

Village of Lombard

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



Minutes

Thursday, October 2, 2014

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; Peter Breen, District Four;

Laura Fitzpatrick, 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, October 2, 2014 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:30 p.m. Village Clerk Sharon Kuderna led the Pledge of Allegiance.

II. Roll Call

- 7 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, and Laura Fitzpatrick
- 1 - 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

Trustee Bill Ware arrived at 7:38 pm.

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Dan Whittington, seconded by Trustee Laura Fitzpatrick, that the minutes of the Regular Meeting of September 4, 2014 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, and Laura Fitzpatrick

Absent: 1 - Bill Ware

VI. Committee Reports

Community Relations Committee - Trustee Dan Whittington, Chairperson

Trustee Dan Whittington, Chairperson of the Community Relations Committee, reported the Senior Fair had taken place on Wednesday and was a huge success. He thanked the committee and staff and congratulated the seniors of the year.

Economic/Community Development Committee - Trustee Laura Fitzpatrick, Chairperson

No report

Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson

Trustee Mike Fugiel, Chairperson of the Environmental Concerns Committee, thanked everyone who helped at the Recycling Extravaganza on September 20th. He reminded residents of the Household Hazardous Waste Event scheduled for Saturday, the monthly Electronics Recycling Event, the Shredding event and free leaf pick-up.

Finance Committee - Trustee Peter Breen, Chairperson

No Report

Public Works Committee - Trustee Bill Ware, Chairperson

No report

Transportation & Safety Committee - Trustee Reid Foltyniewicz, Chairperson

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson

No report

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

Trustee Foltyniewicz reminded residents of the Fire Department Open House scheduled for October 8th at Station One from 6pm-8:30pm and the last Glenbard East Football home game scheduled for October 17th.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [140354](#) **Approval of Accounts Payable**
For the period ending September 5, 2014 in the amount of \$437,523.17.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [140367](#) **Approval of Village Payroll**
For the period ending September 6, 2014 in the amount of \$831,713.66.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [140368](#) **Approval of Accounts Payable**
For the period ending September 12, 2014 in the amount of \$1,27,844.22.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [140371](#) **Approval of Accounts Payable**
For the period ending September 19, 2014 in the amount of \$1,163,715.40.
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [140382](#) **Approval of Village Payroll**
For the period ending September 20, 2014 in the amount of \$758,358.21.
This Payroll/Accounts Payable was approved on the Consent Agenda

- F. [140383](#) **Approval of Accounts Payable**
For the period ending September 26, 2014 in the amount of \$2,028,290.85.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- G. [140331](#) **ZBA 14-09: 317 N. Main Street**
Requests that the Village grant a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to allow an attached garage to encroach three (3) feet into the required six (6) foot interior side yard setback for the subject property located within 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 6995
- H. [140355](#) **Amending Title 11, Chapter 112, Section 112.13 (A) of the Lombard Village Code**
Increasing the Class "A/B-II" liquor license category by one granting a liquor license to Victory Pizza LLC d/b/a Armand's Victory Tap located at 203 Yorktown Mall, Suite 346. (DISTRICT #3)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 6996
- I. [140364](#) **Special Service Area #7 - Tax Levy Ordinance**
Providing for the Levy and Assessment of Taxes for Village of Lombard Special Service Area #7 for the Fiscal Year beginning January 1, 2014 and ending December 31, 2014. (DISTRICT #3)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 6997
- J. [140365](#) **PC 14-26: 920 E. Roosevelt Road - Conditional Use for a Bank and Financial Institution (Metro Title Loan)**
Requests that the Village grant approval of a conditional use, pursuant to Section 155.417(G)(2)(b) of the Village of Lombard Zoning Ordinance to allow for banks and financial institutions within the B4A Roosevelt Road Corridor Zoning District. (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 6998

- K. [140379](#) **Tax Levy Ordinance/Special Service Area Number Three**
Ordinance levying and assessing taxes for Special Service Area Number Three, 800 E. Roosevelt Road. (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 6999
- L. [140380](#) **Lombard Public Facilities Corporation**
Appointing Tod Altenburg as a Director of the Lombard Public Facilities Corporation due to the resignation of William Lichter and re-appointing Jeff Mills, Edward Murphy, Paul Powers and George Seagraves as Directors of the Lombard Public Facilities Corporation.

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

Enactment No: Ordinance 7000

Other Ordinances on First Reading

- M. [140376](#) **Code Amendments to Chapter 122 of the Village Code - Massage Establishments**
Ordinance approving text amendments to the Lombard Village Code of Ordinances Title XI, Chapter 122 pertaining to massage establishment regulations. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Ordinances on Second Reading

Resolutions

- N. [140351](#) **Downtown Improvement and Renovation Grant Program**
Resolution approving a Downtown Improvement and Renovation Grant for the property commonly known as 130 E. St. Charles Road. (DISTRICT #4)

This Resolution was adopted on the Consent Agenda

Enactment No: R 36-14
- O. [140358](#) **FY 2014 Asphalt Paving and Patching, Change Order #1**
Reflecting an increase to the contract with Brother's Asphalt Paving, Inc. in the amount of \$33,513.35. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 37-14
- P. [140359](#) **FY 2014 Cracksealing Program, Change Order #1**

Reflecting a decrease to the contract with Denler, Inc. in the amount of \$10,960.10. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 38-14

- Q. [140377](#) **Acceptance of Public Cul-De-Sac and Sidewalk Fronting 2725 E. Technology Drive (Technology Drive Modifications)**
Resolution to accept the public cul-de-sac and sidewalk fronting 2725 E. Technology Drive (Technology Drive Modifications). (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 39-14

- *Q-2. [140388](#) **Benistar Employer Services Trust Program**
Resolution authorizing the signature of the Village President on an Agreement providing a group retiree medical and prescription drug plan.

This Resolution was adopted on the Consent Agenda

Enactment No: R 40-14

Other Matters

- R. [140381](#) **Civic Center Reservoir, Garfield and Westmore Lift Stations, Standby Generator Improvements**
Award of a contract to Genco Industries, the sole bidder, in the amount of \$289,360.50. Bid in compliance with Public Act 85-1295. (DISTRICTS #4 & #6)

This Bid was approved on the Consent Agenda

- S. [140353](#) **Overhead Sewer Grant Program Funding**
Staff request for additional funding in the amount of \$30,000 to accommodate increased resident participation. (DISTRICTS - ALL)

This Request was approved on the Consent Agenda

- T. [140366](#) **PC 14-28: 19W231 17th Street - Annexation & Rezoning (Request for continuance to the November 6, 2014 meeting)**
Requests annexation to the Village of Lombard and a map amendment (rezoning) from the R0 Single-Family Residence District to the R2 Single-Family Residence District for the subject property. (DISTRICT #3)

This Request was approved on the Consent Agenda

- U. [140375](#) **20 Yorktown Shopping Center - Haunted House Special Event**
Request from Lombard Commonwealth (formerly Lombard Jaycees) to

allow the use of temporary signage in the public right-of-way and for a time extension for a temporary special event valid from October 10, 2014 to November 3, 2014. (DISTRICT #3)

This Request was approved on the Consent Agenda

V. [140378](#)

Plat of Easement - 1301 N. Lombard Rd. (Native Floral)

Motion to approve a Plat of Easement providing watermain on the property located at 1301 N. Lombard Road and known as Native Floral. (DISTRICT #1)

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made to Approve the Consent Agenda The motion carried by the following vote

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

A. [140270](#)

Disconnection (De-Annexation) of Portions of Technology Drive Right-of-Way (Re-Adoption)

Ordinance consenting to the disconnection of certain property located within the Village Of Lombard, and the Annexation of same by the Village of Oak Brook, pursuant to the Provisions of 65 Ilcs 5/7-1-24 (Eastern Most Portion of Technology Drive). (DISTRICT #3)

Trustee Foltyniewicz indicated that he was going to be abstaining from voting due to working for the City of Oak Brook and the Village of Lombard.

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that this Ordinance be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Peter Breen, Laura Fitzpatrick, and Bill Ware

Abstain: 1 - Reid Foltyniewicz

Enactment No: Ordinance 7001

Other Ordinances on First Reading

B. [140347](#)

Grant Eligibility Policy

Ordinance further amending Ordinance 6574 relative to updating the Village Board Policy Manual.

Stacy Schroeder, member of the Lombard Juniors, provided history of the club and how they are planning their 85th anniversary. She asked that the Lilac Princess Program be excluded from the grant eligibility process. She spoke of this being a time-honored tradition, the interview process, the \$1,000 scholarship being the only monetary award the Princesses receive, and spoke about protecting the Princesses Program in the future.

Trustee Fitzpatrick indicated the Village Board and committees had reviewed this grant process and recommended the Village Board move forward with approval of the policy.

Manager Niehaus spoke with regard to the Lombard Juniors request for the Princess Program to be exempt.

Trustee Foltyniewicz thanked the ECDC and Community Promotions Committees. He spoke with regard to this policy being a blanket policy exempting elected officials and Village employees whether full-time or part-time. He did feel exemptions should be made for part-time Village staff and indicated he would not support the policy. President Giagnorio emphasized that the policy was not eliminating the Princess Program. He spoke regarding the grant policy and the possibility of the Juniors having to find another funding source should the need arise.

Trustee Whittington noted that if the daughter of an employee or elected official was selected, hopefully an individual or organization would consider making a donation for the scholarship and that he supported the proposed policy.

Trustee Breen spoke of the Village Board reviewing other items that had the potential of appearing to be a conflict of interest; using the taxpayers' dollars with scrutiny; direct payment to an individual related to an elected official or employee; and the use of TIF funds to increase hotel stays in the Village. He noted that earlier this year every member of the Village Board had agreed that a policy was needed. He talked about setting higher standards and felt this policy was simple, fair and universal.

Trustee Ware thanked the committees for reviewing the proposed policy. He questioned prohibiting the daughter of a part-time employee from participating in the Lilac Princess Program, when the employee has no influence or decision-making powers over the budget. He felt this was sending a counter-productive message. He spoke of parents raising good children and that the children should not be penalized for succeeding and should not be penalized for where their parents work. He indicated he offered a suggestion to amend the policy as a compromise. He stated he did not support the policy.

Trustee Fugiel indicated he has been involved with scholarships for 15 years and been involved in awarding thousands of scholarships. He talked about encouraging our children to give back to the community and join various organizations for that reason - giving back. He talked of residents being public servants and wanting to make a difference in

their community. He indicated he supported the policy with an exception.

President Giagnorio indicated he was leery of this because it was coming down to a Village-wide grant policy based on one single issue. He indicated if the daughter of an elected official or Village employee is selected as a Princess, that young lady will not be able to receive the scholarship from the Village, but that does not mean that the Juniors can not look at other avenues for that scholarship for that individual. He noted this is a general policy on grants and that the Lilac Princess Program can not be excluded. He indicated the Village Board has had six weeks to review the proposed policy and see if there were options. He did not want any gray areas and this is a grant policy that will be put in place to cover any grants.

Trustee Fitzpatrick indicated that two years ago she took over as the Chairperson of the Community Promotions Committee. She noted that the grant application process was very loose and there was no follow-up to document how funds were spent. The committee has worked to add more structure to the process and give organizations more ownership of their events encouraging them to be more responsible with grant funds. She talked of the 50-50 grants and ways of creating additional tourism.

A motion was made by Trustee Laura Fitzpatrick, seconded by Trustee Peter Breen, that this Ordinance be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 4 - Keith Giagnorio, Dan Whittington, Peter Breen, and Laura Fitzpatrick

Nay: 3 - Mike Fugiel, Reid Foltyniewicz, and Bill Ware

Enactment No: Ordinance 7002

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Peter Breen, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, October 2, 2014 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 8:10 p.m for the purpose of discussion of Collective Negotiating Matters and Information Regarding the Appointment, Employment, Compensation, Discipline,

Performance or Dismissal of a Specific Employee or Specific Employees of the Village. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

XII. Reconvene

XIII Adjournment

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