

Village of Lombard

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



Minutes

Thursday, June 15, 2017

7:00 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, June 15, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 pm. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

Roll Call

Trustee Pike has an excused absence.

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

Staff Present:

Village Manager Scott Niehaus
Assistant Director of Finance Jamie Cunningham
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas
Communications Coordinator Avis Meade
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

Village President Keith Giagnorio called Alessandro Vazquez from Heartland Blood Centers to the podium.

Alessandro Vazquez provided information on the history of the partnership between Heartland Blood Centers and the Village of Lombard. He presented Carol Bauer with the Lifetime Achievement Award from Heartland for her work as Blood Drive Coordinator. He noted this is the first time this award has ever been given to anyone and thanked Carol for her dedication and hard work.

Beth Marchetti, Executive Director of the DuPage Convention & Visitors Bureau, gave a presentation relative to the DCVB partnership with the Village of Lombard. She noted the grant amount to DCVB is \$38,790; 16,940 room nights were generated and the economic impact to the Village is \$17,203,708.

Trustee Mike Fugiel spoke of the great partnership that the Village has with the DCVB. He noted that the DCVB worked to promote the soccer tournament to be held here and how exciting it will be to have the participants and families staying in Lombard for the event.

V. Approval of Minutes

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the minutes of the Regular Meeting of May 18, 2017 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

VI. Committee Reports

Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson

No report

Community Relations Committee - Trustee Robyn Pike, Chairperson

No report

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

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, reported the committee met and reviewed a request from Oakview Estates Condominium Association relative to overnight parking on St. Charles Place. The Police and Fire Departments presented reports on their department activities.

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 Comments

Village President Keith Giagnorio wished Village Manager Scott Niehaus a happy birthday.

Village Manager Scott Niehaus provided a report relative to the Butterfield Yorktown Tax increment Finance (TIF) District.

Village Clerk Sharon Kuderna read the following announcements: Effective June 5th, Village Hall Office hours have changed and the Village will no longer be open on Monday evenings. Normal hours are now 8 am until 4:30 pm Monday through Friday. After hours appointments are available upon request, by calling (630) 620-5700. Come join the fun in downtown Lombard with Lombard Cruise Nights and Summer Concert series Saturday evenings through August 26th from 6-10 pm. Cruise Nights is back for its 19th season with free live concerts, lots of cool custom cars and a Kid's corner.

The Summer Community Blood Drive is scheduled for Wednesday, June 21st from 9:30 am until 1pm at Yorktown Center (entrance 5 between Von Maur and the Eatery) and from 1:15 pm until 7 pm at the Lombard Village Hall. All donors will receive a Target gift card, a coupon for a free pint of Culver's frozen custard and be entered into a drawing for a Yorktown gift card. Be someone's hero - donate blood - it saves lives.

The Village will again sponsor the fireworks display to be held on Tuesday, July 4th at dusk at Madison Meadows Park. Bring your blanket and picnic basket and enjoy the fabulous fireworks display. More information can be found at villageoflombard.org/fourthofjuly Please note that the July 20th Village Board meeting will begin at 4 pm instead of the usual start time of 7 p.m.

Stay informed by signing up for weekly e-newsletters. Go to villageoflombard.org/enews.

President Giagnorio thanked the Public Works staff for their work involved in the purchase and installation of the new Village electronic message board at Main and Wilson. He noted that a friend's son had been drafted to the Baltimore Orioles team and congratulated him.

Announcement regarding the availability of the Butterfield Yorktown Tax Increment Financing (TIF) Eligibility Study and Report, and the Redevelopment Plan and Project.

VIII Consent Agenda

Payroll/Accounts Payable

- A. [170243](#) **Approval of Accounts Payable**
For the period ending May 26, 2017 in the amount of \$1,402,327.92.

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, to Approve the Consent Agenda The motion carried by the following vote

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

- B. [170248](#) **Approval of Village Payroll**
For the period ending May 27, 2017 in the amount of \$841,246.96.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [170249](#) **Approval of Accounts Payable**
For the period ending June 2, 2017 in the amount of \$1,101,029.70.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [170262](#) **Approval of Accounts Payable**
For the period ending June 9, 2017 in the amount of \$741,203.10.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- E. [170236](#) **PC 17-18: Signage Deviations for the Shopping Center Signs in the Mariano's Planned Development - 345, 351 and 435 W. Roosevelt Road**
Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the B4APD Roosevelt Road Corridor Planned Development District:
1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Mariano's Planned Development, as established by Ordinance No. 7236, as follows:
 - a. A deviation from Section 153.235(A)(1) (Shopping center

- identification sign) to allow two shopping center identification signs per street frontage where one shopping center sign per street frontage is permitted; and
- b. Repeal the relief granted in Section 1, Part (1)(f), of Ordinance 7236, allowing informational (directional) signs to be located in the defined clear line of sight area. (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 7381

F. [170237](#)

PC 17-15: Approval of an Amended Plat of Resubdivision - Mariano's Planned Development

Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the B4APD Roosevelt Road Corridor Planned Development District:

1. Approve an amended major plat of resubdivision with the following deviations:
 - a. A deviation from Section 155.417(G)(3) to allow a lot of record with an area of 31,155 square feet, where a minimum lot area of 40,000 square feet is required; and
 - b. A deviation from Section 155.417(G)(4) to allow a lot of record with a lot width of 148 feet, where a minimum lot width of 150 feet is required. (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 7382

G. [170238](#)

PC 17-16: Text Amendments to the Zoning Ordinance - Signage

Recommendation from the Plan Commission to approve a text amendment to Section 153.218 of the Sign Ordinance to allow for informational (directional) signage to be located within the defined clear line of sight area. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7383

H. [170242](#)

Amend the Village Code in Regard to Water and Sanitary Sewer Billing and Services

Ordinances regarding proposed updates in order to accurately reflect the current billing and delinquent notice schedule.

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

Enactment No: Ordinances 7384, 7385

- I. [170244](#) **Ford F-550 ALS Ambulance Purchase**
Request for a waiver of bids and award of a contract to Foster Coach in the amount of \$209,234.50; and approval of an ordinance declaring Village unit FM62 as surplus equipment and authorizing its sale. Staff requests 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 7386
- J. [170250](#) **Tandem Axle Dump Truck Purchase**
Request for a waiver of bids and award of a contract to JX Peterbilt in the amount of \$198,661.87 and approval of an ordinance declaring Village unit ST343 as surplus equipment and authorizing its sale. Staff requests a waiver of first reading. Public Act 85-1295 does not apply. (DISTRICT ALL)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7387
- K. [170252](#) **Prevailing Wage Rate**
Adoption of the most current Prevailing Wages for public works projects for DuPage County for June 2017.
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7388

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- L. [170245](#) **North Broadway Force Main & Pump Station, Amendment No. 4**
Approving Amendment No. 4 to the contract with ESI Consultant, LTD, in the amount of \$9,186.41 for additional work related to the design engineering. (DISTRICT #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 40-17
- M. [170255](#) **Fifth Amendment to the Intergovernmental Agreement With York Township Regarding Route 53 and Madison**
Approving the Fifth Amendment to the Intergovernmental Agreement with York Township regarding Route 53 and Madison. The fifth amendment includes amending the term of the Village agreeing not to

seek forcible annexation of the unincorporated properties to not prior to January 1, 2023 and extension of the provision for reimbursement through the revised date; including a provision that should 50% or more of the residents petition the Village for utility services the provision of the forcible annexation is terminated, and amending the provision that the Village will install street lighting along Madison Street to within sixty (60) months from the date that IDOT completes the Route 53 reconstruction and widening project. (DISTRICTS #1, #2 & #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 41-17

Other Matters

- N.** [170253](#) **SL-RAT Acoustic Pipeline Assessment Project**
Request for a waiver of bids and award of a contract to Midwest Water Group, Inc. in an amount not to exceed \$93,475.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- O.** [170254](#) **Manhole Rehabilitation Program 2017**
Award of a contract to National Power Rodding, the lowest responsible bidder of three (3) bids, in the amount of \$110,605.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- P.** [170246](#) **Yorktown Temporary Event - Dick's Sporting Goods Tent Sale**
Request for a time extension regarding a temporary special event permit for Dick's Sporting Goods to take place at Yorktown Center from June 23 to July 9, 2017. (DISTRICT #3)
This Request was approved on the Consent Agenda
- Q.** [170251](#) **Plat of Easement - 1125 E. St. Charles Road (Banner Storage)**
Motion to approve a Plat of Easement providing public utility and drainage easements on the property located at 1125 E. St. Charles Rd. and known as Banner Storage. (DISTRICT #5)
This Request was approved on the Consent Agenda
- R.** [170261](#) **Execution of a Contract Addendum with Prescient Development, Inc.**
Authorization to lock in the provision that the Prescient contract will increase annually by the non-union employee COLA increase from the previous January. This contract is set to expire on April 4, 2018.
This Request was approved on the Consent Agenda

- S. [170263](#) **Settlement Agreement and General Release - Mary Ellen Mills v. Village of Lombard**
Request for approval of a Settlement Agreement between the Village of Lombard and Mary Ellen Mills in the amount of \$42,000.
This Request was approved on the Consent Agenda
- T. [170266](#) **DuPage Convention & Visitors Bureau Annual Financial Commitment Letter**
Request for approval of the Village of Lombard's membership and annual commitment of financial support to the DuPage Convention and Visitor's Bureau.
This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, to Approve the Consent Agenda The motion carried by the following vote

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- A. [170256](#) **Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
Amending Title 11, Chapter 112, Section 112.13(A) decreasing the number of entries in the Class "C", "L-II" and "U" categories by one relative to T & E 348 Yorktown Center LLC d/b/a Tom & Eddies Better Burgers located at 348 Yorktown, Beer Haus LLC d/b/a Beer House located at 322 Yorktown and Golden 1 Inc. d/b/a Thai Sushi Inn located at 719 E. Roosevelt Road not renewing their liquor licenses for the June 1, 2017 licensing term. (DISTRICTS #3 & #6)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Johnston, that the Ordinance amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code decreasing the number of entries in the Class "C", Class "L-II" and Class "U" for Tom & Eddies Better Burgers, Beer Haus and Thai Sushi be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 4 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

Enactment No: Ordinance 7389

B. [170257](#)

Amending the Budget Ordinance

Recommendation that the Village Board not adopt an Ordinance amending the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A Bonds and the Series 2005-B Bonds for the Hotel and Conference Center, in response to the request from the Lombard Public Facilities Corporation to do so. (2/3 Vote of the Corporate Authorities Required)

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Johnston, that the Ordinance relative to the appropriation for the Debt Service for the Series 2005-A-Bonds and the Series 2005-B Bonds for the Hotel and Conference Center in response to the request from the Lombard Public Facilities Corporation not be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

C. [170258](#)

Title 11, Chapter 112 of the Lombard Village Code - Alcoholic Beverages

Amending Title 11 Chapter 112 of the Lombard Village Code with regard to establishing a new Class "GGG" Liquor License Category allowing onsite consumption and packaged sales of alcoholic liquor as an adjunct to a grocery store establishment.

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the Ordinance amending Title 11, Chapter 112 of the Lombard Village Code relative to establishing a new Class "GGG" liquor license allowing onsite consumption and packaged sales of alcoholic liquor as an adjunct to a grocery store establishment be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 4 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

Enactment No: Ordinance 7390

Other Ordinances on First Reading

D. [170241](#)**Budget Amendment Ordinance**

Final FYE 2016 Budget Amendment Request for an increase of \$1,902,200.00 to Water & Sewer Operations & Maintenance Fund for GASB 68 and an increase of \$131,010.00 to the Fleet Services Reserve Fund due to replacement of the Unimog. (2/3 Vote Required)

Trustee Foltyniewicz, Chairperson of the Finance & Administration committee, provided additional information relative to the final budget, the 2016 audit and replacement of a vehicle earlier than had been anticipated.

A motion was made by Trustee Dan Whittington, seconded by Trustee Reid Foltyniewicz, that the Ordinance amending the Village of Lombard Budget Ordinance approving a request for an increase of \$1,902,200 to the Water & Sewer Operations & Maintenance Fund for GASB 68 and an increase of \$131,010 to the Fleet Services Reserve Fund due to replacement of the Unimog be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 6 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

Enactment No: Ordinance 7391

Ordinances on Second Reading**Resolutions****Other Matters****E. [170265](#)****Rescheduled Village Board Meeting**

Request for concurrence of the Village Board in the rescheduling of the start time of the the July 20, 2017 Village Board Meeting from 7:00 pm to 4:00 pm.

A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, that the Village Board approve the rescheduling of the start time of the July 20, 2017 Village Board meeting to 4pm. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

X. Agenda Items for Discussion**XI. Executive Session**

A motion was made by Trustee Bill Ware, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village

of Lombard held on Thursday, June 15, 2017 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:30 pm for the purpose of discussion of Probable or Imminent Litigation. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 15, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:43 pm.

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

1 - Robyn Pike

XIII Adjournment

.

A motion was made by Trustee Bill Ware, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 15, 2017 in the Board Room of the Lombard Village Hall be adjourned at 7:44 pm. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

Absent: 1 - Robyn Pike