

Village of Lombard

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



Meeting Agenda

Monday, December 21, 2009

7:30 PM

Village Hall

Plan Commission

*Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh, Martin Burke,
Ruth Sweetser, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: Christopher Stilling*

Call to Order

Roll Call of Members

Public Hearings

[090796](#)

PC 09-30: Text Amendments to the Lombard Zoning Ordinance
The Village of Lombard requests text amendments to Section 155.421 of the Lombard Zoning Ordinance amending the performance standards within the I Limited Industrial District. (DISTRICTS ALL)

Attachments: [Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[PUBLIC NOTICE 09-30.doc](#)
[ReferralLetter doc.doc](#)
[Report 09-30.doc](#)
[Ordinance 6437.pdf](#)
[090796.pdf](#)

[090797](#)

PC 09-31: Text Amendments to the Lombard Sign Ordinance
The Village of Lombard is proposing text amendments to Section 153.218 of the Lombard Sign Ordinance amending the provisions for informational signs. (DISTRICTS ALL)

Attachments: [Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[PUBLIC NOTICE 09-31.doc](#)
[ReferralLetter doc.doc](#)
[Report 09-31.doc](#)
[Ordinance 6434.pdf](#)
[DAH referral memo2.doc](#)
[090797.pdf](#)

Business Meeting

Approval of Minutes

Public Participation

DuPage County Hearings

Chairperson's Report

Planner's Report

Unfinished Business

New Business

[090649](#)

Video Gaming Ordinance

Ordinance banning video gaming in the Village of Lombard.

Attachments: [videogamingmemo122809toth.doc](#)

[Ordinance 6442.pdf](#)

[090649.pdf](#)

[090649.pdf](#)

[090649.pdf](#)

[Video Gaming.pdf](#)

Village Manager Hulseberg requested Assistant to the Village Manager Mike Toth to give an overview of this proposed ordinance.

Assistant to the Village Manager Mike Toth indicated that the Illinois Gaming Board did not have a start date for the official rules. He noted that video gaming machines are allowed, but that machines are prohibited from paying off in currency in certain locations. He noted that several communities had banned video gaming machines including Elmhurst, Naperville, Wheaton and DuPage County. Several municipalities such as Addison and Buffalo Grove are not taking action until the Illinois Gaming Board establishes for rules. He stated the Gaming Board was meeting the next day and hopefully the Village would receive some additional information.

Village Attorney Tom Bayer indicated that currently video poker machines do not pay out in cash, but in points. This could be changed. Currently the Village does not allow any video gaming machines to pay off in cash.

Trustee Wilson questioned if video gaming machines could still be installed.

Attorney Bayer stated the machines can be installed, but can not pay off in cash. Trustee Wilson felt that legalized gambling might be a good revenue source for the Village. He reported that eventually the rules will be established in Illinois and throughout the nation. He felt that people gamble voluntarily and that revenue could be derived for the Village from gambling. He stated he is not completely for or against video gambling. He stated there had not been sufficient input from the community. He felt banning gambling outright was a knee-jerk reaction without sufficient information and facts. He stated he was not opposed to a temporary ban and that after a certain period, the ban could be lifted. He felt the Village needed to have their ordinances in place so that once the Illinois Gaming Board made a decision, the Village would be ready. He stated that gambling was like off-track betting and playing the lottery. He noted that \$31 million was generated in gambling and there was a lot of revenue to be made for the Village from gambling. He stated he was a gambler.

Trustee Tross indicated the ordinance was premature and that video gambling was already prohibited in the Village. He reported that 5% of the revenue generated would go to the Village. He felt the rules would not be established for 12-18 months. He spoke about passing a capital improvements bill for \$31 million and not having the money. He felt gambling was a choice and the Village should not turn down a funding source. He stated DuPage County was the strongest Republican county in the State of Illinois and the county should not turn down a revenue source that feeds money to the State, County and municipalities. He stated the Village is looking for new revenue sources that do not add any additional tax on the residents and that video gaming was a choice

just as taxes on alcohol and cigarettes are choices. He talked about liquor license holding establishments being assisted by allowing them to have video gaming machines. He noted that the Mayor reminds residents to shop and dine in Lombard and this would help the businesses.

Trustee Gron felt those municipalities adopting a video gambling ban were making a statement to the State of Illinois. He felt there must be a better way to generate revenue. He felt this was an easy way for the State to generate money and felt the State would be increasing the state income tax anyway.

Trustee Moreau felt that Naperville had done a survey and that is why they passed the ordinance. She felt that gaming did not match the idea of a family-friendly community. She stated that video gambling was very addictive just like crack cocaine. She questioned as to how much money the Village was really looking at from this.

Trustee Fitzpatrick felt there was not enough information to make a decision. She asked about the cost to the community. She suggested a public hearing. She also questioned the expense, crime and quality of life in the Village. She felt a temporary ban was OK, but wanted the residents to contact their trustees with their opinions.

President Mueller questioned the income generated.

Director of Finance Tim Sexton indicated \$10,000 - 11,000 per establishment.

President Mueller noted there were 54 establishments in the Village.

Trustee Fitzpatrick questioned if it was worth the cash coming in.

Trustee Ware stated he was not necessarily opposed to video gaming, but felt he wanted more information from the residents. He wanted to look at all aspects including revenue. He felt a temporary ban for a shorter period of time was good.

Trustee Wilson felt that residents should be allowed to make their own decisions just like purchasing a lottery ticket. He stated he was not opposed to gambling. He felt people should have a place they can go and gamble if they want to do so. He felt the majority of residents already gamble on the Internet. He stated the Village does not ban alcohol, because there are people who are alcoholics and the Village does not ban food, because there are people who eat at restaurants. He did not feel the Village should ban gambling.

Trustee Tross stated there was limited information available to the Board, but that video gaming machines are already illegal in the State of Illinois. He noted it was illegal for machines to pay off in cash, so he questioned why the Village Board was looking at passing an ordinance that says they are illegal. He noted if there are establishments allowing pay-offs in cash, that was illegal. He felt the Village should wait and see what the Illinois Gaming Board decides before passing any ordinance. He also felt that those establishments affected by this, should be allowed to have a say.

President Mueller stated he did not disagree with the comments he had heard. He reported that at the recent Illinois Municipal League Conference, there was a vendor selling these machines which prompted this action. He felt this did not offer the quality of life for the residents in the Village that he wanted. He felt the majority of residents do not gamble and the he had already received several calls from residents and business owners. He felt the Board needed additional information. He stated he wanted to protect the community until further information was received from the State. He felt there should be a review in one year. He stated he did not think this could be stopped in Springfield. He felt just because the Village would receive funds, this was not something that would enhance the community. He further indicated that this did not mean the Village was banning them, but felt while the Village was waiting for additional information, that a ban was needed. He indicated the vendor could come to Lombard and sell machines to businesses here.

Trustee Wilson questioned what the Mayor wanted to protect the community

from.

President Mueller spoke about the quality of life in Lombard.

Trustee Wilson stated residents purchase lottery tickets and go to Las Vegas to gamble.

President Mueller felt that allowing video gambling was not going to make Lombard a better place to live. He said he would rather hear of great things like the Park District receiving an award and not how someone's husband or wife lost their paycheck by playing video gambling games. He stated they can gamble in other communities.

Trustee Wilson did not think that slot machines and video gaming machines would change the quality of life in Lombard.

Trustee Tross stated we are talking dollars. He suggested tabling this item and stated the press would pick up on this and the trustees would receive more input from residents and businesses who are affected. He stated the machines are already illegal and did not feel the Village had to do anything until the State advised to move forward.

Trustee Fitzpatrick felt this should be referred to the committees and that the Village should have an on-line survey for residents.

Trustee Wilson asked that this be referred to the Finance Committee.

Trustee Tross requested this be referred to each of the committees.

President Mueller felt the Village needed to stay on top of this matter. He stated the trustees were elected by the residents to represent them and make decisions.

He did not want this to turn into a referendum. He stated if the Village Board did not want to make a decision tonight, this item could be brought back after input was received. He stated it was the Village Board's responsibility to protect the residents and the community and he did not want the Board to do nothing and then later ask how it happened.

Trustee Ware suggested having a timeframe to get back to the Board with input.

Trustee Moreau indicated that surveys included in the packet showed residents were opposed to this.

Trustee Tross moved that the item be removed from the agenda and placed on the first agenda in January 2010 and that every chairperson have the item placed on their respective agendas for review and discussion. He felt that even the Public Works Committee and Environmental Concerns Committee be asked to review this so that it was getting out to the public. He felt the debate was meaningless as video gaming was illegal.

Trustee Gron felt with the ordinance in place the Board would be preserving the quality of life in the community. He stated on a recent visit to Colorado, a 13-year old girl was begging her mother to stop playing the video gaming machines as they had no money and no food and she was hungry.

Mr. Heniff summarized the staff memo stating that staff presented an update to the Board with regards to the recently approved Video Gaming Act, which legalizes video gaming in certain liquor establishments, truck stops and fraternal/veterans clubs throughout the state. The Village Board tabled this item until their January 7, 2010 meeting in order to solicit the thoughts and recommendations of each of the Village Committees. Mr. Heniff explained that the Economic and Community Development Committee (ECDC) is asked to review the attached memorandum and provide a recommendation as to its level of support for video gaming. Comments and recommendations received from the ECDC will be combined with comments from other committees and commissions and will be forwarded to the Village Board for their consideration.

Mr. Irion stated that he does not necessarily support video gaming but suggested that before any decision is made; he would like to make sure that Lombard businesses have the same competitive advantage as surrounding communities that may support it.

Mr. Grant wanted to revenue projections before making a final decision. Mr. Giagnorio agreed with Mr. Grant.

Ms. Gannon suggested that the Village should move forward with caution.

A motion was made by Mr. McNicholas to recommend that the Village Board proceed with investigating the details of video gaming. The motion was seconded by Mr. Irion and was unanimously approved by the members present. Trustee Fitzpatrick explained that there is a lot of infrastructure shot and that many county or state owned streets are deteriorating and are in bad shape. Governor Pat Quinn said that in order to fund a plan to get the streets in shape, the funding is going to come from video gaming. These video poker machines will be in bars.

Quinn said to fund capital roads with gambling-many of the DuPage County communities have said "no" to gambling. Potential funding is one half million dollars-if the Village licenses all that it can. Each machine would be a payback of 5% or about \$10,000, with the state getting 25%. Now there is a problem where the state is going to have to create a video gaming entity to oversee this. Licensing is not finalized. Rules are not finalized yet either. Trustee Fitzpatrick emphasized to the committee that saying "no" says no to the funding that would be received.

For a business to have video gaming, it must possess a valid liquor license and cannot be within 100 feet of a school or place of worship. The Village could impose their own fees on these as well with the establishment of an ordinance. Communities such as Wheaton, Naperville and others have already said "no" to these video games.

The Village Board is taking two months to run this through the Village committees to see what their opinions are and each committee is to send its recommendation to the Board.

What is the downside? Addiction and other factors that are unknown.

The Board of Trustees tabled this item to get the feelings of the various boards and commissions.

Pam Bedard asked if the amount of money would be enough to lower property taxes and Trustee Fitzpatrick indicated no. Governor Quinn has rather held the streets hostage over these funds. However, President Mueller indicated that in the past we have not received what we have thought we would from the State. Stuart Moynihan, Associate Planner, introduced a memorandum regarding the possibility of video gaming in the Village of Lombard. A vote is requested from the ZBA indicating their level of support for video gaming.

Chairperson DeFalco asked if the state rules for this law had been established.

Mr. Moynihan stated that the rules are not clear.

Mr. Young stated that the law does not currently provide the final rules for video gaming.

Chairperson DeFalco stated that the ZBA could table the issue until the rules are established or take an immediate vote.

Mr. Bedard that the Village Board is looking for a vote at this time in order to gauge the temperature of the committees.

Mr. Young stated the some communities are waiting on the final rules. He would not be in favor of shooting video gaming down immediately.

Chairperson DeFalco stated that gambling has been used as a fundraising mechanism in the past if you consider the Taste of Lombard and the Jaycees using bingo and pull-tabs. He stated that some gambling is not a major concern as long as it is recreational and not harmful. Until the rules are setup by the state, it is unclear what the Village would be getting. The Village should consider it until then.

Mr. Young stated that the downturn in the economy should be looked at in terms of what this could do for local businesses. It would provide some additional attraction. The Board could pass a resolution to wait to see the final rules.

Mr. Tap stated that this could be a revenue stream for both the Village and local businesses. It could be useful if well regulated.

Mrs. Newman stated that they could reject it now and come back to it later.

Mr. Bedard stated that the gaming would probably require an annual license.

Mr. Young stated that the memo indicates that the ZBA could vote to prohibit gaming now until the rules have been promulgated.

Chairperson DeFalco stated that gaming could be allowed to operate under the existing rules. There are three choices: ban it, allow it, or wait for the rules.

Subdivision Reports

Site Plan Approvals

Workshops

Adjournment