

# Village of Lombard

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



## Minutes

**Thursday, August 21, 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, August 21, 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

Bill Ware Excused

### 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  
Communications Coordinator Bridget Doyle  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

[140326](#)

### **Swearing-in - Probationary Patrol Officers Jason DeMark and Korbin Rome**

Chief Ray Byrne called Probationary Patrol Officers Jason DeMark and Korbin Rome to the front and provided bios on each. Village Clerk Sharon Kuderna issued the Oath of Office. Jason DeMark and Korbin Rome thanked the Village and introduced family and friends.

## V. Approval of Minutes

**A motion was made by Trustee Dan Whittington, seconded by Trustee Mike Fugiel, that the minutes of the Regular Meeting of July 17, 2014 of the President and Board of Trustees of the Village of Lombard be approved. The motion carried by the following vote:**

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

## **VI. Committee Reports**

### **Community Relations Committee - Trustee Dan Whittington, Chairperson**

Trustee Dan Whittington, Chairperson of the Community Relations Committee, reported the committee had met. The committee discussed the upcoming Senior Fair to be held on October 1st. They will be seeking nominations for Senior of the Year.

### **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 reviewed the grant application process and unanimously approved the proposed policy.

### **Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson**

No report

### **Finance Committee - Trustee Peter Breen, Chairperson**

Trustee Peter Breen, Chairperson of the Finance Committee, reported the committee had met in a joint meeting with the Village Board to review the budget. The committees will again meet on August 28th for review of the three remaining department budgets.

### **Public Works Committee - Trustee Bill Ware, Chairperson**

Carl Goldsmith, Director of Public Works, indicated the committee had met. The committee approved change orders which are on the agenda for approval. The 2015-2024 CIP second review was completed and unanimously approved. The CIP is \$135 million in expenditures over the next ten years.

### **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**

Trustee Laura Fitzpatrick, Chairperson of the Community Promotion and Tourism Committee, reported the committee had met. The committee reviewed the grant eligibility policy and unanimously approved it. The committee reviewed the Historical Commission/Society budget.

Trustee Fitzpatrick introduced Communications Coordinator Bridget Doyle and spoke of the newly designed Village website.

Bridget Doyle provided an overview of the old and new Village websites highlighting the ease of accessibility, the various links, the most frequently visited sections and felt this would provide more information to anyone viewing the website and was more user-friendly.

### **Lombard Historical Commission**

No report

## **VII. Village Manager/Village Board Comments**

Trustee Breen reported that he was happy to announce that the Grace Street grind and overlay project would begin on Monday with hopes of completion by September 3rd. Grace Will remain open to local traffic and detour signs will be posted.

Trustee Foltyniewicz reminded residents of: Yorktown Farmer's market from 3-7 pm every Wednesday; Glenbard East and Montini Football game; and the Susan Komen Race scheduled for September 21 with a 5K run or 1 mile walk. He encouraged participation with Team Lombard.

## **VIII Consent Agenda**

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Trustee Breen spoke regarding the item listed on the agenda referencing tattoo establishments. He indicated this is a protected use under the Constitution and this will allow the Village to regulate tattoo establishments.

**Payroll/Accounts Payable**

- A.     [140286](#)           **Approval of Village Payroll**  
For the period ending July 12, 2014 in the amount of \$947,174.56.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B.     [140287](#)           **Approval of Accounts Payable**  
For the period ending July 18, 2014 in the amount of \$1,226,266.97.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C.     [140294](#)           **Approval of Accounts Payable**  
For the period ending July 25, 2014 in the amount of \$1,269,245.34.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- D.     [140299](#)           **Approval of Village Payroll**  
For the period ending July 26, 2014 in the amount of \$800,518.86.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- E.     [140300](#)           **Approval of Accounts Payable**  
For the period ending August 1, 2014 in the amount of \$1,635,802.88.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- F.     [140306](#)           **Approval of Accounts Payable**  
For the period ending August 8, 2014 in the amount of \$732,474.16.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- G.     [140323](#)           **Approval of Village Payroll**  
For the period ending August 9, 2014 in the amount of \$772,092.16.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- H.     [140324](#)           **Approval of Accounts Payable**  
For the period ending August 15, 2014 in the amount of  
\$1,050,109.99.  
This Payroll/Accounts Payable was approved on the Consent Agenda

**Ordinances on First Reading (Waiver of First Requested)**

- I.     [120355](#)           **PC 12-13: 401 E. North Ave.**  
Ordinance extending the time period to start construction of  
the proposed project for an additional six (6) month period  
from September 6, 2014 to March 6, 2015. (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 6973, 6849, 6746, and R 23-13

J. [140281](#)

**PC 14-15: 21W551 Bemis Road**

Requests that the Village grant approval of a variation from Section 155.205 (A)(4)(c)(ii) of the Lombard Zoning Ordinance to increase the maximum allowable fence height from six feet (6') to eight feet (8') to allow for the replacement of an existing chain link fence with a new ornamental fence for the subject property located within the CR Conservation/Recreation Zoning District. (DISTRICT #2)

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

Enactment No: Ordinance 6974

K. [140282](#)

**PC 14-16: 123 Eisenhower Lane South**

Requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for a Learning Center (indoor athletic training facility) within the I Limited Industrial District. (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 6975

L. [140283](#)

**PC 14-18: Text Amendments to the Zoning Code**

Requests the following text amendments to the Lombard Zoning Ordinance:

1. An amendment to Section 155.802 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance regarding the addition of a definition for "tattoo studio;"
2. An amendment to Sections 155.416 (C) of the Lombard Zoning Ordinance to allow "tattoo studio" to be listed as a conditional use within the B4 Zoning District; and
3. For consistency purposes, the Village seeks an amendment to Section 155.415 (C) and 155.417 (G)(2)(b) of the Lombard Zoning Ordinance to allow "tattoo studio" to also be listed as a conditional use within the B3 and B4A Zoning Districts. (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 6976

M. [140284](#)

**PC 14-19: 1047 E. St Charles Rd - Conditional Use for a Tattoo Studio**

Requests that the Village grant approval of a conditional use, pursuant

to Section 155.416 (C) of the Village of Lombard Zoning Ordinance, as amended by PC 14-18, to allow for a Tattoo Studio within the B4 Zoning District. (DISTRICT #5)

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

Enactment No: Ordinance 6977

N. [140289](#)

**PC 14-09: 255 E. Wilson Avenue & 1051 S. Hammerschmidt Avenue**

Pursuant to Section 155.504 of the Zoning Ordinance, the petitioner, the Village of Lombard, requests approval of a major amendment to Ordinances 6213 and 6214, which granted zoning and planned development approval located in the Office District. Said amendment would provide for the relocation and construction of a fuel dispensing facility for the Village. (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 6978

O. [140290](#)

**PC 13-07: 23 W. Maple Street - Amendment to a Conditional Use for an Additional Accessory Structure**

Requests approval of an amendment to Ordinance 6631, granting conditional uses pursuant to Title 15, Chapter 155, Section 155.407 (C)(3) and (13) of the Lombard Zoning Ordinance for a cultural facility (museum) in order to allow for an additional accessory structure (gazebo) along with a companion variation from Section 155.210(B)(1) (a) to allow the combined area of all accessory buildings to exceed the ground floor area of the principal structure on the subject property, located within the R2 Single-Family Residence District. (DISTRICT #1)

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

Enactment No: Ordinance 6979

P. [140291](#)

**PC 14-17: Text Amendment to the Sign Ordinance**

The Village of Lombard and Merlin are proposing the following text amendment to the Sign Ordinance (Section 153 of the Code of Ordinances):

1. An amendment to Section 153.505 (B)(6)(c)(ii), B3, B4, and B4A Community Shopping District Requirements to change the setback of a freestanding sign from seventy-five (75) from the centerline of a state right-of-way to five (5) feet from the front property line. (DISTRICTS #1, #2, #3, #4 & #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 6980

- Q.**     [140307](#)           **Title 11, Chapter 110, Section 110.21(C) - Coin-Operated Amusement Devices**  
Amending Title 11, Chapter 110, Section 110.21(C) of the Village Code decreasing the number of Class A coin-operated amusement device licenses to no more than six (6) licenses and decreasing the number of Class B coin-operated amusement device licenses to no more than two (2) licenses.

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

Enactment No: Ordinance 6981

- R.**     [140314](#)           **Correction to Scrivener's Error - Sign Ordinance: Temporary Signs**  
Ordinance approving text amendments to Sections 153.224 (D) and 153.237 (F) of the Lombard Sign Ordinance, to correct a Scrivener's error associated with Ordinance No. 6412. (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 6982

- S.**     [140319](#)           **Sale of Surplus Equipment**  
Ordinance declaring certain Village-owned property (Speed Enforcement Trailer, Technology Equipment and Two Seized Vehicles) as surplus and authorizing the sale and/or disposal of these items.

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

Enactment No: Ordinance 6983 and 6984

- T.**     [140330](#)           **Amending Title 11, Chapter 112, Section 112.13 (A) of the Lombard Village Code - Alcoholic Beverages**  
Revising the Class "T-I" liquor license category to reflect the issuance of a liquor license to Interstate Management Company LLC who will be operating the business commonly known as Residence Inn Chicago Lombard located at 2001 S. Highland Avenue. (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 6985

### **Other Ordinances on First Reading**

- U.**     [140292](#)           **PC 14-21: 801 E. Butterfield Road - Conditional Use for a Physical Culture and Massage Establishment**



Requests that the Village grant approval of a conditional use, pursuant to Section 155.415 (C) of the Village of Lombard Zoning Ordinance, to allow for a physical culture and massage establishment (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances) within the B3 Community Shopping District. (DISTRICT #3)

**This Ordinance was passed on first reading on the Consent Agenda**

V. [140293](#)

**PC 14-20: Text Amendments to the Sign Code**

The Village of Lombard is proposing text amendments to the Sign Ordinance (Section 153 of the Code of Ordinances) pertaining to the permissible locations and maximum sign area for automatic changeable copy (ACC) signs. (DISTRICTS - ALL)

**This Ordinance was passed on first reading on the Consent Agenda**

### Ordinances on Second Reading

W. [140245](#)

**ZBA 14-08: 551 N. LaLonde Avenue**

Requests that the Village grant a variation from Section 155.205 (A)(1) (c)(2) of the Lombard Zoning Ordinance to increase the maximum allowable fence height in a corner side yard from four feet (4') to six feet (6'), located within the R2 Single-Family Residence Zoning District (Lombard Vista Subdivision). (DISTRICT #4)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 6986

### Resolutions

X. [140217](#)

**Purchasing Policy Updates 2014**

Proposed administrative updates to the Village Purchasing Policy necessary primarily due to the implementation of our new financial software.

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 30-14

Y. [140297](#)

**Finley Road Pavement Rehabilitation - Phase 2, Final Balancing Change Order No. 6**

Reflecting an increase to the contract with ALamp Concrete Contractors in the amount of \$34,017.91. (DISTRICT #1)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 31-14

Z. [140309](#)

**Finley Road Pavement Rehabilitation - Phase 1, Change Order No. 5**

Reflecting an increase to the contract with D Construction of \$27,000.00. (DISTRICTS #1, #2 & #6)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 32-14

**AA.**     [140322](#)

**Intergovernmental Agreement with Glenbard Township High School District #87**

Resolution authorizing an Agreement between the Village of Lombard and Glenbard Township High School to provide paramedic services during football games held at the school.

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 33-14

**Other Matters**

**BB.**     [140296](#)

**Master Disconnect Switch Installations**

Request for a waiver of bids and award of a contract to Utility Dynamics Corporation in the amount of \$33,200.00. Public Act 85-1295 does not apply. (DISTRICTS #2, #3 & #4)

**This Bid was approved on the Consent Agenda**

**CC.**     [140298](#)

**2014 Sewer Cleaning and Televising**

Request for a waiver of bids and award of a contract to Visu-Sewer of Illinois, LLC in the amount of \$104,985.75. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

**This Bid was approved on the Consent Agenda**

**DD.**     [140313](#)

**Traffic Signal Pole Replacement Project**

Request for a waiver of bids and award of a contract to Meade Electric in the amount of \$82,605.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

**This Bid was approved on the Consent Agenda**

**EE.**     [140278](#)

**2013 Comprehensive Annual Financial Report, Management Letter and Recommendations**

Motion to accept and file with the Village Clerk the 2013 Comprehensive Annual Financial Report, Management Letter and Recommendations regarding the Management Letter Comments.

**This Request was approved on the Consent Agenda**

**FF.**     [140329](#)

**Town YMCA Family Fun Night - Public Signage Request**

Request from Tri-Town YMCA for use of the public right-of-way to promote Family Fun Night September 5, 2014. (DISTRICTS - ALL)

This Request was approved on the Consent Agenda

### **Approval of the Consent Agenda**

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

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

## **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**

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, August 21, 2014 in the Board Room of the Lombard Village Hall be recessed Executive Session at 8:06 p.m. for the purpose of discussion of Collective Negotiating Matters and Setting the Price for the Sale or Lease of Property Owned by the Village. The motion carried by the following vote:

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

## **XII. Reconvene**

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, August 21, 2014 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:26 p.m.

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

## XIII Adjournment

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**A motion was made by Trustee Mike Fugiel, seconded by Trustee Peter Breen, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, August 21, 2014 in the Board Room of the Lombard Village Hall be adjourned at 8:27 p.m. The motion carried by the following vote:**

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