

Village of Lombard

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



Minutes

Thursday, December 3, 2020

7:00 PM

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*

NOTICE IS HEREBY GIVEN THAT THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD WILL HOLD A REGULAR VILLAGE BOARD MEETING ON THURSDAY, DECEMBER 3, 2020, AT 7:00 P.M. AT THE LOMBARD VILLAGE HALL, BOARD ROOM, 255 EAST WILSON AVENUE, LOMBARD, ILLINOIS.

NOTICE OF MEETING MODIFICATION DUE TO COVID-19

In light of the Disaster Declaration issued by the Governor of the State of Illinois relative to the COVID-19 pandemic, the Village President has determined that an in-person meeting of the Village Board, or a meeting conducted under the Open Meetings Act requirements, relative to a quorum of the members of the Village Board having to be physically present at a meeting when some members of the Village Board are participating remotely, is not practical or prudent because of the disaster.

Pursuant to Governor Pritzker's Executive Order No. 2020-07, as extended and modified by Executive Orders 2020-18, 2020-33, 2020-039, 2020-44, 2020-52, 2020-55, 2020-59, and 2020-71 which suspend the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, members of the Village Board may be participating in the meeting through a virtual meeting platform.

Physical attendance at this public meeting will be restricted solely to specified Village officials, staff and consultants. Residents may view the meeting live on television, at Comcast Channel 6 or AT&T Channel 99, or on online at www.villageoflombard.org/220/view-meetings-live.

Public comments may be submitted in advance of the meeting on the Village website at www.villageoflombard.org/publiccomment, via email to communications@villageoflombard.org or by calling and leaving a voicemail at (630) 620-5929. The Village requests that written comments be submitted to the Village by 5:00 p.m. on Thursday, December 3, 2020. Notwithstanding this request, all written comments received before the public comment portion of the agenda will be read into the public meeting record.

Individuals who wish to speak during the live meeting, or wish to listen to the meeting by telephone should contact the Village by 6:00 p.m. on Thursday, December 3rd by calling (630) 620-5929, on the Village website at www.villageoflombard.org/publiccomment or via email to communications@villageoflombard.org. Individuals who sign up to speak during the live meeting, or listen to the meeting by telephone by 6:00 p.m. on Thursday,

December 3rd, will receive information about how to join the meeting by e-mail or phone, based upon their request, after the sign-up time ends.

The physical attendance restrictions in place for this meeting have been adopted to comply with Governor Pritzker's Executive Orders regarding social distancing and the need to maximize residential self-isolation to slow the spread of COVID-19 to the greatest extent possible.

A copy of the agenda for said Regular Village Board meeting is attached hereto.

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, December 3, 2020 in the Board Room of the Lombard Village Hall via zoom was called to order at 7:00 pm 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

This meeting was held via zoom:

Present via remote:

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

Trustee Dan Whittington

Trustee Anthony Puccio

Trustee Reid Foltyniewicz

Trustee Andrew Honig

Trustee Dan Militello

Trustee Bill Ware

Present via remote:

Village Attorney Tom Bayer

Village Manager Scott Niehaus

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

Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Anthony Puccio, that the minutes of the Special Meeting of September 28, 2020 and the minutes of the Regular Meeting of November 19, 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

No report

Community Relations Committee - Trustee Dan Militello, Chairperson

No report

Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

No report

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

No report

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 Clerk Sharon Kuderna read the following announcements:
In lieu of the Fire Department's Toy Drive this year, residents are

encouraged to donate directly to community organizations including the Lombard/Villa Park Food Pantry, Teen Parent Connection, and the Outreach House. Additionally, the Glenbard East Food Drive is taking place on Dec. 12 from 9 a.m. - 12 p.m., at First United Methodist Church of Lombard.

Two Special Holiday Blood Drives have been scheduled to help those in need - a Blood Drive is scheduled for Wednesday, December 9th from 9:00 am to 2:00 pm at the Glenn Westlake Middle School, 1514 S. Main Street, and a Blood Drive is scheduled for Wednesday, December 16th from 9:30 am until 2:30 pm at Yorktown Center lower level entrance by Von Maur. All donations will be tested for COVID-19 anti-bodies. Be a hero donate blood - it saves lives. For additional information contact Carol Bauer at 630-620-5712 or bauerc@villageoflombard.org.

The Village's 6-week, free, fall leaf collection ends December 18th. Residents can fill an unlimited number of paper bags with leaves, for free collection on their regularly scheduled waste management pick up day. This collection applies only to leaves; bundled brush requires stickers. Recycle old, broken, or unwanted holiday lights in a bin, in front of Public Works, through January 18th.

Lombard Police are reminding residents to follow the "9 p.m. routine" to help prevent thefts. Remove valuables from your car, lock your vehicle and home windows, and turn on your exterior lights - every night. This simple routine has been shown to help deter crime.

The Lombard Fire Department is again participating in the "Keep the Wreath Red Program," which is intended to serve as a visual way to remind residents to take additional safety measures this holiday season. The Fire Department will display a holiday wreath decorated with red lights outside both fire stations. If a fire caused by holiday decorations occurs in the Lombard community, one red bulb will be replaced with a white bulb. Our goal is to Keep the Wreaths Red! This Year's program begins on Thanksgiving Day and ends on January 1st 2021.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [200384](#) **Approval of Accounts Payable**
For the period ending November 20, 2020 in the amount of \$525,375.83.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- B. [200356](#) **Text Amendments to Section 150.143 of the Village Code -**

Contractor Registration Obligations.

The Board of Building Appeals (BOBA) recommends approval of the proposed amendments to Section 150.143 of Village Code in regard to contractor registration obligations and the ability for homeowners to undertake construction activities. (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 7890

C. [200357](#)**Text Amendments to Sections 150.141 through 150.247 of the Village Code - Certificates of Occupancy**

The Board of Building Appeals (BOBA) recommends approval of the proposed amendments to the Certificate of Occupancy requirements to properly reflect Village processes for the issuance of Certificates of Occupancy. Amendments also adjust the corresponding fees. (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 7891

D. [200359](#)**Text Amendments to Chapters 13 and 150 of the Village Code and Policy Review - Work Without a Permit Enforcement**

The Board of Building Appeals (BOBA) recommends approval of the proposed amendments to memorialize code provisions and processes for cases in which construction activity occurs without a permit. (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 7892

E. [200360](#)**Text Amendments to Title XV, Chapter 150 of the Village Code - Building Code**

The Board of Building Appeals (BOBA) recommends approval of the proposed amendments to the Village Code updating the Village Code to adopt by reference the 2018 versions (currently the 2012 versions) of the following International Codes: Building, Residential, Mechanical, Fuel Gas, Property Maintenance, and Pool codes. (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 7893

F. [200382](#)**Village Equipment To Be Declared Surplus**

Ordinance approving the request of departments 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: Finance Department: Unibind machine S/N S625-4 0103-00432 and binding supplies; Electric VeloBinder S/N GK01666 and binding supplies; Both will be sold at auction or donated; IT: surplus servers: Surplus Servers: Dell R410, serial 7P5X5P1; Dell 2950, serial 6SF9YH1; Dell R710, serial ZMNVKN1; Dell R300, serial 7WWCNK1; Dell R710, serial 98C2GQ1; Dell R710, serial 98B4GQ1; Dell R710, serial 98B3GQ1; Dell R710, serial 98C3GQ1; Dell R710, serial 98B5GQ1; CISCO UCS-C210-MZ, serial QCI1601AZQT; Dell 2950, serial FR13CD1; Dell PS-6000, serial F8VKWP1; Dell PS-6000, serial BVZKWP1; Dell R-710, serial 2MMXKN1; Dell R-710, serial 8P5X5P1; Dell R-410, serial 6P5X5P1; Dell R-710, serial 5QNKVH1; CISCO UCS-C210 MZ, serial QCI1601A2Q4; BUFFALO HD-RQSZTSU/R5, serial 4550489090012. 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 7894

Other Ordinances on First Reading

Ordinances on Second Reading

- G. [200380](#) **Ordinance Changing Regular Village Board Meetings Start Time**
Ordinance Amending Title III, Chapter 30, Section 30.01 of the Lombard Village Code changing the regular start time for Village Board of Trustees meetings from 7:00 p.m. to 6:00 p.m. effective January 1, 2021.
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7895

Resolutions

- H. [200367](#) **Patrol Car Cameras and Body Worn Cameras for the Police Department**
Request for a waiver of bids and approval of a five-year Agreement with Axon Enterprise, the sole provider of the type of body-camera technology sought by the Police Department, providing body-worn cameras, patrol car cameras, video storage, video redaction, supplies, equipment, warranty, and training to Police Department staff in the amount of \$150,235.98 (year one) and \$68,262.00 (for the following four years).
This Resolution was adopted on the Consent Agenda
Enactment No: R 39-20

- I. [200390](#) **Resolution Enabling Village Employees to Perform Maintenance Work Within State Owned Rights-of-Way**
Requesting a permit from the Illinois Department of Transportation for working within the State rights-of-way, including emergency repairs. The Resolution is valid for a period of two (2) years from January 1, 2021 through December 31, 2022.
This Resolution was adopted on the Consent Agenda
Enactment No: R 40-20

Other Matters

- J. [200375](#) **Cleaning Services for Village Hall and Public Works**
Request for a waiver of bids and award of a contract to Advanced Cleaning Systems, Inc., the lowest proposal of two proposals received, in an amount not to exceed \$26,078.52. (DISTRICT #6)
This Bid was approved on the Consent Agenda
- K. [200343](#) **HVAC Maintenance Contract PWO 2106**
Award of a contract to Season's Comfort, the only bid received, in an amount not to exceed \$28,580.00. (DISTRICTS #3, #4 & #6)
This Bid was approved on the Consent Agenda
- L. [200385](#) **Village Board Meeting Schedule - 2021**
Approval of the Village Board meeting schedule for 2021 including the cancellation of the first meetings in June, July and August (June 3, July 1, and August 5).
This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Militello, 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)

Other Ordinances on First Reading

- A. [200389](#) **An Ordinance Amending Ordinance No. 7647, Adopted April 4, 2019, Entitled "An Ordinance Amending Title XI, Chapter 110,**

Section 110.11; Title XI, Chapter 112; and Title XI, Chapter 115 of the Lombard Village Code in Regard to Video Gaming and Liquor Licenses for Establishments with Video Gaming", as Amended by Ordinance No. 7763, Adopted December 5, 2019, to Delete the Sunset Provisions Contained Therein

The Ordinance would repeal the sunset provisions, contained within Ordinance No. 7647, as amended, that originally approved video gaming on a temporary basis, which would have terminated video gaming in the Village as of midnight on December 31, 2020, so as to allow video gaming to continue within the Village after December 31, 2020.

(DISTRICTS - ALL)

Village Clerk Sharon Kuderna read an email from Dave Weimer that was posted on the Village porthole as follows. "I would like to keep video gaming. I see it as a nice extra income for our Village. As long as we keep it out of family restaurants I have no problem. It's for adult entertainment not children. Any responsible should not be taking their children to a bar."

Trustee Andrew Honig stated he will be voting in support of allowing video gaming. He noted he wanted to provide some background as to why he is changing his vote from previous votes at meetings. He stated that when he ran for Village Trustee, he indicated he was opposed to allowing video gaming, and that was his personal view on the matter. He also stated he would represent the residents and their wishes. Results of the November referendum showed more people favoring allowing video gaming. He also noted that this could provide an option for some additional revenue for the businesses, as well as the Village. Thus based on the November election results and the majority of residents in support of allowing video gaming, he was putting his personal feelings aside, and would vote in favor of allowing video gaming which is what the majority of residents want.

Trustee Dan Whittington stated he was changing his vote as per result of the November election.

A motion was made by Trustee Bill Ware, seconded by Trustee Anthony Puccio, that the Ordinance Amending Ordinance No. 7647, Adopted April 4, 2019, Entitled "An Ordinance Amending Title XI, Chapter 110, Section 110.11; Title XI, Chapter 112, and Title XI, Chapter 115 of the Lombard Village Code in Regard to Video Gaming and Liquor Licenses for Establishments with Video Gaming", as Amended by Ordinance No. 7763, Adopted December 5, 2019, to Delete the Sunset Provisions Contained Therein 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, Andrew Honig, Dan Militello, and Bill Ware

Nay: 1 - Reid Foltyniewicz

Enactment No: Ordinance 7896

President Keith Giagnorio noted that the review of the video gaming proposal has been a long road. He indicated he was glad that the matter has been addressed and the Board has reviewed video gaming and has now voted on the matter. He also noted being a small business owner himself, and in times like these, he is glad the Village can help small business owners in some small way by approving video gaming for those establishments that want to offer video gaming.

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Anthony Puccio, seconded by Trustee Reid Foltyniewicz, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 3, 2020 via zoom be recessed to Executive Session for the purpose of discussion of Approval of Executive Session Minutes and the Review of Executive Session Minutes to Determine Whether the Need for Confidentiality Still Exists as to Those Executive Session Minutes Which Have not Previously Been Made Available for Public Inspection and to discuss Collective Negotiating Matters. 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 regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 3, 2020 in the Board Room of the Lombard Village Hall via zoom was called to order at 7:36 pm by Village President Keith Giagnorio.

- 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 Anthony Puccio, seconded by Trustee Dan Militello, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 3, 2020 in the Board Room of the Lombard Village hall be adjourned at 7:37 p.m. The motion carried by the following vote:

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