

Village of Lombard

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



Minutes

Thursday, September 17, 2020

6:00 PM

SPECIAL MEETING

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

*Trustees: Dan Whittington, District One; Anthony Puccio, District Two;
Reid Foltyniewicz, District Three; Andrew Honig, District Four;
Dan Militello, District Five; and Bill Ware, District Six*

I. Call to Order and Pledge of Allegiance

The Special Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 17, 2020 in the Board Room was called to order at 6:00 p.m. by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Present and in the Board Room:
Village President Keith Giagnorio
Village Clerk Sharon Kuderna
Trustee Dan Whittington
Trustee Anthony Puccio
Trustee Reid Foltyniewicz
Trustee Andrew Honig
Trustee Bill Ware

Present via remote access:
Trustee Dan Militello

Staff Present:
Village Manager Scott Niehaus
Village Attorney Tom Bayer
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas

Via conference call in:
Chief of Police Roy Newton
Executive Coordinator Carol Bauer

III. Public Hearings

[200280](#)

Lombard Butterfield-Yorktown Tax Increment Financing District - Public Hearing in Regard to the Expansion of the Redevelopment Project Area, and the Approval of a Second Amendment to the Redevelopment

Plan and Project in Relation Thereto

Village Attorney Tom Bayer called the Public Hearing to order at 6:02 pm and stated as follows:

"The public hearing tonight is in regard to the Village's proposed expansion of the redevelopment project area for the Butterfield-Yorktown Tax Increment Financing District, and the approval of a Second Amendment to the Redevelopment Plan and Project for the Butterfield-Yorktown Tax Increment Financing District in relation thereto. In accordance with the Tax Increment Allocation Redevelopment Act, the Village has taken the following actions on the following dates in regard to the proposed expansion of the Redevelopment Project Area and the approval of the Second Amendment to the Redevelopment Plan and Project:

1. approved, by motion, a contract with Kane, McKenna & Associates, Inc. for the preparation of the First Supplement to the Eligibility Study and the Second Amendment to the TIF Plan - January 9, 2020;
2. published the TIF Interested Parties Registry Notice in the newspaper (Daily Herald) - January 17, 2020;
3. adopted Reimbursement Resolution No. 5-20 - January 23, 2020;
4. announced the availability of the First Supplement to the Eligibility Study and the Second Amendment to the TIF Plan at a Village Board meeting - June 18, 2020;
5. approved Ordinance No. 7831 calling for a Joint Review Board meeting and a Public Hearing relative to the proposed approval of the Expanded Redevelopment Project Area and the Further Amended TIF Plan in relation thereto - July 16, 2020;
6. mailed a copy of Ordinance No. 7831, the First Supplement to the Eligibility Study and the Second Amendment to the TIF Plan, along with a notice of the Joint Review Board meeting and the Public Hearing to: all taxing districts impacted by the TIF District, the Illinois Department of Commerce and Economic Opportunity, and the Public Members of the Joint Review Board (by certified mail, return receipt requested) - July 21, 2020;
7. mailed notices relative to the availability of the First Supplement to the Eligibility Study and Second Amendment to the TIF Plan to: all residential addresses within 750 feet of the boundaries of the Expanded Redevelopment Project Area and to all parties who were registered on the Village's TIF Interested Parties Registry (by First Class U.S. Mail) - July 23, 2020;
8. held a Joint Review Board meeting - August 7, 2020;
9. published notice of the public hearing in the newspaper (Daily Herald) twice - August 27, 2020 and September 3, 2020;
10. mailed notice of the public hearing to: each taxpayer of record within

the Expanded Redevelopment Project area (by certified mail, return receipt requested); and to all parties who were registered on the Village's TIF Interested Parties Registry (by First Class U.S. Mail) - September 3, 2020;

It should be noted that, pursuant to an ordinance to be approved later during this Village Board meeting, the Village Board will be correcting a typographical error in the Second Amendment to the TIF plan, and the First Supplement to the Eligibility Study contained therein, relative to the number of buildings within the Original Redevelopment Project Area that are 35 years of age or older, by changing the reference to 3 of 4 buildings to read 9 of 12 buildings.

Pursuant to the Tax Increment Allocation Redevelopment Act, the Village must wait at least 14 days from the close of the public hearing before introducing or taking action on the ordinances approving the expansion of the Redevelopment Project Area, approving the Second Amendment to the Redevelopment Plan and Project, and adopting tax increment financing for the Expanded Butterfield-Yorktown Tax Increment Financing District. Said ordinances are currently scheduled for adoption at the October 15, 2020 Village Board meeting."

Director of Community Development Bill Heniff provided an overview of a Power Point presentation including: an overview of the background of the proposed Second Amendment to the TIF Plan; background relative to the original Butterfield Yorktown TIF District as well as the Expanded Redevelopment Project Area; recent market trends; challenges the Village faces; qualification factors for the Expansion Area, as a conservation area, as set forth in the First Supplement to the Eligibility Study, including at least half of the structures being at least 35 or older, obsolescence, deterioration, excessive vacancies, inadequate utilities, lack of community planning, lagging/declining EAV; key elements of Amended TIF Plan including proposed land uses, proposed amended TIF budget, amended base EAV, amended projected EAV, program actions/improvements; TIF statutory budget guidelines; and next steps.

Village President Keith Giagnorio stated as follows:

"The Joint Review Board for the Butterfield-Yorktown TIF District met on Friday, August 7, 2020. Upon a unanimous vote of those members of the Joint Review Board present and voting, the Joint Review Board recommended that the Village move forward with the expansion of the boundaries of the Butterfield-Yorktown TIF District, and that the Village Board approve the proposed Second Amendment to the TIF Plan in relation thereto."

Village Attorney Tom Bayer asked if any member of the public or member of the Village Board, had any comments relative to the proposed expansion of the Redevelopment Project Area for the TIF District, of the Second Amendment to the TIF Plan in relation thereto. There being no one who wanted to speak, he called for a motion to adjourn the public hearing.

It was moved by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Public Hearing held on Thursday, September 17, 2020 in the Board Room of the Lombard Village Hall, relative to the Expansion of the Redevelopment Project Area for the Butterfield-Yorktown TIF District, and the Approval of a Second Amendment to the Redevelopment Plan and Project in relation thereto be adjourned at 6:12 p.m. The motion carried by the following vote:
Ayes: Ware, Whittington, Puccio, Foltyniewicz, Honig & Militello
Nays: None
Absent: None

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the minutes of the Special Meeting of September 3, 2020 be approved. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

VI. Committee Reports

Community Promotion & Tourism - Trustee Andrew Honig, Chairperson

No report

Community Relations Committee - Trustee Dan Militello, Chairperson

No report

Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson

Trustee Anthony Puccio, Chairperson of the Economic and Community Development committee, reported the following:

At last Monday's Economic and Community Development Committee meeting, the following actions were taken:

Humane Animal Ordinance Discussion

The ECDC continued its discussion regarding possible Animal Care business regulations that could be considered. Staff provided an update on the follow-up activities that occurred over the past 6 months, with individuals supporting additional regulations and one Lombard business offering comments. Discussion also included the Village's legal authority to consider such regulations.

The ECDC discussed the matter and unanimously voted to recommend approval of a Resolution supporting efforts and initiatives by DuPage County and the State of Illinois relative to animal care. This item will go to the Board of Trustees for final action on October 1, 2020. The ECDC also directed staff to discuss with the Village Attorney future pet store business regulation requirements such as insurance or a waiting period.

FY 2020 and 2021 Budget Projections

Tim Sexton presented an overview on the 2020 and 2021 budget, for informational purposes only.

The next meeting of the ECDC will be on October 12.

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, noted that the committee had met and started review of the proposed FY 2021 budget and the Village Board would be holding a Special Workshop relative to the proposed budget on September 28th.

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 Historic Preservation Commission - Village Clerk Sharon Kuderna

No report

VII. Village Manager/Village Board/Village Clerk Comments

Village Manager Scott Niehaus noted that the Village Board had their agenda packets for the Budget Workshop scheduled for September 28th in front of them, and if any members wanted to review the proposed budget prior to the workshop, staff would be happy to meet with any Village Board members.

Village Clerk Sharon Kuderna read the following announcements:

On behalf of the Village of Lombard and Versiti Blood Centers, we want to thank all of those donors who came out for the We Remember Blood Drive held on September 9th at three locations - Yorktown, First Church of Lombard and School District #44 Glenn Westlake Middle School.

This drive was a huge success with a total of 119 units of blood being donated in one day. 357 lives were saved in just that day by our heroes - the blood donors. Over the 30 years that the Village has partnered with Heartland/ Versiti, 179 blood drives have been held with over 15,300 pints of blood being donated which has helped save nearly 46,000 lives. Become a hero - donate blood. It is safe, it is simple and it does save lives! The next Drive is November 11th and recognizes our Veterans and former Village President Bill Mueller.

The Lombard Fire Department and Lombard Firefighters Union 3009 will once again be hosting their annual pink t-shirt fundraiser to raise donations for Bhorade (bo-radee) Cancer Center at Good Samaritan Hospital. Shirts are \$15 and available in multiple sizes. To learn more about this local cause and to order, contact Firefighter/Paramedic Bob Hopper at LFDPINK@yahoo.com or online at villageoflombard.org Congratulations to Brigitte O'Brien and Bob Friend for recently being named Lombard's 2020 Woman and Man of the Year. The Man of the Year and Woman of the Year programs are hosted by the Rotary Club of Lombard and the Lombard Service League that recognize those people in the community who make Lombard a wonderful place to live and work.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [200278](#) **Approval of Village Payroll**

For the period ending August 29, 2020 in the amount of \$880,116.34.

- B.** [200279](#) **Approval of Accounts Payable**
For the period ending September 4, 2020 in the amount of \$969,905.48.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C.** [200287](#) **Approval of Accounts Payable**
For the period ending September 11, 2020 in the amount of \$1,511,309.87.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D.** [200244](#) **ZBA 20-04; 730 E. Sunset Avenue**
The Zoning Board of Appeals transmits its recommendation to approve the request that the Village grant a variation from Section 155.212 of the Lombard Village Code to provide for an emergency generator to be located in the required side yard setback in the R2 Single-Family Residence District. (DISTRICT #4)

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

Enactment No: Ordinance 7857
- E.** [190124](#) **Stormwater Detention/Retention Variation Fee Escrow Agreement First Amendment - 415 E. North Avenue (Former Casey's Restaurant Property)**
Ordinance authorizing a First Amendment to the Stormwater Detention/Retention Variation Fee Escrow Agreement at 415 E. North Avenue. A First Amendment is being requested by the property owner as the driveway has not been removed and the required stormwater improvements have not been completed, due to COVID-19. The First Amendment provides for an extension of the time period for removing the driveway or completing the stormwater improvements through December 31, 2021. (DISTRICT #4)

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

Enactment No: Ordinance 7858 (Ordinance 7636 previously approved)
- F.** [200212](#) **Butterfield-Yorktown Tax Increment Financing District - Expansion of the Redevelopment Project Area and Second Amendment to the Amended Redevelopment Plan and Project in Relation Thereto - Final Ordinances**
Ordinances to the previously approved Butterfield-Yorktown Tax Increment Financing (TIF) District approving a Second Amendment to the

TIF plan in relation thereto. The Ordinances include:

1. AN ORDINANCE DESIGNATING THE VILLAGE OF LOMBARD BUTTERFIELD-YORKTOWN TAX INCREMENT FINANCING DISTRICT EXPANDED REDEVELOPMENT PROJECT AREA - The Ordinance expands the Redevelopment Project Area for the TIF District to include PINs 06-29-101-038, 06-29-101-046, 06-29-101-048 and 06-29-301-014, within the Yorktown Shopping Center area, at the Western end of the existing TIF District, along with additional intersections between Highland Avenue and the Yorktown Shopping Center internal roadway system. (Staff requests a waiver of first reading.)
2. AN ORDINANCE APPROVING THE VILLAGE OF LOMBARD BUTTERFIELD-YORKTOWN TAX INCREMENT FINANCING DISTRICT EXPANDED REDEVELOPMENT PROJECT AREA FURTHER AMENDED REDEVELOPMENT PLAN AND PROJECT - The Ordinance approves a Second Amendment to the TIF Redevelopment Plan and Project for the TIF District, which addresses the qualification of the area being added to the Redevelopment Project Area for the TIF District, as a "conservation area," the redevelopment of said added area, and amends the TIF Budget in relation thereto. (Staff requests a waiver of first reading.)
3. AN ORDINANCE ADOPTING TAX INCREMENT FINANCING FOR THE VILLAGE OF LOMBARD EXPANDED BUTTERFIELD-YORKTOWN TAX INCREMENT FINANCING DISTRICT - The Ordinance adopts Tax Increment Financing relative to the area being added to the Redevelopment Project Area for the TIF District. (Staff requests a waiver of first reading.)

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

Enactment No: Ordinance 7859

This is the technical changes ordinance

Other Ordinances on First Reading

- G. [200268](#) **Ordinance Amending Section 73.09 of the Lombard Village Code Relative to Compliance Citations - Implementation of Compliance Citations for Vehicular Equipment Related Violations**
Recommendation from the Public Safety & Transportation Committee to adopt an ordinance amending Section 73.09 of the Lombard Village

Code to allow Police Officers to issue compliance citations to motorists for vehicular equipment violations under local ordinance.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7862

H. [200269](#)

Ordinance Amending Section 97.200 of the Lombard Village Code Relative to Oversize/Overweight Truck Permits

Recommendation from the Public Safety & Transportation Committee to adopt an ordinance amending the Lombard Village Code Section 97.200 increasing truck permit fees and streamlining the overweight truck permit process by reducing the overall number of permit categories, as well as bringing the ordinance language into compliance with the Illinois Compiled Statutes.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7863

Ordinances on Second Reading

Resolutions

I. [200277](#)

2019 Sewer Lining, Final Balancing Change Order No. 1

Reflecting an increase to the contract with Hoerr Construction, LLC, in the amount of \$11,697.55. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 28-20

Other Matters

J. [200201](#)

Approval of a Legal Services Agreement for Ordinance/Traffic Prosecutions and DUI Prosecutions

Recommendation of the Public Safety & Transportation Committee to approve a Legal Services Agreement between the Village of Lombard and the Law Offices of Michelle Moore to provide ordinance/traffic prosecutions and DUI prosecutions effective December 1, 2020, supplementing an existing agreement for ordinance and traffic prosecutions.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, 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

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Bill Ware, seconded by Trustee Andrew Honig, that the Special Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 17, 2020 in the Board Room of the Lombard Village hall be adjourned at 6:22 p.m. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware