

**MINUTES OF THE REGULAR MEETING OF THE
NEW LENOX BOARD OF TRUSTEES**
New Lenox Village Hall, 1 Veterans Parkway
Monday, February 9, 2009

#09-04

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

CITIZENS REQUESTS & SPECIAL REQUEST

Zumbox Demonstration

Mayor Baldermann stated that New Lenox would be the first community to use Zumbox. Mr. Jack Ryan, New Lenox Patriot, gave a short introduction of the digital postal service, Zumbox, to the Board.

Mr. Andy Edmonds gave a PowerPoint demonstration of Zumbox introducing it as a web-based paperless alternative to the Post Office using street addresses as the point of delivery. He noted this was a bank-secure, nationwide service that residents would sign up to use. He

explained how registered users could access the site and how mail would look for each mailbox. He talked about the Zumbox mail being interactive and outlined usage for billing.

Trustee Dye asked about Village involvement with getting information and billing to residents. Mr. Edmonds stated they would work with all communities to get the information into user mailboxes. He added that Zumbox was just the service that the information would pass through.

Mayor Baldermann stated there would be a letter from his office welcoming registered users. He added email addresses were not needed to access this service. He noted that in the beginning the Village would post newsletters and other information on the Zumbox site until there was a number of New Lenox users signed on. He noted that the billing option was a while away.

Trustee Smith asked about Internet connection and the speed of connection. Mr. Edmonds stated an Internet connection was necessary and the speed of connection would determine how fast the information would download.

Mr. Edmonds explained the process of sending mail to recipients.

Trustee Butterfield asked if this was strictly street addresses and email addresses were not needed. Mr. Edmonds stated this was correct.

Mayor Baldermann stated that individual streets in town could be alerted to projects being done in their area as well as the whole community being informed on events. He reported that other forms of contact would continue to be used.

Trustee Smith asked if a list of which residents signed up to use Zumbox would be available to the Village. Mr. Edmonds stated there could be a number provided of users who viewed information sent but there were privacy guidelines regarding a list of who signed up for the service. Trustee Smith asked how the Village would monitor who signed up and the response rate. Mr. Edmonds stated the Village would be able to see the number of users who opened the information.

Trustee Butterfield asked if the system could be accessed without the user entering their name. Mr. Edmonds stated the name was a required field.

Trustee Madsen asked how the system would determine Village residents from Township residents. Mayor Baldermann stated that the Village data base could determine who was sent information.

Trustee Tuminello asked if only a fraction of the Village residents signed up if the Village would be notified of who signed up so they could be eliminated from paper information. Mayor Baldermann stated this would only be done for users choosing paperless information. He added the benefits of paperless information would not be done in the beginning until there were multiple users.

Trustee Bowden stated both parties would have to be part of the Zumbox program in order for mail to be sent and received. She added banks and businesses would not send resident information to the mailbox unless both parties were Zumbox users.

Trustee Tuminello asked about the cost involved. Mr. Edmonds stated there were no costs for the Village or their customers.

Trustee Smith asked how secure this service would be to insure that the Village data base was not used by someone other than the Village. Mr. Edmonds stated this was a bank-level secure mailbox. Trustee Smith asked about junk mail. Mr. Edmonds stated that special offers would be in a separate mailbox. He added Zumbox would be contacting relevant local businesses in the near future about joining the service noting advertisers would be charged for using the service. He added that emails could not be sent from outside the system because users had to be registered. He stated the consumer could send a specific amount of mail with a limit set by Zumbox.

Trustee Butterfield stated that recipients could determine which mail they opened and delete others. Mr. Ryan stated it was like a regular mailbox. Mr. Edmonds pointed out that there was a Block Item Button where users could block senders from sending them mail.

Trustee Bowden asked if the PIN number could be changed. Mr. Edmonds stated it could not but added the Password could be changed.

Trustee Butterfield asked how long it took to sign up. Trustee Bowden reported she got her PIN in the mail within 3 days.

Trustee Dye asked what the difference was in alerting the public to Public Works information through Zumbox or through use of the Community Alert System currently available through the Police Department. She asked if there would be duplicate alerts. Mayor Baldermann stated this could occur. Trustee Bowden added this should occur because one was done through cell phones and one was done through computers. Mayor Baldermann stated Zumbox could be used for emergency notification as well as community event information.

Trustee Madsen asked if this would be a viable application for political candidates. Mr. Edmonds stated this could be used for that purpose. Mayor Baldermann stated Zumbox would charge the user for these types of mailings.

Trustee Dye asked if all local businesses and the Chamber of Commerce would be approached to participate. Mr. Edmonds stated they would.

Mayor Baldermann stated use of Zumbox could provide a savings of money, environmental benefits, and assistance for local businesses to contact residents to help them compete with bigger box stores.

Mr. Frank Palmisano, Ogden Road, stated residents could currently sign up with local businesses to receive special offers via email. He noted he did not think this was a viable service because people had email addresses where they received the same information.

Mayor Baldermann noted that email addresses change and Zumbox had nothing to do with email addresses. He added for the Village using home addresses would be an easier use.

Mr. Edmonds stated the difference between Zumbox and email was the bank-level secure system.

Trustee Bowden stated this was an optional service and residents did not have to sign up. She added this system would be used as an additional communication source that did not cost the Village any money and could save tax dollars.

Mayor Baldermann stated he was excited that New Lenox had been selected to be the first community to use Zumbox.

CONSENT AGENDA

Motion to approve 3 items on Consent Agenda #09-04 as presented in packet made by Trustee Madsen and seconded by Trustee Smith.

Items up for approval:

- A - Ordinance #2024 Authorizing Installation of Stop Sign at Joliet Highway and Wisconsin Road – 2nd Read
- B - Minutes of Regular Meeting of January 26, 2009
- C - Letter of Credit Reduction – Suburban Bank & Trust

Upon roll call, the vote was:

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

The motion carried.

ORDINANCES & RESOLUTIONS

Ordinance Designating Historic Structure and Granting Authority to Will County to Designate as Landmark – VanDuser/Handorf – 1st Read

Ms. Ellis reported that item was withdrawn at the request of petitioner who would pursue other avenues of preservation.

Resolution #09-03 in Support of the Southwest Water System Expansion and Rehabilitation Project

Mayor Baldermann reported there was extensive work to be done along the line from the City of Chicago to Oak Lawn to the southwest municipalities. He noted the resolution would support the ability to obtain any stimulus money that might be used for this project. He added the other municipalities along the line had passed or would pass a similar resolution.

Motion to adopt Resolution #09-03 in support of the Southwest Water System Expansion and Rehabilitation Project made by Trustee Smith and seconded by Trustee Bowden.

Upon roll call, the vote was:

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

The motion carried.

Ordinance Amending Easement and Recapture Agreement – Lincoln Station/New Lenox Town Center – 1st Read

Ms. Ellis reported a recapture agreement was approved in August 2008 allowing Walmart, Menards and McVickers to install a sanitary sewer line through the Lincoln Station condominium project which had not moved forward to date. She stated a requirement of the recapture/easement agreement was for MCZ to obtain a license agreement with Metra which had not been done yet. She reported a negotiation with the retailers produced an agreement to advance the funds necessary for the license agreement. She stated this amendment would allow that fee to be part of the recapture costs that would be repaid by the residential developer to the commercial developers.

Trustee Butterfield asked how the amount had been reached. Ms. Ellis stated this was an agreed upon number on what the commercial developers would front. She noted she was trying to get a copy of the easement agreement with Metra to verify actual costs. Trustee Butterfield asked what would happen if the amount was over what was agreed to. Ms. Ellis stated an overage would be at MCZ's expense.

Trustee Dye inquired as to whether MCZ would have to make sure who was responsible for the recapture if the developer of Lincoln Station changed. Ms. Ellis stated the recapture was recorded against the properties and whoever owned the property at the time of development would have to pay the fee. Trustee Dye asked if this was automatic or if it should be built into the decision. Ms. Ellis stated it was recorded against the property and was automatic.

Ordinance Amending Title 18 – Architectural Requirements in Commercial and Industrial Districts – 1st Read

Mr. Rendleman reported the next three items were building code amendments discussed by the Public Improvements Committee the last several months.

Mr. Rendleman stated this amendment would allow architectural precast for all commercial districts noting the code was amended a few months ago for Silver Cross Hospital. He reported a definition had been added regarding the minimal standard that would be permitted. He added the Committee amended and modeled this ordinance after that last building code amendment. He noted this would allow the same design standards as the Hospital District including 5” minimum precast. He stated the ordinance listed industrial districts as well but the Committee felt that industrial districts now were limited to the tilt-up walls and masonry fronts which they did not want to include with this amendment.

Trustee Smith asked if this amendment meant that any commercial district (strip mall) could build a precast building. Mr. Rendleman stated the Committee felt this item should be included because the Board would have the ability to reject under Site Plan Review.

Mayor Baldermann asked if the architectural precast discussed tonight was the better quality precast demonstrated before the Board last year. Mr. Rendleman stated this was correct. He noted a minimum 5” thick panel would be applied noting there were a multitude of finishes that could be applied. He added there was such a wide variety of materials and finishes that the Committee left this item open.

Trustee Bowden stated this would be an allowable product with the Board having the ability to limit use. Mr. Rendleman stated this was correct. He added the Committee thought that the design of the buildings would dictate whether this was a viable material.

Trustee Tuminello asked the difference between regular and architectural precast. Mr. Rendleman stated the definition of architectural precast was that it was not a tilt-up panel and it was a designed panel applied veneer to the exterior of the building. He added it was not designed to be a structural component. He noted the architectural precast would be a design feature and each request would be looked at individually through Site Plan Review as well as by staff and the Board.

Trustee Smith stated that gray panels could be used as long as they were 5” thick because language was not included about non-structural use. Trustee Butterfield stated this was not the definition of architectural. Trustee Smith stated a gray panel could be changed to be architectural. He stated he could see using precast for a 30,000-70,000 square foot building and expressed concern with allowing this use for smaller commercial buildings.

Mayor Baldermann asked if the size issue could be addressed. Mr. Rendleman stated the Committee did look at limiting by square footage or multiple stories. He noted that during discussion it was determined that it should be for all buildings.

Trustee Smith stated he thought that the use would be determined by the value of the building. Trustee Butterfield stated that limitation was for phased construction. Trustee Smith stated if this was allowed for use anywhere and architectural was not specified it could cause problems with making a case against someone who wanted to build a gray building.

Mr. Spesia stated this was a good point because if it complied with the ordinance then it could be difficult making a case. He stated there needed to be more criteria beside the definition of architectural.

Mayor Baldermann asked that the definition of architectural precast be looked at further as well as the size limit for buildings in a commercial area.

Trustee Tuminello stated he did not think the amendment should limit the size of the building and wanted to focus on the architectural side of the ordinance. Trustee Smith stated he liked the size limitation for smaller buildings. Trustee Tuminello stated if a smaller building used architectural precast and the appearance was what the Board wanted it should not be limited. Trustee Smith stated the problem would be protecting the quality.

Trustee Bowden stated the architectural definition needed to be more specific. Mayor Baldermann asked that the definition be worked on so that the quality that was presented to the Board last year would be included.

Mr. Rendleman asked if the Board was looking for cosmetic and veneer finishes.

Trustee Bowden stated the concern with the architectural precast was more the quality than the appearance. Trustee Smith suggested Mr. Rendleman contact the Lombard representative on the specifications of inserts and pigmentations.

Trustee Butterfield stated that the word architectural was a generic term based upon handmade materials. He noted its use on a smaller building would be more expensive.

Mr. Rendleman noted the mix standards were included in the ordinance from the architectural precast design manual for design standards.

Mayor Baldermann stated the definition needed to include language so that the better standard of precast would be allowed. Trustee Smith stated language could be included to restrict no plain gray or exposed concrete.

Ordinance Amending Title 18 – Cold Weather Concrete – 1st Read

Mr. Rendleman reported this amendment was also geared toward the Silver Cross guidelines to add more of the commercial standards. He stated the Committee looked at the International Building Code and left the residential code alone. He stated the Committee highlighted some of the cold weather concrete requirements for commercial projects. He explained current code required temperature of 25 degrees or more to pour concrete as well as blanketing. He stated the amendments picked up some ACI standards and if the minimum

guidelines were met contractors could pour regardless of temperature/conditions. He stated the caveat would be the use of an independent testing company on-site to monitor all pours and concrete testing including monitoring of weather conditions as well as acceptance or rejection of the concrete.

Trustee Butterfield stated this ordinance would have a third party testing the work.

Mr. Rendleman stated the work would still have to be blanketed and protected for 2-3 days depending upon whether it was a footing or a wall. He noted ACI standards would still have to be followed.

Trustee Smith discussed a suggestion that the amendment include provisions regarding winter work during time periods when the weather was 50 degrees for a week or more. He noted blanketing would not be necessary during those temperatures but by code it would still have to be done. Mr. Rendleman stated the restrictions were added for flatwork so that weather predicting did not have to be done. He stated limits were added but work not halted.

Ordinance Amending Title 18 – Phased Construction – 1st Read

Mr. Rendleman reported this amendment from Committee would work with construction schedules during winter months. He stated the current International Building Code had a provision for phased construction for issuing permits for concrete work, foundations or partial work when the entire permit had not been approved. He added this was done for Silver Cross Hospital. He reported provisions were taken from the last ordinance change and added to this amendment. He stated that added language explained that phased construction was done at a risk to the developer and that the entire project might not receive approval. He reported this was only being done on the commercial side of the ordinance.

Trustee Smith asked if this was all commercial. Mr. Rendleman stated this was for all other commercial/industrial projects where the foundation was designed but the mechanical systems were not designed. He added fees would be collected upfront unlike the larger projects. Trustee Smith asked if they would know there were at risk if the mechanicals were not ready. Mr. Rendleman stated they would be at risk for that part.

Ordinance #2025 Proposing Special Service Area – Lincoln Station

Ms. Ellis reported in December 2008 Mr. Bill Bolker addressed the Board regarding unpaid recapture fees due primarily from Silver Cross Hospital for the Lincoln Station development from the Laraway & Cedar Road water main. She stated a provision of the recapture agreement read that the Village would undertake the SSA process and if successful would issue and sell SSA bonds to repay Mr. Bolker. She noted the Village would recoup the cost of the bonds through the SSA.

Ms. Ellis reported the proposing ordinance for the SSA would set the public hearing date for March 9, 2009. She added that following adoption of the ordinance tonight the Village would notify the underlying property owners (Silver Cross Hospital and a residential developer who purchased a portion of the property) who would then have 60 days to object to