

Village of Lombard

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



Minutes

Thursday, January 21, 2016

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

Trustees: Dan Whittington, District One; Mike Fugiel, District Two;

Reid Foltyniewicz, District Three; Bill Johnston, District Four;

Robyn Pike, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 21, 2016 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:30 pm. Village Manager Scott Niehaus led the Pledge of Allegiance.

Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Staff Present:
Village Manager Scott Niehaus
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Fire Chief Paul DiRienzo
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

[160049](#)

Proclamation - Fitness February

Village Clerk Sharon Kuderna read the proclamation for Fitness February.

President Giagnorio presented the proclamation to Jay Wojcik and members of the Healthy Lombard Board.

Jay Wojcik thanked the Village and noted there are now 40 Healthy Lombard business partners.

George Miller spoke of improving health awareness in the community. Healthy Lombard will be holding a fundraiser collecting gently-used shoes beginning April 1st and running through June 1st. Drop-off boxes will be set up at various locations throughout the Village.

V. Approval of Minutes

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, that this be approved. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

VI. Committee Reports

Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson

Trustee Mike Fugiel, Chairperson of the Community Promotion & Tourism Committee, reported the committee had met and approved several grant requests.

Community Relations Committee - Trustee Robyn Pike, Chairperson

Trustee Robyn Pike, Chairperson of the Community Relations Committee, reported the committee had met and the committee was reviewing the Youth Leadership Program. Information will be listed on the website and youths between the ages of 14 and 17 are encouraged to participate.

Economic/Community Development Committee - Trustee Bill Johnston, Chairperson

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

No report

Public Works & Environmental Concerns Committee - Trustee Bill Ware, Chairperson

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

No report

Trustee Reid Foltyniewicz moved that item Consent K 150525 relative to PC 15-27: Yorktown Commons Planned Development be moved to Separate Action, seconded by Trustee Mike Fugiel.

Upon roll call:

Ayes: Foltyniewicz, Johnston, Pike, Ware, Whittington and Fugiel

Nays: None

Motion Carried

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [160024](#) **Approval of Accounts Payable**
For the period ending January 8, 2016 in the amount of \$1,552,159.92.
This Payroll/Accounts Payable was approved on the Consent Agenda

- B. [160044](#) **Approval of Village Payroll**
For the period ending January 9, 2016 in the amount of \$879,439.66.
This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [160045](#) **Approval of Accounts Payable**
For the period ending January 15, 2016 in the amount of \$1,669,388.05.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [150505](#) **Two-Way Stop Signs, Norbury Avenue at Harrison Road**

Recommendation from the Public Safety & Transportation Committee to install Stop signs at the intersection of Harrison and Norbury. Staff requests a waiver of first reading. (DISTRICT #6)

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

Enactment No: Ordinance 7168

E. [150588](#)

Downtown Traffic Study

Recommendation from the Public Safety & Transportation Committee to permanently retain one-way traffic on Park Avenue between St. Charles Road and McGuire Drive as well as allocating two parking spaces on the northeast corner of Park Avenue and McGuire Drive as No Parking for snow storage. Staff is requesting a waiver of first reading. (DISTRICT #1)

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

Enactment No: Ordinance 7169

F. [160034](#)

Purchase of Four New Pickup Trucks with Plows

Request for a waiver of bids and award of a contract to Packey Webb Ford in the amount of \$77,616.00; and approval of an ordinance declaring Village units WP500, WT442, SM447 and SM448 as surplus property and authorizing their disposal. Staff is requesting a waiver of first reading. Public Act 85-1295 does not apply.

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

Enactment No: Ordinance 7170

G. [160048](#)

2016 Salary Ordinance

Ordinance setting rates of pay for Village of Lombard employees.

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

Enactment No: Ordinance 7171

Other Ordinances on First Reading

H. [160035](#)

BOT 16-01: Amendments to Sections 36 & 150 Provisions

Amending Title III, Chapter 36, Section 36.21 and Title XV, Chapter 150, Section 150.141 of the Lombard Village Code in regard to engineering plan review and inspection fees. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7184

I. [160043](#)

Natural Gas Franchise

Approval to participate in a consortium to negotiate a modern day franchise agreement.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7185

Ordinances on Second Reading

J. [150380](#)

PC 15-21: 611 E. Butterfield Road - Sam's Club (Petitioner requests 3rd continuance to the March 17, 2016 meeting)

Requests that the Village take the following actions on the subject property located within the OPD Office Planned Development District:

1. Approve a Major Plat of Resubdivision;
2. Approve a Map Amendment rezoning the entire property to the B3 Community Shopping District; and
3. Approve a conditional use for a planned development with the following companion conditional uses, deviations, and variations, as follows:
 - a. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility;
 - b. A conditional use pursuant to Section 155.415 (C)(9) of the Lombard Zoning Ordinance for gasoline sales;
 - c. A conditional use pursuant to Section 155.415 (C)(17) of the Lombard Zoning Ordinance for motor vehicle service;
 - d. A conditional use pursuant to Section 155.415 (C)(18) of the Lombard Zoning Ordinance for off-site parking;
 - e. A conditional use pursuant to Section 155.415 (C)(19) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
 - f. A variation from Section 155.205 (A)(c)(i) of the Lombard Zoning Ordinance to increase the maximum fence height in a business district from eight feet (8') to ten feet (10') for a loading dock screening wall;
 - g. A variation from Section 155.210 (D)(1) of the Lombard Zoning Ordinance to allow for garbage dumpsters and recycling bins to be located within a corner side yard;
 - h. A variation from Section 15.508 (C)(6)(a) and a deviation from Section 155.415 (F)(2) of the Lombard Zoning Ordinance to reduce the minimum corner side yard setback from thirty feet (30') to twenty-five feet (25');
 - i. A variation from Section 155.706 (B)(1) of the Lombard Zoning Ordinance to reduce the minimum required landscaping of the interior of a parking lot from five percent (5%) to four percent (4%);

- j. A variation from Section 155.706 (B)(2)(c)(ii) of the Lombard Zoning Ordinance to reduce the required number of shade trees within the parking lot from 125 shade trees to fifty-five (55) shade trees;
- k. A variation from Section 155.706 (C)(1) of the Lombard Zoning Ordinance to reduce the minimum required perimeter parking lot landscape area width from five feet (5') to zero feet (0');
- l. A variation from Section 155.708 (A) of the Lombard Zoning Ordinance to reduce the minimum required building foundation landscape area width from ten feet (10') to zero feet (0');
- m. A variation from Section 155.710 of the Lombard Zoning Ordinance to increase the maximum height of refuse disposal and recycling bin fence screening from eight feet (8') to ten feet (10') and to allow for masonry screening where solid wood or an equivalent material is required;
- n. A deviation from Section 155.415 (G) of the Lombard Zoning Ordinance to increase the maximum building height from thirty feet (30') to thirty-five feet and four inches (35'4");
- o. A deviation from Section 155.508 (C)(7) of the Lombard Zoning Ordinance to reduce the minimum required open space in a planned development with deviations from twelve and one-half percent (12.5%) to eight percent (8%);
- p. A deviation from Section 155.602 (A)(5) of the Lombard Zoning Ordinance to reduce the required length of a parallel parking space from twenty-four feet (24') to twenty feet (20'); (Request withdrawn by the petitioner)
- q. A deviation from Section 155.602 (A)(10)(d)(ii) of the Lombard Zoning Ordinance to decrease the minimum parking lot lighting average intensity from 2.0 foot-candles to 1.0 foot-candles;
- r. A deviation from Section 155.602 (A)(10)(d)(iv) of the Lombard Zoning Ordinance to increase the maximum height for light poles used for a parking lot from forty feet (40') to forty-two feet (42');
- s. A deviation from Section 155.602 (C)(Table 6.3) of the Lombard Zoning Ordinance to reduce the minimum required parking spaces for freestanding stores and neighborhood and community centers (up to 200,000 square feet) from four (4) parking spaces per 1,000 square feet of gross floor area to 3.93 parking spaces per 1,000 square feet of gross floor area;

- t. A deviation from Section 155.603 (A)(1) of the Lombard Zoning Ordinance to not fully screen loading berths from adjacent property in an O Office District;
- u. A deviation from Section 153.208 (H) of the Lombard Sign Ordinance to allow for a freestanding sign within a clear line of sight area; (Request withdrawn by the petitioner)
- v. A deviation from Section 153.505 (B)(6)(c)(ii) of the Lombard Sign Ordinance to reduce the setback from the property line for the leading edge of a freestanding sign from five feet (5') to one foot (1'); (Request withdrawn by the petitioner) and
- w. A deviation from Section 153.505 (B)(19)(a)(i)(a) of the Lombard Sign Ordinance to allow for a sixty-four (64) square foot wall sign on a façade without a street front exposure (south façade). (DISTRICT # 3)

This Request was approved on the Consent Agenda

Enactment No: Ordinance 7200, 7201, 7202

K

L. [150574](#)

PC 15-28: Text Amendments to the Zoning Ordinance - Fences

The Village of Lombard is requesting text amendments to the Zoning Ordinance (Section 155 of the Code of Ordinances), as follows:

1. An amendment to Section 155.205(A)(1)(c)(ii)(b) relative to fencing opacity requirements in the clear line of sight area;
2. An amendment to Section 155.802 of the fence-open construction and fence-solid construction definitions; and
3. Any requisite companion amendments and references for clarity. (DISTRICTS - ALL)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7172

M. [150575](#)

Amending Village Code Regarding the Official Time for the Transaction of Village Business

Amending Title 1, Chapter 10, Section 10.11(A) relative to a change from Daylight Savings Time to Central Standard Time.

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7173

N. [150576](#)

Amending Lombard Village Code Relative to Liquor Establishment Closing Hours

Ordinance amending the Village Code relative to the ban of service of alcohol during the extra hour between 1:00 am and 2:00 am created

as a result of the Fall time change from Daylight Savings Time to Central Standard Time on the first Sunday in November.

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7174

Resolutions

- O. [150559](#) **FY 2015 Asphalt Paving and Patching, Final Balancing Change Order No. #2**
Reflecting a decrease to the contract with Schroeder Asphalt Services, Inc. in the amount of \$548,855.53. (DISTRICTS - ALL)
This Resolution was adopted on the Consent Agenda
Enactment No: R 9-16
- P. [150585](#) **North Broadway Force Main & Pump Station, Amendment No. 1**
Approving Amendment No. 1 to the contract with ESI Consultants, LTD in the amount of \$30,520.54 for design engineering services. (DISTRICT #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 10-16
- Q. [160017](#) **MFT Resolution for Fiscal Year 2016**
Approving the allocation and use of MFT Funds for the General Local Street Resurfacing Plan, RM Program 23 as well as funding for the purchase of salt, calcium chloride and salt brine, and over-time and part-time wages.
This Resolution was adopted on the Consent Agenda
Enactment No: R 11-16
- R. [160018](#) **Lombard Meadows, Phase 2 & Circle Avenue, Final Balancing Change Order No. 6**
Reflecting an increase to the contract with R.W. Dunteman Company in the amount of \$16,602.58. (DISTRICT #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 12-16

Other Matters

- S. [160030](#) **Purchase of 6" Diesel Powered Trash Pump**
Request for a waiver of bids and approval to purchase a 6" Diesel Powered Trash Pump from Xylem Dewatering Solutions, Inc. in an amount not to exceed \$73,072.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

T. [160031](#)

Coarse Aggregate (CA-6)

Request for a waiver of bids and approval of a one-year contract extension with Marcott Enterprises in an amount not to exceed \$44,500.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

U. [160033](#)

Water & Sewer System Supplies

Award of a contract to Water Products Company, the lowest responsible bidder of four (4) bids received, in the amount of \$50,000.00. Bid in compliance with Public Act 85-1295.

This Bid was approved on the Consent Agenda

V. [150572](#)

PC 15-23: 505-537 W. North Avenue and 715-733 N. Columbine Avenue (Request by petitioner for continuance to February 18, 2016)

Requests that the Village take the following actions on the subject property located within the B2 General Neighborhood Shopping Zoning District and R2 Single-Family Residence Zoning District:

1. Approve a Map Amendment rezoning the entire property to the B2 General Neighborhood Shopping Zoning District; and
2. Approve a conditional use for a planned development with the following companion conditional uses and deviations as follows:
 - a. A conditional use pursuant to Section 155.414 (C)(8) of the Lombard Zoning Ordinance for gasoline sales;
 - b. deviation pursuant to Section 153.504 (B)(5)(d) to allow for two (2) freestanding signs on one parcel of property, where one (1) is allowed;
 - c. deviation pursuant to Section 153.504 (B)(5)(b) to allow for the sign surface area to be forty-nine (49) square feet, where thirty (30) square feet is allowed, for each freestanding sign;
 - d. deviation pursuant to Section 153.223 (E) to allow for a motor fuel reader board at twenty-four (24) square feet, where nine (9) square feet in area, is allowed, for each freestanding sign;
 - e. a deviation pursuant to Section 155.414 (J) for the transitional yard setback to be seven feet (7'), where ten feet (10') is required;
 - f. a variation pursuant to Section 154.306 (D)(3)(b) to omit the sidewalk requirement on Broadview Avenue, where it is otherwise required for a Major Development.
(DISTRICT #1)

approved

Enactment No: Ordinances 7203, 7204

Approval of the Consent Agenda

A motion was made by Trustee Dan Whittington, seconded by Robyn Pike, to Approve the Consent Agenda The motion carried by the following vote

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

A-1. [150525](#)

PC 15-27: Yorktown Commons Planned Development

The petitioner requests that the Village take the following actions on the subject property located within the B3PD Community Shopping District Planned Development (Yorktown Shopping Center and Yorktown Peripheral Planned Developments):

PC 15-27A: Yorktown Shopping Center Planned Development

Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Yorktown Shopping Center Planned Development, as established by Ordinance No. 1172, and any companion zoning approvals, as follows:

1. A change to the geographical extent of the previously approved planned development and any companion zoning approvals;
2. Amend Section 3 (d) of Ordinance No. 1172 (Yorktown Shopping Center Planned Development) to read as follows: Off-Street Parking. There shall be required in lieu of all other off-street parking regulations of the Lombard Zoning Ordinance the construction and maintenance of a minimum of ~~7,500~~ **6,800** parking spaces; and
3. Approve a Major Plat of Subdivision.

PC 15-27B: Yorktown Peripheral Planned Development

Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Yorktown Peripheral Planned Development, as established by Ordinance No. 3962, and any companion zoning approvals, as follows:

1. A change to the geographical extent of the previously approved planned development and any companion zoning approvals; and

PC 15-27C: Yorktown Commons Planned Development

Pursuant to Section 155.502 (F) (3) of the Lombard Zoning Ordinance, approve a conditional use for a planned development with the following companion deviations, use exceptions, and variations:

1. Deviations and variations from the B3 Community Shopping District's lot and bulk requirements, Sections 155.415 (D), (E), (F), (G), (H), (I), (J), and (K) of the Lombard Zoning Ordinance, to allow for the establishment of a form-based code based upon lot, bulk, and design standards and guidelines as set forth within the "Yorktown Commons Planned Development Design Guidelines" included within the petitioner's submission;
2. To approved the "Yorktown Commons Planned Development Design Guidelines" as the preliminary plan for the subject property and to extend the timeframe for the final plan approval as set forth in the "Yorktown Commons Planned Development Design Guidelines;"
3. A variation from Section 155.508 (B)(3) of the Lombard Zoning Ordinance to allow for use exceptions, ground-floor residential dwelling units, for more than forty percent (40%) of the site area or more than forty percent (40%) of the total floor area, whichever is less;
4. A variation from Section 155.707 to waive transitional landscape yard requirements where residential uses are proposed in the B3 zoning district; and
5. A variation from the Planned Development Standards, Article IX of the Lombard Zoning Ordinance, to establish the process for administration of the Yorktown Commons Planned Development as forth in Section IV of the "Yorktown Commons Planned Development Design Guidelines" and granting site plan approval authority to the Plan Commission, pursuant to Section 155.511 of the Lombard Zoning Ordinance. (DISTRICT #3)

Director of Community Development Bill Heniff noted that as the Village Board is aware, the second and final reading of the ordinances for the Yorktown Commons Planned Development of approval are on tonight's agenda for final approval. In final review of the ordinances by the petitioner and staff this evening, it was observed that the companion legal descriptions describe the properties subject to the planned development amendments but does not describe the properties that were being removed from the existing Yorktown and Yorktown Peripheral planned developments. To remedy this issue and to ensure that future title commitments accurately reflect the intent and actions of the Village Board, Village Counsel has recommended that this item (Item K) be pulled from the Consent Agenda and placed on Separate Action. Then, a motion should be for approval of the petition in its entirety, subject to Ordinances 15-27A and 15-27B being amended by staff to include the full and proper legal description of the planned developments as they currently exist, the properties to be removed from the respective planned developments and the amended

legal descriptions.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that this Ordinance be passed on second reading for the approval of the petition in its entirety, subject to Ordinances 15-27A and 15-27B being amended by staff to include the full and proper legal description of the planned developments as they currently exist, the properties to be removed from the respective planned developments and the amended legal descriptions.

Enactment No: Ordinance 7175, 7176, 7177

Resolutions

Other Matters

A. [160041](#)

Lombard Pride Committee Recommendation

Recommendation of the Lombard Pride Committee relative to community events.

Village President Giagnorio spoke of how and why the Lombard Pride Committee was formed; applauded the work of the committee members; thanked Village Clerk Sharon Kuderna and Assistant Village Manager Nicole Aranas for their assistance; indicated the final recommendation and report had been completed; reminded everyone the document was a living document and set standards that staff and the Village could live by; invited any interested groups to review the document and submit an application; and stated the report would be used as a tool to in reviewing any applications submitted in the future. Village Manager Niehaus reported the RFP for the community event was sent out to over thirty organizations; asked if any of the Village Board members wanted to make any comments; and noted the Village Board is being requested to accept the final recommendation and report. The report contains four recommendations including (1) the Village should continue with the Fourth of July Fireworks; (2) the Village should continue support of year-round special events; (3) the Village should remain open to special event proposals from interested organizations; and (4) the Village should implement the proposed special events communications plan.

Trustee Foltyniewicz thanked the Lombard Pride Committee and felt they had done a great job; noted that the Village was open to any group(s) coming forward relative to holding a community event; and

recommended the Village build on the July 4th Fireworks as he felt last year's July 4th Fireworks were the best he had seen. Trustee Whittington noted it was unfortunate that no organization had come forward with a proposal for a community event. He also noted that the Village was open to any community events and not just an event like the Taste of Lombard. Trustee Ware stated he had served as Chairman of the Taste and he hated to see this event not continue. He agreed with the recommendations and wanted the Board to keep their minds open to any proposals. He agreed with the Pride Committee. President Giagnorio thanked Clerk Kuderna, staff and the residents who served on the Pride Committee. He noted the Committee had members with expertise in the field of fundraising and felt that was a benefit. He reminded everyone this Committee Report is a working document, will always be out there and hoped that a group or couple of groups might decide to submit a proposal for an event in the future. Manager Niehaus noted the report will be added to the Village website.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Village Board concur with the recommendations of the Lombard Pride Committee. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 21, 2016 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:55 p.m for the purpose of discussion of Setting the Price for the Sale or Lease of Property Owned by the Village. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 21, 2016 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:10 pm.

- 8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

XIII Adjournment

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A motion was made by Robyn Pike, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 21, 2016 in the Board Room of the Lombard Village Hall be adjourned at 8:10 p.m. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware