

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Meeting Minutes

Thursday, November 5, 2009

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

*Trustees: Greg Gron, District One, Richard J. Tross, District Two,
Zachary Wilson, District Three, Dana Moreau, District Four, Laura Fitzpatrick, District
Five and Bill Ware, District Six*

I. Call to Order and Pledge of Allegiance

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The regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by Village President William J. Mueller at 7:31 pm on Thursday, November 5, 2009 in the Board Room of the Lombard Village Hall. Girl Scout Troop 1435 from Butterfield Elementary School posted the Colors and led the Pledge of Allegiance. President Mueller called the Girl Scouts to the front and presented them with a certificate.

II. Roll Call

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Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Richard J. Tross, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee Bill Ware

Staff Present:

Village Manager David Hulseberg

Assistant to the Village Manager Mike Toth

Chief of Police Ray Byrne

Fire Chief Ed Seagraves

Director of Community Development Bill Heniff

Director of Public Works Carl Goldsmith

Finance Director Tim Sexton

Executive Coordinator Carol Bauer

III. Public Hearings

None

IV. Public Participation

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Swearing-in - Firefighter Candidate Bruce Logsdon

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Fire Chief Ed Seagraves called Bruce Logsdon to the front and introduced him and gave a bio.

Village Clerk Brigitte O'Brien issued the Oath of Office to Firefighter Candidate Bruce Logsdon.

Firefighter Candidate Logsdon thanked the Village, his parents and girlfriend. He introduced his family and friends in the audience.

Chief Seagraves indicated Bruce would be going to the academy and would be assigned to a shift in December after he had graduated from the academy. He noted that the three new firefighter candidates will be graduating from the academy and start work in three weeks. He welcomed Bruce to the Fire Department.

*** Proclamation - First United Methodist Church 100th Anniversary**

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Village Clerk Brigitte O'Brien read the proclamation for First United Methodist Church's 100th anniversary.

President Mueller called First United Methodist Church's Pastor Stephen Williams along with parishioners Susan Friend, Bud and Ginny Carlson and other parishioners to the front.

Pastor Williams thanked the Village for the honor. He also thanked the wonderful people from the church. He stated the church had planned a special service which would be held on Sunday and that the Mayor would be attending to read the proclamation. He reported the Elmhurst Symphony would be playing at the service. Susan Friend indicated this service would be the culmination of a year-long celebration including a lot of various festivities.

Bud Carlson stated they were happy to have the church in Lombard, a Village with a lot of integrity.

President Mueller congratulated the parishioners and stated he was looking forward to the service on Sunday.

V. Approval of Minutes

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It was moved by Trustee Wilson, seconded by Trustee Gron, to approve minutes of the Special Meeting of October 3, 2009, minutes of the Special Meeting of October 14, 2009 and minutes of the Regular Meeting of October 15, 2009 as revised. The motion carried by the following vote:

Aye: 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

VI. Committee Reports

Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson

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Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, reported the committee had not met. She noted the committee will be reviewing the social service report which is two years of work by the committee. She also spoke regarding the on-line survey on video gambling. The next meeting is scheduled for November 9.

Economic/Community Development Committee Trustee Bill Ware, Chairperson

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Trustee Bill Ware, Chairperson of the Economic & Community Development Committee, reported the committee met on November 4. He stated there was an overview of the downtown market analysis given. He indicated the committee received a \$20,000 grant request from Brix Pizza to relocate to the Ala mode location. This item will be coming to the next Village Board meeting for approval. The committee also reviewed the Historical Society grant request for \$2,500 to light up the bank at the corner of Park and St. Charles in celebration of its 100 year anniversary. He indicated there will be a temporary facade and the interior of the building will be made available to the Historical Society. The committee reviewed the video gambling item and voted 7 to 0 that they were not opposed to this, but wanted to have more information before making a recommendation. He stated the committee will have a special meeting in two weeks to review another grant request for a restaurant in downtown Lombard.

Environmental Concerns Committee - Trustee Dana Moreau, Chairperson

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Trustee Dana Moreau, Chairperson of the Environmental Concerns Committee, reported the committee met on October 27. She noted the committee had reviewed and

approved a recycling grant for Glenbard East High School. They are looking at ways to upgrade the Village Clean Air Counts status to silver or gold. The committee reviewed the downtown landscape plan and had some questions regarding this proposal. They also reviewed the video gambling item and the members asked for more information before making a recommendation. She noted the next meeting will be rescheduled due to the Thanksgiving holiday.

Finance Committee - Trustee Zachary Wilson, Chairperson

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Trustee Zach Wilson, Chairperson of the Finance Committee, reported the committee met on November 3 which was the rescheduled meeting from October 20. He stated the committee discussed the recycling education grant that was on the agenda for approval. He had pulled the item and has since put the item back on the Consent Agenda. The committee discussed video gambling and the members were split on this matter. He noted the members also asked for additional information and wanted to wait until the rules were established before making a recommendation. The committee reviewed the auditing services contract and also the downtown landscape proposal. Members questioned the on-going maintenance of the landscaping. Trustee Wilson congratulated Village employee Brian Koehler on his recent promotion to Assistant Finance Director. The next meeting is scheduled for November 17.

Public Works Committee - Trustee Greg Gron, Chairperson

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Trustee Greg Gron, Chairperson of the Public Works Committee, reported the committee had not met. The next meeting is scheduled for November 10.

Transportation & Safety Committee - Trustee Dick Tross, Chairperson

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Trustee Dick Tross, Chairperson of the Transportation & Safety Committee, reported the committee had not met. The next meeting is scheduled for December 7.

Board of Local Improvements - Trustee Richard J. Tross, President

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Trustee Dick Tross, President of the Board of Local Improvements, reported the Board had not met. He noted the next meeting scheduled for November 12 will also be a Public Hearing regarding SA 217C for the Reskin and Kramer area.

Community Promotion & Tourism - President William J. Mueller, Chairperson

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President William Mueller, Chairperson of the Community Promotion & Tourism Committee, reported the committee had not met.

Lombard Historical Commission - Clerk Brigitte O'Brien

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Village Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission met on October 20. She noted the commission was reviewing steps to be followed to obtain National Register recognition for the Peck Homestead, which includes the production of a short video showing the original sections of the home. The Illinois Preservation Agency can either send the request on or they can decline it. The Cemetery Restoration Committee report was given. Plaques will be installed on the brick columns on Main Street. The Lombard Garden Club has purchased and given the Park District 3,000 daffodil bulbs to be planted. A Cemetery Walk will be held on

November 8th with two tours being given. One is a tour of the restoration efforts and one is a tour of selected graves with docents representing the historical person at that grave. Tours are scheduled for 2 and 3 pm and the restoration tours will be on the half hour. The commission discussed the downtown landscape plan. Enhancement recommendations were given. The question arose as to what exact historic area was covered and if only buildings alone were being recognized. A discussion was also held whether to establish an historic district. The next meeting is scheduled for January 19.

VII. Village Manager/Village Board Comments

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Trustee Tross questioned the on-line video gambling survey.

Trustee Fitzpatrick indicated her committee was reviewing this.

Trustee Tross requested the Village Board members be made aware of this prior to it being placed on the website.

President Mueller noted there was a temporary bill in Springfield to grandfather those villages that did not opt out of the video gambling proposal.

Attorney Tom Bayer noted there are a number of bills introduced that will be addressed in January.

President Mueller stated that he had attended an event on Sunday at the Library where former Lombard resident Mary Doria Russell was honored. She had received numerous awards for her literary work. He presented her with a Key to the Village.

President Mueller noted he attended the Open House for the new location of the Illinois Center for Broadcasting. He stated the offices had been located at the south end of Lombard for twenty years, but had recently expanded from 5,000 to 15,000 square feet of space. He congratulated them on their expansion and noted that 86% of their graduates are placed in jobs.

President Mueller noted the American Intercontinental University had opened its first success center in the area and it was located on Roosevelt Road. He stated they chose Lombard for its location and that they have 33,000 students on line and at the center. He welcomed them to Lombard and wished them well.

President Mueller noted the Village had received a letter and certificate from the DuPage Convention & Visitor's Bureau recognizing the Village for its green initiatives. He thanked the Environmental Concerns Committee, Public Works staff, Trustee Gron for his efforts and Trustee Moreau as the new chairperson of the committee.

VIII. Consent Agenda

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Trustee Ware indicated he had had some concerns regarding appointments, but those had been addressed.

Payroll/Accounts Payable

A.

Approval of Village Payroll

For the period ending October 10, 2009 in the amount of \$828,931.48.

This Matter was approved on the Consent Agenda.

B.

Approval of Accounts Payable

For the period ending October 16, 2009 in the amount of \$318,931.35.

This Matter was approved on the Consent Agenda.

- C. Approval of Accounts Payable**
For the period ending October 23, 2009 In the amount of \$565,735.06.

This Matter was approved on the Consent Agenda.

- D. Approval of Village Payroll**
For the period ending October 24, 2009 in the amount of \$819,844.34.

This Matter was approved on the Consent Agenda.

- E. Approval of Accounts Payable**
For the period ending October 30, 2009 in the amount of \$870,593.82.

This Matter was approved on the Consent Agenda.

Ordinances on First Reading (Waiver of First Requested)

- F. Amendment to Title 9, Chapter 97 of the Village Code with Regard to Directional Street Signs**
Permitting the placement of illuminated directional street signs on Village traffic signals in the public right-of-way. (DISTRICTS - ALL)

This Matter was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda.

Enactment No: Ordinance 6406

- G. Tax Levy Ordinance/Special Service Area Number Three**
Levying and assessing taxes for Special Service Area Number Three which was established for the property owners served by the traffic signal located at 800 E. Roosevelt Road. (DISTRICT #6)

This Matter was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda.

Enactment No: Ordinance 6407

- H. Amending Title 11, Chapter 121 of the Lombard Village Code with Regard to Transportation.**
Amending the process used to license and respond to service complaints/issues regarding taxicab service in Lombard.

This Matter was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda.

Enactment No: Ordinance 6408

- I. **Title 11, Chapter 110 of the Lombard Village Code**
Amending Title 11, Chapter 110, by adding a new Section 110.61 with regard to live entertainment. (DISTRICTS - ALL)

This Matter was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda.

Enactment No: Ordinance 6409

Other Ordinances on First Reading

- J. **PC 06-28: 300 West 22nd Street (Covington/Cove Landing Planned Development)**
Granting a third 12-month time extension to Ordinance 5950, as amended by Ordinances 6112 and 6277, for the property located at 300 W. 22nd Street and known as the Hunter's Woods Development. (DISTRICT #3)

This Matter was passed on first reading on the Consent Agenda.

Enactment No: 5949 5950 6112 6277

- K. **Snow Removal in Municipal Parking Lots**
Recommendation to limit parking in municipal parking lots during significant snow events. (DISTRICTS #1 & #4)

This Matter was passed on first reading on the Consent Agenda.

- L. **PC 09-28: Text Amendments to the Lombard Sign, Subdivision and Development, and Zoning Ordinances**
The Village of Lombard requests text amendments to the following relevant chapters and definition of the Lombard Code of Ordinances: Chapter 153: Signs, Chapter 154: Subdivisions and Development, and Chapter 155: Zoning Code. These text amendments are intended to: address the proper roles and responsibilities of Lombard staff, correct references pertaining to the Illinois Compiled Statutes, and update definitions for clarity and consistency. (DISTRICTS - ALL)

This Matter was passed on first reading on the Consent Agenda.

- M. **1420 S. Meyers Road and 919 E. 14th Street**
1. Authorizing the Purchase of the South Booster Station Easement Property, the Contemporaneous Termination of the Booster Station Easement in connection with purchase and approval and execution of an Access Easement Agreement for the Reciprocal Use of the Driveway on a portion of the South Booster Station Easement Property and the adjacent land thereto.
2. Motion approving a Reciprocal Access Easement. (DISTRICT #3)

This Matter was passed on first reading on the Consent Agenda.

Ordinances on Second Reading

- N. ZBA 09-08: 228 W. Willow Street**
Requests that the Village grant a variation from Section 155.407(F)(1)(a)(1) of the Lombard Zoning Ordinance to reduce the front yard setback to thirty (30) feet where 33.93 feet is required to allow for an enclosed front porch within the R2 Single-Family Residence District. (DISTRICT #1)

Enactment No: Ordinance 6410

- O. ZBA 09-09: 1107 Woodrow Avenue**
Requests approval of the following actions on the subject property located within the R2 Single-Family Residence District:
1. A variation to Section 155.205(A)(1)(c)(2) of the Lombard Zoning Ordinance to allow a six-foot (6') high fence in a required corner side yard where a maximum height of four feet is permitted; and
 2. A variation to Section 155.205(A)(1)(c)(3) of the Lombard Zoning Ordinance to allow a six-foot (6') high fence in a required front yard abutting the front yard of an adjacent lot where a maximum height of four feet is permitted. (DISTRICT #5)

The ZBA also recommended that the public hearing fees be waived.

Enactment No: Ordinance 6411

Resolutions

- P. Great Western Trail Lighting, Design Engineering**
Approving a contract with ESI in the amount of \$87,389.49. (DISTRICTS #1, #4 & #5)

This Matter was adopted on the Consent Agenda.

Enactment No: Ordinance 43-10

- Q. Bituminous Mix, Change Order No. 1**
Reflecting an increase to the contract with Du-Kane Asphalt in the amount of \$55,000.00. (DISTRICTS - ALL)

This Matter was adopted on the Consent Agenda.

Enactment No: Resolution 44-10

- R. Holiday Decorations Contract 2009**
Authorizing a contract with Folgers Flag and Decorating in the amount of \$30,000 for a one-year contract for live greenery wreaths and roping decorations for the 2009 season.

This Matter was adopted on the Consent Agenda.

Enactment No: Resolution 45-10

- S. Pace Routes 715 and 747**
Supporting the continuation of existing Pace Bus service on Routes 715 and 747.
(DISTRICTS #2, #3 and #6)
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** Resolution 46-10
- T. Elizabeth Street Traffic Signal Interconnect to Union Pacific Railroad, Design Engineering**
Approving a contract with V3 Companies of Illinois, Ltd. in the amount of \$45,501.39.
(DISTRICT #1)
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** Resolution 47-10

Other Matters

- U. Printing of Lombard Pride Newsletter**
Award of a contract to Creekside Printing, the lowest responsible bid of 11 bidders, in an amount of \$42,228 for a 2-year contract for the printing of the Lombard Pride Newsletter. Bid in compliance with Public Act 85-1295.
- This Matter was approved on the Consent Agenda.**
- V. Sidewalk Snow and Ice Removal Contract Renewal**
Request for a waiver of bids and award of a contract to Paverscape, Inc. in the amount of \$43,190.00. Public Act 85-1295 does not apply. (DISTRICTS #1, #4, #5 & #6)
- This Matter was approved on the Consent Agenda.**
- W. Annexation Strategies Plan Update - 2009 (Request to Table to December 3, 2009)**
Request to adopt the 2009 Annexation Strategies Plan Update.

Passed The Consent Agenda

It was moved by Trustee Tross, seconded by Trustee Wilson, to approve the Consent Agenda. The motion carried.

- X. Recycling Education Grant, Glenbard East**
A request in the amount of \$350.00.
- This Matter was approved on the Consent Agenda.**

- Y. **Appointments - Public Works Committee**
Request for concurrence in the appointment of Stephen Preins and Robert Bachner to the Public Works Committee.

This Matter was approved on the Consent Agenda.

- Z. **Appointments & Re-appointments - Various Committees**
Request for concurrence in the re-appointment of Bob Mueller, Steve Flint and John Cullen and the appointment of Marty Igoe to the Board of Building Appeals; re-appointment of William Dunne, Ken Florey and Tom Rachubinski to the Board of Fire & Police Commissioners; appointment of Lorinda Ivey and Rosalie Loeding to the Community Promotion & Tourism Committee; re-appointment of Brigitte O'Brien, John Egan, Lyn Myers and Pat Poskocil and appointment of Pravin Patel to the Historical Commission; re-appointment of Ron Olbrysh and Richard Nelson to the Plan Commission; re-appointment of Jerry Peterson and Karen Koenig to the Police Pension Fund Board of Trustees; re-appointment of Mary Newman to the Zoning Board of Appeals; appointment of Barbara Hocking to the AdHoc Trails Committee; and appointment of Raymond Mazzolini, Marilyn Meo, Robert Friend, Vernon Hammerschmidt, Stephen Zook and John Mrofcza to the US Census 2010 Complete Count Committee.

This Matter was approved on the Consent Agenda.

Passed The Consent Agenda

This approval includes suspension of the rules, waive first reading and pass on second reading, waive competitive bidding and award contracts, approve and adopt resolutions as needed for the preceding items as read by the Clerk on the Consent Agenda

It was moved by Trustee Tross, seconded by Trustee Wilson, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

IX. Items for Separate Action

President Mueller recognized former Trustee Gary bird who was seated in the audience.

Ordinances on First Reading (Waiver of First Requested)

- A. **PC 09-26: Text Amendments to the Lombard Sign Ordinance**
The Village of Lombard is proposing text amendments to the Lombard Sign Ordinance with regard to temporary signage.

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Director of Community Development Bill Heniff gave an overview and presentation regarding the proposed amendments. He noted that he was going to focus on the comments the Village Board had expressed at a prior meeting regarding the changes which included: development signs issue was size; political campaign signs issue was

size, property type and duration and real estate signs issue was size, property type and duration. He stated staff's goal was to be consistent and neutral.

Mr. Heniff indicated staff had prepared some exhibits to show the signage sizes and these were placed in front of them to provide a visual picture of size. He noted that staff will prepare the necessary ordinance for consideration at the next Village Board meeting based on the decisions and direction given by the Board.

He spoke about development signage such as "coming soon" and stated these were typically related to a commercial property. The 32 square foot sign may not be appropriate for a development such as Yorktown and the developer can request a larger sign for such a purpose. Staff was recommending a maximum of 32 square feet. He noted the Village Board did not seem to have much concern with this size sign for this purpose.

Director Heniff spoke regarding political and campaign signs. He noted the underlying land use would be a controlling factor. He stated a 12 foot square sign is allowed currently. Staff is proposing keeping that square footage depending on the character of the neighborhood. He spoke about size of signs on commercial property and noted the ordinance allows temporary signs up to 32 square feet. He stated various recommendations had been received from the Village Board. One recommendation was to address 6-flats and apartments on smaller lots as single-family properties. He spoke about the 12 square foot sign for single-family properties and the 32 square foot sign for commercial properties. He also spoke regarding one sign per street frontage. He spoke about the courts upholding the maximum of 68 days for political signs to be up. He asked the Village Board for comments.

Director Heniff spoke about real estate signs and indicated the current maximum is 6 square feet. He also talked about commercial developments and if the development has more than a 25% vacancy, a temporary real estate sign is permitted. The Sunset clause allows for up to one year. He noted these were some of the key issues raised by the Village Board and asked for comments.

President Mueller suggested taking each sign category and addressing comments and questions.

Trustee Tross indicated that almost every large development requests a sign variation and that anyone can ask for relief from the ordinance. He felt the bigger developments are allowed a large sign and may have only one small office vacant. He did not feel the Village was here to advertise for commercial real estate developers. He felt that once the development was 75% occupied, the sign should come down.

Director Heniff noted that there is a Sunset Clause on all permits for one calendar year and at least 25% vacancy, but if the developer can provide additional documentation, an extension can be granted.

Trustee Wilson questioned the fee for sign permits.

Director Heniff indicated a nominal fee is charged.

Trustee Tross spoke regarding the conditional use process and public hearings.

Trustee Moreau asked if 20% vacancy meant no sign.

Trustee Fitzpatrick questioned the condition of the sign after being up for a year.

President Mueller questioned the possibility of requiring landscaping around development signs. He noted the vacant property at Elizabeth and St. Charles and the sign that has been there for an extended period of time.

Director Heniff indicated this could be required.

Trustee Gron questioned a property on Roosevelt Road. He noted the sign advertising the property for sale had been there for probably 15 years.

Director Heniff indicated he will have Code Enforcement look at that situation. He noted that planting requirements can be added to the ordinance and if there is a stalled development, staff can check the condition of the sign.

President Mueller felt that plantings add to the attraction of the sign.

Trustee Gron questioned staff time being spent.

Trustee Tross did not feel plantings should be required. He noted the move of Hobby Lobby from the Pines Shopping Center to the Sportmart location. He stated there is a

45,000 square foot vacancy at the Pines and did not feel requiring plantings around the sign should be required since it was a temporary goal to fill this vacancy. President Mueller felt the landscaping added to the attraction and noted a development in Chicago where they had a large sign surrounded by water and landscaping. He noted that it caught his eye because of the appearance and then he realized it was actually a sign advertising property. President Mueller asked for a consensus of the Village board and three Trustees were in favor of planting and three were not. President Mueller voted that plantings be added to the requirements. Trustee Ware asked for clarification. Trustee Fitzpatrick questioned the square footage of the various signs. Trustee Gron stated if it was not broken why fix it. Trustee Moreau stated she preferred smaller signs for real estate and political signs and the time limitation on signs. Trustee Tross noted that political signs could be up for six months if you include the time the signs can go up for the primary election and then add the time the sign can be up for the regular election and felt that was too long. He also noted that political signs can be posted even if the election is not for the Village, but for the County and the State. Trustee Gron questioned the one sign per street for commercial properties. President Mueller noted the Village can make any stipulation it wants to and has counsel to defend the Village. He felt signs had gotten out of control and felt the maximum should be 30-45 days. Attorney Bayer noted that case law upholds 60 days. He noted if the Board opted for the 25-30 days, the Village would be out of the norm and asking for problems. He stated the Village currently has 60 days and that the Board can approve 90 days. He stated he would not recommend going less than the 60 days. He felt the candidates had accepted the 16 square feet and 60 days and the 32 square feet for commercial properties with ten days for removal. Director Heniff indicated the changes would be made to the proposed ordinance and it would be brought to the next Village Board meeting.

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

None

President Mueller announced that there will be a workshop held prior to the next Village Board meeting scheduled for November 19 beginning at 6:30 pm. This will be to

discuss water to unincorporated York Township.

XII. Reconvene

XIII. Adjournment

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The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 5, 2009 in the Board Room of the Lombard Village Hall was adjourned at 9:05 pm.

It was moved by Trustee Moreau, seconded by Trustee Gron, adjourn. The motion carried by the following vote:

Aye: 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware