms. Auchstetter stated their rate increases will go into effect June 1<sup>st</sup> of each year and are capped at 5%. That how the ordinance is written, however, they can change that ordinance at any time.

Mayor Baldermann stated the Village will not have to increase our Lake Michigan water rates for this project.

Mr. Carroll stated no.

Mayor Baldermann said the bottom line is we can get the funding at a low interest rate and this is something we need to do and this doesn't deplete our funds.

Trustee Bowden commented that she would rather see the Village do this as a planned action.

Mr. Carroll said from a timing standpoint, we would have approvals from IDOT and go through the IEPA Loan process so we are probably looking at 2017.

Mr. Welch, Christopher Burke Engineering, discussed the timeline of the project.

The Village Board concurred this project needs to be done.

### **Discussion of Tax Levy**

Ms. Auchstetter announced the tax levy of \$2,567,694.00. This tax levy was calculated abiding by the Property Tax Extension Limitation Law or TaxCap. The Village follow this as promised to the residents when we passed home rule. This levy included both new growth and the application of the inflation factor of 0.8%.

Mayor Baldermann went on to discuss the state budget.

### **Discussion of Open Space Fees**

Ms. Ellis stated that every year Staff surveys a number of communities primarily in Will County but also some in other growth areas to gage where are fees are compared to theirs. This is the first year in the last five where none had lowered their fees. Overall New Lenox is in the middle as far as impact fees. Staff is looking for Board direction on maintaining the fair market value at \$110,000 and also extending the 50% reduction to the existing platted lot subdivisions for another year.

The Board concurred.

### **Discussion of Permit Fees**

Ms. Ellis stated historically the Village Code had a mandatory 5% increase in building permit fees. When the housing market crashed the Village tried to help the developers by looking at the Building Valuation Report which is published by the ICC. The table that is recommended for adoption has increased approximately 1% from the 2014 table. For a 2000 square foot home would be \$20.64 increase on a building permit. This has been published on the Capital Development Board website.

Trustee Smith asked if the Village Board could look at working with residents when it comes to remodeling their homes.

### **Discussion of Tree Replacement Program**

Mayor Baldermann reported that he asked Staff to come up with the cost to take all the Emerald Ash Borer infected trees at the same time and also over time.

Mr. Williams reported:

- Approximately 1,575 Ash trees currently in inventory to remove

- Approximately 2,105 potential trees to be replaced (Amount includes trees not replaced from the areas where trees were removed this year)
- 2015's average cost for cutting tree down, stump removal, dirt, and seed is \$140 per tree if hired out by a tree service
- 2015's average cost for a tree and planting is \$290 per tree of which resident pays the Village \$145 for their participation in the 50/50 tree replacement program
- Typical participation in the 50/50 program is around 65% or 1,368 trees
- 2015/2016 budgeted funds for EAB removal and replacement totaled \$120,750 which at that budgeted pace it would take 7 years to remove and replace the current EAB inventory if 100% of the trees were replaced and just over 5 years if 65% of trees were replaced.

### Options to consider:

#### 1 Year Removal & Replacement Plan

Removal of 1,575 trees	\$220,500
Replacement of 2,105 trees (100%)	\$610,450
Total 1 year budgeted cost with full replacement	<b>\$830,950***</b>
Total 1 year actual cost with full replacement reimbursement)	\$525,725 (after 50/50)
Replacement of 1,368 trees (65%)	\$396,720
Total 1 year budgeted cost with 65% replacement	<b>\$617,220***</b>
Total 1 year actual cost with 65% replacement reimbursement)	\$418,860 (after 50/50)

\*\*\* These figures are the most important as they represent the total budgeted costs for removal and replacement regardless of how the monies are split

#### 2 Year Removal & Replacement Plan (figures are per year)

Removal of 1,575 trees	\$110,250
Replacement of 2,105 trees (100%)	\$305,225
Total 2 year budgeted cost with full replacement	<b>\$415,475</b>
Total 2 year actual cost with full replacement reimbursement)	\$262,863 (after 50/50)
Replacement of 1,368 trees (65%)	\$198,360
Total 2 year budgeted cost with 65% replacement	<b>\$308,610</b>
Total 2 year actual cost with 65% replacement reimbursement)	\$209,430 (after 50/50)

#### 3 Year Removal & Replacement Plan (figures are per year)

Removal of 1,575 trees	\$73,500
Replacement of 2,105 trees (100%)	\$203,483
Total 3 year budgeted cost with full replacement	<b>\$276,983</b>
Total 3 year actual cost with full replacement reimbursement)	\$175,242 (after 50/50)
Replacement of 1,368 trees (65%)	\$132,240
Total 3 year budgeted cost with 65% replacement	<b>\$205,740</b>
Total 3 year actual cost with 65% replacement reimbursement)	\$139,620 (after 50/50)

**1 Year Removal & 3 Year Replacement Plan (figures are labeled per FY)**

Removal of 1,575 trees	\$220,500 in FY16/17
Replacement of 2,105 trees (100%) FY18/19	\$203,483 in FY16/17, FY17/18, FY18/19
Total budgeted cost with full replacement	\$423,983 / \$203,483 / \$203,483
Replacement of 1,368 trees (65%) FY18/19	\$132,240 in FY16/17, FY17/18, FY18/19
Total budgeted cost with 65% replacement	\$352,740 / \$132,240 / \$132,240

Notes to consider:

- Public Works can also participate with the tree removal. Our cost would be about \$110 per tree and we estimate being able to cut, stump grind, and restore about 40 trees per day. There are around 160 trees that we would still have to hire out due to size or location. The remaining trees would take 9 men, 8 weeks to complete which would put a strain on other work in the department. Another option would be that we participate in the removal but split the work load more evenly with a tree service.
- The Village may be limited to the number of trees that can be replaced in any given year due to availability factors from the nurseries.

The Village Board discussed the different option.

Trustee Bowden discussed trees in narrow parkways which overgrow and break sidewalks and that Public Works Department has to trim. She said going forward we could limit the trees or controlling the trees in the parkways. Trustee Bowden asked how much do we replant and should we look at the whole process.

Mr. Carroll said the species of trees that are used are more parkway friendly.

Mayor Baldermann asked if we have addressed the issues of the sidewalks that are being damaged because of the trees that were planted in the parkway.

Mr. Williams said the Public Works Department replaces trees with 2.5" diameter trees.

Mayor Baldermann stated that the Village Board agrees to have all of the trees removed and go over a gradual two year replacement with a transfer of funds as opposed to depleting the general fund.

Trustee Smith said that residents should be notified, whose covenants and restrictions supersede our Village codes that we are only putting in per our ordinance. So if the resident planted fifteen trees the Village will only replace two per ordinance.

Mayor Baldermann stated the trees that damaged sidewalks in the past are no longer being planted by the Village.

Mr. Carroll stated that Staff will review the ordinance to see if changes need to be make.

**ADJOURNMENT**

Motion to Adjourn the Meeting made by Trustee Smith and seconded by Trustee Finnegan. Upon voice vote, the motion carried. The Council of the Whole Meeting of the Village of New Lenox Board of Trustees held on November 16, 2015 was adjourned at 7:53p.m.

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**Laura Ruhl, Village Clerk**