

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

New Lenox Village Hall, 1 Veterans Parkway

Monday, October 19, 2009

#09-27

CALL TO ORDER

The regular meeting of the New Lenox Board of Trustees was called to order at 7:03 p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall for the purpose of conducting a study session as per the provisions of Resolution #08-28.

ROLL CALL

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

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

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

STANDING COMMITTEE REPORTS

General – Mayor Baldermann - None

Finance – Trustee Butterfield

Trustee Butterfield reported that the committee met earlier in the evening to discuss restructuring of debt improvements due to the lower rates with Steve Larson.

Trustee Butterfield reported that on July 1st the Village received the first month's home rule sales tax.

Mr. Loebe reported that the enabling ordinance for the restructuring would come before the Board next week. He stated the restructuring would give the Village \$1.5 million in improved cash flow over the current position adding that the Village would be taking advantage of the attractive long-term rates. He noted that the Village did not have GO authority until home rule. Trustee Butterfield added that this authority improved the rates.

Trustee Tuminello asked if the total bond issue amount would be the same with the restructuring. Mr. Loebe reported an \$8.3 million revised total would be taken out noting there was a cost of issuance added into the figure. He stated the difference would be nominal regarding interest. He added the aggregate would be more competitive than what the Village was currently paying and would cause lower payments.

Water & Sewer – Trustee Bowden

Trustee Bowden reported the committee met earlier in the evening with residents from Circlegate and Southgate. She stated they discussed the efforts to eliminate the flooding that occurred in 2007 adding that a majority of the residents were contacted regarding proper hook-ups and corrective piping. She noted this was a productive meeting and the committee would see if the corrective measures would resolve the problems.

Public Safety – Trustee Smith

Trustee Tuminello reported in Trustee Smith's absence. He stated that the committee discussed the Fire Foundation Race which would be a 5K or 10K race within the Village. He noted planned routes were being discussed to decrease the disturbance to traffic.

Trustee Tuminello reported the committee discussed on-street and overnight trailer/truck parking adding the committee would continue the discussion at their next meeting.

Trustee Tuminello reported the committee discussed the recent Tea Party in the Commons. He stated 300-400 people were expected to attend and twenty times that amount attended. He stated ESDA and Police officers came out on short notice and did a great job.

Development & Land Use – Trustee Dye

Trustee Dye reported that due to scheduling conflicts and no items to be discussed in October the meeting was not held. She stated the next meeting would be in November.

Trustee Dye applauded the Village for the additional rebate that was announced last week. She stated this increase in the rebate would go into existing taxpayers' pockets. She noted other communities were compensating new development that came into their town but the Village of New Lenox did not want to take away from existing residents. She stated that developers asked why the Village was not doing an incentive program and the rebate for existing residents was the reason why.

Mayor Baldermann stated the money that the Village had was paid for by the existing residents and the Board would have a hard time taking their money and giving it to new people that do not live here. He added existing residents could use some relief.

Streets & Drainage – Trustee Tuminello

Trustee Tuminello reported the committee discussed the progress of the Cedar Road project. He stated the side street returns were paved today and the main line would be paved on Tuesday. He added if the weather cooperated the striping would be done and the project would be finished.

Trustee Tuminello reported that the utilities relocation for the Walmart project on Route 30 had begun today adding the process would take several weeks. He noted an existing water main would be relocated at the same time. He stated the roadwork would begin in early spring as well as the start of the work on Williams Street.

Trustee Tuminello reported that the IDOT Management Monitoring Schedule dated September 23rd listed the Route 30 project all the way to Route 45 as being on their radar. He noted the work would include the lanes, bridge replacements and retaining walls with jobs estimated at \$54.5 million. He added the target letting date was the first quarter of fiscal year 2011 which would be the fall of 2010.

Mayor Baldermann stated caution should be used with this information due to the Governor extending the MAP grants to college students which created a \$9 million deficit. He added the grants were a good thing but the Governor discussed taking the money from the road fund which he found to be flush. He reported that the road work would have been done by 2010 if the Village's plan would have been allowed to continue.

Public Improvements – Trustee Madsen

Trustee Dye reported in Trustee Madsen's absence. She stated that Trustee Madsen requested Board consensus on the current ordinance that allows builders to have six model home permits at one time. She explained that Hartz Home Builders was considering selling a model home and asked if they would be allowed to have another model home in its place for the maximum of six. She added the committee did not have a problem with this because it adhered to the ordinance.

Trustee Bowden asked if the added model would be a different style or a repeat of one they sold. Mr. Rendleman stated the specifics were not discussed and the builder was concerned with hitting the maximum of models allowed. Trustee Bowden stated model homes were usually built in a cluster. She expressed concern with the new model home being in a different area than the other models causing traffic through the subdivision looking for the new model instead of one designated area. She requested more information before making a decision.

Trustee Dye stated that these were different economic times and the buyer would know that the home was in a cluster of model homes. She stated further details would be important.

Trustee Butterfield stated the builder may be looking for additional advertising signage with the other model home. He added more details were required.

Trustee Dye stated the committee discussed the commercial trailer parking discussed by the Public Safety Committee. She stated the safety issue of children on bicycles being visible to vehicles needed to be taken into consideration when allowing these vehicles to be parked on the street.

Trustee Dye reported the committee discussed Special Event Permits noting guidelines that other communities used were looked at.

Trustee Dye reported the committee was waiting for more information on the vacant house ordinance including how the reporting would be done.

Trustee Dye reported that the State Energy Code Requirements were discussed. She stated the committee did not have changes to what the State approved and were aware of what the code was for residential due to the commercial code being in line. She reported Mr. Rendleman would hold a meeting with the builders to discuss the changes.

NEW BUSINESS

Bid Award – Snow Removal

Mr. Sly reported bids were opened for snow removal at the commuter lot noting that the bids were per occurrence and not a lump sum. He stated the work was broken down into categories including salting sidewalks, plowing sidewalks, salting the lot and plowing the lot because not every snow event required all four functions. He noted this process worked out well over the past few years. He reported the low bid without the loader pricing for one event was The Advanced Group/Sila Maintenance. He stated he checked the company out and found that they had the equipment and the credentials necessary. Staff recommended the two-year contract be awarded to The Advanced Group/Sila Maintenance.

Trustee Tuminello asked if The Advanced Group was from Frankfort and not from East Chicago, Indiana. Mr. Sly explained that The Advanced Group had multiple businesses and Sila Maintenance was one division located in Frankfort. He added that the manager of Sila Maintenance was from New Lenox. Trustee Dye stated she had the same question because coming from East Chicago would be difficult with snow.

Motion to approve the bid award for snow removal with The Advance Group/Sila Maintenance of Frankfort made by Trustee Tuminello and seconded by Trustee Dye.

Upon roll call, the vote was:

AYE: **5** Trustees Dye, Bowden, Butterfield, Tuminello, and Mayor Baldermann

NAY: **0**

ABSTAIN: **0**

ABSENT: **2** Trustees Smith and Madsen

Motion carried.

Resolution #09-29 Amending Trick or Treat Hours in the Village of New Lenox

Mayor Baldermann reported that due to telephone requests from residents the Board was considering changes to the Trick or Treat hours when the holiday occurred on a weekend. He explained that the ordinance listed hours as 4:30 – 7:00 p.m. on October 31st of each year. He stated that the amendment would allow for Saturday and Sunday hours of 3:00 – 7:00 p.m. while keeping Monday through Friday hours at 4:30 – 7:00 p.m. He noted that the changes would begin with the October 31, 2009 holiday.

Motion to adopt Resolution #09-29 amending Trick or Treat Hours in the Village of New Lenox to include Saturday or Sunday times of 3:00 p.m. to 7:00 p.m. made by Trustee Bowden and seconded by Trustee Butterfield.

Upon roll call, the vote was:

AYE: 5 Trustees Tuminello, Butterfield, Dye, Bowden, and Mayor Baldermann

NAY: 0

ABSTAIN: 0

ABSENT: 2 Trustees Madsen and Smith

Motion carried.

OLD BUSINESS – None

COMMENTS & QUESTIONS FROM OTHER TAXING BODIES – None

COMMENTS & QUESTIONS FROM CIVIC GROUPS & PUBLIC - None

TRUSTEE COMMENTS

Trustee Smith - Absent

Trustee Madsen – Absent

Trustee Bowden

Trustee Bowden reported she was the first patient this morning at the Center for Women's Health at Silver Cross. She stated it was a beautiful facility and it was exciting to have this in the community. She invited all women of the community to attend the Open House for the Center at 1870 Silver Cross Drive on October 28th from 6:30-8:30 p.m. She reported that she lost her sister to breast cancer a few years ago and spoke of the importance of these exams. She noted there was new equipment and the staff welcomed her warmly.

Trustee Butterfield - None

Trustee Tuminello - None

Trustee Dye

Trustee Dye reported she spoke earlier to Mayor Baldermann regarding another community allowing service organizations to design the town vehicle sticker. She suggested New Lenox pursue this option with a small amount of the proceeds going to the service organization. She noted the service organizations would have to be identified and contacted about the contest. She reported this could be another extension of giving back to service organizations such as was done with organizations that assisted with the summer concerts.

Mayor Baldermann stated he thought this was a nice suggestion. He added that the service organization could be determined through a drawing. He stated an option could be for residents to add \$1 when purchasing the stickers which would go to the service organization with the Village matching the funds up to a certain predetermined amount.

Ms. Auchstetter stated the designs were typically done in October and next year’s design had not been done yet. She added that approximately 15,000 vehicle stickers were purchased last year.

Mayor Baldermann stated he and Trustee Dye would discuss it further and bring this back to the Board next week.

Mayor Baldermann reported that October was Domestic Violence Prevention Month. He noted that working in law enforcement for the last 22 years he had seen what domestic violence did to households. He stated that if someone knew of abuse in the home they should contact the police department adding that abuse against women and children was inexcusable.

EXECUTIVE SESSION

RECESS

Motion to adjourn to Executive Session for Section 2(c)(1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity AND Section 2(c)(5) the purchase or lease of real property for the use of the public body made by Trustee Bowden and seconded by Trustee Dye.

Upon roll call, the vote was:

AYE: **5** Trustees Tuminello, Dye, Butterfield, Bowden, and Mayor Baldermann

NAY: **0**

ABSTAIN: **0**

ABSENT: 2 Trustees Madsen and Smith

Motion carried. The meeting recessed at 7:33 p.m.

RECONVENE

All members of the corporate authorities previously in attendance before Executive Session were in attendance when the Board reconvened at 8:05 p.m. Mr. Loebe and Ms. Englert were also in attendance.

ADJOURNMENT

Motion to adjourn the Meeting made by Trustee Bowden and seconded by Trustee Dye. Upon voice call vote, the motion carried with Trustees Madsen and Smith recorded as ABSENT. The Regular Meeting of the Village of New Lenox Board of Trustees held on October 19, 2009 was adjourned at 8:05 p.m.

Bonnie Motyka, Deputy Clerk