

APPROVED

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

New Lenox Village Hall,
One Veterans Parkway
Monday February 22, 2016
#16-05

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, Johnson, Finnegan 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 Village Administrator Kurt Carroll, Village Clerk Laura Ruhl, Finance Director Kim Auchstetter, Public Works Director Brian Williams, Building and Zoning Administrator Warren Rendleman, Village Engineer Will Nash, Deputy Chief Bob Pawlisz, Assistant Administrator/Community Development Director Robin Ellis and Attorney Chris Spesia.

CONSENT AGENDA

Motion to Approve 6 items on the CONSENT AGENDA #16-05 was made by Trustee Smith and seconded by Trustee Johnson.

- A - Ordinance #2550 Amending Chapter 106, Zoning, of the Municipal Code – Tobacco Shops, Alternative Nicotine Shops and Vapor Shop – 2nd Read
- B - Ordinance #2551 Adopting Rules and Regulations of the Board of Fire and Police Commissioners of the Village of New Lenox – 2nd Read
- C - Ordinance #2552 Creating Class TE Liquor License – Chasing the Sun – New Lenox Community Park District
- D - Ordinance #2553 Creating TE Liquor License – Proud American Days – New Lenox Community Park District
- E - Approval of Contract – Melrose Pyrotechnics, Inc. – 4th of July Fireworks
- F - Consideration for Approval of an Audit Agreement – SpyGlass Snapshot

Upon roll call, the vote was:

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

ABSTAIN: 0

NAYS: 0

ABSENT: 0

The motion carried.

ORDER OF BUSINESS

Consideration for Approval of a Resolution #16-05 Authorizing the Sale of Property at the Northeast Corner of Cedar Road and Route 30 in the Village of New Lenox

Mayor Baldermann explained that this is part of the Route 30 and Cedar Road re-development. This resolution is for the CVS agreement which is looking to be primarily where the BP Gas Station was. He went on to say there was a lot of work that went into this agreement and are excited to be able to move forward.

Mr. Carroll noted that all of the numbers and amounts are the same as the Letter of Intent. He went on to add that the Village will receive a final layout.

Trustee Smith asked if there are any tax increment financing.

Mayor Baldermann stated no.

Trustee Smith asked if the Village will have to give extra right-of-way and are they taking any of the back Metra parking lot?

Mr. Carroll stated not on this parcel but more so on the other parcel that would have been behind the House of Hughes and the Pit Stop. The CVS will mainly take the spot that was the BP Gas Station, the dry cleaners, Church Street and a very small portion of the former House of Hughes. When we build the new train station we will be replacing that parking further to the east.

Trustee Smith asked if Church Street will be vacated.

Mr. Carroll stated that Church Street will be vacated. He went on to say with the new site plan there be access from Rt. 30 to the Metra parking lot.

Trustee Smith asked if the Village could do a true cost analysis of the re-development.

Mr. Carroll stated Staff will provide a cost analysis.

Trustee Smith asked the size of the CVS.

Mr. Carroll stated 14,000 square –feet.

Trustee Smith asked if the other portion of the re-development will be owned by the same developer.

Mr. Carroll stated a different developer.

Trustee Smith asked how many units they are looking to develop.

Mayor Baldermann stated this agenda item is the contract with CVS only, the rest of the re-development will be discussed in closed session.

Motion to approve the resolution was made by Trustee Butterfield and seconded by Trustee Johnson

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 0

The motion carried.

Consideration for Approval for Extension of Special Use for a Final P.U.D. Plat – Hickey Memorial Chapel

Ms. Ellis reported in January 2014 the Village Board approved a final PUD Plat for the Hickey Memorial Chapel located on Calistoga Drive. Mr. Hickey is requesting an extension of the construction schedule anticipating that construction to begin a year from now and be completed in September 2017.

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

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 0

The motion carried.

Consideration for Approval of a Request for Temporary Use for Sign – Cedar Crossings

Ms. Ellis reported the existing sign at Cedar Crossings has extended beyond the five years that the Zoning Ordinance allows. They would like to continue the use of the sign in a different location and they now have partnered with a new broker so the sign will

have the new brokers information. They are requesting a five year period. The sign height and location complies with the Zoning Ordinance provisions. She noted the Village holds a \$500.00 deposit in case there are any problems.

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

Upon voice vote, the motion carried.

Consideration of Approval of a Request for Site Plan – Murphy Oil, USA

Ms. Ellis reported when the New Lenox Town Center was approved in 2007 the lot that is between Goodwill and Aldi was designated and anticipated to be a Walmart Fueling Station, which is now Murphy Oil, USA. Staff has been working with Murphy Oil on a site plan for the last few months. There are eight fuel pumps with a 1,400 square foot building and complies with all of the underlying provisions of the PUD of the New Lenox Town Center as well as the applicable Village codes. Staff comments have been addressed.

Trustee Butterfield asked if Walmart owns Murphy Oil, USA.

Ms. Ellis stated no, adding that Walmart has gotten out of the gas business and Murphy Oil, USA has stepped in.

Motion to approve the site plan was made by Trustee Finnegan and seconded by Trustee Madsen

Upon roll call, the vote was:

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

The motion carried.

Consideration for Approval of Setting of Surety – Murphy Oil, USA

Mr. Nash stated the surety for the public improvements for this project are in the amount of \$39,993.50

Motion to approve the setting of surety was made by Trustee Butterfield and seconded by Trustee Finnegan

Upon roll call, the vote was:

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

The motion carried.

Consideration for Approval of a Resolution #16-06 Authorizing the Execution of an Agreement – Passport Parking, Inc.

Mr. Carroll explained this is another option for a pay application that can be utilized at our Metra Lot. Customers will be able to pay for parking using a smartphone application for mobile web application. There is no cost to the Village for this software license. Mr. Carroll noted that Passport will be sending us reports everyday on the vehicles in the lot.

Trustee Smith asked how Passport gets paid.

Mr. Carroll explained there is a convenience fee and does not cost the Village anything. He noted this program is being successfully used by Chicago and numerous suburbs such as Schaumburg and Downers Grove.

Ms. Auchstetter stated there are credit card fees the Village will absorb. They are minimal and that is why the customer can only replenish in \$20.00 increments so the fee is lessened for the Village.

Motion to approve the resolution was made by Trustee Finnegan and seconded by Trustee Butterfield

Upon roll call, the vote was:

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

The motion carried.

Consideration of an Ordinance Amending Chapter 106, Zoning, of the Municipal Code – Microbreweries and Wineries – 1st Read

This adds microbreweries and wineries to the C-2 Zoning District.

No comments or questions

Consideration of an Ordinance Amending Chapter 6 of the Municipal Code – Alcoholic Beverages – BYO – 1st Read

Mr. Carroll reported there have been requests by businesses to have BYO (Bring your own beer/wine). This creates a new class license to our Liquor Code. They will still have to go through the same process as every other liquor license.

Trustee Bowden asked for clarification on what types of businesses are looking for this license.

Mr. Carroll stated that businesses that offer craft parties are requesting that their customers be able to bring in their own alcohol.

Mayor Baldermann noted these licenses will have to be approved by the Village Board the same as the other classes.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reported that the representatives of ShareFest had turned in a Raffle License application after the Board packet was disbursed. He asked the Boards permission to allow ShareFest to start selling their raffle tickets early and the license would be approved at the next Village Board meeting.

The Village Board concurred.

Mayor Baldermann reported on the upcoming State of the Village Address at Silver Cross Hospital.

Mayor Baldermann discussed the concerns of the Lincoln Way High School District. He reported that he was asked by the Lincoln Way Area Tax Payers Group to host a discussion in the Community Room. There will be no vote or action taken of any kind. This is not a Village Board function, more like a town hall meeting.

Trustee Smith said it's nice to know what is going on since we have children that go to the school.

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 \$654,807.67. In addition approval of the Property Tax Rebate disbursement in the amount of \$1,015,723.94 is requested. In addition to these disbursements, approval is needed for bi-weekly payroll in the amount of \$338,832.55 and a monthly payroll in the amount of \$5,761.67 that were paid on February 19, 2016.

Ms. Auchstetter noted that we had 80% participation this year, roughly 5,600 checks.

Motion was seconded by Trustee Finnegan.

Upon roll call, the vote was:

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

The motion carried.

Mayor Baldermann reported that it was suggested that the Village post signs in by the Police Station for internet exchange. Signs are going to be made and put up.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

Bill Walter, 1022 Grandview Drive, asked what was going on at the old Papa Joes Restaurant.

Mr. Rendleman stated the Village has received the demolition permit.

Mr. Walter asked for a Nelson Road update.

Mr. Carroll stated the engineering is being worked on and preparing the documents to go out for bid. There may some issues with the pipeline company.

Mr. Walter asked if Mayor Baldermann would be the moderator at the Lincoln Way assembly.

Mayor Baldermann stated yes he would be.

TRUSTEE COMMENTS

Trustee Smith

Trustee Smith commented on political signs.

Trustee Finnegan

Trustee Finnegan had no comments.

Trustee Madsen

Trustee Madsen had no comments.

Trustee Bowden

Trustee Bowden had no comments.

Trustee Butterfield

Trustee Butterfield commented that people are excited to see CVS coming to New Lenox.

Trustee Johnson

Trustee Johnson reported on the upcoming State of the Village.

Trustee Johnson reported on the upcoming March Business on the Move.

RECESS TO EXECUTIVE SESSION

Motion to recess to Executive Session was made at 7:45pm by Trustee Smith and seconded by Trustee Bowden.

Upon roll call, the vote was:

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

ABSENT: 0

The motion carried.

RECONVENE TO REGULAR SESSION

All members of the corporate authorities previously in attendance before executive session including, Kurt Carroll, Chris Spesia and Village Clerk Laura Ruhl were in attendance when the Board reconvened at 8:09pm

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 February 19, 2016 adjourned at 8:09pm.

Laura Ruhl, Village Clerk