

Village of Lombard

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



Meeting Minutes

Thursday, May 5, 2011

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

*Trustees: Greg Gron, District One; Keith Giagnorio, District Two;
Zachary Wilson, District Three; Peter Breen, District Four;
Laura Fitzpatrick, District Five; and Bill Ware, District Six*

I. Call to Order and Pledge of Allegiance

[Play Video](#)

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 5, 2011 was called to order at 7:30 pm in the Board Room of the Lombard Village Hall. Village Clerk Brigitte O'Brien led the Pledge of Allegiance.

II. Roll Call

[Play Video](#)

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee 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

Chief of Police Ray Byrne

Fire Chief Mike Torrence

Executive Coordinator Carol Bauer

III. Public Hearings

None

IV. Public Participation

Presentation to Trustee Dana Moreau

[Play Video](#)

Village President William Mueller thanked Trustee Dana Moreau for her service to the Village and the Board of Trustees. He presented her with a gift. Trustee Dana Moreau thanked the residents, staff, the Village Board members and her family.

Swearing-in Ceremony - Trustee Keith Giagnorio, Trustee Peter Breen and Trustee Laura Fitzpatrick

[Play Video](#)

*Judge Bob Gibson issued the Oath of Office to Trustee Keith Giagnorio
Judge Bob Gibson issued the Oath of Office to Trustee Peter Breen.
Judge Bob Gibson issued the Oath of Office to Trustee Laura Fitzpatrick.
Trustee Giagnorio introduced his family and thanked the residents.
Trustee Breen introduced his family and thanked the residents.
Trustee Fitzpatrick introduced her family and thanked the residents.
President Mueller spoke of the Village Board as a team and talked about how they will work as a team for the betterment of the Village. He spoke of the State of Illinois trying to take money away from the Village and about the State reducing the State Income Tax to the Village by \$3.3 million. He talked about the challenges the Village Board faces with the economy and the proposed reductions in funds coming to the Village.*

Roll Call

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Zachary Wilson, Trustee Peter Breen, Trustee Laura Fitzpatrick and Trustee Bill Ware

Proclamation - German Foreign Exchange Students Day

[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for German Foreign Exchange Students Day.

President Mueller asked the German teacher from Glenbard East High School Maries Huening to come forward and presented her with the proclamation. He then asked for all of the German foreign exchange students and their chaperones to come to the front. They were presented with copies of the proclamation and thanked the Village.

Recess

[Play Video](#)

President Mueller declared a recess of the Village Board meeting at 8:02 pm.

V. Roll Call

[Play Video](#)

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Zachary Wilson, Trustee Peter Breen, Trustee Laura Fitzpatrick and Trustee Bill Ware

VI. Public Participation

[Play Video](#)

Proclamation - Lilac Time

[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for Lilac Time in Lombard. President Mueller spoke of all of the activities during Lilac Time and encouraged residents to participate. He reminded residents of the Lilac Ball tomorrow.

Proclamation - Arbor Day

[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for Arbor Day. President Mueller stated he will join with students in the tree planting celebration and each child will receive a seedling to take home and plant. He thanked Steve Kremske and staff for all that they do.

Proclamation - National Public Works Week

[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for Public Works Week. Village President Mueller thanked the Public Works employees for all they do. He stated the Village has had more water main breaks this year than any other year.

Proclamation - Municipal Clerks' Week[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for Municipal Clerks' Week. President Mueller thanked the Clerk's Office employees for all they do.

Proclamation - National Day of Prayer[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for National Prayer Day. President Mueller stated he joined the Clerk at the Kiwanis Club Prayer Breakfast that morning and noted they prayed for each elected official.

Proclamation - Motorcycle Awareness Month[Play Video](#)

Village Clerk Brigitte O'Brien read the proclamation for Motorcycle Awareness Month.

VII. Approval of Minutes[Play Video](#)

Minutes of the regular meeting of April 21, 2011

It was moved by Trustee Giagnorio, seconded by Trustee Ware, to approve. The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

VIII. Committee Reports**Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson**[Play Video](#)

Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, reported the committee had not met. She stated that staff had interviewed three companies who had responded to the Social Services position proposal. She reminded residents of the Sculpture Show on Saturday.

Economic/Community Development Committee - Trustee Bill Ware, Chairperson[Play Video](#)

Trustee Bill Ware, Chairperson of the Economic and Community Development Committee, reported the committee had not met. The next meeting is scheduled for June 1.

Environmental Concerns Committee - Trustee Dana Moreau, Chairperson[Play Video](#)

Carl Goldsmith, Director of Public Works, reported the committee had met. The committee reviewed the current solid waste contract, the Clean Air Counts Program and the 2011 Recycling Extravaganza.

Finance Committee - Trustee Zachary Wilson, Chairperson[Play Video](#)

Trustee Zach Wilson, Chairperson of the Finance Committee, reported the committee had met. The committee authorized the Finance Director to sign a Letter of Engagement with Lauterbach & Amen for pension fund accounting services. He thanked President Mueller for appointing him to the Finance Committee and hoped he could continue on that committee. He thanked the Finance Committee members and staff. He commended Village Manager Hulseberg for his memo regarding the \$500 limit on spending for end-of-the-year purchases without his approval. He also thanked Finance Committee member Dan Cord who had left to serve in the military.

Public Works Committee - Trustee Greg Gron, Chairperson

[Play Video](#)

Trustee Greg Gron, Chairperson of the Public Works Committee, reported the committee had not met.

Transportation & Safety Committee - Trustee Keith Giagnorio, Chairperson

[Play Video](#)

Trustee Keith Giagnorio, Chairperson of the Transportation and Safety Committee, reported the committee had not met. The next meeting is scheduled for June 6.

Board of Local Improvements - Trustee Greg Gron, President

[Play Video](#)

Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met.

Community Promotion & Tourism - President William J. Mueller, Chairperson

[Play Video](#)

President William Mueller, Chairperson of the Community Promotion and Tourism Committee, reported the committee had not met. He indicated there were two items on the agenda for approval.

Lombard Historical Commission - Clerk Brigitte O'Brien

[Play Video](#)

Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission had not met. The next meeting is scheduled for July 19.

IX. Village Manager/Village Board Comments

[Play Video](#)

Village President William Mueller stated that prior to the Village Board meeting he had attended a 30th anniversary celebration for the Senior Home Sharing organization. He spoke about the International Lilac Society Convention that had been held in Lombard the previous weekend. He thanked Marymae Meyer and all of the staff and volunteers for their hard work. He indicated the Village and the Park District had each received the President's award for their involvement in honoring the request of Colonel Plum regarding his property and the lilacs. He talked about the reception held prior to the Village Board meeting for the German students who are visiting. He stated there will be a German American Heritage concert at Drury Lane on June 4th and more information will be available on the Village's website. He reminded residents of the Sculpture Show, the Lilac Ball and the lilac bush sale. He talked about the Kiwanis House Walk on May 13 with 5 distinctive homes being showcased. He spoke of the Lilac Parade to be held on May 15.

Trustee Gron noted there would be 115 units in the Parade.

President Mueller stated the wife of former Trustee Paul Kufrin, Adeline, had passed away.

Chief of Police Ray Byrne indicated that the newly-appointed Deputy Chief Tom Wirsing would be sworn in at the next meeting.

X. Consent Agenda

[Play Video](#)

Payroll/Accounts Payable

- A. Approval of Accounts Payable**
For the period ending April 22, 2011 in the amount of \$474,810.29.
- This Matter was approved on the Consent Agenda.**
- B. Approval of Village Payroll**
For the period ending April 23, 2011 in the amount of \$809,577.81.
- This Matter was approved on the Consent Agenda.**
- C. Approval of Accounts Payable**
For the period ending April 29, 2011 in the amount of \$1,055,644.06.
- This Matter was approved on the Consent Agenda.**

Ordinances on First Reading (Waiver of First Requested)

- D. PC 11-10: 1000 N. Rohlwing Road, Suite 13 (Continued from May 5, 2011)**
Requests that the Village grant a conditional use, pursuant to Section 155.415 (C) (20) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B3PD Community Shopping Center Planned Development District. (DISTRICT #1)
- This Matter was continued to May 19, 2011 on the Consent Agenda.**
- Enactment No:** Ordinance 6619
- E. PC 11-09: 717 E. Butterfield Road**
Requests that the Village approve amendments to Ordinance 4497 as it relates to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of:
1. A planned development amendment with a use exception for drive-through and drive-in establishments/services in the O District;
 2. A conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for a restaurant; and
 3. A conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for

- an outside service/dining area; and
- 4. Site plan approval with the following deviations from the Lombard Sign Ordinance:
 - a. A deviation from Section 153.503 (B)(5)(b) to allow for a freestanding sign of sixty (60) square feet where a maximum of thirty (30) square feet is permitted;
 - b. A deviation from Section 153.503 (B)(5)(c) to allow for a freestanding sign of eight (8) feet in height where a maximum of six (6) feet in height is permitted;
 - c. A deviation from Section 153.503 (B)(5)(f) to allow for a freestanding sign to be set back less than ten (10) feet from the property line; and
 - d. A deviation from Section 153.503 (B)(12)(b) to allow for more than one wall sign per street front exposure. (DISTRICT #3)

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

Enactment No: Ordinance 6616

- F. **Amending Title 11, Chapter 121 of the Lombard Village Code**
Reflecting an increase to the public passenger licenses granting a license to Holiday Limousine & Taxi Service.

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

Enactment No: Ordinance 6617

- G. **BOT 11-09: Alley Vacation and Granting of a Public Utility Easement - Maple/Chase/Highland (3/4 Vote of the Trustees Required - 5 of 6)**
Vacating the unimproved alley south of Maple Street between Chase Avenue and Highland Avenue and granting of a Public Utility Easement. (DISTRICT #5)

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

Enactment No: Ordinance 6618

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- H. **Agreement with Lombard Firefighters Union**
Approval of an Agreement between the Village of Lombard and IAFF Local 3009 Firefighter's Union.

This Matter was adopted on the Consent Agenda.

Enactment No: Resolution 104-11

Other Matters

- I. FY12 Bituminous Mix Purchase**
Request for a waiver of bids and award of a contract to DuPage Materials Company in the amount of \$454,500. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
- This Matter was approved on the Consent Agenda.**
- J. Pension Fund Accounting Services**
Request for a waiver of bids and award of a contract to Lauterbach & Amen Accounting Services to provide pension fund accounting services. Public Act 85-1295 does not apply.
- This Matter was approved on the Consent Agenda.**
- K. Gasoline and Diesel Fuel Purchase**
Request for a waiver of bids and award of a contract to Texor Petroleum in the amount of \$337,500.00. Public Act 85-1295 does not apply.
- This Matter was approved on the Consent Agenda.**
- L. FY2011 Sewer Lining**
Award of a contract to Insituform Technologies USA, Inc., the lowest responsible bid of two bidders, in the amount of \$53,317.50. Bid in compliance with Public Act 85-1295.
- This Matter was approved on the Consent Agenda.**
- M. Catch Basin Cleaning**
Request for a waiver of bids and extension of a contract with National Power Rodding Corp. in the amount of \$50,000.00. Public Act 85-1295 does not apply.
- This Matter was approved on the Consent Agenda.**
- N. Computer Software Purchase**
Request for a waiver of bids and award of a contract to New World Systems for a Village-wide comprehensive software purchase. Public Act 85-1295 does not apply.
- This Matter was approved on the Consent Agenda.**
- O. Computer Network Equipment**
Request for a waiver of bids and award of a contract to Dell Inc. for computer network equipment which includes a government discount. Public Act 85-1295 does not apply.
- This Matter was approved on the Consent Agenda.**

- P. Microsoft Licensing**
Request for a waiver of bids and award of a contract to Microsoft Licensing Products for costs associated with the Village-Wide Computer Software Purchase. Public Act 85-1295 does not apply.

This Matter was approved on the Consent Agenda.

- Q. Kiwanis House Walk Signage**
Request for use of the public right-of-way for temporary signage.

This Matter was approved on the Consent Agenda.

- R. Grant Application for 2011 Taste of Lombard**
Request from the Lombard Jaycees for \$30,000 from Hotel/Motel funds for costs associated with the Taste of Lombard fireworks.

This Matter was approved on the Consent Agenda.

- S. Grant Application for Elmhurst Symphony Association**
Request for \$15,000 from Hotel/Motel funds for costs associated with marketing, promotions & symphony performances at Glenbard East.

This Matter was approved on the Consent Agenda.

- T. Village Board Policy**
Approving a Communications Response Policy for the Village Board Policy Manual.

This Matter was approved on the Consent Agenda.

Passed The Consent Agenda

It was moved by Trustee Breen, seconded by Trustee Fitzpatrick, to approve the Consent Agenda. This approval includes suspension of the rules, waive first reading and pass on second reading, waive competitive bidding and award contracts, approve and adopt resolutions as needed for the preceding items as read by the Clerk on the Consent Agenda.

The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

XI. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

A.

14 W. St. Charles Road - Downtown Retail Business Grant (tabled April 21, 2011)

Authorizing signatures of the Village President and Village Clerk on an Agreement authorizing the reimbursement of funds for a Downtown Retail Business Grant for the property located at 14 W. St. Charles Road in an amount not to exceed \$11,737.50. (DISTRICT #1)

[Play Video](#)

Manager Hulseberg indicated staff had given a presentation at the last meeting and was available to answer any questions.

Tom Masterson, 128 W. St. Charles Road, spoke regarding the grant request for 14 W. St. Charles Road. He asked about wholesale versus retail and sales mostly to contractors. He felt downtown Lombard needed retail businesses to attract customers. He spoke about grants that had been given to two service businesses and how after a short period of time, the businesses each closed. He suggested the business be located in the industrial area and not downtown. He talked about the downtown plan and sales tax. He had a list of questions that he requested written responses to from the staff.

President Mueller indicated staff would respond to his questions.

Tom Masterson spoke about the lease and questioned if it was a 22-month lease or a three-year lease. He suggested this matter be referred back to the Economic and Community Development Committee for further review. He spoke about Lombard Town Centre and how they are to jointly administer the retail grant program with the Village. He felt there were inconsistencies. He noted the owner had already received an occupancy permit.

Garrick Nielsen, 145 N. Main Street, indicated he was part owner of the property at 14 W. St. Charles Road. He felt the criteria for the grant had been met and stated there is a three-year lease for the property. He indicated all sales from that location will generate sales tax. He spoke of projected sales and indicated that there had been \$30,000 in sales in February and March. He felt the sales will cover the cost of the grant.

Trustee Ware thanked both Tom Masterson and Garrick Nielsen for their comments and concerns that were raised. He noted this had come to the ECDC with staff's recommendation.

Trustee Ware moved that a Downtown Business Grant in the amount of \$11,737.50 be awarded to the property located at 14 W. St. Charles Road.

Trustee Giagnorio indicated he visited the property, spoke with the property owner and the business owner. He indicated they were assembling cabinets while he was there and that people came into the store while he was there. He talked about some hardware being available for sale for the cabinets. He felt this was not the most ideal retail business for downtown, but felt there would be retail sales and was a business for downtown. He talked about Clancy's Butcher Shop that was supposed to be mostly wholesale and how the Village Board approved a grant for them. He felt the Board should give them a chance.

Trustee Gron stated he was not in sales, but felt with the competition with big stores, did not feel this would work.

Trustee Breen questioned the three-year lease.

Director Heniff stated that if the grant request was approved, the lease would be for three years with no out clause.

Trustee Breen spoke of the old grant program and felt this should come under that program. He felt if a business met the grant criteria, the Board is not in the position to pick winners and losers.

Trustee Breen moved an amendment to the Downtown Retail Business Grant to include upon approval of the grant, that the lease be for three years with no out clause, seconded by Trustee Ware.

It was moved that this matter be adopted amendment to require a three-years lease for the property The motion carried by the following vote:

Aye: 5 - Giagnorio, Wilson, Breen, Fitzpatrick and Ware

Nay: 1 - Gron

Enactment No: Resolution 105-11

It was moved by Trustee Ware, seconded by Trustee Fitzpatrick, to approve Downtown Retail Business Grant for the property located at 14 W. St. Charles Road in the amount of \$11,737.50 as amended The motion carried by the following vote:

Aye: 5 - Giagnorio, Wilson, Breen, Fitzpatrick and Ware

Nay: 1 - Gron

Other Matters

XII. Agenda Items for Discussion

XIII. Executive Session

[Play Video](#)

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 5, 2011 in the Board Room of the Lombard Village Hall was recessed to Executive Session at 9:26 pm for the purpose of discussion of pending litigation and information regarding the appointment, employment, compensation, discipline, performance or dismissal of a specific employee or employees of the Village.

It was moved by Trustee Giagnorio, seconded by Trustee Ware, to recess to Executive Session. The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

XIV. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by Village President William Mueller at 10:35 pm, Thursday, May 5, 2011 in the Board Room of the Lombard Village Hall. Upon roll call by Village Clerk Brigitte O'Brien, the following were:

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Zachary Wilson, Trustee Peter Breen, Trustee Laura Fitzpatrick and Trustee Bill Ware

XV. Adjournment

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 5, 2011 in the Board Room of the Lombard Village Hall was adjourned at 10:36 pm.

It was moved by Trustee Breen, seconded by Trustee Gron, adjourn. The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware