

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

**New Lenox Village Hall, 1 Veterans Parkway
Monday, August 24, 2009**

#09-22

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:05 p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

ROLL CALL

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

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

Absent: Trustee Bowden

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 & Development Administrator Robin Ellis, Village Engineer Scott Killinger, Police Chief Bob Sterba, Building Administrator Warren Rendleman, Public Works Superintendent Ron Sly, Economic Development Director Randall Lowman, Village Attorney Chris Spesia, and Deputy Clerk Bonnie Motyka.

CITIZENS REQUESTS & SPECIAL REQUEST

Lincoln-Way High School Presentation – Dr. Lawrence Wyllie, Superintendent

Dr. Wyllie and Ms. Stacy Holland, Lincoln Way High School, presented Mr. Loebe and Mayor Baldermann with an award for their assistance in making Lincoln Way West High School a reality. He stated that the new building was a facility for all taxpayers and encouraged the use of the swimming pool and walking track free of charge. He reported the corner of Illinois Highway and Gougar Road was under the jurisdiction of four different entities and in order to complete that corner with turn lanes all governmental bodies needed to cooperate. He stated Mr. Loebe and Mayor Baldermann assisted them through the process.

Mayor Baldermann reported that Lincoln Way High School was a big part of New Lenox. He noted that Lincoln Way always stepped up to assist other taxing bodies adding that with Dr. Wyllie at the helm Lincoln Way was an example of fiscal responsibility and community togetherness.

Request for County Special Use for Floodplain Development – Green Glen Estates – Dick Ooykaas

Ms. Ellis reported this was an unincorporated County subdivision noting the rezoning and plats were initially reviewed by the Village where a discussion ensued as to whether a pre-annexation agreement should be entered into. She stated the Board decided not to have the pre-annexation agreement due to this being a residential development.

Ms. Ellis reported the request tonight involved modifications of the floodplain to increase the build able area on two lots. She noted they would have to comply with all County requirements for compensatory storage. Staff and Plan Commission recommended no objection be filed to the special use request subject to compliance with the Will County ordinance.

Motion not to file an objection for the request for County special use for floodplain development for Green Glen Estates made by Trustee Tuminello and seconded by Trustee Smith. Upon voice vote, the motion carried with Trustee Bowden recorded as ABSENT.

Request to Vacate Trail Connection – Water Chase Estates – Jim Burdelik

Ms. Ellis reported Water Chase was located on the south side of Laraway Road noting the final plat for the entire subdivision was approved in 2006. She stated that in addition to the typical sidewalks there were a number of trails within the subdivision. She added that a number of trail connections between lots provided access to the trail around the detention pond. She reported that one of the trail connections was located in a court at the northern portion of the subdivision.

Ms. Ellis stated the developer and the owner of the one home constructed adjacent to the trail were requesting that the connection be removed. She reported that when the homeowners purchased their lot the public improvements were not installed and the homeowner was not notified of the trail location adding the trail location did not appear on the survey of their lot. She stated the trail easement went along their lot as well as the adjacent lot. She reported this was not the only trail connection between lots noting all of the other connections had been installed so purchasers would have knowledge of the trail's existence.

Ms. Ellis expressed concern that eliminating this connection would set a precedent for future lot owners to request removal of trail connections which would cut off access to the trails around the large water amenity adding that without this trail connection the 15 homes in the cul-de-sac and the other homes to the north would not have a convenient access to the pond and its trail. She stated the 4 other homes in the cul-de-sac did send letters of support for the elimination of the trail connection.

Mr. Jim Burdelik stated the improvements were not installed prior to the sale of the home. He stated the homeowner would have chosen a different lot if it had been made clear to them at the time of purchase that the trail connection was on their lot. He added this was a combined effort of responsibility between partners and he was not aware at the time of the location of the connection. He added there were other places that provided access to the walking path. He stated other purchasers in the development would be aware of the connections. Ms. Michelle Schiller, homeowner, stated that anyone buying now would be aware of the connection location.

Trustee Madsen asked why Mr. Burdelik was unaware of the trail connection when he sold the property to the Schillers. Mr. Burdelik stated it was a matter of different responsibilities between the partners and it was so early in the process that he did not realize that the connection was inside of the cul-de-sac. Trustee Madsen stated the Village knew where the connections were and expected the developer to know this as well. He stated the Board was not responsible for putting the trail in and the developer was responsible for notifying the homebuyers. He added there was a need for access to the trail from the north noting this matter was between the homeowner and the developer for restitution for a privacy fence, etc.

Ms. Schiller showed the Board photographs of the property and how close a fence would be to their yard. She noted they were the parents of a special needs child and this connection was a concern for them because it came in the front of their home.

Trustee Smith asked if the five other egresses were installed. Ms. Ellis stated they were in and there were 10' wide trails. Trustee Smith asked if the trail around the detention pond was installed to which Ms. Ellis stated it was. Trustee Smith asked if there was extra land or easement making the side yards farther apart. Ms. Ellis stated each home had a 10' side yard easement instead of 5'. Trustee Smith stated he did not have a problem eliminating the connection because there were five other connections.

Trustee Smith expressed concern as to whether the Board could do this or not and asked that time be given in order to get a legal opinion before proceeding because a precedent was being set for all other subdivisions. He added if this did not impact the Village then he would not have any problem with the request.

Mr. Spesia asked if this was a public utility easement and if it was a Village easement to vacate. Ms. Ellis reported it was a public utility drainage and trail easement. Mr. Spesia asked if the covenants made reference to the rights of all lot owners to the access areas because that would be something that the Board could not unilaterally affect. Trustee Smith requested that counsel be given time to get all questions answered before making a decision.

Trustee Dye stated everyone made mistakes but as the builder Mr. Burdelik needed to provide more alternatives rather than have the Village decide what to do. She noted a precedent would be set and it would only be fair to have the developer provide more options. Mr. Burdelik stated there was an option of moving the connection off of the Schiller property and taking the full 10' from Lot 73 to the right. He noted it would not help their situation and would only be moving the trail. He stated they were willing to install it elsewhere but it would not make sense.

Mayor Baldermann stated the trail could not go past the front of the house like planned.

Trustee Tuminello stated the Board needed to make sure that a trail inlet was never installed on a lot that was pie-shaped because it was too close to the front door. He agreed with Trustee Madsen that the Village should not be making this determination. He added that after seeing the photos something needed to be done because leaving it would be a travesty.

Trustee Smith stated there were many properties in New Lenox that had a trail close to the home. He referenced his personal home and homes in Cherry Hill that had the same issue.

Trustee Butterfield stated that once the trail was in customers would see what they were buying. Trustee Tuminello added this was not the case with this buyer. Trustee Butterfield asked if the plat the Village had showed the location of the trail connection. Ms. Ellis stated it was on the final recorded plat of subdivision and the homeowner would have received one only for their lot adding the surveyor did not indicate the trail from the final plat. Trustee Tuminello stated the Schillers bought the lot not knowing of the connection. Ms. Schiller stated their survey did not have the notation for trail easement and listed drainage easement only.

Trustee Tuminello asked if the trail connection could be relocated to a different spot. Ms. Ellis stated it could not be in the cul-de-sac.

Mayor Baldermann stated that Trustee Madsen was correct that it was the builder's obligation to rectify the situation with the homeowners but that did not help the homeowners with their situation. He stated there was a lot more to look at and Trustee Smith's suggestion to look into this further before making a decision needed to be done. He added the Board understood the problem and expressed a willingness to intervene if necessary even though it was the builder's responsibility to solve the problem.

Trustee Tuminello asked about the black line on the plat in the cul-de-sac to which Ms. Ellis stated it was a wider sidewalk extending down the entrance road and around the northwest corner of the development into the cul-de-sac. She stated it provided a connection from the north end of the pond up to the trail along Laraway Road.

Trustee Madsen stated he would like Mr. Burdelik to provide the Board with options to assist this homeowner.

Mayor Baldermann asked if the homeowners thought moving the connection to Lot 73 would be a solution. Ms. Schiller stated this would not be the most ideal solution but it would be better than what was planned currently. She added that the builder would lose a lot then. Mayor Baldermann stated that would be a builder concern and suggested Mr. Burdelik come up with some creative solutions so the Board was not put into that position.

Trustee Butterfield stated a fence could be installed on the property to the west. He noted there would be a lot of trails installed in upcoming subdivisions so the idea of having counsel look into this would benefit that as well.

Request for Temporary Use for Real Estate Subdivision Advertising Sign and Waiver of Application Fee – Tom Cachey

Ms. Ellis reported in 2006 Board approval was given for a subdivision advertising sign off premise on Gougar Road at the intersection of Ferro Road which served as the entrance for Cherry Hill Meadows Subdivision as well as the main access to the subject development. She stated the temporary use had expired and the developer requested permission to maintain the sign for an additional three years. Staff and the Zoning Board of Appeals recommended the Board grant a one year extension as they have been doing for other such requests. She reported the developer was requesting the waiver of the \$100 application fee for temporary use. She noted in the past application fees had been waived for non-for-profit or other taxing districts but not for private development. She expressed her concern with granting this request during these economic times.

Mr. Tom Cachey stated this site was difficult to get customers into noting sales had been slow in this market. He noted the request for three years was due to the sales, the cost, and the time he determined he would be building in that area. He stated he had paid \$600 in fees to date for signage. He explained how long he had been building in the area noting he was a responsible builder and a good member of the community. He noted he would make sure the sign was maintained in the manner it had been.

Trustee Madsen stated the Board usually granted extensions for one year noting he was not in favor of waiving the fee at this time. Ms. Ellis stated it would be \$100 for the period of the temporary use.

Trustee Tuminello stated he would approve a three year extension given the current economic climate noting the sign would be removed if he sold all of the lots before the three years.

Trustee Butterfield asked when the Village was aware of the sale of a lot. Ms. Ellis stated the Village would know when the permit was pulled. Trustee Butterfield suggested the \$100 be paid when he pulled the first permit. Ms. Ellis reported the fee had already been paid and Mr. Cachey was requesting a refund.

Trustee Smith reported he did not have a problem with the extension due to the location of the subdivision. He noted Mr. Cachey could put signage on his fencing along I-80 which was not done.

Trustee Dye stated the sign was tastefully done. She explained that if approved the waiver of the fee would have to be done for others noting that the Village was not flush with cash either.

Trustee Smith stated the approval should outline that this was approved due to this being an off-road, off-site sign.

Motion to approve the request for temporary use for real estate subdivision advertising sign extension for 36 months with no waiver/refund of the fee due to the off-site location of the signage made by Trustee Tuminello and seconded by Trustee Madsen.

Upon roll call, the vote was:

AYES:	<u>6</u>	Trustees Butterfield, Madsen, Smith, Dye, Tuminello, and Mayor Baldermann
NAYS:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>1</u>	Trustee Bowden

The motion carried.

Request for Special Event – Tom Kelly’s Restaurant – Pat Lavery

Mayor Baldermann reported that Tom Kelly’s Restaurant was requesting a special event permit for a September 17th event for use of an outdoor tent in their parking lot.

Ms. Pat Lavery reported that having the Half Way to St. Patrick’s Day event was a way to launch their fall business noting they also held the same event for St. Patrick’s Day. She noted they leased the land to the south to add approximately 50-70 parking spots and also had access to DeGroat Petroleum parking so there would be enough parking. She reported any problem with the ADA-accessible parking had been addressed by locating three spots in their parking lot. She reported that due to a noise complaint last year they were relocating the band to face north so the noise would go to the building. She reported there would be security and the tent would be attached to the front of the building with no one allowed outside that area. She stated beverages would be served in plastic glasses and tap beer only would be served in the tent.

Mayor Baldermann reported the event was September 17th. He stated the tent would be installed in the south parking lot where 12 parking spots including the 3 ADA spots were currently. He noted that they did have extra parking from the south lot where gravel was added. He noted there was a complaint in March about the noise adding she changed the direction of the band to address that. He explained that the Public Improvements Committee was looking into the requests for tents so they did not circumvent the special use for patios. He stated if the Board approved the use of the tent for September 17th then Tom Kelly’s would apply for a Class E liquor license for their special event.

Trustee Dye stated it was good that the music would be redirected and inquired as to the time the music would cease. Ms. Lavery answered 1:30 a.m.

Trustee Smith stated that the noise would bounce off of the building. He suggested the sound be directed to continue toward Route 30. The location of the band was discussed further. Ms. Lavery stated the band would be in the opposite location from last year.

Trustee Tuminello raised some questions about the leased parking. Ms. Lavery explained that the property had been graded and stone added for additional parking.

Trustee Butterfield asked if the hours had been the same in the past to which Ms. Lavery stated yes.

Trustee Madsen asked if identification would be checked and wristbands used at this event. Ms. Lavery stated that was the reason for the security.

Motion to approve request for special event held on September 17, 2009, at Tom Kelly's Restaurant made by Trustee Dye and seconded by Trustee Madsen. Trustee Smith questioned whether this violated any regulations. Mayor Baldermann stated the committee would be working on tightening this up. Trustee Butterfield questioned whether this was for both dates to which Mayor Baldermann stated it was for September 17th only. Upon voice vote, the motion carried with Trustee Bowden recorded as ABSENT.

CONSENT AGENDA

Motion to approve the Consent Agenda #09-22 consisting of 1 item as presented in packet made by Trustee Dye and seconded by Trustee Smith.

Item up for approval at this time is as follows:

- A - Request for Temporary Signs – New Lenox Community Park District- Trash to Treasures

Upon roll call, the vote was:

AYES: **6** Trustees Butterfield, Madsen, Smith, Dye,
Tuminello, and Mayor Baldermann

NAYS: **0**

ABSTAIN: **0**

ABSENT: **1** Trustee Bowden

The motion carried.

ABSTAIN: 0

ABSENT: 1 Trustee Bowden

The motion carried.

Ordinance Granting Special Use for Preliminary PUD Plat – Spring Creek – 1st Read

Ms. Ellis reported the Board reviewed the first read ordinance in December to rezone this property to the C-7 District as well as a submission of a preliminary subdivision plat. She noted that due to the number of deviations to the zoning ordinance on the preliminary plat it was withdrawn and a special use for a preliminary PUD plat was submitted.

Ms. Ellis reported the Plan Commission opened the public hearing in July hearing testimony from the petitioner and staff. She stated changes were requested with the revisions reviewed last week. Plan Commission adopted the Findings of Fact as outlined in the staff report and recommended approval subject to preliminary engineering and landscape approval as well as resolution of remaining staff comments.

Ms. Ellis stated that the preliminary lot layout would be attached to the ordinance approving the preliminary PUD plat which included 21 lots for commercial development. She reported all of the roads were private road outlots with two detention areas including the wetlands to the east. She stated each lot had specific setbacks that were delineated with the minimum of 10' landscape easement around the side and rear yards. She noted there was a 50' setback from Route 6, 25' from the extension of Silver Cross Boulevard, 50' from the main line I-355 and 30' from the ramps.

Ms. Ellis showed a conceptual site plan noting that this exhibit would not be attached to the preliminary PUD plat since there were no specific buildings or users at this time. She reported the developer did not submit a market study noting that users were identified and the project progressed this could be requested at time of final PUD plat. She noted a final fiscal impact analysis could be requested to show the cost and benefits to the Village and the other taxing districts.

Ms. Ellis reported the plan showed 78,000 square feet of retail on one lot and 35,000 square feet on another with 8 outlots along Route 6 and Silver Cross Boulevard. She explained that the development proposed two large medical office buildings located toward the center property and two hotels as well as 4-5 restaurants.

Ms. Ellis stated the Plan Commission discussed the setbacks and buffer along the wetlands. She noted the initial proposal was to construct a retaining wall adjacent to the wetlands and after meeting with the Army Corps, Engineering and Planning Departments the wall had been removed. She added that at least a 25' buffer slope to the wetlands would be provided and planted with native vegetation. She reported to offset this reduced buffer the developer proposed to enhance the landscaping around the two larger detention ponds and provide wetland enhancement in that area. She stated the landscaping shown on the plan included the

buffer on I-355, detention area landscaping and the street trees noting the other landscaping for the outlots would come in on a lot by lot basis through the PUD plat or site plan.

Ms. Ellis reported Silver Cross Boulevard would dead end at the northern entrance due to the existence of the wetlands. She added that due to the acquisition of the Forest Preserve District for land to the north it could not be extended to Bruce Road as previously planned. She stated the boulevard would dead end and would provide access to the property to the west when it developed. She reported additional right-of-way would be required from the adjacent property owner and the developer proposed to construct a modified cross section of the north leg. She noted IDOT approval would be necessary for the intersection.

Ms. Ellis reported that the other private drives including the main entrance from Route 6 and the cul-de-sac roadway to the north would be built to Village collector standards with 40' of pavement with the rest having 31' built to minor residential street cross sections.

Ms. Ellis reported the developer requested that a portion of the PUD grant special uses for up to five restaurants with patios with the requirement not to come in with special use prior to receiving a liquor license. She stated Cedar Crossings had an unlimited number approved subject to complying with Village standards. She reported the patios would still be reviewed at site plan approval. She stated that any patio less than 350 square feet would not have to come for special use unless they exceeded the five that requested liquor licenses. She reported there was a request for one financial institution to be permitted in the overall development.

Ms. Ellis reported there was a building height variance requested for up to 60' instead of 45'. She stated the proposal for a four-tenant panel highway orientated sign versus the three allowed. She reported the four would comply with the maximum sign area applicable to three panels. She noted a request to identify the name of the development was also made.

Ms. Ellis reported on a request for the PUD to allow a 150 square foot 50' tall sign advertising Silver Cross Hospital. She stated staff concerns included setting a precedent for off-premise signage. Plan Commission felt that since Silver Cross was a unique use and in the interest of public notification/identification that the sign would be acceptable. She noted the preliminary PUD would only allow for the height and the area if the Board chose.

Ms. Ellis reported the developer requested a reduction in the parking spaces to 9' x 18' as opposed to 180 square feet. Staff had no objection subject to none of the uses in the center having shopping carts where additional space was necessary.

Ms. Ellis reported the medical office parking square footage was based upon the number of exam rooms which were currently unknown. She stated the proposal was to use one space per 200 square foot which staff found acceptable.

Ms. Ellis reported the smaller retail area which was less than the 50,000 square feet had the request to apply the parking standard of one space per 250 square foot. She stated given the set up of the development this should not be an issue.

Ms. Ellis reported representative buildings were submitted and due to the location along Spring Creek staff would like to see the development have a unique character. She stated no specific buildings were being proposed so this would return for Board approval. She reported that the design guidelines would be attached to the preliminary PUD. She stated staff and the developer continue to discuss building materials and facades.

Trustee Dye referenced the Traffic Study on Page 6 which recommended the developer of Spring Creek make significant improvements to Route 6 and Silver Cross Boulevard and asked if that planned. Ms. Ellis stated they had applied to IDOT for the intersection design study which would dictate what the improvements were.

Trustee Dye referenced Page 19 regarding the LEED certification asking how long that would take. Mr. Charles Smith, Arete 3, answered that LEED certification was based upon the individual project-at-large and they would encourage this.

Trustee Dye referenced Page 23 regarding Design Guidelines and 8.5' wide parking stall. Ms. Ellis reported the developer would be removing that item.

Trustee Dye referenced Page 24 regarding the proposed landscape along the complete I-355 buffer being deficient. Ms. Ellis answered a balance was being worked on because the developer did not want to completely screen the development from I-355. She noted the developer was being encouraged to find other locations on the site to make up for the plant units that were lost.

Trustee Dye referenced Page 26 regarding foot-candle readings being at 48 and the need for the developer to explain the higher number. Ms. Ellis stated this was still being worked on and they were being encouraged to use more decorative light fixtures along the main drive.

Trustee Tuminello asked if pervious surface would be used in the area behind Lot 23 where emergency vehicles could access behind the two buildings. Mr. Smith showed other points of entry but noted the area was a patio at this point in time. Trustee Tuminello asked the developer to look into making the area available for emergencies.

Trustee Tuminello asked if the road with the two cul-de-sacs could have the parking on the north so pedestrians would not have to cross the roadway. Mr. Smith stated the area would be designated as employee parking for the restaurant and hotel. He noted he would look at this idea but noted it would offset the roadway.

Trustee Smith asked if Silver Cross would have a sign on their building to which Ms. Ellis stated they would be allowed a sign. Trustee Smith did not see the need for another sign on this parcel for Silver Cross due to the height of the hospital. Mr. Smith stated this request came from Silver Cross Hospital.

Trustee Smith questioned the height variances that were requested. Ms. Ellis stated the hotel and the medical office buildings would be four stories or 60'.

Trustee Smith questioned the removal of parking spots in two areas noting the layout of the subdivision had one right-in and one right-out adding this was a lot of traffic to move through one traffic light. He stated that he hoped IDOT would make sure Silver Cross Boulevard was wide enough.

Trustee Smith stated the Fire Department may request the fire lane mentioned by Trustee Tuminello. He agreed with Trustee Tuminello that this lane was necessary even if the Fire Department did not request it due to the safety hazard possibilities behind the buildings.

Mr. Smith stated the request for approval was just for the subdivision. He noted the site issues would be at another hearing. He added he would look into using accessible pavement for this area.

Mayor Baldermann stated this would return when all issues were resolved.

Resolution #09-25 Amending Personnel Policies

Mr. Loebe reported a resolution identifying 12 points necessary to clean up personnel policies and bringing the resolution into compliance with union contracts.

Motion to adopt Resolution #09-25 amending Personnel Policies made by Trustee Butterfield and seconded by Trustee Smith.

Upon roll call, the vote was:

AYES:	<u>6</u>	Trustees Tuminello, Butterfield, Madsen, Dye, Smith, and Mayor Baldermann
NAYS:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>1</u>	Trustee Bowden

The motion carried.

Resolution #09-26 Authorizing Assignment of Recapture Agreement – Laraway Road Water Main

Mayor Baldermann reported this was discussed at the last meeting and there were no other issues. He noted Village Attorney reviewed this.

Motion to adopt Resolution #09-26 authorizing assignment of recapture agreement for Laraway Road Water Main made by Trustee Madsen and seconded by Trustee Dye.

Upon roll call, the vote was:

AYES: 6 Trustees Madsen, Tuminello, Dye, Butterfield,
Smith, and Mayor Baldermann

NAYS: 0

ABSTAIN: 0

ABSENT: 1 Trustee Bowden

The motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Mayor Baldermann reported the last Triple Play Concert would be September 5th with Peter Frampton adding that a few tickets were still available. He reported that there would be a contract for K C Audio who had done the sound and lighting for the first two concerts coming for signature at the next Board meeting. The Board was aware that this would come back for approval after the fact.

Mayor Baldermann reported that gas prices in New Lenox had been the same or lower than a lot of surrounding communities. He hoped this would continue and appreciated the response from local stations.

Mayor Baldermann commented on a letter included in a local newspaper regarding Home Rule and the Village not staying true to their word regarding rebate of property tax. He explained that the process would be to rebate 30% of the Village portion of the 2009 property tax which would be paid in 2010 after collection of one year of Home Rule Sales Tax. He noted after the 2009 taxes were paid in June and September 2010 then the process would begin where residents would fill out applications to set the rebate process into gear. Ms. Auchstetter added that rebate checks should be expected after the application process in late December early January and after everything had been verified as paid with the County. He stated the resident who wrote the letter stated they did not contact any Village officials to discuss this adding that he encouraged residents to contact their officials or the Village Hall with questions. Trustee Madsen hoped the checks would go out around Christmas so residents had access to extra money. Mayor Baldermann stated staff would work diligently on this program. He stated that he, staff and Board members were always available for questions.

VILLAGE ATTORNEY – None

VILLAGE CLERK – None

POLICE CHIEF - None

FINANCE DIRECTOR – None

PLANNING & DEVELOPMENT ADMINISTRATOR

Ms. Ellis reported that 50/50 Parkway Tree Program forms would be included in September utility bills. She stated that the cost of the trees would be \$75 and forms were due in by September 9th. Mayor Baldermann reported the original cost was to be double the price and John Teerling, Teerling Landscape, offered trees for the program at half the price.

BUILDING & ZONING ADMINISTRATOR - None

ECONOMIC DEVELOPMENT DIRECTOR - None

VILLAGE ENGINEER**Road Improvements Update**

Mr. Killinger reported Metra was extending the platform on the north side of the tracks at the Metra-Rock Island Station. He stated this work would continue through November.

Mr. Killinger reported that Silver Cross Boulevard improvements were being worked. He noted they were out to bid anticipating completion of the work by end of next week when the road would be re-opened.

Mr. Killinger reported Gougar Road had been ground and was in the process of being paved earlier today as a part of the County's MFT overlay program. He noted this project was almost complete.

Mr. Killinger reported the County was working on addressing the timing at the intersection of Gougar Road and Route 30. He stated that IDOT and the ICC controlled the timing.

Mr. Killinger reported work continued on North Cedar Road with the east side work beginning tomorrow. He stated the residents on the west side were all back in their driveways. He noted the project was close to being on time. He reported there were 30 driveways on the west side and 15 on the east side so the remainder of the work should go quicker. Trustee Smith inquired about the amount of utilities on the east side. Mr. Killinger reported the duct should not be in the way. Mayor Baldermann reported the contractor was supportive in solving the school issues and Mr. Killinger agreed.

PUBLIC WORKS SUPERINTENDENT - None

VILLAGE ADMINISTRATOR - None

PAYMENT OF BILLS

Motion to approve disbursements in the total of \$1,849,179.25 which includes monthly payroll payable on August 14, 2009 in the amount of \$368,959.00 and disbursements in the

amount of \$367,295.30 which includes monthly payroll payable on July 31, 2009 in the amount of \$367,295.30 24 made by Trustee Butterfield and seconded by Trustee Madsen.

Upon roll call, the vote was:

AYES:	<u>6</u>	Trustees Butterfield, Madsen, Smith, Dye, Tuminello, and Mayor Baldermann
NAYS:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>1</u>	Trustee Bowden

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR - None

TRUSTEE COMMENTS

Trustee Dye

Trustee Dye reported that children 7 years or older who attended the New Lenox Night at the Jackhammers Game on August 29th could sing during the 7th Inning Stretch by standing on the dugout. She stated calls should be sent to Lisa Kline, Suburban Bank & Trust, at 815-485-3400. She noted there were a lot of tickets remaining. She stated Ms. Kline was looking for two participants to do the Suma Wrestling during the game.

Trustee Tuminello

Trustee Tuminello wished good luck to the Jr. Warriors who would be using the Lincoln Way West football field this weekend. He stated he hoped the students enjoyed their new high school.

Trustee Butterfield

Trustee Butterfield reported that Channel 6 was offering a one-day free training class to the community on September 19th or September 26th for anyone 18 and older. He stated interested parties should call 815-462-6428 or email nlctv@comcast.net.

Trustee Butterfield asked about the deadline for the parkway trees and the number available. Ms. Ellis stated the deadline for form submission was September 9th and the amount was open ended but was around 75 trees.

Trustee Butterfield reported the signal at Gougar and Haven Avenue was a much-needed, great addition. He thanked Mr. Killinger and all the staff involved in getting this done.

Trustee Bowden – Absent

Trustee Madsen

Trustee Madsen reminded residents that school was back in session and drivers needed to be aware of children at bus stops.

Trustee Smith

Trustee Smith wished everyone a good Labor Day holiday and hoped to see everyone at the September 5th concert.

Trustee Tuminello commented on the good job Trustee Smith did on recent cable programs.

EXECUTIVE SESSION - None

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Dye. Upon voice vote, the motion carried with Trustee Bowden recorded as ABSENT. The Regular Meeting of the Village of New Lenox Board of Trustees held on August 24, 2009 adjourned at 8:42 p.m.

Bonnie Motyka, Deputy Clerk