

# **APPROVED**

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

**New Lenox Village Hall,  
One Veterans Parkway  
Monday October 10, 2016  
#16-27**

### **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 Butterfield, Smith, Johnson, Bowden, Madsen and Trustee Finnegan

Absent – Mayor Baldermann

**Trustee Bowden ran the meeting in Mayor Baldermann’s absence.**

### **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, Community Development Director/Assistant Administrator Robin Ellis, Public Works Director Brian Williams, Building and Zoning Administrator Warren Rendleman, Village Engineer Will Nash, Chief Bob Sterba and Attorney Chris Spesia.

### **CONSENT AGENDA**

Motion to Approve **9** items on the **CONSENT AGENDA #16-27** was made by Trustee Smith and seconded by Trustee Finnegan.

- A - Ordinance **#2595** Approving an Agreement with Will County for the Transfer of a Street to a Municipal Street System – Cedar Road from Illinois Highway to Laraway Road – 2<sup>nd</sup> Read
- B - Ordinance **#2596** Amending Section 90 of the Municipal Code – No Parking – Batson Court – 2<sup>nd</sup> Read
- C - Ordinance **#2597** Amending Section 90 of the Municipal Code – No Parking – Old Hickory Road – 2<sup>nd</sup> Read
- D - Minutes of the Council of the Whole Meeting – August 15, 2016
- E - Minutes of the Regular Meeting – August 22, 2016
- F - Minutes of the Regular Meeting – September 12, 2016

- G - Ordinance #2598 Amending Chapter 54, Article IV of the Municipal Code (Offense against Public Peace and Safety) – 2<sup>nd</sup> Read
- H - Surety Release – Hibernia Estates Unit 4
- I - Approval of Purchase – Loader Plow

Upon roll call, the vote was:

<b>AYES:</b>	<b><u>6</u></b>	Trustees Butterfield, Smith, Bowden, Madsen, Johnson and Finnegan
<b>ABSTAIN:</b>	<b><u>3</u></b>	Trustee Johnson – Item E Trustee Finnegan – Item F Trustee Madsen – Items D & E
<b>NAYS:</b>	<b><u>0</u></b>	
<b>ABSENT:</b>	<b><u>1</u></b>	Mayor Baldermann

The motion carried.

### **ORDER OF BUSINESS**

#### **Consideration for Approval of an Ordinance #2599 Authorizing a Development Agreement – Jacobs Field – 2<sup>nd</sup> Read**

Ms. Ellis reported that following the adoption of the Resolution Adopting a Policy for Impact Fees Staff worked with the developers attorney to get section 3 to accomplish what the Board and developer are looking for which is to maintain status quo on the types of fees that are being collected. They also can refer to the resolution for the 50% reduction and to clarify that Flaherty Builders and Weber Homes do satisfy the terms of an affiliate under the resolution.

Trustee Smith asked if the impact fee resolution was adopted and do we want to note this in an agreement.

Attorney Spesia stated he is comfortable with this because we reference the impact fees resolution “as may be amended” by any resolution adopted to replace it. We are not locking in that resolution, we have flexibility. Every year the impact fee resolution is looked at and might be changed.

Trustee Smith asked if Flaherty Builders or Weber Homes are bought by another developer and kept the name Flaherty, could the Village legally drop them off the 50% reduction list.

Attorney Spesia explained that they would drop off the resolution and we looked at ownership. He went on to say the development agreement needs to be read in conjunction with the resolution which then we would not be limited.

Trustee Smith stated he would rather not have the line that states “meets the eligibility requirements for 50% reduction contained in section 10”.

Attorney Spesia stated if they sell then clearly the resolution would not apply. Trustee Smith said the agreement states “those two entities meet the requirement”.

Attorney Spesia noted it says “as affiliates”. So if for some reason they no longer were affiliates then they won’t meet the requirements.

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

Upon roll call, the vote was:

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

The motion carried.

**Consideration for Approval of a Site Plan – Silver Cross Hospital – Employee Parking**

Ms. Ellis reported because of the continued growth of the hospital they would like to construct 82-parking stalls at the southwest corner of Silver Cross and Cedar Crossings Drive. Staff is recommending approval.

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

Upon roll call, the vote was:

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

The motion carried.

**Consideration for Approval of a Setting of Surety – Silver Cross Hospital – Employee Parking**

Mr. Nash requested approval for a surety in the amount of \$11,211.25.

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

Upon roll call, the vote was:

<b>AYES:</b>	<b><u>6</u></b>	Trustees Butterfield, Smith, Bowden, Madsen, Johnson and Finnegan
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**NAYS:**                 0

**ABSENT:**            1                 Mayor Baldermann

The motion carried.

### **REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

#### **MAYOR**

Absent.

#### **Trustee Bowden**

Trustee Bowden announced the Trick-or-Treat hours are 4:30pm-7:00pm on Halloween.

Trustee Bowden announced the free leaf pick up.

Trustee Bowden announced there will not be a Council of the Whole Meeting in October.

#### **VILLAGE ATTORNEY**

No report.

#### **VILLAGE ADMINISTRATOR**

Mr. Carroll announced that we will be shutting down traffic northbound on Cedar Rd. between Illinois Highway and Michigan Rd. after 7:00pm on Thursday for a water leak repair.

Village Clerk Ruhl gave a brief report on the upcoming early voting.

### **PAYROLL & DISBURSEMENTS**

Trustee Butterfield made the motion to approve our bi-monthly disbursements in the amount of \$1,494,377.97. In addition to this disbursement, approval is needed for biweekly payroll in the amount of \$344,684.34 paid on September 30, 2016.

Motion was seconded by Trustee Madsen

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

**NAYS:**                 0

**ABSENT:**            1                 Trustee Finnegan

The motion carried.

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

None.

**TRUSTEE COMMENTS****Trustee Smith**

Trustee Smith commented on a report that was in the packet from Nancy Dye regarding a Hotel Study.

**Trustee Finnegan**

Trustee Finnegan had no comments.

**Trustee Madsen**

Trustee Madsen commented on the Cubs.

**Trustee Butterfield**

Trustee Butterfield mentioned the Wreath's Across America fundraiser which is through the New Lenox Fire District.

**Trustee Johnson**

Trustee Johnson reported the Chamber of Commerce is currently accepting nominations for Business of the Year.

**ADJOURNMENT**

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Johnson. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on October 10, 2016 adjourned at 7:20pm.

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Laura Ruhl, Village Clerk