

# Village of Lombard

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



## Minutes

**Thursday, December 17, 2015**

**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; Bill Johnston, District Four;*

*Robyn Pike, 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, December 17, 2015 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:31 p.m. Village Clerk Sharon Kuderna led the Pledge of Allegiance.

## II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

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  
Assistant Fire Chief Jerry Howell  
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 Dan Whittington, seconded by Trustee Bill Ware, that the minutes of the regular meeting of the President and Board of Trustees of December 3, 2015 be approved. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

## VI. Committee Reports

### Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson

No report

### Community Relations Committee - Trustee Robyn Pike, Chairperson

No report

**Economic/Community Development Committee - Trustee Bill Johnston,  
Chairperson**

Trustee Bill Johnston, Chairperson of the Economic & Community Development Committee, reported that the committee had met. The committee reviewed the LTC funding request and is recommending approval of the \$60,000 request; approved the loan request for Babcock's Grove restaurant and received an update from LTC.

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

No report

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

Trustee Dan Whittington, Chairperson of the Public Safety and Transportation Committee, reported the committee met. The request for stop signs at Harrison and Norbury was tabled, the committee recommended relaunching vehicle immobilization measures and the Police Department provided an update on the Child Safety Seat Program.

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

Trustee Bill Ware, Chairperson of the Public Works and Environmental Concerns Committee, reported the committee had met. The committee reviewed the solid waste contract, made recommendations to reduce certain costs resulting in a 1% upfront cost reduction and is recommending approval to renew the solid waste contract which will come to the Village Board in January. He thanked staff for their work on this contract.

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

No report

**Lombard Historical Commission**

No report

## VII. Village Manager/Village Board Comments

Trustee Dan Whittington commented on the Lombard Fire Department Toy Drive and noted the huge success of the event.

Trustee Reid Foltyniewicz commented on the Chamber Holiday Luncheon and noted the many holiday events during the month of December.

Trustee Bill Ware wished President Giagnorio a happy early birthday.

Village Clerk Sharon Kuderna read the following announcements: Village Offices will be closed December 24th and December 25th and January 1st; Village offices will close at 4:30 pm on December 21st and December 28th instead of the usual 7pm; the next Village Board meeting will be January 7th.

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A.     [150557](#)           **Approval of Village Payroll**  
For the period ending November 28, 2015 in the amount of \$888,363.98.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**
- B.     [150558](#)           **Approval of Accounts Payable**  
For the period ending December 4, 2015 in the amount of \$983,179.72.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**
- C.     [150568](#)           **Approval of Accounts Payable**  
For the period ending December 11, 2015 in the amount of \$1,460,454.09.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**

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

- D.     [150316](#)           **Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**  
Revising the Class "M" liquor license category to reflect a transfer of assets from J. Richard Oltmann Enterprises, Inc. d/b/a Enchanted Castle to FPS, LLC d/b/a Enchanted Castle located at 1103 S. Main

Street effective January 1, 2016. (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 7101, 7157

E. [150504](#)

**North Glenview Avenue Speed Limit Reduction Request**

Recommendation from the Public Safety and Transportation Committee to reduce the speed limit to 25 mph. Staff requests a waiver of first reading. (DISTRICT #1)

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

Enactment No: Ordinance 7158

F. [150570](#)

**Ordinance Amendment to Chapter 151 of the Village Code - Lien Provisions for Stormwater Variances**

Ordinance amending Ordinance No. 5211, adopted November 7, 2002, in regard to the granting of a variation from the provisions of Chapter 151, Section 151.55 of the Lombard Village Code in regard to the stormwater detention/retention basin requirement. (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 7159

F-2. [150561](#)

**Street Sweeper Purchase**

Award of a contract to Standard Equipment Company in the amount of \$197,484.00; and approval of an ordinance declaring Village unit ST377 as surplus and authorizing its sale. Staff requests a waiver of first reading. Bid in compliance with Public Act 85-1295.

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

Enactment No: Ordinance 7160

**Other Ordinances on First Reading**

**Ordinances on Second Reading**

G. [150523](#)

**Proposed Text Amendments to Chapter 94 - Nuisances**

Recommendation for approval of an Ordinance amending Article IX, Chapter 94, Section 94.04 of the Lombard Village Code in regard to nuisances. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7161

- H. [150533](#) **Water Meter Accuracy**  
Amending Article V, Chapter 41, Section 51.14 of the Lombard Village Code with regard to water meter accuracy.  
**This Ordinance on Second Reading was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7162

## Resolutions

- I. [150541](#) **Fairview Lift Station Improvements, Change Order No. 2**  
Reflecting an increase to the contract with John Neri Construction Company, Inc. in the amount of \$18,682.78. (DISTRICT #6)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 87-15
- J. [150545](#) **Transmission Main, Resident Engineering**  
Approving an Agreement with Baxter & Woodman, Inc. in the amount of \$280,468.00 for resident engineering services. (DISTRICT #6)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 88-15
- K. [150548](#) **Lombard Meadows, Phase 2 & Circle Avenue, Change Order No. 5**  
Reflecting an increase to the contract with R.W. Dunteman Company in the amount of \$20,291.69. (DISTRICT #6)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 89-15
- L. [150552](#) **2015 Sewer Lining Program, Final Balancing Change Order No. 1**  
Reflecting a decrease to the contract with SAK Construction, LLC, in the amount of -\$21,548.50. (DISTRICTS - ALL)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 90-15
- M. [150553](#) **2015 Driveway Apron, Curb & Sidewalk Restoration Program, Final Balancing Change Order No. 3**  
Reflecting a decrease to the contract with Strada Construction Company in the amount of -\$52,919.48. (DISTRICTS - ALL)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 91-15
- N. **Resolution Adopting Waddell and Reed 457 Deferred Compensation Plan (This item was moved to IX-B)**

- O. [150569](#)      **Resolution Authorizing an Agreement with Marquardt & Company for Lobbying Services**  
Resolution authorizing an Agreement between the Village of Lombard and Roger C. Marquardt & Company to provide lobbyist services from January 1, 2016 through December 31, 2016 in the amount of \$4,000 per month.

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

Enactment No: R 92-15

### Other Matters

- P. [150560](#)      **2016 Streetlight Maintenance Contract Extension**  
Request for a waiver of bid and award of a contract to Meade Electric in the amount of \$31,939.20. Public act 85-1295 does not apply. (DISTRICTS - ALL)

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

- Q. **Street Sweeper Purchase (This item was moved to VIII-F2)**

- R. [150562](#)      **2016 Maintenance of Traffic Control Equipment, Contract Extension**  
Request for a waiver of bids and award of the 2016 contract option to H&H Electric Company in the amount of \$52,081.20. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

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

- S. [150563](#)      **ESRI Platform License Agreement**  
Request for a waiver of bids and award of a contract to ESRI, the sole supplier, in the amount of \$45,000 over three (3) years for the purchase of the ArcGIS software. Public Act 85-1295 does not apply.

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

- T. [150525](#)      **PC 15-27: Yorktown Commons Planned Development (Request for continuance to the January 7, 2016 meeting)**  
The petitioner requests that the Village take the following actions on the subject property located within the B3PD Community Shopping District Planned Development (Yorktown Shopping Center and Yorktown Peripheral Planned Developments):  
**PC 15-27A: Yorktown Shopping Center Planned Development**  
Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Yorktown Shopping Center Planned Development, as established by Ordinance No. 1172, and any companion zoning approvals, as follows:

1. A change to the geographical extent of the previously approved planned development and any companion zoning approvals;
2. Amend Section 3 (d) of Ordinance No. 1172 (Yorktown Shopping Center Planned Development) to read as follows: Off-Street Parking. There shall be required in lieu of all other off-street parking regulations of the Lombard Zoning Ordinance the construction and maintenance of a minimum of ~~7,500~~ **6,800** parking spaces; and
3. Approve a Major Plat of Subdivision.

**PC 15-27B: Yorktown Peripheral Planned Development**

Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Yorktown Peripheral Planned Development, as established by Ordinance No. 3962, and any companion zoning approvals, as follows:

1. A change to the geographical extent of the previously approved planned development and any companion zoning approvals; and

**PC 15-27C: Yorktown Commons Planned Development**

Pursuant to Section 155.502 (F) (3) of the Lombard Zoning Ordinance, approve a conditional use for a planned development with the following companion deviations, use exceptions, and variations:

1. Deviations and variations from the B3 Community Shopping District's lot and bulk requirements, Sections 155.415 (D), (E), (F), (G), (H), (I), (J), and (K) of the Lombard Zoning Ordinance, to allow for the establishment of a form-based code based upon lot, bulk, and design standards and guidelines as set forth within the "Yorktown Commons Planned Development Design Guidelines" included within the petitioner's submission;
2. To approved the "Yorktown Commons Planned Development Design Guidelines" as the preliminary plan for the subject property and to extend the timeframe for the final plan approval as set forth in the "Yorktown Commons Planned Development Design Guidelines;"
3. A variation from Section 155.508 (B)(3) of the Lombard Zoning Ordinance to allow for use exceptions, ground-floor residential dwelling units, for more than forty percent (40%) of the site area or more than forty percent (40%) of the total floor area, whichever is less;
4. A variation from Section 155.707 to waive transitional landscape yard requirements where residential uses are proposed in the B3 zoning district; and
5. A variation from the Planned Development Standards, Article IX of the Lombard Zoning Ordinance, to establish the process for administration of the Yorktown Commons Planned Development as forth in Section IV of the "Yorktown Commons Planned Development Design Guidelines" and granting site plan



approval authority to the Plan Commission, pursuant to Section 155.511 of the Lombard Zoning Ordinance. (DISTRICT #3)

**This Request was continued to January 7, 2016 on the Consent Agenda**

- U. [150529](#) **2016 Insurance Renewal**  
Recommendation from the Finance and Administration Committee of the final negotiated costs for the 2016 Insurance Program.

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

- V. [150530](#) **Local Debt Recovery Program**  
Recommendation from the Finance Committee that the Village enter into an Intergovernmental Agreement (IGA) with the Illinois Office of the Comptroller (IOC) and regarding Access to the Comptroller's Local Debt Recovery Program (LDRP).

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

**W. Agreement with Fraternal Order of Police (This item was moved to IX-C)**

- X. [150566](#) **Plat of Easement Abrogation - 300 W. 22nd Street (Spectrum Assisted Living)**  
Motion approving a Plat of Easement Abrogation for a small portion of the stormwater detention easement that overlaps the generator pad located at 300 W. 22nd Street. (DISTRICT #3)

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

**Approval of the Consent Agenda**

**A motion was made by Trustee Bill Ware, seconded by Robyn Pike, to Approve the Consent Agenda The motion carried by the following vote**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

**IX. Items for Separate Action**

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

- A. [150571](#) **Amending the Budget Ordinance**  
Recommendation that the Village Board not adopt an Ordinance amending the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A Bonds and the Series 2005-B Bonds for the Hotel and Conference Center, in response to the request from the Lombard Public Facilities Corporation to do so. (2/3 Vote Required)

**A motion was made by Trustee Dan Whittington, seconded by Trustee Reid Foltyniewicz, that the Village Board not adopt an Ordinance amending the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A**

**Bonds and the Series 2005-B Bonds for the Hotel and Conference Center. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

## Other Ordinances on First Reading

## Ordinances on Second Reading

## Resolutions

**B. [150564](#) **Resolution Adopting Waddell and Reed 457 Deferred Compensation Plan****

Recommendation for the addition of Waddell and Reed 457 Deferred Compensation Plan as a third deferred compensation plan option for employees.

Trustee Reid Foltyniewicz indicated that he was going to abstain from voting on this matter as he is a client of this firm and he did not want it to appear that there was any conflict of interest.

**A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, that the Resolution approving Waddell and Reed 457 Deferred Compensation Plan as a third compensation plan option for Village employees be adopted. The motion carried by the following vote:**

**Aye:** 5 - Dan Whittington, Mike Fugiel, Bill Johnston, Robyn Pike, and Bill Ware

**Abstain:** 1 - Reid Foltyniewicz

Enactment No: R 93-15

## Other Matters

**C. [150565](#) **Agreement with Fraternal Order of Police****

Approval of an agreement between the Fraternal Order of Police and the Village of Lombard. Contract begins January 1, 2016 and ends December 31, 2019.

Trustee Reid Foltyniewicz indicated that he was going to abstain from voting on this matter as he is a Police Officer in a neighboring community and he did not want it to appear that there was any conflict of interest.

**A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that the Agreement between the Fraternal Order of Police and the Village of Lombard for the period of January 1, 2016 through December 31, 2019 be approved. The motion carried by the following vote:**

**Aye:** 5 - Dan Whittington, Mike Fugiel, Bill Johnston, Robyn Pike, and Bill Ware

**Abstain:** 1 - Reid Foltyniewicz

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

## **XI. Executive Session**

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees held on Thursday, December 17, 2015 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:47 p.m. for the purpose of discussion of The Acquisition of Real Property. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, 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 17, 2015 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:00 p.m. Upon roll call by Village Clerk Sharon Kuderna, the following were:

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

## **XIII Adjournment**

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**A motion was made by Trustee Reid Foltyniewicz, seconded by Robyn Pike, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 17, 2015 in the Board Room of the Lombard Village hall be adjourned at 8:01 p.m. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware