

Village of Lombard

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



Minutes

Thursday, December 4, 2014

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; Peter Breen, District Four;

Laura Fitzpatrick, 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 4, 2014 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:30 p.m. Webelos, Den 3, Pack 42 from Hammerschmidt School posted the Colors and lead the Pledge of Allegiance.

II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

III. Public Hearings

IV. Public Participation

[140465](#)

Presentation - Certificate of Achievement in Financial Reporting

Village Manager Scott Niehaus indicated that the Village had received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the 27th consecutive year. He complimented staff for their hard work and diligence in achieving this award again.

V. Approval of Minutes

A motion was made by Trustee Mike Fugiel, seconded by Trustee Dan Whittington, that the minutes of the Regular Meeting of November 20, 2014 be approved. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

VI. Committee Reports

Community Relations Committee - Trustee Dan Whittington, Chairperson

No report

Economic/Community Development Committee - Trustee Laura Fitzpatrick, Chairperson

No report

Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson

No report

Finance Committee - Trustee Peter Breen, Chairperson

Trustee Peter Breen, Chairperson of the Finance Committee, reported the committee had met. The committee received an overview from Mike Nugent relative to the Village's 2015 Insurance Renewal Program which included only a 2% increase. The next meeting is January 26th.

Public Works Committee - Trustee Bill Ware, Chairperson

No report

Transportation & Safety Committee - Trustee Reid Foltyniewicz, Chairperson

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson

No report

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

Village Manager Scott Niehaus thanked Communications Coordinator Bridget Doyle for her hard work and wished her well in her new job. He noted her last day would be December 9th. Staff will review duties and responsibilities until a replacement is found. Resumes are being accepted through December 31st.

Trustee Reid Foltyniewicz congratulated Montini High School on taking second place in the State football championships. He announced that the Glenbard East Key Club will host a Craft Fair on Saturday. He reminded residents of Pearl Harbor Remembrance Day and that flags should be lowered to half staff.

Trustee Laura Fitzpatrick also thanked Bridget Doyle on her accomplishments especially in the area of social media and reaching out to the residents in so many ways. She noted that 1,000 dignitaries had recently been at The Westin to hear President George Bush speak about his new book and hoped this event would again be hosted at The Westin next year.

President Keith Giagnorio reminded residents of Jingle Bell Jubilee

from 5-9:30 pm on Saturday downtown Lombard; the tree lighting to be held at 6pm Saturday at Lilacia Park and the Fire Department Toy Drive to be held on Sunday, December 14 beginning at 10:30 am from Station One.

VIII Consent Agenda

Trustee Foltyniewicz thanked Trustee Whittington and the Community Relations Committee as well as staff and the Board for reviewing and recommending the Communications Policy listed on the Consent Agenda. He spoke of transparency, communication and open government.

Payroll/Accounts Payable

- A. [140463](#) **Approval of Village Payroll**
For the period ending November 15, 2014 in the amount of \$791,967.59.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [140464](#) **Approval of Accounts Payable**
For the period ending November 21, 2014 in the amount of \$767,241.94.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [140468](#) **Approval of Accounts Payable**
For the period ending November 28, 2014 in the amount of \$440,204.14.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [140440](#) **Communications Policy**
Recommendation from the Community Relations Committee to adopt a Communications Policy for the Village of Lombard.
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7023
- E. [140443](#) **PC 14-37: 105 - 129 E. Roosevelt Road and 1210 - 1220 S. Garfield Street, Famous Liquors Shopping Center**

Requests that the Village approve a conditional use for a planned development for the subject properties located within the B4A Roosevelt Road Corridor District, with a deviation from the Lombard Sign Ordinance, Section 153.505(B)(19)(b)(ii)(a) to allow for more than one wall sign for a tenant space. (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 7024

F. [140460](#)

Amending Title 11, Chapter 112, Section 112.13 (A) of the Lombard Village Code

Amending Title 11, Chapter 112 of the Lombard Village Code with regard to alcoholic beverages creating a new Class "S" Liquor License Category and granting a liquor license to Troika Brewing Company, LLC d/b/a Noon Whistle Brewing Company located at 800 E. Roosevelt Road, Unit C. (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 7026

G. [140473](#)

Acquisition of Property 7 E. St. Charles Road

Ordinance authorizing the acquisition of the property commonly known as 7 East St. Charles Road. (DISTRICT #4)

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

*G-2. [140478](#)

Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code

Revising the Class "C" liquor license category and granting a Class "C" liquor license to Bricks Wood Fired Pizza Inc. d/b/a Bricks Wood Fired Pizza & Cafe located at 132 W. St. Charles Road. (DISTRICT #1)

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

Enactment No: Ordinance 7027

Other Ordinances on First Reading

H. [140412](#)

PC 14-32: 510 E. 22nd Street; MMRE, LLC. (Request by petitioner for continuance to January 8, 2015)

Requests that the Village grant approval of a conditional use, pursuant to Section 155.412 (C) of the Village of Lombard Zoning Ordinance, to allow for a medical cannabis dispensing organization within the O Office Zoning District. (DISTRICT #3)

This Request was continued to January 8, 2015 at the request of the petitioner.

Ordinances on Second Reading**Resolutions**

- I. [140462](#) **Hill Avenue Bridge, Design Engineering Services, Phase 2**
Approving an agreement with Bollinger, Lach & Associates, Inc. in an amount not to exceed \$179,650.00. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 53-14
- J. [140466](#) **Ambulance Billing Services**
Authorizing the execution of a three (3) year contract with a three (3) year option with Andres Medical Billing Ltd. for ambulance billing services.
This Resolution was adopted on the Consent Agenda
Enactment No: R 54-14
- *K. Multi-Space Parking Pay Station (moved to VIII-*R)**
- L. [140470](#) **Voluntary Separation and Release Agreement**
Voluntary resignation agreement with the Village Engineer.
This Resolution was adopted on the Consent Agenda
Enactment No: R 55-14
- M. [140471](#) **Ridge Avenue Drainage Improvement Project**
Resolution approving an Agreement with Baxter and Woodman in an amount not to exceed \$51,465.00 for engineering costs associated with the Ridge Avenue Drainage Improvements Project Preliminary Design Engineering (Phase 1). (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 56-14
- N. [140472](#) **Lobbyist Services**
Resolution authorizing an Agreement with Roger C. Marquardt & Company to provide lobbyist services to the Village of Lombard from January 1 through December 31, 2015.
This Resolution was adopted on the Consent Agenda
Enactment No: R 57-14
- O. [140474](#) **Municipal Claims and Safety Agreement First Amendment**
Resolution authorizing the signature of the Village President on a First

Amendment to an Agreement with MCSA for claims services.

This Resolution was adopted on the Consent Agenda

Enactment No: R 58-14

Other Matters

- P. [140431](#) **2015 Sewer Stub Rodding**
Request for a waiver of bids and award of a contract to All Plumbing & Sewer Service, Inc. in an amount not to exceed \$60,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

- *Q. [140475](#) **Snow and Debris Hauling Contract PWO1403**
Award of a contract to Nagle Trucking and Material, the lowest responsible bidder of two bids, in an amount not to exceed \$90,500.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

- *R. [140467](#) **Multi-Space Parking Pay Station**
Request for a waiver of bids and award of a contract to Total Parking Solutions, Inc. in the amount of \$36,090 for the purchase and installation of three Cale CWT pay stations. (DISTRICTS #1 & #4)

This Bid was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, to Approve the Consent Agenda The motion carried by the following vote

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- A. [140442](#) **PC 14-36: 14 W. St. Charles Road, Balkan Bakery and Coffee Shop**
Requests that the Village grant approval of a conditional use, pursuant to Section 155.418 (C) of the Village of Lombard Zoning Ordinance, to allow for outside display and sales of products the sale of which is a permitted or conditional use in this district within the B5 Central Business District. (DISTRICT #1)

Village Manager Scott Niehaus indicated this item and two other companion items would normally be listed on the Consent Agenda, but were listed on Separate Action.

Trustee Laura Fitzpatrick, Chairperson of the ECDC, indicated that the guidelines relative to grants adopted by the ECDC provide stipulations relative to any committee members and their requests for grant funding if they have ownership in the property. This is the case with this matter and another means of the Village being transparent with grant funding.

A motion was made by Trustee Dan Whittington, seconded by Trustee Reid Foltyniewicz, that the ordinance relative to PC 14-36 for 14 W. St. Charles Road (Balkan Bakery and Coffee Shop) 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, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Ordinance 7028

Other Ordinances on First Reading

Ordinances on Second Reading

B. [140372](#)

Levy and Assessment of Taxes

Providing for the levy and assessment of taxes for the Fiscal Year beginning January 1, 2014 and ending December 31, 2014 for the Village of Lombard in the amount of Eight Million Seven Hundred Sixty Five Thousand Three Hundred Eighty One Dollars (\$8,765,381).

Motion: "That the Ordinance providing for the levy and assessment of taxes for Fiscal Year beginning January 1, 2014 and ending December 31, 2014 for the Village of Lombard as recommended by the Finance Committee, with a total levy amount of \$8,765,381, be passed on second reading, subject to the increase over last year's levy, in the total amount of \$97,467, being placed into the Village's reserves for the future needs of the Village."

Trustee Peter Breen indicated that the Board members had previously stated their views on this matter.

Trustee Dan Whittington asked if there could be a separate fund set up for these funds and that the funds then be earmarked for a certain project such as a Public Works item.

Village Manager Scott Niehaus indicated that the funds will be placed in a separate account, there is nothing earmarked at this time, and that he would bring any decision on use of these funds to the Board for review and approval.

Trustee Bill Ware asked for clarification.

Village Manager Scott Niehaus indicated that he would bring any suggested use for the funds to the Board for approval. This was to be under the Manager's authority for approval, but he felt it was better

that the Board review and approve any use of these funds.

A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, that the Ordinance providing for the levy and assessment of taxes for Fiscal Year beginning January 1, 2014 and ending December 31, 2014 for the Village of Lombard as recommended by the Finance Committee, with a total levy amount of \$8,765,381, be passed on second reading, subject to the increase over last year's levy, in the total amount of \$97,467, being placed into the Village's reserves for the future needs of the Village. The motion carried by the following vote:

Aye: 4 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, and Bill Ware

Nay: 2 - Peter Breen, and Laura Fitzpatrick

Enactment No: Ordinance 7029

C. [140373](#)

Budget Ordinance for Fiscal Year 2015

Approval of the proposed Annual Budget for the Fiscal Year beginning January 1, 2015 and ending December 31, 2015 in the amount of Ninety One Million Four Hundred Sixty Seven Thousand Three Dollars (\$91,467,003).

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the Budget Ordinance for the Village of Lombard for FY 2015 be passed on second reading. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Ordinance 7030

D. [140451](#)

Proposed Water/Sewer Rate Increase

Three Ordinances amending the Village Code as it relates to water and sewer rates for FY2015. The overall rate increase is 3.98% compared to the 4.15% increase on January 1, 2014. The capital rate portion of the water and sewer rates remain frozen at \$1.20 per 1,000 gallons until May 31, 2016 (FYE 2016). The unincorporated rate remains at 1.5 times the resident rate.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the three Ordinances amending the Village Code as they relate to Water and Sewer Rates for FY 2015 be passed on second reading. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Ordinances 7031, 7032, 7033

Resolutions

E. [140434](#)

Downtown Improvement and Renovation Grant - 14 W. St. Charles Road

Resolution approving a Downtown Improvement and Renovation Grant for the property commonly known as 14 W. St. Charles Road. (Balkan Bakery and Coffee) (DISTRICT #1)

Trustee Breen requested Community Development Director Bill Heniff to provide an overview of the business.

Director of Community Development Bill Heniff indicated the bakery will also serve soup and sandwiches. They have requested a facade grant as stipulated. In addition, they will offer outdoor seating by using the grassy area adjacent to the building.

Trustee Breen noted the grassy area had been an under-utilized lot that will now be used for outdoor seating for the bakery.

Trustee Fitzpatrick noted this was the second grant this year that was taking an under-utilized adjacent lot and transforming it into a great addition for the business and for the community. She talked about adding to the flavor of downtown.

Trustee Fugiel noted that the Village will have a vested interest in the business with the grant. He noted the success of the business depends on the residents and visitors patronizing the business.

Trustee Breen reminded residents that the grant funds come from the TIF and not from monies collected for property taxes, etc. TIF funds are specifically earmarked for downtown improvements within the TIF District.

A motion was made by Trustee Laura Fitzpatrick, seconded by Trustee Dan Whittington, that the Resolution approving a Downtown Improvement and Renovation Grant for the property located at 14 W. St. Charles Road be adopted. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: R 59-14

F. [140435](#)

Downtown Retail Business Grant Program - 14 W. St. Charles Road

Resolution approving a Downtown Retail Business Grant Program for the property commonly known as 14 W. St. Charles Road. (Balkan Bakery and Coffee) (DISTRICT #1)

A motion was made by Trustee Laura Fitzpatrick, seconded by Trustee Dan Whittington, that the Resolution approving a Downtown Retail business Grant for the property at 14 W. St. Charles Road be adopted. The motion carried by

the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: R 60-14

G. [140436](#)

Lombard Town Centre Request for Funding - Calendar Year 2015

Resolution providing funding for Lombard Town Centre as the Official Illinois Main Street Program Organization serving the Village of Lombard. (DISTRICTS #1 and #4)

Trustee Laura Fitzpatrick, Chairperson of the Economic & Community Development Committee, indicated the committee had reviewed the grant request of the Lombard Town Centre. She spoke of LTC having another banner year; the ECDC being delighted to approve the grant request; close to full occupancy in downtown; a thriving business district; how this is a labor of love; how LTC had out done themselves; how LTC's funding request has dropped to 67%; how LTC had worked to save two of the most important downtown buildings - the bank and the hotel; how there is a contract on the hotel building; ECDC unanimously approved the request.

Walter Smith, President of LTC, thanked the Board for believing in the work that the LTC was doing. He introduced LTC Director Sarah Richardt.

Sarah Richardt, LTC Director, provided the following overview: increase in business members from 16 in 2013 to 41 currently, a 150% increase; decrease in funding request from 87% in 2013 to 77% in 2014 equating to a 67% with in-kind donations, and including 1600 volunteer hours 47%; huge support from volunteers; spoke of new businesses opening; LTC was integral with the 19 W. St. Charles and 101 W. St. Charles Road properties; working with very interested party on purchase of hotel; new bakery opening; major fundraiser being developed similar to Ale Fest; LTC would work with a professional group with excellent track record on the fundraiser; similar event in other community made \$40,000; would hope to make \$10,000 on fundraiser and host a fun event; spoke of sponsorships and raffles and that LTC has made money at every event including Spooktacular; events still free to the public; will look at additional sponsorships; proud of what they have accomplished; proud to be part of the LTC; one business indicated that this was the best their business had been in 40 years; spoke of foot traffic and felt the Metra tunnel would help with foot traffic.

Trustee Whittington indicated LTC had done a great job; felt fundraising was important; inquired about in-kind donations.

Sarah Richardt indicated LTC received \$4,000-\$5,000 of in-kind donations in 2013 and \$8,000 in 2014; received free items for Spooktacular; many items paid for in 2013, were donated or at a much-reduced cost in 2014.

Trustee Ware felt LTC had done a good job. He noted he had

concerns in the past, but a lot of the concerns had been addressed. He indicated he wanted to see measurable goals and regular reports on results.

Sarah Richardt indicated that would not be a problem providing the requested reports.

Trustee Ware asked if Community Development staff are involved in establishing goals.

Director of Community Development Bill Heniff indicated this was a collaborative effort and how Village staff and LTC staff meet on a regular basis.

Trustee Ware indicated his concerns had been addressed and that he would support LTC funding.

Trustee Whittington inquired about goals and progression on fundraising efforts. He felt there were less events this year and asked that the Board be given progress reports.

Sarah Richardt indicated she was also willing to come back and provide an update in six months in addition to providing regular reports.

Trustee Breen spoke of the progress that he had seen in the years he has been on the Board; the decrease in vacancies; that LTC was a volunteer-driven organization; spoke of monthly reports provided to ECDC; spoke of measurable goals; the increase in people on the e-mail list, the increase in membership and the increase in Facebook fans; felt LTC funding was some of the best return on investment; supported funding request.

Sarah Richardt indicated there were 4 vacancies with 2 vacancies pending.

Village Manager Scott Niehaus spoke of the great working relationship with LTC; calling Sarah while she was on vacation in South Dakota; asked that requests from LTC relay the consensus of the LTC members.

President Giagnorio felt the pedestrian tunnel would help downtown and provide yet another door to downtown; spoke of increased traffic; encouraged residents to invite friends to come to Lombard and shop and dine.

A motion was made by Trustee Laura Fitzpatrick, seconded by Trustee Peter Breen, that this Resolution approving FY 2014 funding for the Lombard Town Centre be adopted. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: R 61-14

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Peter Breen, seconded by Trustee Dan Whittington, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 4, 2014 in the Board Room of the Lombard Village Hall be adjourned at 8:19 p.m. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware