

# **Village of Lombard**

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



## **Minutes**

**Thursday, December 19, 2019**

**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*

## 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 19, 2019 in the Board Room of the Lombard Village Hall was called to order at 7:00 p.m. by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

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

### 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 Roy Newton  
Fire Chief Richard Sander  
HR Director Kathy Dunne  
Deputy Village Clerk Janet Downer  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

## V. Approval of Minutes

A motion was made by Trustee Dan Militello, seconded by Trustee Andrew Honig, that the minutes of the regular meeting of December 5, 2019 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**

Trustee Anthony Puccio, Chairperson of the Economic & Community Development Committee, reported that at Monday night's meeting of the Economic & Community Development Committee (ECDC), the following actions were taken:

- (1) Staff introduced a Kane McKenna & Associates (KMA) Consultant Service Agreement for the Butterfield Yorktown TIF District. The Agreement will analyze selected properties for potential inclusion in the TIF District. The ECDC unanimously recommended that the Village Board direct the Village Manager sign the contract with KMA.
- (2) Staff also introduced text amendments to the Village Code and Policies pertaining to waste within parkways. The ECDC unanimously recommended approval of a modification to time limits in which waste can be placed within the parkway from 12 hours to 24 hours prior to the scheduled waste collection day and removal of waste containers from the public rights of way from 12 hours to 24 hours after the scheduled waste collection day. The ECDC also provided direction and concurrence relative to enforcement policies.
- (3) The ECDC also received updates regarding the 2020 Community Development Work Program, the 101 - 109 S. Main Street Property and the public unveiling and communication pertaining to CitizenServe Software.

The next meeting of the ECDC will be on Monday, January 13, 2020 at 7:00 p.m. at the Village Hall.

**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**

Trustee Bill Ware, Chairperson of the Public Works & Environmental

Concerns Committee, reported the committee met and reviewed a proposed amendment to the commercial recyclers code and approved change orders.

### **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**

Trustee Bill Ware spoke of a number of December birthdays and wished Carol Bauer, Sharon Kuderna, Andrew Honig and Keith Giagnorio happy December birthdays.

Deputy Clerk Janet Downer read the following announcements: Village Offices are closed on Tuesday and Wednesday, December 24 and 25th as well as Wednesday, January 1 in observance of the Christmas and New Year holidays.

The Lombard Police Department will be out in full force over the holiday period and will be ticketing impaired drivers, as well as enforcing seat belt, speeding and distracted driving violations. Make it a safe holiday. Drive sober, or get pulled over.

Residents can recycle their old holiday lights by placing them in the bin at the Public Works facility through January 17th. Residents can recycle their Christmas trees at no charge. Trees (free of tinsel and decorations) can be placed at the curb beginning January 6th and running through January 17th.

The January Village Board meetings have been changed to the January 9th and January 23rd. Village Board meetings begin at 7:00 pm and are open to the public.

Every two seconds, someone needs blood. Make that New Year's resolution - be someone's hero - save a life - become a blood donor. The winter blood drive is scheduled for Wednesday, January 15 from 8:00 am until 1:00 pm at Yorktown and from 1:30 pm to 7:00 pm at the Village Hall. All donors will receive a coupon for a free pint of Culver's frozen custard as well as a coupon for \$10 at Noodles and Company.

On behalf of the Village Board and staff, we want to wish each and every

one a very happy holiday season and all the best in the New Year!!!!

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [190483](#)      **Approval of Accounts Payable**  
For the period ending December 6, 2019 in the amount of \$422,004.98.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [190499](#)      **Approval of Village Payroll**  
For the period ending December 7, 2019 in the amount of \$985,523.30.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [190500](#)      **Approval of Accounts Payable**  
For the period ending December 13, 2019 in the amount of  
\$1,017,621.96.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- D. [190490](#)      **Repeal of Ordinance 1267 Regarding Fairview Sanitary Lift Station Connection Fees**  
Ordinance repealing Ordinance No. 1267, adopted June 5, 1967, entitled, "An Ordinance Providing For the Collection of Certain Fees and Costs in Connection With the Oversized Construction of the Sanitary Sewer Lift Station on Fairview," as recorded on June 13, 1969, with the DuPage County Recorder's Office, as Document Number R69-25930. With the repeal of the Ordinance, the fees and costs will no longer be collected. 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 7764
- E. [190496](#)      **Amending Title XI, Chapter 112, Section 112.39(B) of the Lombard Village Code - Live Entertainment on the Licensed Premises**  
Ordinance amending Title XI, Chapter 112, Section 112.39(B) changing the time period for live entertainment licenses to be consistent with liquor licensing term dates. 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 7765

E-2. [190508](#)**Ordinance Amending Title XIII, Chapter 134 of the Lombard Village Code in Regard to Drug-Related Offenses**

Ordinance amending Title XIII, Chapter 134 of the Lombard Village Code as it pertains to the legalization of cannabis as of January 1, 2020.

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

Enactment No: Ordinance 7766

**Other Ordinances on First Reading**F. [190492](#)**Commercial Recyclers Code - Amendment Regarding Terms and Conditions**

Recommendation of the Public Works & Environmental Concerns Committee to approve an Ordinance amending Title XI, Chapter 124 of the Lombard Village Code in regard to commercial recyclers. The Ordinance clarifies further the materials that commercial recyclers can collect.

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

Enactment No: Ordinance 7770

**Ordinances on Second Reading****Resolutions**G. [190481](#)**FY2019 Sidewalk Saw Cutting, Final Balancing Change Order No. 1**

Reflecting an increase to the contract with Hard Rock Concrete Cutters, Inc. in the amount of \$7,691.50.

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

Enactment No: R 50-19

H. [190487](#)**FY2019 Concrete Rehabilitation, Final Balancing Change Order No. 2**

Reflecting a decrease to the contract with G&M Cement Construction, Inc. in the amount of \$34,317.70. (DISTRICTS - ALL)

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

Enactment No: R 51-19

I. [190488](#)**Traffic Signal at Finley Road and Oak Creek Drive, Final**

**Balancing Change Order No. 3**

Reflecting an increase to the contract with Home Towne Electric in the amount of \$6,633.14. (DISTRICTS #2 & #3)

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

Enactment No: R 52-19

J. [190495](#)

**Review of Executive Session Minutes - 2019**

Resolution authorizing the Village Clerk to make certain Closed Session Meeting Minutes available for public inspection (2019).

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

Enactment No: R 53-19

**Other Matters**

K. [190484](#)

**Parkway Tree Trimming and Demand Trimming/Cabbling**

Request for a waiver of bids and award of a contract to D Ryan Tree and Landscape LLC in the amount of \$65,000.00. This service was bid October 19, 2018 and the initial contract covered a period from January 1, 2019 through December 31, 2019, with two optional one year extensions upon mutual agreement. This request represents the first one year extension. (DISTRICTS - ALL)

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

L. [190485](#)

**Grass and Weed Mowing**

Award of a contract to Beary Landscape Management, the sole bidder, in the amount of \$71,100.00. (DISTRICTS - ALL)

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

M. [190486](#)

**Specialty Landscaping and Bed Maintenance**

Request for a waiver of bids and award of a contract to Beary Landscape Management in the amount of \$66,630.00. This service was bid February 2, 2018 and the initial contract covered a period from March 1, 2018 through December 31, 2018, with two optional one year extensions upon mutual agreement. This request represents the second one year extension. (DISTRICTS - ALL)

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

N. [180480](#)

**Temporary Employment Agreement for Plan Review/Inspector Services**

Staff requests that the Village Board authorize the signature of the Village Manager on a Temporary Employment Agreement with Theodore Kloris for plan review services to assist the Community Development Department on an as-needed basis throughout 2020.

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 Whittington, 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

### Ordinances on Second Reading

### Resolutions

### Other Matters

#### A. [190453](#)

#### **ZBA 19-07: 201 W. Madison Street**

The petitioner requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:

1. Grant approval of a variation from Section 155.205(A)(1)(c)(ii) of the Lombard Village Code to allow for a six foot (6') high solid fence in a corner side yard; and
2. Grant approval of a variation from Section 155.205(A)(1)(e) of the Lombard Village Code to allow for a six foot (6') high solid fence in the clear line of sight area of a driveway

This item received a denial recommendation from the Zoning Board of Appeals (ZBA). (DISTRICT #6) (Requires at least 4 Trustee Votes to overturn the denial)

Trustee Bill Ware asked that the Village Board concur with continuing this matter to the next Village Board meeting as he was reviewing various options with the property owner and residents. He also invited the Trustees to view the site.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that this matter be continued to the January 9, 2020 Village Board meeting. The motion carried by the following vote:

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



## X. Agenda Items for Discussion

## XI. Executive Session

A motion was made by Trustee Andrew Honig, seconded by Trustee Bill Ware, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 19, 2019 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:13 p.m. for the discussion of 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 19, 2019 in the Board Room of the Lombard Village Hall was called to order at 7:53 p.m. by Village President Keith Giagnorio.

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

1 - Sharon Kuderna

## XIII Adjournment

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A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Anthony Puccio, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 19, 2019 in the Board Room of the Lombard Village Hall be adjourned at 7:54 p.m. The motion carried by the following vote:

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