

Village of Lombard

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



Minutes

Thursday, May 16, 2013

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, May 16, 2013 in the Board Room of the Lombard Village Hall was called to order at 7:30 pm, by Village President Keith Giagnorio. Village Clerk Sharon Kuderna led the Pledge of Allegiance.

II. Roll Call

7 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Staff Present:
Village Manager David Hulseberg
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Deputy Chief of Police Pat Rollins
Fire Chief Paul DiRienzo
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Participation

[130231](#)

Swearing-in Ceremony - Mike Fugiel

President Giagnorio called Mike Fugiel and his family to the front. Village Clerk Sharon Kuderna issued the Oath of Office to Mike Fugiel swearing him in as Trustee for District #2. Mike Fugiel thanked the Board.

IV. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

V. Public Hearings

[130218](#)

PC 12-18: 1S535 Finley Road (Ken-Loch Golf Course)

A Public Hearing to hear additional testimony relative to the approval of amendments to the Village's Comprehensive Plan pertaining to the Land Use recommendation for the Ken Loch Golf Course pursuant to the requirements set forth within Illinois State Statutes (65 ILCS 5/11-12-7). (UNINCORPORATED)

Village Attorney Tom Bayer called the Public Hearing to order at 7:38

p.m. with regard to an amendment to the Lombard Comprehensive Plan. He noted the Plan Commission recommended that the Ken Loch golf course remain as primarily open space with a not to exceed 25% for development. This matter was continued from the February 7, 2013 Village Board meeting. He noted the additional Public Hearing was required as more than ninety days had elapsed.

Vic Grandewitt, 1899 S. Elizabeth, noted he lives across from Ken Loch and spoke about the flooding in the area. He asked the Board to investigate flood control before making a decision on the amendment. He felt the sewer system was not adequate and stated he had two feet of water in his basement.

Rich Kensinger, 1S601 Finley Road, stated that he and his sister own the Ken Loch property and noted that they are not able to make enough money to operate this as a golf course. He spoke of their desire to retire and sell the property. He indicated the Forest Preserve District is not interested in purchasing and he did not think the Park District had enough money to purchase it. He asked the Board to designate this land for multi-family development so that they could sell the property.

Jane Michaels, 90 W. 19th Street, spoke of the flooding and felt more needed to be done to resolve the flooding issues. She urged the Board to preserve as much open space as possible and once the open space was gone, it could not be retrieved.

Nancy Shukat, 1801 S. Elizabeth, stated she lives across from Ken Loch. She indicated she has spoken at all of the Plan Commission meetings with regard to this matter. She felt the owners of Ken Loch could sell the property and no one is stopping them from doing that. She felt 25% development of the property was too high and wanted to see less development on the site. She spoke of the flooding issues. She asked the Board to do the right thing for the future of our children. She presented pictures of the flooding to the Village Board.

Being no one else wanted to speak, Village Attorney Tom Bayer closed the Public Hearing at 8:03 p.m.

VI. Public Participation

[130232](#)

Proclamation - National Police Week

Village Clerk Sharon Kuderna read the proclamation for National Police Week.

Village President Giagnorio spoke about the Police Department and praised them for their dedication and service. He presented the proclamation to Deputy Chief of Police Pat Rollins.

Deputy Chief Pat Rollins thanked the Village Board. He noted that 40,000 officers each year travel to Washington to visit the Police

Memorial there and pay tribute to the officers killed in the line of duty. He thanked the Board for the recognition.

130233**Proclamation - Public Works Week**

Village Clerk Sharon Kuderna read the proclamation for Public Works Week.

Village President Giagnorio talked about the service that the Public Works Department provides and how we all take for granted that the streets will be plowed following a snow storm, and that the water main breaks will be repaired. He talked about the dedicated staff and having sufficient equipment to provide all of these services.

Director Goldsmith thanked the 52 employees of the Public Works Department for the quality service they provide to the residents of the community. He thanked the Board for the proclamation.

130235**Proclamation - Court Appointed Special Advocates**

Village Clerk Sharon Kuderna read the proclamation for Court Appointed Special Advocates 20th Anniversary.

Village President Giagnorio presented the proclamation to Kathy Bondi.

Kathy Bondi thanked the Village Board and spoke about serving the 15,000 children in the court system. She stated that "powerless children need the help of powerful friends".

Village President Giagnorio called Sandra Hill to the front.

Village Clerk Sharon Kuderna read the proclamation for Sandra Hill Day.

Sandra Hill stated she was speechless. She thanked the Board for the honor and thanked her family for their support.

Michael Kuderna, 1135 S. Edgewood, thanked the Fire Department for their excellent service. He noted that the Fire Department had responded to a fire at his next door neighbor's house. He felt that their quick and efficient response had saved his home.

Lonnie Morris, 209 W. Sunset, spoke about Lombard being a member of Cool Cities and talked about sustainability. She spoke of the strong recycling program in the community and all of the green initiatives the Village had taken over the years.

[120489](#)**PC 12-18: Village Comprehensive Plan Amendment (1S535 Finley Road - Ken Loch Golf Course)**

Ordinance amending Ordinance Number 4403, adopted January 22, 1998, as amended by Ordinance 6500, adopted June 17, 2010 to amend the Comprehensive Plan for the Village of Lombard. The Plan Commission recommended that the Open Space Plan component of the Comprehensive Plan be amended to clarify the phrase "open space/golf course amenity" for the Ken-Loch Golf Links property and that the property be designated primarily Open Space with a preference for golf course and an option of accessory land uses that complement and facilitate the preservation of the property, not to exceed 25% of the principal open space use. (UNINCORPORATED)

Trustee Breen requested this matter be moved to following Public Participation. The Board agreed.

Trustee Fitzpatrick moved that this item be tabled to the last meeting in June to allow the Park District time to prepare a report with regard to ken Loch. Motion withdrawn.

Trustee Foltyniewicz noted that the owners of Ken Loch can sell their property if they choose to do so and that the Village's decision is not prohibiting them from selling. He noted that having the land incorporated into the Village would enhance the selling price. He talked about working together and about flooding. He felt flooding was a major issue and whether it rained a little or a lot, that area by Ken Loch flooded. He said he listened to the neighbors and agrees with keeping this open land. He talked about taxes increasing and how the Village is going to address flooding. He talked about home values and issues that will result if Ken Loch is allowed to be developed. He wanted to see the property remain a golf course. He stated the property is gorgeous, but needs a lot of work.

Trustee Ware questioned when the Park District report would be available.

President Giagnorio indicated he had spoken to Paul Friedrichs at the Park District and was told that the Park District did not have all of the numbers as yet. He felt the Park Board would need the summer to review the report.

Trustee Ware questioned if the end of June would be too early to try and review the report.

President Giagnorio indicated that the new Park District Board members are being sworn in next week.

Trustee Fitzpatrick asked to hear thoughts from the petitioner.

Bob Schillerstrom, Attorney for Donovan Homes, spoke. He noted

that the petitioner did not want to wait all summer for a decision. He felt if the Village wanted this property to remain open space, they should move forward with purchasing it. He talked about the property being tied up for five years. He talked about the limited amount of purchasers for the property and that usually public bodies are the ones interested, but that none had expressed an interest. He talked about the Park District as a possible purchaser and a potential referendum to purchase the property. He talked about the property being tied up and asked the Board to make a decision for the property owner. He talked about his clients not being able to just give the property away.

Trustee Foltyniewicz felt the Board needed time to sit down and look at numbers before the Village could think about making an offer. Trustee Breen spoke about the recommendation from the Plan Commission.

Trustee Ware felt the Plan Commission had offered a good recommendation with keeping open space with up to 25% developed. President Giagnorio stated up to 25% does not mean that all 25% will be developed.

Trustee Foltyniewicz felt 100% open space was not realistic as the property needed a new club house and parking lot.

Trustee Breen questioned if the up to 25% meant they could build houses on that part of the property.

Director Heniff indicated this provides some development opportunity as far as that part of the property for a banquet hall, etc. He spoke about addressing flooding issues as with any proposed development. He talked about the Board having a second opportunity with regard to the property when the proposed development would come before the Board for approval like any other development. He noted that with the up to 25%, some level of private development could occur.

Trustee Foltyniewicz asked about soccer fields and sports core.

Director Heniff spoke with regard to land use issues. He noted that staff was looking for long term vision and uses for the property. Once this is determined, staff, the Plan Commission and the Village Board can see that direction happen.

Trustee Breen asked Trustee Foltyniewicz his thoughts on the up to 25%.

Trustee Foltyniewicz felt the 25% seemed high. He said he preferred 15%.

Trustee Breen inquired about Option G with three multi-family buildings surrounded by a golf course and if that was what the Board was looking at tonight.

President Giagnorio reminded the Village Board that they were not voting on a proposal for development of the property tonight. He noted the Board was looking at a policy with regard to open space.

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that this Ordinance be passed on first reading. The motion carried by the following vote:

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

Nay: 2 - Peter Breen, and Laura Fitzpatrick

VII. Approval of Minutes

A motion was made by Trustee Peter Breen, seconded by Trustee Reid Foltyniewicz, that the Minutes of the Regular Meeting of May 2, 2013 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Abstain: 1 - Mike Fugiel

VIII Committee Reports

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Community Relations Committee - Trustee Dan Whittington, Chairperson

Trustee Dan Whittington, Chairperson of the Community Relations Committee, reported the committee had met. He stated that all members had agreed to continue on the committee and that there was one opening for a new member. The committee talked about the expanding their roles, the Senior Fair and Youth Leadership Programs with the high school students. He talked of intergovernmental cooperation with the Park District and the Library. The next meeting is scheduled for June 10th.

Economic/Community Development Committee - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Economic & Community Development Committee, reported the committee had met. The committee heard a presentation by Director Heniff with regard to the operations and budget of the Building Division. She recognized the great customer service that Keith Steiskal and Bill Heniff provide. She said additional presentations will be made to the committee over the next few months. The committee also talked about temporary granny

Pods and will review this further. The committee received the Lombard Town Center Monthly report. The next meeting is scheduled for June 10th.

Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson

Mike Fugiel, Chairperson of the Environmental Concerns Committee, reported that River Sweep was scheduled for May 18th.

Finance Committee - Trustee Peter Breen, Chairperson

Trustee Peter Breen, Chairperson of the Finance Committee, reported the committee had not met. He indicated the committee was in need of members and hoped to have a Math student join the committee.

Public Works Committee - Trustee Bill Ware, Chairperson

Trustee Bill Ware, Chairperson of the Public Works Committee, asked Dan Whittington to provide an update as he had been ill. Trustee Whittington stated the committee reviewed the water connect charges ordinance and the DuPage Stormwater Ordinance. He indicated additional funding may need to be requested for the Village's Overhead Sewer Grant Program. Two residents attended the meeting with regard to flooding. The next meeting is scheduled for June 11.

Transportation & Safety Committee - Trustee Reid Foltyniewicz, Chairperson

Reid Foltyniewicz, Chairperson of the Transportation & Safety Committee, indicated he was excited about heading this committee. He noted all members had agreed to continue on the committee and had a few new appointments as well. He indicated the request to prohibit school buses from parking in residential areas was tabled to the next meeting. The committee approved a request for no left turn signage. The next meeting is scheduled for June 3rd.

Board of Local Improvements - Trustee Bill Ware, President

No report

Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson

No report

Lombard Historical Commission

No report

IX. Village Manager/Village Board Comments

Director of Community Development introduced three new staff members.

X. Consent Agenda

Trustee Breen asked that item K regarding fines and penalties be discussed along with the Amnesty Program.
Manager Hulseberg requested that the Amnesty Program be tabled.

Payroll/Accounts Payable

- A. [130209](#) **Approval of Accounts Payable**
For the period ending May 3, 2013 in the amount of \$1,276,800.17.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [130240](#) **Approval of Village Payroll**
For the period ending May 4, 2013 in the amount of \$812,961.06.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [130241](#) **Approval of Accounts Payable**
For the period ending May 10, 2013 in the amount of \$556,081.41
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [130208](#) **Sale of Surplus Equipment**
Declaring Village unit #PP731 as surplus equipment and authorizing its sale through Obenauf Auction Service. Staff is requesting 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 6825

- E. [130214](#) **Ordinance Amending Title 11, Chapter 112, of the Village Code with Regard to Alcoholic Beverages**
Revising the Class A/B-I liquor license category reflecting a decrease due to the closing of Momotaro Japanese Restaurant located at 801 E. Butterfield Road. (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 6826

- F. [130225](#) **Ordinance Amending Title 11, Chapter 112 of the Village Code with Regard to Alcoholic Beverages**
Ordinance revising the Class "C" liquor license category reflecting a change in corporation for Thai Sawasdee Restaurant located at 845 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 6827

- G. [130227](#) **Ordinance Amending Title 11, Chapter 112 of the Village Code with Regard to Alcoholic Beverages**
Revising the Class "A/B II" liquor license category reflecting a change in corporation for Flat Top Grill located at 305 Yorktown Center (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 6828

- H. [130229](#) **Ordinance Amending Title 11, Chapter 112 of the Village Code with Regard to Alcoholic Beverages**
Increasing the Class "Q I" liquor license category and issuing a license to August Hill Winery to participate in the Yorktown Farmer's Market. (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 6829

- I. [130234](#) **Disposition of Surplus Equipment**
Authorizing computer equipment to be declared surplus and made available for disposal or sale.

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

Enactment No: Ordinance 6830

- J. [130237](#) **Ordinance Amending Title 3, Chapter 31, Section 31.40 (A) of the Lombard Village Code with Regard to the Village Manager**
Ordinance amending Title 3 of the Village Code with regard to residency requirements for the Village Manager.
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 6831

Other Ordinances on First Reading

- K. [130228](#) **Amending the Lombard Village Code with Regard to Schedule of Fines/Penalties**
Recommendation from the Finance and Transportation and Safety Committees amending Title 7, Chapter 73, Section 73.09 of the Lombard Village Code with regard to the schedule of fines/penalties.
- A motion was made by Trustee Peter Breen, seconded by Trustee Reid Foltyniewicz, that the proposed ordinance amending the Lombard Village Code with regard to a schedule of fines/penalties be tabled to June 6, 2013. The motion carried by the following vote:**
- Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Ordinances on Second Reading

- L. [130122](#) **Text Amendments to the Electrical Code (Chapter 150 of the Building Code)**
Ordinance granting approval of text amendment to Title 15, Chapter 150, Section 150.060 et. seq. of the Lombard Village Code with regard to local amendments to Electrical Installation Rules and Regulations.
- This Ordinance was passed on second reading on the Consent Agenda**
- Enactment No: Ordinance 6832
- M. [130136](#) **Text Amendments to the Building Code (Chapter 150 of the Code of Ordinances)**
Ordinance granting approval of text amendments to Title 15, Chapter 150, Section 150 et. seq. of the Lombard Village Code with regard to local amendments to the Lombard Building Code.
- This Ordinance was passed on second reading on the Consent Agenda**
- Enactment No: Ordinance 6833
- N. [130163](#) **PC 13-04: Text Amendments to the Sign Ordinance**
The Village of Lombard is requesting text amendments to the Sign Ordinance (Section 153 of the Code of Ordinances), as follows:

1. Section 153.209(A)(2): amending prohibitions regarding text on attention getting devices and establishing regulations for the inclusion of text and graphics.
2. Section 153.601: amending and supplementing the definition of attention getting devices to include inflatable signs and amending prohibition of specific message or copy.
3. Further clarification and distinctions between balloon sign and inflatable sign regulations.
4. Any requisite companion amendments and references for clarity. (DISTRICTS - ALL)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 6834

Resolutions

- O. [130207](#) **Terrace View Pond Improvements, Resident Engineering Services**
Approving a contract with Christopher B. Burke Engineering Ltd. in an amount not to exceed \$145,499.78. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 110-13
- P. [130217](#) **Roosevelt Road Watermain Lining - West Contract, Resident Engineering**
Approving a contract with Baxter & Woodman in an amount not to exceed \$181,757.00 for resident engineering services. (DISTRICTS #2 & #6)
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 111-13
- Q. [130222](#) **Resolution for Social Services Contract**
Resolution authorizing signatures of the Village President and Clerk on a one-year contract with Association of Individual Development (A.I.D.) in the amount of \$25,000 for a social services program.
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 112-13

Other Matters

- R. [130219](#) **FY2013 Crack Sealing Program**
Award of a contract to Denler, Inc., the lowest responsible bid of four bidders, in the amount of \$97,517.36 for the FY 2013 Crack Sealing Program. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

- S. [130220](#) **FY2013 Bituminous Mix Purchase**
Request for a waiver of bids and award of a contract to DuPage Materials in an amount not to exceed \$274,866.00 for the purchase of FY 2013 bituminous mix. Public Act 85-1295 does not apply.
(DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- T. [130226](#) **PC Purchases**
Request for a waiver of bids and award of a contract to Dell in an amount not to exceed \$40,292.50 for the purchase of 50 pc's. Public Act 85-1295 does not apply.
This Bid was approved on the Consent Agenda
- U. [130230](#) **Fire Hydrant Painting**
Award of a contract to Colour Revue, the lowest responsible bid of three bidders, in the amount of \$29,293.10. Bid in compliance with Public Act 85-1295. (DISTRICT #1)
This Bid was approved on the Consent Agenda
- V. [130190](#) **Cool Cities**
Recommendation from the Environmental Concerns Committee to endorse the Village President's signature on the Cool Cities program goals for 2015.
This Request was approved on the Consent Agenda
- W. [130201](#) **Appointment - Glenbard Wastewater Authority**
Request for concurrence in the appointment of Keith Giagnorio to the Glenbard Wastewater Authority Executive Oversight Committee.
This Request was approved on the Consent Agenda
- X. [130221](#) **State Joint Purchasing Requisition for Rock Salt for FY2014**
Staff request for approval to participate in the State Joint Purchasing Requisition for rock salt. (DISTRICTS - ALL)
This Request was approved on the Consent Agenda
- Y. [130238](#) **Appointment - Fire Pension Board of Trustees**
Request for the concurrence in Paul DiRienzo to the Fire Pension Board replacing Bill Ware.
This Appointment was approved on the Consent Agenda
- *Z. [130248](#) **98 Yorktown Shopping Center - Temporary Special Event**
Motion granting a temporary special event permit to Splash Expo LLC

from June 6 through June 17, 2013 on the property located at 98 Yorktown Shopping Center (parking lot north of Fifth Third Bank and south of McDonald's Restaurant) in order to allow the sale of hot tubs. (DISTRICT #3)

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, 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

XI. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

- A. [120676](#) **Ordinance Amending Title 3, Chapter 31 of the Village Code in Regard to the Designation of a President Pro Tem and a Temporary Chairman**
- Selection of a Trustee to serve as President Pro Tem and Temporary Chairperson in the absence of the Village President, pursuant to Section 31.15 of the Lombard Village Code.
- Trustee Breen indicated that in January he had originally proposed an ordinance with regard to the designation of an Acting Village President in the event of the death or disability of the Village President. He spoke of the lack of concurrence in the appointment of an Acting Village President after the death of President Mueller.
- Trustee Foltyniewicz stated that he had watched the meetings after the passing of President Mueller and he was upset at the Village Boards' inability to make an appointment at the time. He stated originally it was the Senior Trustee who would have taken over and felt this practice should continue. He felt the residents would then make the ultimate decision at an election.
- Trustee Whittington indicated he agreed with Senior Trustee.
- Trustee Breen spoke of looking back at the situation after the passing of President Mueller and stated he did not want to ever do that again. He indicated he had no problem with reverting back to the Senior Trustee. He indicated he is willing to withdraw or tweak the ordinance as needed.
- Trustee Ware spoke with regard to the the problems after President Mueller passed away and the Board not being able to agree on the Senior Trustee taking over as Acting Village President.

Trustee Foltyniewicz felt this needed to be decided before the next election.

Trustee Fitzpatrick indicated the Village did not have an ordinance with regard to this matter and felt an ordinance needed to be put in place. She noted the past Board had tabled this matter. She felt going back to appointing the Senior Trustee would be OK.

President Giagnorio stated this matter was discussed several times and questioned the word "failed". He spoke of eliminating the politics. Manager Hulseberg asked Attorney Bayer for clarification with regard to this proposed ordinance and stated that this ordinance did not provide for the appointment of an Acting Village President upon the death of the current President.

Attorney Bayer indicated there is a different method for the selection of an Acting Village President. He indicated this would be for the selection of an Acting Village President or Temporary Chairperson. President Giagnorio stated he felt this was like selecting a Vice President.

Trustee Foltyniewicz talked about selecting someone to fill in if the Village President was out of town. He stated he felt most comfortable with Bill Ware being made the Acting Village President.

Trustee Fitzpatrick called for a Point of Order.

Attorney Bayer indicated if the Board approved the ordinance, they could choose a person to serve as Acting Village President.

Trustee Foltyniewicz reiterated that Bill Ware should be the Acting Village President.

Attorney Bayer indicated the Board could not pre-select an Acting Village President and explained the Statute. He noted the Board can not fill a vacancy until the vacancy occurs. He noted whomever the six Trustees are at the time can make the selection.

Trustee Breen questioned adding language and amending the ordinance.

Trustee Whittington felt this was getting complicated and felt the Senior Trustee made sense.

Trustee Fugiel stated this is temporary in nature.

Trustee Breen asked if there was a consensus on Senior Trustee and felt the Board needed to adopt an ordinance.

Attorney Bayer stated the easiest is to direct staff to draft an ordinance repealing the previous ordinance.

Trustee Ware stated he will not support it and spoke of Trustee Gron and President Mueller and the situation that followed President Mueller's death.

Trustee Foltyniewicz agreed with Trustee Ware.

President Giagnorio stated the Board had spent a lot of time on this. He suggested going forward with this and possibly revisiting the matter in two years. He spoke of the Board fighting tooth and nail to remove the Senior Trustee as Acting Village President and now reverting back to it.

Trustee Fitzpatrick talked about the number of new Board members and the confusion. She spoke of a clean way to handle and moving forward.

Trustee Foltyniewicz indicated Trustee Gron should have been appointed as Acting Village President after the death of President Mueller.

Trustee Breen asked if Senior Trustee as President Pro-Tem was agreeable. He stated that Acting Village President is covered under State Statute.

Attorney Bayer indicated the Board should direct staff to draft an ordinance to be considered at the next Village Board meeting with regard to the appointment of a President Pro Tem and a Chairman Pro Tem naming the Senior Trustee on the Board with the most continuous service.

Trustee Breen moved passage with a waiver of first.

President Giagnorio stated the Board is reverting back to the Senior Trustee.

Attorney Bayer suggested that the ordinance be passed on first reading and brought back to the Village Board for passage on second reading at the next meeting allowing all of the Village Board members to see the ordinance and not be guessing.

Trustee Breen withdrew the waiver of first.

A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, that the Ordinance amending Title 3, Chapter 31 of the Lombard Village Code with regard to the Village President be passed on first reading naming the Senior Trustee on the Board with the most continuous service as the President Pro Tem and Chairman Pro Tem. The motion carried by the following vote:

Aye: 4 - Dan Whittington, Mike Fugiel, Peter Breen, and Laura Fitzpatrick

Nay: 2 - Reid Foltyniewicz, and Bill Ware

***A2. [130246](#)**

Selection of a President Pro Tem and Temporary Chairman

Selection of a Trustee to serve as President Pro Tem and Temporary Chairperson, in the absence of the Village President, pursuant to Section 31.15 of the Lombard Village Code.

No action was taken on this item

Ordinances on Second Reading

Resolutions

Other Matters

XII. Agenda Items for Discussion

D. [130072](#)

Village of Lombard Parking Ticket Program

Discussion of the recommendations from the Finance and Transportation & Safety Committees with regard to an Amnesty Program for outstanding parking tickets or fines.

A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, that this matter be continued to June 6, 2013. The motion carried by the following vote:

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

XIII Executive Session

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A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 16, 2013 in the Board Room of the Lombard Village Hall be recessed at 9:30 pm to Executive Session for the purpose of discussion of Information Regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee or Specific Employees of the Village, Probable or Imminent Litigation and Acquisition of Real Property. The motion carried by the following vote:

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

XI Reconvene

V.

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 16, 2013 in the Board Room of the Lombard Village Hall was called to order at 11:01 p.m. by Village President Keith Giagnorio. Upon roll call by Village Clerk Kuderna, the following were:

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

[130236](#)

Fire Department Staffing

Request for the concurrence in the appointment of five Firefighters and the promotion of three Firefighter/Paramedics to the rank of Lieutenant.

A motion was made by Trustee Peter Breen, seconded by Trustee Dan Whittington, that the Village Board authorize the promotion of three Firefighters to the rank of Lieutenant and the hiring of four additional Firefighters (Firefighters #59, 60, 61 and 62). The motion carried by the following vote:

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

Absent: 1 - Reid Foltyniewicz

XV Adjournment

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A motion was made by Trustee Peter Breen, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 16, 2013 in the Board Room of the Lombard Village Hall be adjourned at 11:03 p.m. The motion carried by the following vote:

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

Absent: 1 - Reid Foltyniewicz