

# **Village of Lombard**

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



## **Meeting Minutes**

**Thursday, May 19, 2011**

**7:30 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

*Village President: William J. Mueller*

*Village Clerk: Brigitte O'Brien*

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

## I. Call to Order and Pledge of Allegiance

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*The regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by Village President William J. Mueller at 7:33 pm Thursday, May 19, 2011 in the Board Room of the Lombard Village Hall. The Lombard Police Department Honor Guard Posted the Colors and led the Pledge of Allegiance.*

## II. Roll Call

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

**Absent:** Trustee Laura Fitzpatrick and Trustee Bill Ware

*Staff Present:*

*Acting Village Manager/Director of Finance Tim Sexton*

*Director of Community Development Bill Heniff*

*Director of Public Works Carl Goldsmith*

*Chief of Police Ray Byrne*

*Fire Chief Mike Torrence*

*Executive Coordinator Carol Bauer*

## III. Public Hearings

None

## IV. Public Participation

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*Tom Masterson, 128 W. St. Charles Road, spoke about the grant for the Cabinet Depot store at 14 W. St. Charles. He noted the letter from the accountant indicated 83% wholesale and 17% retail sales. The Grant program calls for 25% retail to comply. He felt that sales tax was a poor justification for the retail grant to be awarded. He questioned awarding a retail grant to this business. He felt the Village had awarded a \$11,700 grant to a wholesale business which does not meet the standards of the retail grant program. He asked for reconsideration.*

*Lyn Magnavite, 69 N. Elizabeth, spoke about the retail grant for Cabinet Depot. She indicated she respected Mr. Masterson's comments and his thorough review of the documents, but felt it was encouraging a business to the downtown area and filling a vacant store. She felt the grant program should be reviewed.*

*Dan Whittington, 39 N. Elizabeth, Lombard Town Centre President, spoke about stores that had opened including the bridal shop, Shannon's Butcher Shop, a deli, the cabinet store, and a store selling new and used dance apparel. He indicated there were more meetings scheduled the following week and he hoped for additional businesses coming to downtown Lombard and vacancies being filled.*

**Swearing-in - Deputy Chief Tom Wirsing**

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*Chief Ray Byrne introduced Tom Wirsing and spoke of his service to the Village and the*

*Police Department.*

*Village Clerk Brigitte O'Brien issued the Oath of Office to Deputy Chief Tom Wirsing. Deputy Chief Wirsing thanked the Village and introduced his family.*

#### **Sustainability Award**

Awarded to Dustin Smith, 41 S. 2nd Avenue.

[Play Video](#)

*Director of Community Development Bill Heniff called Dustin Smith to the front. He spoke of a major remodeling job that Mr. Smith had done and highlighted the improvements he had made. He stated this was the first award of this type being given out by the Village.*

*Mr. Smith indicated the project started due to a hardship, that of a house fire and that he tried to do eco-friendly improvements. He thanked his girlfriend and the Village and encouraged other residents to do the same.*

#### **Proclamation - DuPage County River Sweep**

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*Village Clerk Brigitte O'Brien read the proclamation for DuPage County River Sweep Day.*

*President Mueller thanked Assistant Public Works Director Dave Gorman for his work in the project.*

#### **Proclamation - Skin Cancer Detection Month**

[Play Video](#)

*Village Clerk Brigitte O'Brien read the proclamation for Skin Cancer Detection Month. President Mueller stated he had been diagnosed with cancer in 1984 and 1989 and reminded residents to take precautions.*

#### **Proclamation - National Police Week**

[Play Video](#)

*Village Clerk Brigitte O'Brien read the proclamation for National Police Week.*

*President Mueller presented the proclamation to Chief of Police Ray Byrne.*

*Chief Byrne spoke about the national monument in Washington in memory of all fallen police officers. He spoke of the Open House being hosted at the Police Department this Saturday.*

## **V. Approval of Minutes**

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**It was moved by Trustee Wilson, seconded by Trustee Giagnorio, to approve Minutes of the Regular Meeting of May 5, 2011 The motion carried by the following vote:**

**Aye:** 4 - Gron, Giagnorio, Wilson and Breen

**Absent:** 2 - Fitzpatrick and Ware

## **VI. Committee Reports**

### **Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson**

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*Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, was absent so there was no report.*

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

*Bill Ware, Chairperson of the Economic and Community Development Committee, was absent so there was no report.*

**Environmental Concerns Committee - Trustee Laura Fitzpatrick, Alternate Chairperson**[Play Video](#)

*Director Carl Goldsmith reported the Environmental Concerns Committee had not met. The next meeting is scheduled for May 24th.*

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

*Trustee Zach Wilson, Chairperson of the Finance Committee, reported the committee had not met. The next meeting is scheduled for May 23rd.*

**Public Works Committee - Trustee Greg Gron, Chairperson**[Play Video](#)

*Trustee Greg Gron, Chairperson of the Public Works Committee, reported the committee had met. He noted there were four items on the Consent Agenda and asked for concurrence. He stated the Village was receiving good prices and taking advantage of the good prices. The next meeting is scheduled for June 14th.*

**Transportation & Safety Committee - Trustee Keith Giagnorio, Chairperson**[Play Video](#)

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

**Board of Local Improvements - Trustee Greg Gron, President**[Play Video](#)

*Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met. The next meeting is scheduled for June 8th.*

**Community Promotion & Tourism - President William J. Mueller, Chairperson**[Play Video](#)

*President William Mueller, Chairperson of the Community Promotion and Tourism Committee, reported the committee had not met.*

**Lombard Historical Commission - Clerk Brigitte O'Brien**[Play Video](#)

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

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

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*Village President Mueller thanked the parade committee and residents who came out for the Lilac Parade despite the weather. He felt the turnout was great. He reminded residents of the Memorial Day service to be held at the Commons Park.*

**VIII. Consent Agenda**[Play Video](#)

*Trustee Wilson spoke about the policy indicating the Village would not be responding to anonymous questions or letters. He did say that e-mails received were not considered anonymous.*

**Payroll/Accounts Payable**

- A. Approval of Accounts Payable**  
For the period ending May 6, 2011 in the amount of \$212,020.52.

**This Matter was approved on the Consent Agenda.**

- B. Approval of Village Payroll**  
For the period ending May 7, 2011 in the amount of \$797,320.62.

**This Matter was approved on the Consent Agenda.**

- C. Approval of Accounts Payable**  
For the period ending May 13, 2011 in the amount of \$242,637.80.

**This Matter was approved on the Consent Agenda.**

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

- D. PC 11-10: 1000 N. Rohlwing Road, Suite 13 (Continued from May 5, 2011)**  
Requests that the Village grant a conditional use, pursuant to Section 155.415 (C) (20) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B3PD Community Shopping Center Planned Development District. (DISTRICT #1)

**This Matter was passed on first reading on the Consent Agenda.**

**Enactment No:** Ordinance 6619

- E. ZBA 11-03: 1147 E. Adams Street**  
Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:
1. A variation from Section 155.205(A)(1)(c)(2) of the Lombard Zoning Ordinance to increase the maximum allowable fence height in a corner side yard from four feet (4') to

six feet (6'). (DISTRICT #6)

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

**Enactment No:** Ordinance 6620

F.

**ZBA 11-04: 1155 S. Fairfield Avenue**

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

1. A variation from Section 155.407(F)(1)(a)(6) of the Lombard Zoning Ordinance to allow a detached single family residence to be constructed more than fifty (50) feet from the front lot line. (DISTRICT #6)

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

**Enactment No:** Ordinance 6621

\*G. Salary Ordinance (Moved to IX-A-1)

H.

**Amending Title 11, Chapter 112 of the Lombard Village Code**

Revising the Class "N" liquor license into two categories and revising the descriptions and fees. (DISTRICT #1)

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

**Enactment No:** Ordinance 6622

### **Other Ordinances on First Reading**

I.

**PC 09-08: 331 W. Madison Street (CPSA)**

Granting a further time extension to Ordinance 6347 extending the time period for construction of the conditional use for a planned development and a school for an additional twelve month period (June 18, 2012). (DISTRICT #6)

**This Matter was passed on first reading on the Consent Agenda.**

**Enactment No:** Ord. 6346 6347 6481

J.

**PC 09-15: 275 W. Roosevelt Road (Roundheads Pizza)**

Granting a further time extension to Ordinance 6341 extending the time period for construction of the conditional use approval of an outdoor dining area for an additional twelve month period (June 3, 2012). (DISTRICT #2)

**This Matter was passed on first reading on the Consent Agenda.**

**Enactment No:** Ordinance 6488

**Ordinances on Second Reading****Resolutions**

- K.**                   **1 E. St. Charles Road**  
Authorizing signatures of the President and Clerk on a Temporary Construction Easement for the purpose of repairing a decorative privacy wall. (DISTRICT #1)
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** R03-08 & R 105A-11
- L.**                   **Lombard Town Centre - Request for Funding**  
Providing funding (through the end of the 2011 calendar year) for Lombard Town Centre as the Official Illinois Main Street Program Organization serving the Village of Lombard for FY 2011.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** Resolution 106-11
- M.**                   **FY2012 Concrete Rehabilitation and Cuts Patching, Change Order No. 1**  
Reflecting an increase of \$150,391.20 to the contract with G & M Cement Contractors. (DISTRICTS - ALL)
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** Resolution 107-11
- N.**                   **Highland Avenue (22nd-Butterfield) Final Balancing Change Order No. 1**  
Reflecting an increase to the contract with Illinois Department of Transportation (IDOT) in the amount of \$130,328.49. (DISTRICT #3)
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** Resolution 108-11
- O.**                   **2012 Driveway Apron & Sidewalk Restoration Program Change Order No. 1**  
Reflecting an increase to the contract with Strada Construction in the amount of \$70,501.00. (DISTRICTS - ALL)
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** Resolution 109-11
- P.**                   **FY2011 Sewer Lining Program, Change Order No. 1**  
Reflecting an increase to the contract with Insituform Technologies USA in the amount of \$21,672.50. (DISTRICTS - ALL)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 110-11

**Q.**

**Agreement with Andy Frain Services, Inc.**

Authorizing the Village Manager to sign an Agreement with Andy Frain Services, Inc. providing for crossing guard services.

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 111-11

**\*R2.**

**Lobbyist Services**

Resolution authorizing an Agreement with Roger C. Marquardt & Company, Inc. for lobbying services from June 1, 2011 through May 31, 2012.

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 113-11

**R.**

**Northern Illinois Municipal Electric Cooperative (NIMEC)**

Authorizing the Northern Illinois Municipal Electric Cooperative (NIMEC) to serve as the broker for the Village of Lombard with regard to obtaining bids from electricity providers and authorizing the Village Manager or Director of Finance to approve a contract with the lowest cost electricity provider.

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 112-11

**Other Matters**

**S.**

**Water Meter Reading Services**

Request for a waiver of bids and a one-year contract extension for Rickman Contract Service, Inc. in the amount of \$48,960.00. Public Act 85-1295 does not apply.

**This Matter was approved on the Consent Agenda.**

**T.**

**Emergency Water & Sewer Repairs**

Request for a waiver of bids and award of a contract to John Neri Construction Company, Inc. in an amount not to exceed \$75,000.00. Public Act 85-1295 does not apply.

**This Matter was approved on the Consent Agenda.**

**U.**

**Sewer Stub Rodding**

Request for a waiver of bids and award of a contract to All Plumbing & Sewer Services,



Inc. in the amount of \$ 50,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

**This Matter was approved on the Consent Agenda.**

**V.**

**Tree & Stump Removal**

Award of a contract to Ciosek Tree Service, the lowest responsible bid of nine bidders, in the amount of \$27,750.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

**This Matter was approved on the Consent Agenda.**

**W.**

**Parkway Tree Trimming**

Award of a contract to Nels J. Johnson Tree Experts, the lowest responsible bid of nine bidders, in the amount of \$49,030.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

**This Matter was approved on the Consent Agenda.**

**X.**

**FY 2012 Asphalt Paving And Patching Program**

Award of a contract to R.W. Dunteman Company, the lowest responsible bid of six bidders, in the amount of \$571,477.43. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

**This Matter was approved on the Consent Agenda.**

**\*Z.**

**Village Board Policy**

Approving a Communications Response Policy for the Village Board Policy Manual as revised.

**This Matter was approved on the Consent Agenda.**

**Y.**

**Appointments - Committee Chairpersons and Co-chairpersons**

Appointments of the Committee Chairpersons and Co-Chairpersons for the Village Standing Committees.

**This Matter was approved on the Consent Agenda.**

## **Passed The Consent Agenda**

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

**The motion carried by the following vote:**

**Aye:** 4 - Gron, Giagnorio, Wilson and Breen

**Absent:** 2 - Fitzpatrick and Ware

## IX. Items for Separate Action

\*A-1.

### Salary Ordinance

Approving rates of pay for Village employees.

[Play Video](#)

**It was moved by Trustee Wilson, seconded by Trustee Breen, that this matter be tabled to table to June 2, 2011 The motion carried by the following vote:**

**Aye:** 4 - Gron, Giagnorio, Wilson and Breen

**Absent:** 2 - Fitzpatrick and Ware

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

### Other Ordinances on First Reading

A.

#### ZBA 11-02: 403 W. Ethel Ave.

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

1. A variation from Section 155.205(A)(1)(c)(2) of the Lombard Zoning Ordinance to increase the maximum allowable fence height in a corner side yard from four feet (4') to six feet (6').
2. A variation from Section 155.205(A)(1)(e) of the Lombard Zoning Ordinance to allow a solid wood fence six feet (6') in height in the clear line of sight area. (DISTRICT #2)

[Play Video](#)

**It was moved by Trustee Giagnorio, seconded by Trustee Gron, that this matter be tabled to table to June 2, 2011 The motion carried by the following vote:**

**Aye:** 4 - Gron, Giagnorio, Wilson and Breen

**Absent:** 2 - Fitzpatrick and Ware

## Ordinances on Second Reading

\*B.

### Social Services Contract

Authorizing signatures of the Village President and Clerk on a one-year Contract with Association for Individual Development (A.I.D.) in the amount of \$25,000 for a Social Services program.

[Play Video](#)

*President Mueller indicated this recommendation had come from the Community Relations Committee.*

**It was moved by Trustee Giagnorio, seconded by Trustee Wilson, that this matter be adopted. The motion carried by the following vote:**

**Aye:** 4 - Gron, Giagnorio, Wilson and Breen

**Absent:** 2 - Fitzpatrick and Ware

**Enactment No:** Resolution 114-11

**Resolutions**

**Other Matters**

**X. Agenda Items for Discussion**

**XI. Executive Session**

**XII. Reconvene**

None

**XIII. Adjournment**

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*The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 19, 2011 in the Board Room of the Lombard Village Hall was adjourned at 8:35 pm.*

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

**Aye:** 4 - Gron, Giagnorio, Wilson and Breen

**Absent:** 2 - Fitzpatrick and Ware