

**MINUTES OF THE REGULAR MEETING OF THE**  
**NEW LENOX BOARD OF TRUSTEES**  
New Lenox Village Hall, 1 Veterans Parkway  
Monday, September 14, 2009

#09-23

**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 Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

**ROLL CALL**

Upon Roll Call by the Village Clerk, the following members of the corporate authorities answered "Here" or "Present":

Trustees Smith, Madsen, Butterfield, Bowden, Dye, Tuminello, and Mayor Baldermann

The following were absent: None

**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 Russ Loebe, Village Clerk Marcia Englert, Finance Director Kim Auchstetter, Planning and Development Administrator Robin Ellis, Police Chief Bob Sterba, Village Engineer Scott Killinger, Building & Zoning Administrator Warren Rendleman, Public Works Superintendent Ron Sly, Economic Development Director Randall Lowman, Assistant to the Administrator Carol Hennessy, Attorney Chris Spesia, and Deputy Clerk Bonnie Motyka.

**CITIZENS REQUESTS & SPECIAL REQUEST**

**Request for Preliminary Plat Extension – Jacob’s Field – Mike Flaherty**

Ms. Ellis reported the developer received final plat for the first unit in 2005 and in June 2008 received a one-year extension due to the economy. She stated the developer was again requesting another one-year extension noting only a few building permits had been issued to date. Staff had no objection to the request noting there were no Village fees that were outstanding.

Motion to approve the request for preliminary plat extension for Jacob's Field made by Trustee Smith and seconded by Trustee Madsen. Upon voice vote, the motion carried.

**Request for Preliminary Plat Extension – Heather Glen – Robert Huguelet**

Ms. Ellis reported the next phase of the development was due to be approved by month's end. She stated the petitioner was not in a position to move ahead and requested a one-year extension until September 13, 2010.

Motion to approve the request for preliminary plat extension for Heather Glen made by Trustee Tuminello and seconded by Trustee Dye. Upon voice vote, the motion carried.

**CONSENT AGENDA**

Trustee Madsen inquired if current fences were grandfathered in Item B. Ms. Ellis reported that the ordinance would apply to future fences. Mayor Baldermann added that this would affect replacement of existing fences.

Motion to approve 12 items on Consent Agenda #9-23 as presented in packet made by Trustee Madsen and seconded by Trustee Dye.

Items up for approval:

- A - Ordinance #2064 Amending Title 106 of Municipal Code – Mobile Businesses – 2<sup>nd</sup> Read
- B - Ordinance #2065 Amending Title 106 of Municipal Code – Fence Regulations – 2<sup>nd</sup> Read
- C - Ordinance #2066 Establishing Dormant SSA – Falcon Ridge
- D - Letter of Credit Release – Wildflower Estates
- E - Ordinance #2067 Amending Section 18 of Municipal Code – Sidewalk Bonds – 2<sup>nd</sup> Read
- F - Minutes of Regular Meeting of August 10, 2009
- G - Minutes of Regular Meeting of August 17, 2009
- H - Minutes of Regular Meeting of August 24, 2009
- I - Request for Temporary Signs – Pancake Breakfast. United Methodist Church
- J - Request for Temporary Signs – Spaghetti Dinner – New Lenox Historical Society
- K - Request for Temporary Signs – Craft Show/Potato Bar – United Methodist Church Women
- L - Letter of Credit Release – Plank Trail Industrial Center, Lot 22

Upon roll call, the vote was:

**AYES:**                                 7         Trustees Smith, Butterfield, Madsen, Tuminello,  
Bowden, Dye, and Mayor Baldermann

**NAYS:**                                 0

**ABSTAIN:**                    0

**ABSENT:**                    0

The motion carried.

**ORDINANCES & RESOLUTIONS**

**Ordinance #2068 Annexing Certain Territory - Northpoint – 1<sup>st</sup> Read**

**Ordinance #2069 Rezoning Newly Annexed Territory – Northpoint – 1<sup>st</sup> Read**

Ms. Ellis reported Northpoint Subdivision consisted of four lots on Wallace Street. She stated the whole area was incorporated into the Village in the 1940s. She reported they de-annexed in 1948 was de-annexed noting that the paperwork was never in the Village’s records. She added the final plat was approved in 1985 by the Village even though it was not in the Village. She stated these four homes were served by Village utilities noting all of the other properties had annexed over time. She added that the owner of the property to the north of these lots was not interested in annexation at this time.

Ms. Ellis reported the rezoning would be to the R-2 District noting that the setbacks did not meet the R-2A District requirements. She stated the Board could waive second read and take action on these two requests.

Motion to waive second read made by Trustee Smith and seconded by Trustee Madsen. Upon voice vote, the motion carried.

Motion to adopt Ordinance #2068 annexing certain territory – Northpoint made by Trustee Smith and seconded by Trustee Tuminello.

Upon roll call, the vote was:

**AYES:**                    7       Trustees Dye, Bowden, Smith, Butterfield, Madsen, Tuminello, and Mayor Baldermann

**NAYS:**                    0

**ABSTAIN:**                0

**ABSENT:**                0

The motion carried.

Motion to adopt Ordinance #2069 rezoning newly annexed territory – Northpoint made by Trustee Smith and seconded by Trustee Dye.

Upon roll call, the vote was:

<b>AYES:</b>	<u>7</u>	Trustees Dye, Bowden, Smith, Butterfield, Madsen, Tuminello, and Mayor Baldermann
<b>NAYS:</b>	<u>0</u>	
<b>ABSTAIN:</b>	<u>0</u>	
<b>ABSENT:</b>	<u>0</u>	

The motion carried.

**Resolution #09-27 Authorizing the Submittal of a Tiger Grant Application – Route 6 Improvements**

Mayor Baldermann reported \$25 million in road work needed to be done at Route 6 and I-355. He stated that Tiger Grants were federal stimulus grants. He added this resolution would allow the Village to apply for these funds.

Mr. Loebe stated that the grants should be awarded within a two month period. Mayor Baldermann asked Ms. Hennessy to keep the Board informed on this grant application.

Motion to adopt Resolution #09-27 authorizing the submittal of a Tiger Grant application for Route 6 improvements made by Trustee Bowden and seconded by Trustee Madsen.

Upon roll call, the vote was:

<b>AYES:</b>	<u>7</u>	Trustees Dye, Bowden, Smith, Butterfield, Madsen, Tuminello, and Mayor Baldermann
<b>NAYS:</b>	<u>0</u>	
<b>ABSTAIN:</b>	<u>0</u>	
<b>ABSENT:</b>	<u>0</u>	

The motion carried.

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

**MAYOR**

**National Library Card Sign Up Month Proclamation**

Mayor Baldermann proclaimed September National Library Card Sign Up Month. He read the proclamation to the audience. He encouraged the use of the library.

**Contract Approval – K C Audio**

Mayor Baldermann reported that the contract for K C Audio who provided the lighting and sound work for the September 5<sup>th</sup> Peter Frampton Concert was discussed at the Board's August 24<sup>th</sup> meeting where Board consensus was given. He requested formal approval of this contract in the amount of \$6,800.

Motion to approve the Contract with K C Audio for the sound/lighting for the Triple Play Summer Concert Series Peter Frampton in the amount of \$6,800 made by Trustee Madsen and seconded by Trustee Bowden.

Upon roll call, the vote was:

**AYES:**                                 7         Trustees Dye, Bowden, Smith, Butterfield, Madsen, Tuminello, and Mayor Baldermann

**NAYS:**                                 0

**ABSTAIN:**                            0

**ABSENT:**                            0

The motion carried.

Mayor Baldermann reported that the next Town Hall meeting would be October 17<sup>th</sup> regarding the area west of Cedar Road and south of Haven Avenue.

Mayor Baldermann reported on a request from Trustee Bowden regarding changes to the free leaf pick up program. He stated modification of the program would begin with this fall's collection. He added there would be six weeks of pick up in the fall and two weeks in the spring. He reported free leaf pick up began October 22<sup>nd</sup> and run through November 28<sup>th</sup>. He noted that the dates for the spring pick up would be announced at a later date. Trustee Bowden reported the suggestion had been made by a resident.

Mayor Baldermann reported the Board banned leaf burning in the Village a few years ago. He stated that Will County had now also banned leaf burning. He reported the enforcement for unincorporated Will County would be through the Sheriff's Office. He stated residents could contact the New Lenox Police Department who would help contact the correct department. He asked Chief Sterba to make sure the Police Department was aware of this issue. He added that residents could still have fire pits but could not do open burning.

**VILLAGE ATTORNEY** – None

**VILLAGE CLERK** - None

**POLICE CHIEF**

Chief Sterba reported on a charity softball game between the New Lenox Police Department and the New Lenox Fire Department. He stated the Police Department won the game and the charity event collected a truckload of food and a check for approximately \$3,700 for the New Lenox Township Food Pantry.

**FINANCE DIRECTOR** - None

**PLANNING & DEVELOPMENT ADMINISTRATOR** - None

**BUILDING & ZONING ADMINISTRATOR** - None

**ECONOMIC DEVELOPMENT DIRECTOR** – None

**VILLAGE ENGINEER**

Mr. Killinger reported that Silver Cross Boulevard pavement was in place and the striping was done today. He expected that the road would open by the end of the week after stone was added to the shoulder for safety purposes. Mayor Baldermann asked staff to monitor the situation due to the proposed opening of the MOB.

Mr. Killinger reported that progress was being made on Cedar Road. He stated the project was about a week behind schedule. He added that the inconvenience to the residents was being emphasized to all involved.

Mr. Killinger reported that Gougar Road had been paved and the striping needed to be done.

**PUBLIC WORKS SUPERINTENDENT** - None

**VILLAGE ADMINISTRATOR** - None

**PAYMENT OF BILLS** – None

**QUESTIONS AND/OR COMMENTS FROM THE FLOOR** - None

**TRUSTEE COMMENTS**

**Trustee Smith** - None

**Trustee Madsen** - None

**Trustee Bowden**

Trustee Bowden reported that the Performing Arts schedule for 2009 was complete noting that the committee would meet in October to begin work on the 2010 season. She stated the

season was very successful. She complimented Mayor Baldermann and staff for the Triple Play Concert Series noting she received many compliments from residents. She stated residents were pleased with the list of events and hoped that this would continue next year. She stated she was proud to be a part of a Board that was doing so much to reach out to the residents. She asked that suggestions for 2010 be sent to the Village website for consideration.

Mayor Baldermann reported that there was a lot of behind-the-scenes work done by staff for the concert series. He added that he did not see why the Village would not do this again next year. He added that the final numbers were still being worked up but noted that the series was a financial success. He added that he had already been in contact with some booking agencies to work on artist schedules for next year. Trustee Bowden stated she received compliments on the crowd and how people felt comfortable bringing their children with them. Mayor Baldermann reported that the bands noticed the great crowd response and work done by staff which was important because the bands related their experience to the booking agents which helped book future concerts.

### **Trustee Butterfield**

Trustee Butterfield reported on a one-day training class through Channel 6 for new members being held on either September 19<sup>th</sup> or September 26<sup>th</sup>. He reported one of the Channel 6 members was teaching students how to use a camera for an extra look during Lincoln Way West football games. Mayor Baldermann congratulated the Butterfield Family on their son's success on the football team.

### **Trustee Tuminello**

Trustee Tuminello congratulated Will Nash, Village Civil Engineer, and his wife on the birth of their twins on September 9<sup>th</sup>.

### **Trustee Dye**

Trustee Dye encouraged residents to use the Library. She stated that books could be ordered online and picked up at the Library. She stated email alerts were used to contact residents about the books availability. Trustee Smith added that books could be borrowed from other libraries through the New Lenox Library system.

### **EXECUTIVE SESSION** - None

### **ADJOURNMENT**

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Dye. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on September 14, 2009 was adjourned at 7:34 p.m.

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**Bonnie Motyka, Deputy Village Clerk**