

Village of Lombard

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



Meeting Minutes

Thursday, September 1, 2011

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; Keith Giagnorio, District Two;
Zachary Wilson, District Three; Peter Breen, District Four;
Laura Fitzpatrick, District Five; and Bill Ware, District Six*

I. Call to Order and Pledge of Allegiance

[Play Video](#)

The regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by Village President William Mueller at 7:30 p.m. Thursday, September 1, 2011 in the Board Room of the Lombard Village Hall. Village Clerk Brigitte O'Brien led the Pledge of Allegiance.

II. Roll Call

[Play Video](#)

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Peter Breen, Trustee Laura Fitzpatrick and Trustee Bill Ware

Absent: Trustee Zachary Wilson

Staff Present:

Village Manager David Hulseberg

Director of Finance Tim Sexton

Director of Community Development Bill Heniff

Director of Public Works Carl Goldsmith

Chief of Police Ray Byrne

Fire Chief Mike Torrence

Executive Coordinator Carol Bauer

III. Public Hearings

None

IV. Public Participation

[Play Video](#)

Presentation - Business Property Improvement Award - Tony Youshaei

[Play Video](#)

Village President Mueller spoke about how First Pacific Investors, the property owners of the Village Plaza at 701-743 E. Roosevelt Road, had undertaken a major improvement to the property and how it has enhanced not only the property, but the corridor on Roosevelt Road where the strip center is located. All of this was done during very difficult economic times and without asking the Village for any financial assistance. He spoke of Lombard pride and how this company exhibited Lombard pride. He indicated that Sherwin Williams had opened a store at that location as a new anchor tenant for the strip mall. Based on this, the Business Property Improvement Award was presented to Tony Youshaei and First Pacific Investors. Trustee Ware thanked the company for their outstanding achievement. Tony Youshaei thanked the Village for all of their support.

Swearing-in - Probationary Patrol Officer Nicholas Barron

[Play Video](#)

Chief of Police Ray Byrne introduced Probationary Patrol Officer Nicholas Barron and spoke about Nicholas's background and education.

Village Clerk Brigitte O'Brien issued the Oath of Office to Nicholas Barron. Nicholas Barron introduced his family and thanked the Village.

Proclamation - National Recovery Month

[Play Video](#)

This proclamation will be sent to the requesting organization.

Proclamation - National Payroll Week

[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for National Payroll Week. Village President Mueller presented the proclamation to Carol Lewis of the Fox Valley Payroll Association and to Karen Huper, President of the association. Karen Hartwig thanked the Village and indicated the organization had just moved to Lombard. Carol Lewis also thanked the Village for their support.

V. Approval of Minutes

[Play Video](#)

**It was moved by Trustee Giagnorio, seconded by Trustee Gron, to approve Minutes of the Special Meeting of August 18, 2011
Minutes of the Regular Meeting of August 18, 2011 The motion carried by the following vote:**

Aye: 5 - Gron, Giagnorio, Breen, Fitzpatrick and Ware

Absent: 1 - Wilson

VI. Committee Reports

Community Relations Committee - Trustee Keith Giagnorio, Chairperson

[Play Video](#)

Trustee Keith Giagnorio, Chairperson of the Community Relations Committee, reported the committee had not met. He asked for concurrence in the appointment of Barb Ware to the committee which was on the Consent Agenda. The next meeting is scheduled for September 12th.

Economic/Community Development Committee - Trustee Peter Breen, Chairperson

[Play Video](#)

Trustee Peter Breen, Chairperson of the Economic and Community Development Committee, reported the committee had not met. The next meeting is scheduled for September 7th. Further discussion and review will take place regarding the proposed Transparency Policy.

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

[Play Video](#)

Trustee Laura Fitzpatrick, Chairperson of the Environmental Concerns Committee, reported the committee had not met. She reminded residents that the Recycling Extravaganza will take place on Saturday, September 24th from 9:00 am to 3:00 pm.

She asked for concurrence in the appointment of Dustin Smith to the committee which is listed on the Consent Agenda. She indicated Mr. Smith had been presented with an award from the Village regarding improvements to this property and landscaping. She advised there was one more opening on the committee and interested residents should contact the Carol Bauer. The next meeting is scheduled for September 27th.

Finance Committee - Trustee Greg Gron, Chairperson

[Play Video](#)

Trustee Greg Gron, Chairperson of the Finance Committee, reported the committee had not met. The next meeting is scheduled for September 26th.

Public Works Committee - Trustee Bill Ware, Chairperson

[Play Video](#)

Trustee Bill Ware, Chairperson of the Public Works Committee, reported the committee had not met. The next meeting is scheduled for September 13th.

Transportation & Safety Committee - Trustee Zach Wilson, Chairperson

[Play Video](#)

Trustee Zach Wilson, Chairperson of the Transportation and Safety Committee, was not in attendance. Director of Public Works Goldsmith indicated there was no report.

Board of Local Improvements - Trustee Greg Gron, President

[Play Video](#)

Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met. The next meeting is scheduled for September 8th.

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

[Play Video](#)

President William Mueller, Chairperson of the Community Promotion and Tourism Committee, reported the committee had not met. The next meeting is scheduled for September 8th as a request has been received from the Chamber of Commerce for the Chamber Expo.

Lombard Historical Commission - Clerk Brigitte O'Brien

[Play Video](#)

Village Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission had not met. The next meeting is scheduled for October 18th.

VII. Village Manager/Village Board Comments

[Play Video](#)

Trustee Breen spoke about how the residents of District #4 have been impacted by the work being performed by the Union Pacific. He talked about the residents living along East Parkside and the 400-700 blocks of East Parkside and the signal bridge being constructed causing a feared decrease in property value. He also spoke about the residents on East Prairie and the encroachment issues there. He noted he is trying to have the Union Pacific provide screening for residents at both locations. He spoke about calling residents, encouraged residents with issues to contact him and noted that he was working with the Union Pacific to resolve the issues.

President Mueller spoke about the proposed transparency policy and the issue of posting employee salaries on the website. He noted he has worked with staff and distributed a handout to the Village Board for their review. He hoped that this proposal

would be acceptable to the Village Board. He indicated he wanted to move forward regarding the transparency policy.

VIII. Consent Agenda

[Play Video](#)

Payroll/Accounts Payable

- A. Approval of Village Payroll**
For the period ending August 13, 2011 in the amount of \$770,119.88.
- This Matter was approved on the Consent Agenda.**
- B. Approval of Accounts Payable**
For the period ending August 19, 2011 in the amount of \$1,298,935.64.
- This Matter was approved on the Consent Agenda.**
- C. Approval of Accounts Payable**
For the period ending August 26, 2011 in the amount of \$609,577.25
- This Matter was approved on the Consent Agenda.**

Ordinances on First Reading (Waiver of First Requested)

- D. PC 11-18: 817 E. Roosevelt Road (Harmony Therapeutic Wellness Center)**
Requests a conditional use, per Section 155.417(2)(b)(11) of the Village of Lombard Zoning Ordinance to allow for a therapeutic massage establishment on the subject property located within the B4A Roosevelt Road Corridor District. (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 6639

Other Ordinances on First Reading

- E. PC 11-15: 240 E. Progress Road (School of Expressive Arts and Learning)**
Requests that the Village take the following actions on the subject property located within the I Limited Industrial District/Terrace Lakes Planned Development:
1. Approve a planned development amendment (Major Change) to Ordinance 5358 with the following companion conditional use and variation, as follows:
 - a. A conditional use, per Section 155.420(C) of the Lombard Zoning Ordinance, to allow for a school; and
 - b. A variation from Section 155.602(A)(10)(f) to allow two-inch curbing where six-inch barrier curb is required; and

2. Site plan approval with the following deviations from the Lombard Sign Ordinance:
 - a. A deviation from Section 153.507(B)(11)(a)(1) to allow for a total wall sign surface area of approximately 120 square feet where a maximum of 79.5 square feet is permitted; and
 - b. A deviation from Section 153.507(B)(11)(a)(2) to allow for three wall signs where one wall sign is permitted; and
3. Resolution approving a development agreement for the property. (***This action to be considered on second reading of the ordinance***) (DISTRICT #4)

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

F. PC 11-16: Text Amendments to the Lombard Sign Ordinance

The Village of Lombard is proposing the following text amendments to the Lombard Sign Ordinance:

1. An amendment to Section 153.233 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Motor Fuel Rate Signs.
2. An amendment to Section 153.210 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Automatic Changeable Copy Signs.
3. An amendment to Section 153.103 & 153.209 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Attention-Getting Devices and Inflatables. (DISTRICTS - ALL)

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

G. PC 11-19: Text Amendments to the Lombard Zoning Ordinance

The Village of Lombard is proposing text amendments to Section 155.405 through Section 155.411 of the Zoning Ordinance relative to front yard setback requirements for single-family residences. (DISTRICTS - ALL)

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

Ordinances on Second Reading

H. ZBA 06-21: 820 E. St. Charles Road

Granting a further time extension to Ordinance 5935, as amended by Ordinances 6094, 6247, 6373, and 6515 relative to the approval of a reduction in the minimum required lot area for the property located at 820 E. St. Charles Road. (DISTRICT #4)

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

Enactment No: Ordinance 6640

I. Text Amendment to Title 3 of the Village Code

Amending Title 3, Chapter 32, Section 32.079 of the Lombard Village Code allowing abandoned cemeteries to be designated as landmark sites without the written approval of the property owner(s). (DISTRICTS - ALL)

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

Enactment No: Ordinance 6641

J.

PC 11-14: Text Amendments to the Lombard Zoning Ordinance

The Village of Lombard is requesting text amendments to remove Scrivener's errors, redundancies, and ambiguities within the Zoning Ordinance, as follows:

1. Sections 153.211 Awnings and Canopies and 153.602 Definitions

Clarify language regarding the classification of signage as awning signs, valance signs, and/or wall signs.

2. Sections 155.211 Home Occupations, 155.223 Live Entertainment, and 155.602 Off-Street Parking

Update existing references to the BOCA Basic Fire Prevention Code to reflect current Fire Code requirements.

3. Sections 155.404 Conservation Recreation District Requirements, 155.412 O Office District Requirements, 155.413 B1 Limited Neighborhood District, 155.414 B2 General Neighborhood Shopping District, 155.415 B3 Community Shopping District, 155.416 B4 Corridor Commercial District, 155.417 B4A Roosevelt Road Corridor District Requirements, 155.418 B5 Central Business District Requirements, 155.419 B5A Downtown Perimeter District Requirements, 155.420 I Limited Industrial District Requirements, and 155.802: Definitions

Establish consistent terminology, delete redundant references, and adding or modifying definitions (where necessary) pertaining to the following land use categories: indoor and outdoor amusement establishments and parks, animal hospitals and kennels, bakeries, banks and financial institutions, building material and products sales and storage, clubs, coffee shops and restaurants, compact disc, record, and sheet music stores, dry cleaning and pressing establishments, electrical stores and showrooms, florists and flower shops, furniture stores and interior decorating shops and upholstery, furriers, garden supply stores, gasoline sales, greenhouses and nurseries, home improvement stores and showrooms, laboratories, laundries and laundrettes, liquor stores and party supply stores, automobile, motor vehicle, and recreational vehicle repair, sales, and service, offices, parking lots and structures, post offices and parcel packing and shipping establishments, public utility and service uses and municipal buildings and facilities, recreation and community centers, recreational and social facilities, religious institutions, shoe stores and repair, tailor and custom dressmaker shops, taverns and cocktail lounges, sale and rental of video tapes, compact and laser discs, and electronic game cartridges, and wearing apparel and clothing shops. (DISTRICTS - ALL)

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

Enactment No: Ordinance 6642, 6643

K.

BOT 11-10: 11 Eisenhower Lane South

Granting a variation to Chapter 151 "Flood Control", Subsection 151.55 "Retention/Detention Basins" of the Lombard Code of Ordinances for stormwater detention at the property located at 11 Eisenhower Lane South. (DISTRICT #3)

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

Resolutions

L.

Finley Road (Wilson Avenue To Glen Oak Road) Whitetopping, Design Engineering

Approving a contract with Civiltech Engineering, Inc. in the amount of \$257,732.20.
(DISTRICTS #1 & #2)

This Matter was adopted on the Consent Agenda.

Enactment No: R 28-11

M.

Village Hall ADA Accessibility, Community Development Block Grant

Authorizing the signatures of the Village Manager and Village Clerk on an Agreement with DuPage County relative to receiving Community Development Block Grant funds in the amount of \$22,000.00. (DISTRICT #6)

This Matter was adopted on the Consent Agenda.

Enactment No: Resolution 29-12

N.

2011 North Avenue Standpipe Painting Project, Resident Engineering Agreement

Authorizing an Agreement with Tank Industry Consultants in the amount of \$52,400.00 to perform resident inspection, documentation and contract administration services for the 2011 North Avenue Standpipe Painting Project. (DISTRICT #1)

This Matter was adopted on the Consent Agenda.

Enactment No: Resolution 30-12

Other Matters

O.

Tree & Stump Removal

Request for a waiver of bids and award of a contract to Ciosek Tree Service in the amount of \$20,000.00. Public Act 85-1295 does not apply.

This Matter was approved on the Consent Agenda.

P.

Tree Planting

Request for a waiver of bids and award of a contract to the Suburban Tree Consortium in the amount of \$55,800.00. Public Act 85-1295 does not apply.

This Matter was approved on the Consent Agenda.

Q.

Cardiac Monitor Defibrillators

Request for a waiver of bids and award of a contract to Philips Healthcare in the amount of \$77,949.00 for the purchase of four monitors. Public Act 85-1295 does not apply.

This Matter was approved on the Consent Agenda.

R.

Lift Station Improvements, Purchase of Back-up Generators

Request for a waiver of bids and award of a contract to Cummings NPower in the

amount of \$99,138.00. Public Act 85-1295 does not apply. (DISTRICTS #1, #2 & #6)

This Matter was approved on the Consent Agenda.

S. Lift Station Improvements, Purchase of Control Panels

Request for a waiver of bids and award of a contract to The Flolo Corporation in the amount of \$111,093.00. Public Act 85-1295 does not apply. (DISTRICTS #5 & #6)

This Matter was approved on the Consent Agenda.

T. Appointment - Environmental Concerns Committee

Request for concurrence in the appointment of Dustin Smith to fill a vacancy created by the resignation of Clark Adams.

This Matter was approved on the Consent Agenda.

***U. Appointment - Finance Committee**

Request for concurrence in the appointment of David Cain, Jr. to fill a vacancy created by the resignation of Qureish Esmail.

This Matter was approved on the Consent Agenda.

***V. Appointment - Community Relations Committee**

Request for concurrence in the appointment of Barbara Ware to fill a vacancy created by the resignation of Kimberly Angland.

This Matter was approved on the Consent Agenda.

Passed The Consent Agenda

It was moved by Trustee Giagnorio, seconded by Trustee Breen, to approve 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.

The motion carried by the following vote:

Aye: 5 - Gron, Giagnorio, Breen, Fitzpatrick and Ware

Absent: 1 - Wilson

President Mueller welcomed a new business to the Village - Kings Hall Banquet Facilities located at the Northgate Plaza at North Avenue and Route 53. He indicated they have Sunday Brunch and three main halls that can seat from 60+ people to over 300+ people.

IX. Items for Separate Action**Ordinances on First Reading (Waiver of First Requested)****Other Ordinances on First Reading****Ordinances on Second Reading****Resolutions****Other Matters****X. Agenda Items for Discussion****XI. Executive Session**[Play Video](#)

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 1, 2011 in the Board Room of the Lombard Village Hall was recessed to Executive Session at 8:06 pm for the purpose of discussion of pending litigation, collective negotiation matters and information regarding the appointment, employment, compensation, discipline, performance or dismissal of a specific employee or employees of the Village.

It was moved by Trustee Breen, seconded by Trustee Giagnorio, to recess to Executive Session. The motion carried by the following vote:

Aye: 5 - Gron, Giagnorio, Breen, Fitzpatrick and Ware

Absent: 1 - Wilson

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by Village President William Mueller at 8:42 pm Thursday, September 1, 2011 in the Board Room of the Lombard Village Hall. Upon roll call by Village Clerk Brigitte O'Brien, the following were:

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Peter Breen, Trustee Laura Fitzpatrick and Trustee Bill Ware

Absent: Trustee Zachary Wilson

XIII. Adjournment

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 1, 2011 in the Board Room of the Lombard Village Hall was adjourned at 8:43 pm.

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

Aye: 5 - Gron, Giagnorio, Breen, Fitzpatrick and Ware

Absent: 1 - Wilson