

APPROVED

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

**New Lenox Village Hall,
One Veterans Parkway
Monday March 21, 2016**

#16-07

CALL TO ORDER

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

Absent: Trustees Madsen

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, Chief of Police Bob Sterba, Building & Zoning Administrator Warren Rendleman and Attorney Chris Spesia

DISCUSSION ITEMS

Discussion of American Public Works Association Accreditation

Brian Williams introduced Ann Daniels from the American Public Works Association to explain the process of accreditation.

Ms. Daniels explained in an effort to better improve the department's efficiency, provide consistent customer service, and a safer work environment several Public Works staff members have reviewed the process to become an APWA accredited Public Works Department and found that there are many benefits to the program in addition to our initial goals stated. Some of which include: formal recognition of a well-run agency, provides a mechanism to evaluate the organization, provides information regarding improving operations, assists with justifying budget requests, reduces liability, instills pride, and encourages documentation of policies and procedures. The estimated cost to

complete the accreditation process (not including staff-time) is estimated at \$8,000 over phases. There are and 29,000 members and many neighboring communities that have become accredited that can assist the Department in the process including Highland Park, Buffalo Grove, Skokie, Schaumburg, Naperville, and Libertyville

Discussion of 2016 MFT Program

Mr. Nash went over a map of streets that are scheduled for resurfacing in 2016, and also what was done over the last few years and a plan for upcoming years.

The proposed streets to be resurfaced in 2016 are as follows:

Belot Lane – Bluestone Bay Drive to Passage Lane
 Brigantine Drive – Bluestone Bay Drive to Southwind Drive
 Bristol Lane – Genoa Drive to Southwind Drive
 Eastwind Drive – Bluestone Bay Drive to Passage Lane
 Gannet Lane – Bluestone Bay Drive to Eastwind Drive
 Genoa Drive – Brigantine Drive to Belot Lane
 Kristin Court – Northwind Drive to Cul-de-Sac
 Laurel Bay - Gannet Lane to Passage Lane
 Northwind Drive – Bluestone Bay Drive to Gannet Lane
 Passage Lane - Bristol Lane to Eastwind Drive
 Southwind Drive – Passage Lane to Windy Lane
 Westwind Drive – Windy Lane to Bluestone Bay Drive
 Windy Lane – Southwind Drive to Dead End
 Grace Court – Northwind Drive to Cul-de-Sac
 Surf Drive – Elm Drive to Cul-de-Sac
 Oak Street – Cedar Road to Cooper Road
 Elm Street – Cedar Road to Cooper Road
 Gum Street – Cedar Road to Cooper Road
 S. Cooper Road – Oak Street to Gum Street
 Ash Street – Cedar Road to Cooper Road
 Fir Street – Cedar Road to Cooper Road
 Root Street – Oak Street to Fir Street
 Oakview Drive – Cedar Road to Cooper Road
 Hawthorne Lane – Cedar Road to Cooper Road
 Gall Lane – Cedar Road to Dead End
 Wood Street – Cedar Road to Dead End (east)
 N. Cooper Street – Gum Street to Aspen Drive
 Hauser Court – Cooper Road to Dead End
 Locust Lane – Cooper Road to Dead End
 Timber Court – Timber Place to Cul-de-Sac
 Briarwood/Veterans Parkway – Haven Avenue to Veterans Parkway
 Haven Avenue – Gear Drive to Wildwood Drive

The proposed list of streets is within the tentative budget number staff has been working on. With the Village Board approving the 2016 list of streets staff will begin preparing the drawings and specifications and submit them to IDOT for approval. The tentative schedule would be to have the project out to bid by the end of April, award the contract in May and start construction by the beginning of June and be complete before school starts in August.

Mr. Carroll added the Village receives about \$600,000 in MFT Funds which is only about a third of what we need to hit our goal. The utility tax and sales tax added the funds we needed.

Mayor Baldermann stated the Village Board has kept the promises that were made when the Village went Home Rule.

Discussion of Laraway Road Trunk Sewer

Leigh Creek Estates is located directly south of Bluestone Bay and just north of the CN railroad on the east side of the Village. Hartz Construction is the current owner of the property. Per the Village of New Lenox Sanitary Sewer master plan Leigh Creek should be served by the proposed Jackson Branch Trunk Sewer. In the last few years Hartz has made contact with many property owners regarding the needed easements to install this sanitary sewer. They have not been able to obtain the required easements due to the fact that the some property owners are not willing to grant Hartz an easement unless they are not required to participate in a recapture agreement for the Jackson Branch Trunk Sewer. Hartz has stated without the financial participation of the aforementioned properties they cannot move forward with construction of the Jackson Branch Trunk Sewer. They are requesting that the Laraway Road Trunk Sewer recapture agreement be modified to allow Leigh Creek Estates to be served by the Laraway Road Trunk Sewer. Staff and our consultant have reviewed the 2015 sanitary sewer study completed by Vantage Point Engineering. Staff concurs with the findings in the 2015 study. Hartz had submitted a similar study of this sanitary sewer back in 2010. Over the last 5 years, the Village of New Lenox Master Plan and information regarding the proposed developments along Laraway Road have solidified. The 2015 sanitary sewer study includes this updated information, as well as corrected some errors from the 2010 study. The 2015 study identifies two sections of the pipe that are above the accepted 90% capacity of the pipe. If Leigh Creek Estates moves forward with connecting to the Laraway Road Trunk Sewer, Staff and our consultant will work with the developer to ensure the proposed design will bring the two sections of pipe into compliance.

Mr. Carroll explained we are using the current numbers and being very conservative in the areas that have not been developed. We want to make sure that nothing comes back to haunt us because we are the ones who have to answer.

Trustee Smith briefly discussed the history of the sewer line. He went on to ask if we have enough capacity.

Mr. Nash stated in most of it. The areas that are going to Laraway Road, based on our 90% number, we have two areas of that sewer that don't meet that requirement. We told the developer if he wants to do this those two areas need to be addressed so they meet the requirement and we don't have to force any other development out of the sewer that is designed to go in there. At this time all developments that are a part of the Laraway Road Trunk and a part of the original recapture agreement are still available to go in there. The recapture would need to be recalculated with all of the people that have already paid and are still set up to pay but there share may change slightly. The areas that don't meet the capacity will have to be done to insure that we don't over serve the sewer.

Trustee Smith expressed concerns about the Village getting sued since this happened in the past. He went on to say if we do this let's make sure there are no problems and no chance of getting sued.

No other comments or questions from the Board.

Discussion of Sewer Only Sanitary Rates

Mr. Williams reported the Village currently has 158 non-metered sewer accounts. These are accounts that don't utilize the Village water but still contribute to the sanitary sewer system. Of the 158 accounts 33 accounts are a flat rate of 6,000 gallons of usage for a monthly charge of \$47.22 and 125 accounts are charged monthly based on 9,000 gallons which equates to \$70.83 monthly. There have been many calls since the rate increase. Staff has evaluated the billing inequalities and believe the flow monitoring performed by the Forest Street system, a 20% sample size, is most likely an accurate representation of the remaining 125 users and are recommending lowering the 9,000 gallons flat fee charge to the 6,000 gallon charge.

The Board concurred.

Discussion of Southwest Quiet Zone

Mr. Nash reported updated the Quiet Zone for the Metra Southwest Service Line.

METRA SOUTHWEST SERVICE RAILROAD

1. Wood Street – New Lenox Park District (entrance to the Sanctuary Golf Course)
2. Joliet Highway – Village of New Lenox
3. Illinois Highway – Village of New Lenox
4. Laraway Road – Will County Division of Transportation
5. Delaney Road – New Lenox Township Highway Commissioner
6. Cedar Road - Will County Division of Transportation
7. Private Crossing
8. Baker Road – Village of Manhattan

There is also a need for a speed limit waiver from the Federal Railroad Administration because the speed limit at Laraway Road is 45 mph and the maximum speed limit for a quiet zone is 40 mph. Staff will be requesting a lower speed limit from the Will County Division of Transportation to try and avoid the speed limit waiver. A quiet zone typically requires delineators, similar to the ones installed near the CN line, to extend about 100 feet each direction away from the railroad tracks. The intersections on this railroad line allow for the installation of 100 feet of delineators. Our consultant has indicated that if we move forward with a quiet zone on the METRA Southwest Service Line it is very likely to get the quiet zone established. At this time there is a possibility that we could implement the quiet zone with only signs needed at most locations, due to the fact there is a non-traversable curb already installed at Laraway Road. The cost to complete design and install the required safety measures on the METRA Southwest service line is estimated to cost approximately \$180,000 if the delineators are required at all locations. If we only need to install signs, the cost would be much lower. As stated above, only 2 of the crossings are under the jurisdiction of the Village of New Lenox. Below is breakdown on costs for the streets under the jurisdiction of each governmental agency.

At this time it is unclear what, if any, financial participation will be received from these other agencies.

Village of New Lenox - \$61,125 (Joliet Hwy, Spencer Road, Private Crossing)
New Lenox Park District - \$27,375 (Wood Street)
Will County Division of Transportation - \$39,750 (Laraway Road, Cedar Road)
New Lenox Township Highway Department - \$25,125 (Delaney Road)
Village of Manhattan - \$27,375 (Baker Road)

Mr. Carrol stated there could possibly be future costs with the delineators and would the Board want to add this to the budget for the Village to do or do we base it upon whether we can get the other taxing bodies to agree to work together.

Mayor Baldermann stated there are seven trains a day, \$180,000 to do the work and \$120,000 of that is not our jurisdiction. Mayor Baldermann asked Mr. Nash what the cost would be if we don't have to install the delineators and just put up signs.

Mr. Nash stated he guesses \$10,000-\$15,000 total.

The Village Board discussed the other taxing bodies that are part of this line.

Mayor Baldermann asked what the cost is to find out if we are able to just post signs.

Mr. Nash stated it's a matter of which information to send to the FRA. We have already had the Diagnostic Team Meeting and now it's to the point of which direction the Village Board want to go.

Mayor Baldermann stated even with the growth that New Lenox has it will be a long time before we would have to upgrade to the delineators.

Mr. Nash stated the FRA typically give a period of time to make changes if needed along the train line.

Trustee Bowden stated she doesn't want New Lenox to be the solely responsible for any improvements if needed.

Mayor Baldermann asked if New Lenox pays the money for the signs and an upgrade is needed are we committed to the upgrade.

Mr. Nash stated no we are not.

Trustee Smith and the Board discussed the possibility of an Intergovernmental Agreement with the other taxing bodies for keeping and maintaining.

Mayor Baldermann stated to submit the sign option to see if the FRA approves. If they say no then we can make the decision to submit the other option.

Mr. Nash said he would reach out to the other taxing bodies.

The Board agreed to Mr. Nash contacting the other taxing bodies regarding an IGA or to see if they will pay their share.

PUBLIC COMMENTS OR QUESTIONS

No comments from the public.

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 March 21, 2016 was adjourned at 7:58p.m.

Laura Ruhl, Village Clerk