

# **Village of Lombard**

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



## **Minutes**

**Thursday, August 20, 2020**

**6:00 PM**

**SPECIAL MEETING**

**Village Hall Board Room**

## **Village Board of Trustees**

*Village President Keith Giagnorio*

*Village Clerk Sharon Kuderna*

*Trustees: Dan Whittington, District One; Anthony Puccio, District Two;  
Reid Foltyniewicz, District Three; Andrew Honig, District Four;  
Dan Militello, District Five; and Bill Ware, District Six*

## I. Call to Order and Pledge of Allegiance

The Special Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, August 20, 2020 in the Board Room of the Lombard Village Hall was called to order at 6:00 p.m. by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Present and in the Board Room:  
Village President Keith Giagnorio  
Village Clerk Sharon Kuderna  
Trustee Dan Whittington  
Trustee Anthony Puccio  
Trustee Reid Foltyniewicz  
Trustee Dan Militello  
Trustee Bill Ware

Present via remote access:  
Trustee Andrew Honig

Staff Present:  
Village Manager Scott Niehaus  
Village Attorney Tom Bayer  
Director of Finance Tim Sexton  
Director of Community Development Bill Heniff  
Director of Public Works Carl Goldsmith  
Chief of Police Roy Newton  
Fire Chief Richard Sander  
Assistant Village Manager Nicole Aranas

Via conference call in:  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

Village President Keith Giagnorio spoke about the events following the EF-1 tornado that traveled through the Village on August 10th. He noted

as a resident and business owner, he wanted to extend appreciation to the Police, Fire and Public Works employees who worked tirelessly following the storm event. Public Works staff continue to work clearing downed trees, limbs and branches and thanked neighboring communities for the assistance provided to the Village by their Public Works Departments. Thank you to all. Great job!

## V. Approval of Minutes

**A motion was made by Trustee Bill Ware, seconded by Trustee Anthony Puccio, that the minutes of the Special Meeting of July 16, 2020 be approved. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

## VI. Committee Reports

### **Community Promotion & Tourism - Trustee Andrew Honig, Chairperson**

Trustee Andrew Honig, Chairperson of the Community Promotion & Tourism Committee, reported the following:

The travel and tourism sector is still recovering from the significant impacts of the COVID-19 pandemic. The Lombard Westin has announced that it will officially reopen for business on September 3rd.

The Village worked with the DuPage Convention and Visitors Bureau to secure discounted storm rates at local hotels for residents displaced or without power as a result of the tornado and storms on August 10th.

In the coming months, as part of the 2021 budget process, the Village will be evaluating hotel motel tax revenues and the anticipated budget deficit resulting from reduced hotel occupancy.

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

Trustee Dan Militello, Chairperson of the Community Relations Committee, reported the following:

Following the August 10th tornado that impacted the Village, recent communication efforts have focused on sharing storm recovery information. In the first 8 days, the Village shared 10 statements, including power outage updates and information on debris management. Our storm related posts received more than 100,000 views on Facebook, and 15,000 on Twitter. We also sent 7 email newsletters, of which more than 10,600 were opened.

Since the August 10th storm, the most commonly searched keywords on our website were "storm debris" and "tornado." To help get information to residents, we created a webpage at [villageoflombard.org/storm](http://villageoflombard.org/storm) and

placed a banner alert on our website that directed visitors to the storm page for information. That page was the top visited page on our site since August 10th, receiving 5,381 page-views.

Moving forward, we will continue to use our communication tools and resources to connect with the Village on important topics including storm recovery, COVID-19 updates, and the 2020 Census.

### **Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson**

Trustee Anthony Puccio, Chairperson of the Economic & Community Development Committee, reported the following:

The Economic & Community development Committee will meet next on September 14 at 7:00 at the Village Hall. However, Community Development Department continues to: work with businesses relative to outdoor seating activities; provide business resources and grant opportunities on the Village's website; responds to businesses and property owners who have experienced damage to their properties as a result of the EF-1 tornado; and continues engagement with property owners on pending development projects and pending zoning entitlement and economic incentive opportunities.

### **Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson**

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, reported the following:

The Economic & Community development Committee will meet next on September 14 at 7:00 at the Village Hall. However, Community Development Department continues to: work with businesses relative to outdoor seating activities; provide business resources and grant opportunities on the Village's website; responds to businesses and property owners who have experienced damage to their properties as a result of the EF-1 tornado; and continues engagement with property owners on pending development projects and pending zoning entitlement and economic incentive opportunities.

### **Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson**

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, reported the following:

Police Department

Lombard receives 9th in the State of Illinois in DUI enforcement and 3rd in the State based on size / amount of officers

Lombard finishes 3rd in State of Illinois in Traffic Safety Challenge that measures Seat belt, cell phone, texting, speeding and all enforcement

All Lombard Officers attending a 3-hour racial / implicit bias webinar throughout the month

Fire Department

The Fire Department responded to over 150 storm-related emergency incidents on Monday August 10th.

Two calls were for buildings that lost their roofs while the majority of the other incidents were for downed electrical wires.

While we continue to treat and transport suspected and positive COVID-19 patients we have seen a decrease in COVID-related incidents in the last few weeks

### **Public Works & Environmental Concerns Committee - Trustee Bill Ware, Chairperson**

Trustee Bill Ware, Chairperson of the Public Works & Environmental Concerns Committee, reported the following:

On the afternoon of August 10, 2020, an EF-1 tornado hit Lombard causing downed trees and causing widespread power outages to ComEd customers in Lombard.

The initial reports from ComEd indicated that there were 6,178 customers without power following the storm.

ComEd provided an estimated time of restoration for all Lombard customers of Saturday, August 15, 2020 by 3:00 pm. Throughout the week, ComEd provided updates to the Village and residents showing progress on restoration.

ComEd reported that power to all Lombard customers was restored by 3:00 pm on Saturday, August 15, 2020.

Since the storm hit Lombard, the Village deployed all available resources to begin the clean up effort.

Phase I of the debris removal focused on removing material from the roadway and addressing unsafe conditions affecting roadways and sidewalks.

Per the Village policy on storm debris management, the Village initiated the Village Wide response. Under this protocol the Village will collect material from both public and private trees that was placed in the parkway within 72 hours of the storm event, which was Thursday, August 13, 2020.

Based upon the extensive damage and inability to clear trees due to downed ComEd powerlines in an area bordered by Madison/the Great Western Trail/Finley and Westmore, the Village allowed material to be placed out for collection up to 4:30 pm on Tuesday, August 18, 2020.

This area was designated by the Village as the Impact Zone.

Working in partnership with the Lombard Park District, the Village received approval to utilize the parking lot east of the Paradise Bay Pool in the Lombard Common Park to stockpile debris from the storm.

Crews have worked from 7:30 to sun down every day, including weekends, to clear debris.

Since the storm hit, Lombard Public Works personnel have worked almost 2,100 hours on storm clean-up.

On Tuesday, August 11, 2020, Public Works requested mutual aid through the DuPage County Public Works Mutual Aid Network and the Illinois Public Works Mutual Aid Network (IPWMAN).

To date, the Village of Lombard has received assistance from the following agencies; the Village of Bloomingdale, the Village of Carol Stream, the Village of Hanover Park, the Village of Woodridge, the Village of Bensenville, the Village of Mount Prospect, the York Township Highway Department, the DuPage County Department of Transportation. The Village anticipates completing the clean-up effort of the areas outside of the Impact Zone will be completed by end of this week. The Village anticipates that the clean-up effort for the areas inside the Impact Zone will extend into next week.

Once the debris clean-up is completed, the Village will focus attention on the removal of parkway trees damaged by the storm.

Preliminary assessments indicate that 250-300 parkway trees will need to be removed due to the damage.

The Village will provide free wood chips to residents in the future.

Additional details will be provided via the Village's social media outlets.

#### **Board of Local Improvements - Trustee Bill Ware, President**

No report

#### **Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna**

No report

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

Village Manager Scott Niehaus noted that the Village will be closing on the property at 101-109 S. Main Street next Wednesday and that a private development of the property will then commence starting this fall.

Village Clerk Sharon Kuderna read the following:

It takes just minutes to be counted in the 2020 U.S. Census. The distribution of more than \$675 billion in federal funds, grants, and support to states, counties, and communities are based on census data. Ensuring a complete count for Illinois and Lombard is critical for appropriate funding. It only takes a few minutes to complete the census online at [www.my2020census](http://www.my2020census).

Are you getting Village news? The Village is communicating via

Facebook and Twitter, and through a weekly e-mail newsletter to residents. Connect with us and find out about construction projects, public safety alerts, lane closures, seasonal tips, and more. Find us on social media and sign up for our weekly newsletter at [www.villageoflombard.org/enews](http://www.villageoflombard.org/enews).

Mark your calendars for the We Remember Blood Drive scheduled on Wednesday, September 9th from 8:00 am until 1:00 pm at the lower level of Yorktown outside of Von Maur and at the First Church of Lombard Fellowship Hall, 220 S. Main Street, from 1:30 pm until 7:00 pm. Please remember it takes only an hour to be a hero and save a life- donating blood is safe, simple and does save lives. Be a hero - donate blood. New to the Blood Drive Program - all blood donations will be tested for COVID-19 antibodies.

The Village is seeking nominations for the 15th Annual Senior of the Year Awards which recognizes outstanding residents who go above and beyond to positively benefit the community. Each year the Community Relations Committee selects a senior man and senior woman from the nominees to receive the awards. Nominees must have an incorporated Lombard home mailing address and be 65 years of age or older. Nominations must include a brief statement of 50 words or less on why the nominee should be considered for the award, as well as a short biography of the nominee. All nominations must be received by 4:30 pm on Friday, September 11th.

The Lombard Police Department is joining law enforcement agencies throughout the state for the "Drive Sober or Get Pulled Over" Labor Day enforcement campaign. Extra enforcements will be on the road August 20th - September 8th, cracking down on impaired drivers. During this period, motorists in Lombard can expect to see stepped-up impaired driving patrols and seat-belt enforcement, particularly at night when seat-belt usage rates are at their lowest. Speeders and distracted drivers should also be aware. If you're celebrating this Labor Day, remember to designate a sober driver and do not let friends or family members drive under the influence of alcohol or cannabis.

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [200226](#) **Approval of Accounts Payable**  
For the period ending July 17, 2020 in the amount of \$987,503.89.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**
- B. [200229](#) **Approval of Village Payroll**

For the period ending July 18, 2020 in the amount of \$866,199.84.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

C. [200230](#)

**Approval of Accounts Payable**

For the period ending July 24, 2020 in the amount of \$652,334.69.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

D. [200241](#)

**Approval of Accounts Payable**

For the period ending July 31, 2020 in the amount of \$1,068,009.93.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

E. [200245](#)

**Approval of Village Payroll**

For the period ending August 1, 2020 in the amount of \$816,820.07.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

F. [200246](#)

**Approval of Accounts Payable**

For the period ending August 7, 2020 in the amount \$1,369,977.56.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

G. [200257](#)

**Approval of Accounts Payable**

For the period ending August 14, 2020 in the amount of \$536,752.96.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

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

H. [190289](#)

**ZBA 19-05: 244 E St. Charles Road - Time Extension Request**

Pursuant to Section 155.103(F) of Village Code, the petitioner is requesting approval of an Ordinance extending the time period to start construction of a proposed fence. The time extension will be for an additional twelve month period until October 3, 2021. (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 7836 (previously approved 7727)

I. [200209](#)

**ZBA 20-03: 324 S. Grace Street**

The Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests that the Village grant a variation from Section 155.407(F)(1)(b) of the Lombard Code of Ordinances to provide for a front yard setback of twenty-seven feet (27') for an addition, where a minimum of 30 feet is required in the R2 Single-Family Residence 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 7837

- J. [200234](#) **First Amendment to the Agreement Between the Village of Lombard and Brycer, LLC in Regard to Fire Equipment Inspection Report Filing System, and Approval of an Ordinance Amending Section 150.105 (C) of the Village Code in Relation Thereto.**
- The Board of Building Appeals (BOBA) submits its recommendation for approval of the proposed Ordinance and a First Amendment to the agreement with Brycer, to impose an additional \$15.00 fee that Brycer will collect from the contractors. This fee will come directly from Brycer to the Village on a quarterly basis (minus a 6 ½ % processing fee) for the administrative work that is being performed by Lombard Fire Prevention to review each filing from the contractors for compliance and correct information. Staff is requesting a waiver of first reading relative to the Ordinance.
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 7838
- K. [200238](#) **Village Equipment To Be Declared Surplus**
- Ordinance approving the Village IT and Public Works Departments' request to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the Ordinance, to be sold at auction, sold for scrap, or recycled as these items have extended beyond their useful life or are obsolete to include: thirty-five (35) Dell desktops; thirty-one (31) Dell monitors; twelve (12) CISO Access Points; ten (10) Tough Books; thirty-one (31) flip phones; one (1) Dell laptop; one (1) 2014 Ford Focus (EN301); and one (1) 2013 Ford Focus (WP425). 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 7839
- L. [200242](#) **Village Equipment To Be Declared Surplus**
- Ordinance declaring Unit #141, a 2008 Winnebago motor vehicle on a Ford chassis surplus, and authorizing its sale, with a minimum sale price of \$75,000, to another Police Department or private vendor. 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 7840
- M. [200250](#) **Amendments to Title XI, Chapter 112 of the Lombard Village**

**Code - Alcoholic Beverages - 844 N. Ridge Ave.**

An Ordinance amending Title XI, Chapter 112 of the Lombard Village Code creating a new Class "FFF" liquor license category as well as amending other sections within Chapter 112 which will be affected by the creation of the Class "FFF" liquor classification and issuing a Class "FFF" liquor license to Afterthought Brewing Company LLC d/b/a Afterthought Brewing Company located at 844 N. Ridge Avenue. Petitioner requests a waiver of first reading. (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 7841

N. [200251](#)

**Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**

Ordinance revising the number of Class "ZZ" liquor licenses and issuing a new license to NVP1 Corporation (with a business name to be determined) located at 909 E. Roosevelt Road due to new ownership. Petitioner requests a waiver of first reading (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 7842

O. [200256](#)

**Fire Engine Purchase and an Ordinance Declaring Certain Municipal Vehicles as Surplus, and Authorizing the Sale Thereof**

Request for a waiver of bids and award of a contract to Pierce Manufacturing in the amount of \$650,033.00 through a joint purchasing agreement with Houston-Galveston Area Council (HGAC); and approval of an ordinance declaring unit FR43, a 2005 Pierce Dash fire engine and unit FR51, a 2000 Pierce Dash 100 ladder tower truck, as surplus and authorizing their sale through Brindlee Mountain Fire Apparatus. Staff requests 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 7843

P. [200259](#)

**Amending Title XI, Chapter 110, Section 110.21(C) - Coin-Operated Amusement Devices**

An Ordinance amending Title XI, Chapter 110, Section 110.21(C) of the Village Code increasing the number of Class A coin-operated amusement device licenses from two (2) to three (3) and issuing a Class A coin-operated amusement device license to Noon Whistle located at 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 7844

- P-2**      [200227](#)      **Purchase of Four New Ford Hybrid Interceptor Utility Vehicles and an Ordinance Declaring Certain Municipal Vehicles as Surplus, and Authorizing the Sale Thereof**
- Request for a waiver of bids and award of a contract to Currie Motors in the amount of \$163,080.00. The vehicles will be purchased through the Suburban Purchasing Cooperative (contract #152), which the Village is a member. Ordinance declaring Units PP753, PP754, and PP756, 2016 Interceptor Utility vehicles to be sold at public auction and Unit PP755, a 2016 Interceptor Utility vehicle that was totaled in an accident to be sold to a salvage yard or to the Village's insurance provider as part of the accident settlement.

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

Enactment No: Ordinance 7845

### Other Ordinances on First Reading

- Q.**      [200228](#)      **Text Amendment to Title III, Chapter 32, Section 32.025 of the Lombard Village Code - Board of Building Appeals (BOBA) Decisions**
- Approval of an Amendment to Section 32.025 of the Village Code relative to appeals from interpretations of the Village Code that go through BOBA.
- This Ordinance was passed on first reading on the Consent Agenda**
- Enactment No: Ordinance 7852
- R.**      [200232](#)      **Text Amendment to Title XV, Chapter 150, Section 150.105 of the Lombard Village Code - Adoption of the 2018 International Fire Code and Local Amendment Thereto**
- The Board of Building Appeals (BOBA) submits its recommendation of approval of the proposed amendments to Section 150.105 of the Village Code to adopt the 2018 International Fire Code by reference along with local amendments thereto. (DISTRICTS - ALL)
- This Ordinance was passed on first reading on the Consent Agenda**
- Enactment No: Ordinance 7853
- S.**      [200233](#)      **Text Amendment to Title XV, Chapter 150, Section 150.103 of the Lombard Village Code - Adoption of the National Fire Protection Association (NFPA) Life Safety Code, 101 2015 Edition By Reference**
- The Board of Building Appeals (BOBA) submits its recommendation of

approval of the proposed amendments to Section 150.103 of the Village Code to adopt the most current Life Safety Code, NFPA 101, 2015 Edition, adopted by the State of Illinois. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7854

### Ordinances on Second Reading

- T.     [200195](#)     **Emergency Medical Service (EMS) Mileage Rate Increase**  
An Ordinance amending Title IX, Chapter 91, Section 91.21(A) of the Lombard Village Code to increase the mileage rate to \$15.00 per mile for Village residents/Glenbard Fire Protection District residents and \$16.00 per mile for non-Village/non-Glenbard Fire Protection District residents.
- This Ordinance was passed on second reading on the Consent Agenda**
- Enactment No: Ordinance 7846

### Resolutions

- U.     [200064](#)     **101-109 S. Main Street (Holladay Properties' Lilac Station) - Assignment and Assumption Resolution**  
Pursuant to Section XX. R. of the previously approved Redevelopment Agreement between the Village of Lombard and the developer Holladay Property Services Midwest, Inc., dated April 24, 2019 as Amended, the developer seeks approval of an assignment and assumption of the Redevelopment Agreement and the proposed companion redevelopment project to HP Lilac Station, LLC. (DISTRICT #4)
- Enactment No: R 24-20 (Ordinances previously approved: 7812, 7808, 7777)
- V.     **200231**     **Combined Sewer Study Update**  
Approval of a professional services agreement with Christopher B. Burke Engineering in the amount of \$25,000.00 to update their 2009 Combined Sewer Study. The study is used to determine capital improvement projects related to sewer separation projects and other measures to increase capacity and reduce basement backups due to heavy rainfall events. (DISTRICTS #1, #2, #4, #5 & #6)
- This Resolution was adopted on the Consent Agenda**
- Enactment No: R 25-20
- W.     [200255](#)     **Resolution Accepting the Public Improvements at 160-242 E. Windsor Avenue (Windsor Place Subdivision)**  
The Department of Community Development transmits for your consideration a proposed resolution to accept the public roadway, fire

hydrant, sanitary sewer, storm sewer, streetlights, and sidewalks in the public right-of-way and a dedicated easement at 160-242 E. Windsor Avenue (Windsor Place Subdivision). All public improvements were designed, constructed and tested in conformance with Village requirements. (DISTRICT #4)

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

Enactment No: R 26-20

### Other Matters

- X.     [200223](#)     **Amendment to Village Board Policy 7.C. - Debris Management Policy**  
A recommendation from the Public Works & Environmental Concerns Committee to amend the policy by revising the threshold for the Village enacting the policy related to the collection of storm debris for wind and rain events. (DISTRICTS - ALL)  
**This Request was approved on the Consent Agenda**
- Y.     **Purchase of Four New Ford Hybrid Interceptor Utility Vehicles (Moved to Consent P2)**
- Z.     [200261](#)     **Storm Sewer Installation at 115 W. St. Charles Road**  
Request for a waiver of bids and award of a contract to John Neri Construction Co., Inc., the lowest proposal of three (3) proposals received, in an amount not to exceed \$39,880.00. (DISTRICT #1)  
**This Bid was approved on the Consent Agenda**
- AA.    [200236](#)     **Police Pension Fund Municipal Compliance Report**  
Accept and file the Lombard Police Pension Fund Municipal Compliance Report for the year ending December 31, 2019.  
**This Request was approved on the Consent Agenda**
- BB.    [200237](#)     **Fire Pension Fund Municipal Compliance Report**  
Accept and file the Lombard Fire Pension Fund Municipal Compliance Report for the year ending December 31, 2019.  
**This Request was approved on the Consent Agenda**
- CC.    [200254](#)     **DuPage Mayors and Managers Conference Membership**  
Request for concurrence in approving the 2020-2021 annual membership dues in the amount of \$18,388.20, for the DuPage Mayors and Managers Conference.  
**This Request was approved on the Consent Agenda**

## Approval of the Consent Agenda

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

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

## IX. Items for Separate Action

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

A. [200207](#)

**PC 20-18: 783 E. Butterfield Rd, Zen Leaf Cannabis**

The Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.415(C)(31) of the Lombard Village Code to allow for a “Cannabis dispensing facility operated in strict compliance with State law applicable thereto” on the subject property located within the B3 Community Shopping District. (DISTRICT #3)

Trustee Dan Militello read the following statement: Out of an abundance of caution and in an effort to maintain the utmost transparency, I will be abstaining from voting on this item. I am currently employed as a retail manager within the recreational cannabis industry, including stores located in Illinois. As such, I would not want my vote on this matter to be perceived in any way as something that would further my own career or business opportunities.

For the record, I am not an employee of Zen Leaf Cannabis.

Furthermore, upon review of the state statutes, I can legally vote on this item as I will not directly benefit from approval of this project. However, I am choosing to abstain in order to be as 100% transparent as possible.

**A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Ordinance relative to PC 20-18: 783 E. Butterfield Road for Zen Leaf Cannabis 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, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Bill Ware

**Abstain:** 1 - Dan Militello

Enactment No: Ordinance 7847

B. [200240](#)

**Ordinance Amending Ordinance No. 7344, Adopted April 6, 2017, as Amended by Ordinance No. 7608, Adopted November 15, 2018, in Regard to Vacating a Portion of Magnolia Circle**

**between Cherry Lane and Madison Meadows Park**

The Village previously adopted Ordinance 7344 that vacated a portion of the Magnolia Circle right-of-way to the property owners of 902 and 906 Cherry Lane. The 906 Cherry Lane property has been conveyed to a new owner. The ordinance provides that the rights and obligations assigned to the previous owner carry forward to the new owner. Staff requests a waiver of first reading. (3/4ths vote of the Trustees - 5 of 6 - is required to approve the Ordinance) (DISTRICT #6)

Village President Keith Giagnorio read the following statement: Out of an abundance of caution and in an effort to maintain the utmost transparency, I would like to inform the village board and the community that I am recusing myself from discussion or comment on this item. My reasons for doing so are that my brother represents the purchaser of the property referenced in this ordinance as his attorney.

Upon review of this item with the Village Attorney, I have been advised that its approval requires a 5/6 vote of the Village Board and that my vote could not be used to break a tie anyway. However, I am choosing to publicly state my relationship in this instance. Furthermore, let it be known that I will not be signing this ordinance and will be deferring to Trustee Ware to do so as Mayor Pro Tem.

**A motion was made by Trustee Bill Ware, seconded by Trustee Anthony Puccio, that the Ordinance amending Ordinance No. 7344, adopted April 6, 2017, as amended by Ordinance No. 7608, adopted November 15, 2018, in regard to vacating a portion of Magnolia Circle between Cherry Lane and Madison Meadows Park be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Enactment No: Ordinance 7848

**Other Ordinances on First Reading****C. [200247](#)****Commuter Parking Lot and Fee Changes**

Ordinance amending the Lombard Traffic Code (Ordinance No. 1186, as amended) to change all quarterly commuter permit parking lots to unrestricted daily-fee parking lots effective immediately, continue to suspend commuter parking fees through December 31, 2020, and increase the daily parking fee to \$1.50 from \$1.25 effective January 1, 2021.

Village Manager Scott Niehaus noted the following: the proposed parking lot changes impact 280 permit parking holders; the ordinance is on first reading only; comments that were submitted will be reviewed; spoke with Kristin Shamberg this afternoon who contributed five ideas relative to commuter parking and these will be reviewed; Village will also

work with Metra relative to parking;

Trustee Reid Foltyniewicz asked how much the parking permit process costs the Village.

Village Manager Scott Niehaus indicated there are 280 permit parking spaces at \$75 a quarter equates to \$85,000 per year, but there are also maintenance costs;

Trustee Reid Foltyniewicz spoke of difficult balance and noted that parking spaces are like gold. Possibly look at cutting permit parking spaces in half and raising fees for those spaces.

President Keith Giagnorio questioned the maintenance costs.

Village Manager Scott Niehaus spoke about the number of commuters who get on the 8:18 am train and what the future will bring for commuters.

President Keith Giagnorio agreed with passing ordinance on first reading, but also look at suggestions.

Trustee Anthony Puccio questioned the number of people on the waiting list for a parking permit.

Trustee Bill Ware questioned the projected income.

Village Manager Scott Niehaus stated the daily fee parking is currently \$1.25.

Kristin Shamberg submitted a statement that she asked be read into the record as follows:

Good afternoon Scott! Thanks again for talking today. I appreciate you hearing me out.

I have gathered my thoughts from our discussion (including the ideas I sent to Scott G), and pasted them below:

1 -NEW APP IDEA 1 - Why not set up a SpotHero-like app or partnership. You could still have Daily parking, but maybe for those of us losing our parking permit privileges, we are given the opportunity to pay a premium to be part of this app. How it would work is we would pay a monthly fee to reserve a spot (in a few lots) before a certain time. If we park in the spot, then we ALSO pay your daily fee as proposed (extra revenue for you to beautify the parking lots as we discussed). If we do not park in the reserved spot by 8:35 (I think the last commuter train is 8:45 right?), then the spot becomes open to the public and ANYONE can park there - so you are moving up the time from 11AM to 8:35am. The random person who parks there would pay the daily fee. I am betting Spot Hero or one of those apps would totally partner with a Village to do this. We could bring Lombard to the future of Parking! -)

2 - NEW APP IDE #2 - This idea is similar to 1, and MY FAVORITE.

Create an app, where you have to reserve your permitted spot every day by a certain time. Since the world is changing, maybe commuter A knows they only will work 3 days a week downtown, so she will not reserve her spot 2 days a week (but will still pay her monthly parking permit fee!) - that leaves her spot open for someone else 2 days a week to snag in the daily fee structure! Double the revenue for Lombard! And



more parking for everyone!

3 - Possible Price Increase - You said a lot of people said they may not be going back to work (in the city) at all - they are scared to commute on the train. I do think increasing the price of a commuter permit would help. We only pay \$75 a quarter now. Why not make it \$75 a month? That seems more realistic to start and more comparable to other suburbs. I am not sure someone who is NOT commuting would want to continue paying that much if they are only going to the office 2 times a year. Also, I found the study you all conducted in 2007 - I see the Village gains a lot of revenue from the permit program - it would be a shame to see that guaranteed revenue just disappear.

4 - TEMPORARY DISCONTINUATION - I called around to a few neighboring suburbs to see what they were doing, and one had a great idea to accommodate the essential workers during this time. For now, they have discontinued permit parking TEMPORARILY, but will bring it back in late 2020. That way, when people start commuting again, they can keep using their spots.

5 - CHANGE TIME RESTRICTIONS- Lastly, why not just move the time up in general? Keep the commuter parking permit program - but the last commuter train is at 8:45 - if you're not there by 8:35 - then the spot is free to anyone. No Tech needed on this one- just new signs.

Thanks again for listening to all of my ideas today. Please let me know if you would like to discuss further.

See you tonight!

Kristin Shamberg

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the Ordinance relative to commuter parking lot and fee changes be passed on first reading. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Enactment No: Ordinance 7856

## **Ordinances on Second Reading**

## **Resolutions**

## **Other Matters**

## **X. Agenda Items for Discussion**

## **XI. Executive Session**

**A motion was made by Trustee Dan Whittington, seconded by Trustee Anthony Puccio, that the Special Meeting of the President and Board of Trustees of the**

**Village of Lombard held on August 20, 2020 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 6:43 p.m. for the purpose of discussion of Acquisition of Real Property. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

## **XII. Reconvene**

The recessed Special Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, August 20, 2020 in the Board Room of the Lombard Village Hall was called to order at 7:03 p.m. by Village President Keith Giagnorio. Upon roll call:

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

## **XIII Adjournment**

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**A motion was made by Trustee Dan Whittington, seconded by Trustee Dan Militello, that the Special Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, August 20, 2020 in the Board Room of the Lombard Village Hall be adjourned at 7:04 p.m. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware