

# Village of Lombard

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



## Meeting Agenda

**Thursday, June 17, 2010**

**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

## II. Roll Call

## III. Public Hearings

[100314](#)

BOT 10-02: 1210 S. School Street  
A Public Hearing regarding a proposed Annexation Agreement for the property located at 1210 S. School Street (UNINCORPORATED/DISTRICT #6)

**Attachments:** [Annex York Fire.doc](#)  
[ANNEXYORKTWNShp.doc](#)  
[100314.pdf](#)  
[Annex York Fire.pdf](#)  
[Annex Yorktownship.pdf](#)

## IV. Public Participation

[100335](#)

Presentation - Glenbard East High School State Champions

[100325](#)

Proclamation - Jeanne Horn Day

**Attachments:** [procjeannehornday2010.doc](#)

[100329](#)

\*Appointment - Trustee District #2 Replacement  
Motion appointing Keith Giagnorio to fill the remainder of the Trustee District #2 term of office until May 2011.

**Attachments:** [appointmentgiagnoriodist2trustee.doc](#)  
[submitdist2.DOC](#)  
[100329.pdf](#)

## V. Approval of Minutes

## VI. Committee Reports

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

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

**Environmental Concerns Committee - Trustee Dana Moreau, Chairperson**

**Finance Committee - Trustee Zachary Wilson, Chairperson**

**Public Works Committee - Trustee Greg Gron, Chairperson**

**Transportation & Safety Committee - Trustee Zach Wilson, Chairperson**

**Board of Local Improvements - Trustee Greg Gron, President**

**Community Promotion & Tourism - President William J. Mueller, Chairperson**

**Lombard Historical Commission - Clerk Brigitte O'Brien**

**US Census Complete Count Ad Hoc Committee - Trustee Laura Fitzpatrick, Chairperson**

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

## **VIII Consent Agenda**

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### **Payroll/Accounts Payable**

- A. [100318](#) Approval of Accounts Payable  
For the period ending June 4, 2010 in the amount of \$407,299.06.
- B. [100333](#) Approval of Village Payroll  
For the period ending June 5, 2010 in the amount of \$894,021.13.
- C. [100334](#) Approval of Accounts Payable  
For the period ending June 11, 2010 in the amount of \$1,072,698.15.

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

- D. [080319](#) PC 08-13: 19W471 Roosevelt Road and 351 E. Roosevelt Road  
(Lombard Crossing)  
Granting a time extension of Ordinance 6211, as amended by  
Ordinances 6344 and 6495, extending the time period in which to start  
construction of the approved project at 19W471 Roosevelt Road and  
351 East Roosevelt Road for an additional 12-month period. (DISTRICT  
#6)

**Attachments:** [PUBLIC NOTICE 08-13.doc](#)  
[apoletter 08-13.doc](#)  
[Cover Sheet.doc](#)  
[DAH referral memo.doc](#)  
[Referral Letter.doc](#)  
[Report 08-13.doc](#)  
[6205,6209,6210,6211](#)  
[Annexation agreement per Ordinance 6208.pdf](#)  
[Certified Copy of Re recored of Ordinance 6209.pdf](#)  
[Conditional uses per Ordinance 6211.pdf](#)  
[Map Amendment per Ordinance 6210.pdf](#)  
[Re record of Ordinance 6209.pdf](#)  
[Ordinance 6211.pdf](#)  
[Ordinance 6344.pdf](#)  
[DAH memo time extension.doc](#)  
[Cover Sheet time extension2.doc](#)  
[080319.pdf](#)  
[080319.pdf](#)  
[Ordinance 6495.pdf](#)  
[080319.pdf](#)  
[DAH memo time extension3.doc](#)  
[080319.pdf](#)  
[Ordinance 6623.pdf](#)

*Drew Friestedt, Centrum Properties, 225 W. Hubbard Street, Chicago, presented the petition for the Lombard Crossings development in a PowerPoint format. He began by stating that he represents Centrum Properties and he gave the company's background and described the types of projects they do as well as the locations of each.*

*Referring to an aerial view of the proposed site location (which was highlighted in blue) Mr. Friestedt stated that these properties were former known as the Lombard Lanes and the O'Hare Towing properties and the site is approximately 4.6 acres in size. He then showed site photos before the buildings were razed.*

*He presented the history of the project mentioning that at the August 2007 Plan Commission meeting a proposal was approved and forwarded to the Village Board for final approval. Knowing that they did not have the support of the Village Board, they pulled the petition. Some of the issues that the Village Board had with their proposal were:*

- a. did not want a fast food restaurant with a drive through*
- b. compatibility with the Roosevelt Road Corridor Study*
- c. the number and type of uses outlined in the annexation agreement*
- d. the timing of the development outlined in the annexation agreement*

*They have since gone back and addressed those issues. He showed the site plan previously approved by the Plan Commission and described the drive-through bank with a fast food tenant, Del Taco. At the back of property was a 95,000 square foot storage facility.*

*They now have two new site plans, Option A and Option B. The difference between the two is in the location of the sit-down restaurant which affects the drive aisle and parking configurations. He then referred to Option A and described the site. The bank is still in the same location. There will be 12,500 square feet of retail with the retail building in the center. They have changed the fast food restaurant to a 5,700 square foot freestanding sit-down restaurant which was one of the issues the Board had. They spent six months negotiating with the team and came back with a plan for marketing purposes and one that was leasable. They still have the four-story storage use at the back of the property noting that they talked to a number of users for this space but could not attract anyone else to take the space. He then referred to other similar storage users in the area. Mr. Friestedt stated that if they do not have this use, they feel the site could not be marketable. Centrum also agreed to center the building and to limit the retail use to five tenants which is similar to what V-land has. Their original proposal asked for seven tenants.*

*The next issue was one that concerned Trustee Soderstrom - the timing of the development. The worry was having a bank anchored in the center of the site with a storage use in the back with nothing in the front. To address this concern, they added additional timing and building permit restrictions in the Annexation Agreement. With those three concessions they addressed the issues raised by the Board of Trustees.*

*He referred to Site Plan - Option B. Because they do not know if the restaurant will be freestanding or attached, they are asking for approval of both plans. Option B includes a reconfiguration of the parking areas by sliding the restaurant building down and integrating it with the retail space. The sit-down restaurant would be 6,000 square feet and would still have the outdoor dining component. The square footage of the retail component would stay the same.*

*He then showed the street view and bird's eye view renderings of the site. The building materials used are very similar but they incorporated some of staff's comments regarding color. They buildings are predominately brick with an EIFS corner and he proceeded to describe the remainder of the materials. He stated that all the building materials will be consistent.*

*The retail building elevations were shown next. The petitioner passed around the materials board to the Plan Commissioners and described that they are proposing to break up the retail building both vertically and horizontally and will change the brick color from the field color. They will have a cast stone base and a lintel consistent with the front and side of the building. The back will be mostly brick with a continuation of the precast lintel.*

*The bank elevations would be similar to the retail building. The color of the brick will match. Staff requested that at the base of the bank to replace the soldier coarse brick to stone.*

*Referring to the sign design slide he stated that this has not changed. It still matches in terms of color and scale and he described the same. The square footage of the signs are less than what is allowed by code-one is 70 square feet*

and the other is 115 square feet.

Mr. Friestedt then addressed how the site complies with the Roosevelt Road Corridor Study and addresses the concerns raised by Trustee Soderstrom. The site has a common and unified development theme, contains harmonious architectural elements, common materials and design color palette, and a shared parking field and shared access points with adjacent shopping center. It also has four-sided building elevations, provides green/open space, is pedestrian friendly, and contains decorative lighting.

He then turned the rest of the presentation over to Scott Novack.

Scott Novack, Centrum Properties, 225 W. Hubbard Street, Chicago, continued with the slide presentation. He stated that everything they are requesting is consistent with what they previously requested in August, 2007. This includes approval of an annexation agreement, annexing the 19W471 site, a map amendment rezoning the site to B4A which is consistent with the Roosevelt Road Corridor District, approval of a conditional use for a planned development with conditional uses, deviations and variations. They will have to subdivide the property into five lots which results in a need for certain deviations and variations such as side yards setbacks and lot deviations. These items are self imposed so the requested relief meets the standards. A slide depicting the five lots of record were shown and he described them.

Lot 1 or Parcel A is the bank parcel. They are requesting a conditional use for a bank as well as for a drive-through facility; deviation of the Sign Ordinance for more than one wall sign per street frontage. He indicated that they originally requested four signs but took the Plan Commissioners comments into consideration and now are only requesting three, one for the north, west and east elevations. They are also asking for a deviation to reduce the minimum lot area from 40,000 square feet to 36,400 square feet and a deviation to reduce the minimum lot width from 150 to 137 feet.

Lot 2 or Parcel B is the retail parcel. They are requesting a conditional use for a shopping center consisting of more than one principal business and a deviation. This was a result of the B4A zoning. They are also requesting a deviation to reduce the required east interior side yard from ten feet to one foot.

Lot 3 or Parcel C is the freestanding sit-down restaurant. They are requesting a conditional use for an outdoor dining area, a deviation from the Sign Ordinance to allow for more than 1 wall sign per street frontage and a deviation reducing the required east interior side yard from 10 feet to 5 feet.

Lot 4 or Parcel D is the back parcel storage area. They are requesting a deviation from the Subdivision and Development Ordinance to allow for a lot without street frontage, a planned development use exception for a storage center in the B4A district with a variation to allow a use exception to exceed 40% of the total floor area of the overall planned development and a conditional use for a 4-story building between 40 and 45 feet in height.

Lot 5 of Parcel E is the detention area. They are requesting a deviation from the Subdivision and Development Ordinance to allow a lot without public street frontage, a deviation to reduce the minimum lot area from 40,000 square feet to 19,000 square feet and a deviation to reduce the minimum lot width from 150 to 131 feet.

*Mr. Novack then cited the additional 6 requests from the Zoning and Sign Ordinances.*

*Concluding, Mr. Novack stated that they have a number of consultants available and would be happy to answer any questions they might have.*

*Chairperson Ryan then opened the meeting for public comment. There was no one present to speak in favor of or against the petition.*

*William Heniff presented the staff report, which was submitted to the public record in its entirety. Rather than repeating the petitioner's representations, he referenced many of the zoning actions for the project and selected comments included within the staff report.*

*He noted that upon annexation, the whole property would need to be zoned into a district that is consistent with the Comprehensive Plan and the Roosevelt Road Plan. Staff believes the property should be rezoned to the B4A District, consistent with the Roosevelt Road Plan recommendations. He also described many of the design elements encouraged or required within the B4 regulations or the Roosevelt Road Corridor report. Establishing a planned development for the entire development is an appropriate way to address the unique site constraints and phasing of the proposed development.*

*The B4A District lists financial institutions as conditional uses - this differs from the previous petition when banks were permitted by right. This change allows the Village to review the facility relative to the overall development plan. The Roosevelt Road Report noted that banks could provide value to a community if it is part of an overall planned development. While not attached to the retail building, the proposed plan integrates the use into the overall development through its common building design elements, shared access and integrated design.*

*When the petitioner was seeking initial approval of the development, the property was zoned B3 and the property met the B3 requirements. However, this relief was created as part of the overall B4A district designation. The issue of lot width and area was discussed as part of the Roosevelt Road Ad-Hoc Committee review. The Committee noted that a number of lots do not meet the lot provisions included within the B4A designation. Staff noted that for lots that do not meet the requirements, they could be designed in a manner that would allow the lots to functionally operate as if it was a larger lot.*

*Regarding the retail center itself, this use was previously a permitted use, but is now a conditional use within the B4A District. This designation allows the Village to look at the overall design of the facility relative to the overall B4A provisions and determine if the proposed design and layout meets the objectives of the Plan. The petitioner is proposing two options - a separate in-line center of 12,500 square feet and a unified center that includes the retail center component anchored by a sit-down restaurant. To address concerns regarding the tenants and uses in the center, the petitioner is amenable to a cap on the total number of tenant spaces at five, excluding the restaurant end-cap use. This was applied to the nearby V-Land Center and is intended to provide for larger store spaces, which may attract more destination related uses and retail businesses.*

*This interior yard relief is intended to allow the building to be located closer to the east property line of the abutting bank use. Staff finds this relief to be desirable as it allows for the other side of the center to be better utilized for*

*outdoor dining and additional parking.*

*At this point in time, the final sit-down restaurant tenant is unknown, but the petitioner is preparing a final list for consideration within the annexation agreement itself. The proposed outdoor seating area location will be a function of the final design plan for the restaurant itself, but it will be located either on the east side of the building (in Plan A) or the west side (in Plan B). As noted in the Roosevelt Road Report, outdoor dining elements associated with restaurant establishments can be considered a desired amenity, provided that they do not create negative impacts on adjacent properties.*

*The wall sign relief is intended to provide for additional flexibility for the restaurant use, which would likely desire wall signs on the exterior walls visible from Roosevelt Road. Consistent with other restaurant uses and the proposed bank, staff does not object to the request. However such signage would be reviewed as part of the overall restaurant building elevations in the site plan approval process.*

*Lot 4 requires a deviation from the Subdivision and Development Ordinance to allow a lot without street frontage. Access to Lot 4 will be provided by means of cross access with Lots 1 through 3 of the proposed resubdivision. Lot 5 would be a detention outlot for the stormwater drainage of the project. Given the overall lot configuration, the grade issues and the built-in cross access provisions, and similar relief approved in a couple of other cases, staff does not object to this request.*

*The petitioner requests the right for a 95,000 square foot storage center to be located on Lot 4 (Parcel D). Storage centers are not listed as permitted or conditional use in the underlying B4A District. The petitioner indicated that they have not finalized a tenant for Lot 4 and have not submitted any building elevations or materials for the proposed building. The petitioner would like to establish the right for the use exception. Staff recommends as a condition of approval that site plan approval be required for Lot 4 to allow the Plan Commission to review building elevations and materials. In addition, should the petitioners choose not to move forward with the use exception for Lot 4, they can seek site plan approval for other uses permitted within the underlying B4A District.*

*Staff can conceptually support the storage center use given that the subject property is adjacent to two other storage uses including the U-Store-It storage center and the York Township Highway Department facility. Furthermore, there is a substantial change in grade with the elevation at the northern property line being as much as fifteen feet (15') higher than the elevation at the southern property line. The multi-story storage center building will not have as great of an impact when viewed from Roosevelt Road as a result of the grade change. Furthermore, the proposed storage center will provide additional screening of the York Township Highway Department facility to the south of the subject property.*

*A review of the plans estimated that the proposed Parcel B in Plan A would have about eight percent green space. However, given that the site is part of an overall planned development and the lot lines are intended to be more arbitrary, staff notes that this relief could be supported provided that the overall planned development meets the open space requirements of 12.5% of the area. Staff estimates that the open space will be about 15% of the planned development. This approach and requisite relief was also successfully implemented within the*



*Highlands of Lombard planned development.*

*The petitioner's 2007 proposal requested approval of four freestanding signs proposed within the planned development. The new petition decreased the number from four to two. Staff can conceptually support the necessary relief to allow the two shopping center signs located at each of the access drives. Any signage for the bank and storage center will be incorporated into the shopping center signs.*

*He then reviewed the access and site design issues that were present in the 2007 petition and noted that they have not changed since last year. Staff recommends approval of the petition subject to a number of conditions.*

*Chairperson Ryan then opened the meeting for comments among the Commissioners.*

*Commissioner Olbrysh stated that he liked both site plans and the elevations looked good but thought that the south elevation should be spruced up. He liked their explanations as to the Village Board's concerns. He had assumed that the Village Board did not have any objections to the public storage facility. Mr. Friestedt stated that at the Village Board hearing the Board expressed concerns about having a storage use. Afterward, they went back and came up with the current plan by addressing other issues. By going into the market and testing the plan they believe the Board will now support it.*

*Commissioner Olbrysh indicated that he was on the Roosevelt Road Ad Hoc Committee and would have had a problem if the storage use was located on Roosevelt Road but since it was set back to the rear of the property you don't actually see the building. Mr. Friestedt mentioned the cross section studies they did and how you can only see the top 10-12 feet of the building based on a person being 6 feet tall. Commissioner Olbrysh stated that it will be very difficult to get anyone back there due to the drop in elevation. He thought it was a perfect use for that location on the site.*

*Chairperson Ryan commented that he was initially against the idea of a storage facility on the site and still was. He questioned the height of parcel B and how high the strip mall was going to be. Also how much will you see from Parcel D. Mr. Friestedt answered that the height of the parcel was 10-15 feet or a story and a half. The top of the parapet of the retail component could be 20-22 feet from grade so due to it's height as well as the drop in grade, you will only see the top of the storage facility. He stated that they are aware that they will have to come back to the Plan Commission for site plan approval and will adhere to those requirements. It's a challenging piece of the project. Chairperson Ryan stated that when you come back for site plan approval for the storage facility and site elevations, he asked if the looks of it could be diminished. We are trying to build up Roosevelt Road and don't want to turn it into something not wanted.*

*Chairperson Ryan then stated his preference for Site Plan Option B. The restaurant and retail combined together make it a better looking facility and you can see the outdoor dining from the street. He then questioned how the south elevation might look having five tenants. Mr. Novack indicated they would update the elevation to show the number of doors. Chairperson Ryan indicated that with their previous proposal there were a larger number of doors for each tenant on that elevation which broke up the mass of the building. With five tenants it will be all brick so there is a need to tie it in with the other elevations.*

*Mr. Novack indicated that using two colors would break up the building similar to the V-land project.*

*Commissioner Nelson asked about the access into the site when traveling westbound on Roosevelt Road. Mr. Heniff indicated that the center median lets you go either way. Westbound will have a full access or through cross access. Commissioner Nelson asked if there would be a turn lane. Mr. Heniff answered there would not be a dedicated one now just a shared access. IDOT will decide the appropriate striping pattern.*

*Commissioner Sweetser asked is there is a right turn lane to access the site while traveling eastbound on Roosevelt Road. Mr. Heniff answered that while proceeding east, the full access will not have a right turn lane but the other will. Commissioner Sweetser commented on how the trucks will be using the full access and how unfortunate it is that we cannot change the state route. Mr. Heniff answered that we could look at it as well as IDOT being that York Township would be running tandem trucks from that access. The petitioner will have to secure a permit from IDOT and the turning radii will have to accommodate those trucks.*

*Commissioner Flint stated he did not have a problem with the storage use being on the site. He mentioned that there is a storage facility to the west. He stated his preference for Option B as it will look better traveling eastbound, he preferred the location of the outdoor dining area and it has a more open feeling. Acting Community Development Director Bill Heniff explained the petition annexing the old O'Hare Towing and Lombard Lanes, the petitioner recently withdrew and with the Board's concerns in mind they are back with modifications, which give the Village more control over the project. There will be a bank with a drive up, a sit down fast food casual restaurant with out door dining and some in-line retail space. He showed illustrations of two proposed foot prints for the project. The restaurant must begin before the storage facility is built, there is a list of approved restaurants, the billboard will later be removed. He said that they are asking for site plan approval by the Plan Commission. He added that the developer has adopted many of the provisions of the Roosevelt Road corridor study.*

*Trustee Soderstrom said that the petitioner brought this forward before and he had his reservations regarding type or quality of restaurant, the way the retail space would be used, storage on south end of property and was concerned about the phasing so we don't end up with just a bank and vacant land. The restaurant is a much higher quality and the retail spaces are limited to 5. Before they build the bank the retail or restaurant must be underway. He said he thought that the developer had done their due diligence, He said he was satisfied that they have tried to eliminate the storage facility and it is a different program than presented before.*

*Trustee Soderstrom indicated he wanted to emphasize that the developer and staff worked on all the concerns and he is satisfied and wants to encourage the Board to give unanimous support and approve the annexation agreement. Trustee Tross stated he voted no the last time and is prepared to vote no again. He stated this is the first major development since the Roosevelt Road moratorium and it has 29 variations and 12 conditions. He stated there is a restaurant yet to be identified and a bank with a drive-up and questioned if this was the best proposal for the area.*

*Trustee Soderstrom stated this is not just retail, but a mix. He stated it was a mirror of V-land development. He contended this was a good use for the Roosevelt Road corridor. He stated this Board approved a development to the*

*left of it and this one is as good as that one. He asked the Village Board for support of this petition and stated he felt this would enhance the Roosevelt Road corridor.*

**E. [100225](#)****Westmore School**

Request to establish No Parking zones and expand times for existing One-Way traffic on streets surrounding the school. (DISTRICT #5)

**Attachments:** [100225 BOT.pdf](#)

[100225.pdf](#)

[Ordinance 6496.pdf](#)

*Mr. Sepich explained that at pick up time it is chaos and an unsafe situation. No matter what the school has tried to put in place, it doesn't work. School staff met with Village staff and came up with the procedures presented here which will make it much safer. It will double the drop off zone in front and create a safe line of traffic around the block. School staff will keep kids in one area and only release them to cars in the correct zone. General discussion ensued regarding the time frame. Mr. Sepich explained that he wants to avoid parents trying to come the other way down the street. He also went on to say that the drop off should be fairly easy, it's the pick up that's worse, because everyone is released at the same time. The time frame for the pick up is later on the signage because of after school programs.*

*Ms. Lee commented that it's scary when you drive down the street and suddenly there's a car coming at you.*

*Ms. Gutierrez added that this plan is the same as Schaefer School's and it works well there.*

*The Committee asked that Village staff survey the neighborhood before the item is sent to the Board for action.*

*A parent in attendance passed around pictures of the street being completely blocked by cars picking up. Mr. Sepich reiterated that students will only be released to parents parked in the safety zone. So if a parent double-parks, their child will not be released. At the beginning of the next school year parents will be recruited to be around the block helping direct traffic and passing out maps. Once people are used to it, then staff will be out there. Chairperson Wilson asked if prior notice will be sent to parents. Mr. Sepich answered that there will be notices in the report cards and notices will be sent via email and newsletters. Staff has already been talking at the PTA meetings about it. Chairperson Wilson reviewed the item. Division will be limited to drop off & pick up times and adding "Do Not Block Driveways".*

**F. [100226](#)****Intersection of 17th Street and Norbury Avenue**

Staff request to install a one-way Stop on northbound Norbury. (DISTRICT #3)

**Attachments:** [100226 BOT.pdf](#)

[100226.pdf](#)

[Ordinance 6497.pdf](#)

*Kalisik reviewed the item.*

**G. [100322](#)**

Ordinance Adopting the Current Prevailing Wages as of June 2010  
The Prevailing Wage Act, 820 ILCS requires that each public body

file each calendar year its determination of the prevailing wages for laborers, mechanics and other workers employed in public works as defined by the act

**Attachments:** [Ordinance 6498.pdf](#)  
[Certification of Ord 6498.pdf](#)  
[100322.pdf](#)  
[Certificate of Publication.pdf](#)

- \*G2. [100340](#) Ordinance Amending Title 11 - Alarm Systems  
Ordinance establishing a fee of \$100 per false alarm after two false alarm calls in one year.

**Attachments:** [FalseFireAlarmOrdinanceFee.pdf](#)  
[Ordinance 6499.pdf](#)  
[100340.pdf](#)

### Other Ordinances on First Reading

- \*H. Ordinance Amending title 9 - Basic Life Support Fees (This item has been removed)
- \*I. Ordinance Amending Title 11- Alarm Systems (Moved to VIII-G2 - Waiver of First Reading)

### Ordinances on Second Reading

- J. [100247](#) PC 10-05: Comprehensive Plan Amendment  
The petitioner, the Village of Lombard, requests the approval of amendments to the Village Comprehensive Plan pertaining to open space. (DISTRICTS - ALL)

**Attachments:** [Ordinance 6500.pdf](#)  
[Open Space Plan- Update.pdf](#)  
[Cover Sheet.doc](#)  
[DAH referral memo.doc](#)  
[PUBLIC NOTICE 10-05.doc](#)  
[Referral Letter 10-05.doc](#)  
[Report PC 10-05.doc](#)  
[Microsoft Word - Open Space Plan June 3 2010.pdf](#)  
[100247.pdf](#)

*Jennifer Henaghan, Senior Planner, presented the petition. She stated that although public comments had been obtained via an open house and review by the members of the former Ad Hoc Trails Committee, the Open Space Plan was substantially the same as when the Plan Commission initially discussed the document at its March 15, 2010 workshop session.*

*On March 15, the Plan Commission requested an overview of how neighboring*

communities regulate open space. Staff surveyed seven nearby communities and found a wide variety of approaches. Lombard is the only community that requires a minimum amount of open space in every zoning district. Downers Grove, Elmhurst, Glen Ellyn, Oakbrook Terrace, and Wheaton require open space in certain districts (either residential or commercial). Neither Oak Brook nor Villa Park explicitly reference open space within their Zoning Ordinances. Of the five communities that require some sort of open space, two define open space quite differently from Lombard in a way that encourages outdoor living space without requiring "green" space. Elmhurst includes recreational areas and improvements in its open space calculation, including useable roofs, playgrounds, and walkways. Wheaton includes any open area at least seven feet in width, including balconies, porches, or roof decks that can be used for work, play, or outdoor living areas. However, both communities specifically exclude driveways and parking areas from open space calculations. In addition to any open space requirements, six communities (Downers Grove, Elmhurst, Glen Ellyn, Oak Brook, Oakbrook Terrace, and Wheaton) also require a land dedication to the Park District as part of their development approval processes. These requirements are generally intended to serve the immediate and future needs of the residents of the proposed development. However, as these communities are largely built-out and many developments may be physically too small to allow for a land dedication, in many cases the Park Districts will accept a cash contribution in lieu of the land donation.

Although attendance at the Open Space Plan Open House was light, all of the residents and community leaders in attendance expressed positive opinions about the Village's Open Space Plan and planning efforts and agreed that open space is a vital component of the Village. Questions were raised regarding detention basins and bike path improvements. (Specific facility-related comments will be forwarded to the Park District.) Multiple attendees were excited about the proposed Lilac Bikeway. In particular, the National University of Health Sciences felt that it would be a popular amenity for its students due to its proximity to campus and the connections with the Illinois Prairie Path and Great Western Trail.

The draft Open Space Plan contains the text as proposed and rough drafts of the maps that will be included within the final document. The final maps will contain the same information but will have improved readability. The final document will be available at the Village Hall and on the Village's website for public viewing and downloading.

Staff is recommending approval of this petition.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one spoke in favor or against.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

There were no comments from the Commissioners.

- K. [100271](#) Ordinance Amending Title 3, Chapter 33 of the Lombard Village Code Reflecting changes made by the State of Illinois to the Foreign Fire Insurance Tax Board.

**Attachments:** [Ordinance 6501.pdf](#)  
[100271.pdf](#)

## Resolutions

- L. [100302](#) 2010 Driveway Apron, Curb, And Sidewalk Restoration Program, Final Balancing Change Order No. 2  
Authorizing a decrease in the amount of \$35,127.10 to the contract with Lorusso Cement Contractors, Inc.

**Attachments:** [100302.pdf](#)  
[Change Order 2 - Lorusso Cement.pdf](#)  
[R 3A-11.pdf](#)

*Dratnol reviewed the change order with the committee members present.  
Mahal: we are getting them all right? There is not a back log at this time correct? Dratnol: yes, we have everything covered.*

- M. [100305](#) Civic Center Reservoir Facility Pump & Motor Rehab, Final Balancing Change Order No. 1  
Reflecting a decrease to the contract with Water Well Solutions Illinois Division, LLC in the amount of \$65,776.50. (DISTRICT #3)

**Attachments:** [100305.pdf](#)  
[R 04-11.pdf](#)  
[Change Order 1\(Final\) Water Well Solutions.pdf](#)

*Dratnol reviewed change order with the committee members. Preins: line item 10 - could you explain please? Dratnol: this line item covers whatever the contractor determines needs to be done in the shop. Preins: how did we end up with this deduct? I don't understand it. Goldsmith: did not repair the equipment.*

- N. [100312](#) Route 53 Water & Sewer Replacement Project Design Engineering  
Approving a contract with Baxter and Woodman, Incorporated in the amount of \$181,824.00. (DISTRICT #1)

**Attachments:** [100312.pdf](#)  
[R 05-11.pdf](#)  
[Contract WA-11-01.pdf](#)

- O. [100317](#) Intergovernmental Agreement with York Township  
Authorizing the signatures of the President and Clerk on an Agreement with York Township regarding improvements to Madison Street.  
(UNINCORPORATED)  
**Attachments:** [100317.pdf](#)  
[R 06-11.pdf](#)  
[Intergovernmental Agreement with the York Township Highway Commissioner.r](#)
- P. [100321](#) Intergovernmental Agreement with the Lombard Park District  
Authorizing the signatures of the Village President and Clerk on an Intergovernmental Agreement between the Village of Lombard and the Lombard Park District relative to water payment costs associated with Paradise Bay Water Park. (DISTRICT #4)  
**Attachments:** [R 07-11.pdf](#)  
[Intergovernmental Agreement with Paradise Bay.pdf](#)  
[DAH memo IGA.doc](#)  
[Cover Sheet IGA LPD.doc](#)  
[100321.pdf](#)
- Q. [100326](#) PWO-1105 Street Light Maintenance Contract, Change Order No. 1  
Reflecting an increase to the contract with Meade Electric Company, Inc. in the amount of \$19,816.00 for the labor portion of the LED replacement program. (DISTRICT #1)  
**Attachments:** [100326.pdf](#)  
[R 08-11.pdf](#)  
[Proposal Meade.pdf](#)  
[Change Order 1 Meade.pdf](#)
- \*R. 300-310 S. Main Street (Prairie Path Villas) (Moved to IX-B)**
- S. [100331](#) Agreement with Third Millennium Associates Inc.  
Authorizing the signature of the Village President on an Agreement with Third Millennium Associates Inc. for water bill printing and mailing services.  
**Attachments:** [Water Bill Printing 2010.DOC](#)  
[R 09-11.pdf](#)  
[100331.pdf](#)  
[Agreement with Third Millennium Associates.pdf](#)

**Other Matters**

- T. [100316](#) Area Reflective Crack Control Treatment  
Request for a waiver of bids and award of a contract to Tru-Seal, Inc. in the amount of \$39,360.22. Public Act 85-1295 does not apply.

(DISTRICTS #1 & #6)

**Attachments:** [100316.pdf](#)

- U. [100323](#) Phone Service Contract  
Request for a waiver of bids and award of a contract to Cimco. Public Act 85-1295 does not apply.  
**Attachments:** [Cimco Services 3yr 6-08-10.doc](#)  
[Memo to Tim Cimco Services 3yr 6-08-10.doc](#)  
[CIMCO Circuit Services Agreement Village of Lombard 2010.pdf](#)  
[CIMCO Data Services Agreement Village of Lombard 2010.pdf](#)  
[CIMCO Proposal Village of Lombard June 2010.pdf](#)  
[CIMCO Service Agreement Village of Lombard 2010.pdf](#)  
[Quote 2AlarmCkts Lombard GlendaleHtgs 06072010 LG.pdf](#)  
[Quote Alm Ckt Renewal 2010.pdf](#)  
[Quote CBL T1AT-717W-255E-0001 Village of Lombard 2010.pdf](#)  
[Quote DSL Renewal Village of Lombard 2010.pdf](#)  
[Quote PRI Renewal Village of Lombard 2010.pdf](#)  
[100323.pdf](#)  
[CIMCO Agreements.pdf](#)
- V. [100327](#) Purchase of LED Luminaires and Light Poles  
Request for a waiver of bids and award of a contract to PJD Sales, Inc. in the amount of \$170,318.00. Public Act 85-1295 does not apply.  
(DISTRICT #1)  
**Attachments:** [100327.pdf](#)  
[Contract PWO-1118.pdf](#)
- W. [100336](#) Sewer Stub Rodding  
Request for a waiver of bids and award of a contract to All Plumbing & Sewer Services, Inc. in an amount not to exceed \$50,000.00. Public Act 85-1295 does not apply.  
**Attachments:** [100336.pdf](#)
- X. [100338](#) Emergency Water & Sewer Repairs  
Request for a waiver of bids and award of a contract to John Neri Construction Company, Inc. in the amount of \$75,000.00. Public Act 85-1295 does not apply.  
**Attachments:** [100338.pdf](#)
- Y. [100052](#) Lombard Town Centre - FY 2011 Funding  
Providing funding for Lombard Town Centre as the Official Illinois Main Street Program Organization serving the Village of Lombard in an amount not to exceed \$35,000 relative to a part-time Executive Director position.



**Attachments:** [R 10-11.pdf](#)  
[LTC 2010 Update and Funding2 w rec.doc](#)  
[lombardtownecentre- funding for ED position.doc](#)  
[100052.pdf](#)  
[100052-II.pdf](#)

*Chairperson Ware opened by stating that this item will also be reviewed at a Village Board Workshop on February 4, 2010.*

*Mr. Heniff provided background and stated that at the November 4, 2009 Economic and Community Development Committee (ECDC) meeting, it was requested that the LTC provide the ECDC with a mid year update on their goals and accomplishments, as they relate to their 2009 funding request. Attached is a copy of their report. Subsequent to that meeting, staff met with LTC President Dan Whittington and Vice President Kathy Hogan to go over some recent changes to their organization, particularly the recent resignation of their Executive Director (ED), Laura Bergeson and two (2) board members. In light of this information, the LTC has requested the ECDC and the Village Board also provide some direction with regard to future Village funding and responsibilities.*

*Mr. Heniff provided the committee with the history of the LTC funding by the Village, an update on current Village TIF obligations and an overview of the LTC's current balance sheet.*

*Mr. Heniff stated that the ECDC is asked to make a recommendation to the Village Board regarding future Village funding and roles and responsibilities for the LTC. He offered the following items for the ECDC to consider when reviewing future funding considerations for the LTC:*

- \* Executive Director Position*
- \* Board Membership*
- \* Illinois Main Street Program*
- \* Economic Development Activities*
- \* Future Roles and Responsibilities*

*Mr. Heniff stated that the Village is still committed to working with the LTC and noted their success with special events, tours and special projects including their landscaping recommendations. He also said that Village staff is committed to the downtown and that the Village has recently been awarded a RTA Community Planning Grant.*

*Mr. Heniff also provided the committee with four options:*

- 1. Continue to fund LTC at a funding level of \$75,000, as has been done in prior years.*
- 2. Cease future funding for LTC.*
- 3. Provide funding for the LTC to establish a contract position (i.e., a 1099 position) to fill the roles of the past Executive Director. This position would report to the Director of Community Development, but would be funded through the LTC grant from the Village and would serve as a liaison between the LTC Board and the Village.*
- 4. Utilizing the \$62,989 already in the LTC reserves, the LTC should be directed to allocate those funds specifically for their marketing, recruitment,*

*promotion and membership activities for the LTC. The funds would also be used to for special events, as deemed appropriate. Village staff would advance the economic development and business recruitment efforts within the downtown area, utilizing TIF expenditures to accomplish this additional activity.*

*Mr. Heniff stated that in light of the current economic situation and the additional future expenditures being shifted into the TIF, staff recommends that the future funding for the LTC not be granted for the FY2011 year and that Option 4 be pursued. He also said that that economic development activities and filling existing vacant tenant spaces is a key priority set by the Village Board and recognizing that through the Village's visioning efforts, Village staff has facilitated and will continue to seek out opportunities to fill spaces. Village staff has historically played a recruitment role for the downtown, as Village staff managed the TIF grant program activities. Moreover, by having Village staff facilitate this effort, it would provide for a comprehensive approach to business recruitment by directly tying Board directives and policies, knowledge of inter-departmental issues and linking together resources in the business recruitment process.*

*Mr. Whittington, President of the LTC, provided some additional information about the goals and accomplishments of the LTC. He referenced their report provided to the ECDC. He stated that the LTC facilitated 32 tours of the downtown with prospective businesses. He also stated that although Board membership is down, they would prefer to vet potential Board members rather than just filling the vacancies.*

*Ms. Hogan, Treasurer of the LTC, provided an update on the current financial statements of the LTC.*

*Chairperson Ware offered the public to comment on the topic.*

*Kim Cotton, Board member of the LTC and owner of Feel Good Hair, stated that 2009 was the most successful year for the LTC and requested that funding be continued.*

*Mr. Nielsen asked Ms. Cotton what concerns she has if the downtown lost the LTC. She responded by saying that the LTC brings a lot of people into the downtown. She said they also encourage others to get involved in the downtown.*

*Colleen Whittington, member of the LTC, stated that the LTC plays an important role to help grow the downtown. She said when they talk with other successful Main Street Communities, it takes 8-10 years to build a strong Board, as shown in Batavia, IL. She also represented that many property owners are happy because the LTC helps facilitate tours of their properties.*

*Justin Schwanke, a resident, spoke in support of the LTC.*

*Ms. Gannon asked how critical the Executive Director (ED) position is. Mr. Whittington responded that it is important to have a face in the downtown. He said a full-time person is not critical and a part-time ED could focus on vacancies, retention and general day-to-day responsibilities.*

*Mr. Nielsen asked Mr. Whittington his recommendation. Mr. Whittington responded by stating that he recommends that a part-time position be funded so that the LTC can maintain an office in the downtown.*

*Mr. Giagnorio asked if any new business has opened as a result of the LTC. Mr. Whittington responded by saying no, however, he said that they helped facilitate the relocation of Bricks and Sky Center.*

*Mr. Nielsen asked what are the costs to fund option #3. Mr. Heniff stated that it would depend on the total hours needed to complete the job. Mr. Heniff also provided some additional information about the status of TIF funds and the impact of the hotel/motel budget on the TIF budget.*

*Mr. McNicholas stated that the LTC grew out of the former Downtown Lombard United. He did not want to see all the efforts from the current and past volunteers to end. Mr. McNicholas also suggested that the LTC and other nonprofits such as the Chamber should look into purchasing a building to help share resources. Finally, Mr. McNicholas also reminded the ECDC that there are other parts of the Village that need attention.*

*Mr. Giagnorio stated that the committee should look at the history and the vacancies. He questioned if the Village is getting their monies worth. Mr. Whittington responded by stating that the LTC does not negotiate leases, they do not control owners or Village codes and building costs.*

*Mr. Nielsen stated that the current condition of many of the properties make it difficult to open a new business. He said that businesses look to come to Lombard because of the grants. He said the most important thing is to fund the grants.*

*Ms. Gannon asked how long the LTC has left on their lease and if they have any person in mind to fill the ED position. Mr. Whittington responded saying that their lease is month to month and he said they have 6 resumes.*

*Mr. Nielsen suggested that they fund a part-time position for \$35,000 to do the recruiting and retention.*

*Chairperson Ware said he felt the public wants the downtown to be successful and he supports providing some funding to the LTC.*

*Mr. McNicholas stated that he supports the partial funding, but he said that he has done some legal work for the LTC and he would have to abstain from voting. Mr. Hogan also stated that his wife is a LTC Board member and he would also be abstaining from the vote.*

*Mr. Whittington said he supported option #3 but said that they have to agree to a job description. Chairperson Ware said that it would report to the Director of Community Development and be responsible to the LTC.*

*Village Manager Dave Hulseberg requested Director of Community Development Bill Heniff give an overview regarding the Lombard Town Centre. Director Heniff indicated this had been reviewed by the Economic & Community Development Committee. The committee was recommending Option #3 which provides funding for the Lombard Town Centre to establish a contract position (i.e. a 1099 position) to fill the role of the past Executive Director. This position would report to the Director of Community Development, but would be funded through the LTC grant from the Village and would serve as a liaison between the LTC Board and the Village. The committee recommended Village support in the amount of \$35,000 for the cost of this position. The committee discussed the successes as well as issues and concerns. It was noted that the LTC had received \$75,000 in funding for the past five years in lump sums.*

*President Mueller arrived at 6:42 pm.*

*Director Heniff indicated staff was looking for direction regarding the Lombard Town Centre and the Village's financial support of LTC at this time and felt this was a good time as the Village Board was reviewing the budget to address this matter. He spoke about building on the successes of LTC. He stated that LTC has \$52,000 left in their budget. The Economic and Community Development Committee felt it was important to have the LTC presence in downtown Lombard. He spoke about the special events and activities that had been held in downtown Lombard. He noted this was a catalyst to bringing people to downtown Lombard.*

*Trustee Wilson arrived at 6:45 pm.*

*Director Heniff spoke regarding the \$35,000 grant for the Executive Director position who would work with the Lombard Town Centre and the Village. He stated staff recommendation was Option #4 which indicated utilizing the \$62,989 already in the LTC reserves. The LTC should be directed to allocate those funds specifically for their marketing, recruitment, promotion and membership activities. The funds would also be used for special events, as deemed appropriate. Village staff would advance the economic development and business recruitment efforts within the downtown area utilizing TIF expenditures to accomplish this additional activity.*

*Trustee Ware spoke of having a presence of the LTC in downtown Lombard and felt this was important. He noted Option #3 was the recommendation of the Economic & Community Development Committee. He indicated they felt strongly about keeping the LTC alive.*

*Trustee Moreau questioned the \$35,000 for the Executive Director position.*

*Trustee Ware stated the downtown presence is very important and noted that the LTC has \$62,000. They did not feel having LTC staff at the Village Hall would help bolster the downtown presence. They felt they wanted the progress to continue. The committee favored a grant up to \$35,000 keeping in mind that some of the \$62,000 would go toward funding of the Executive Director position and also toward fundraisers. He noted the \$35,000 would come from the TIF. Trustee Fitzpatrick questioned funding for events.*

*Kathy Hogan, Treasurer of the Lombard Town Centre, spoke regarding financial support from the Village. She indicated if the Village approved the \$35,000, that should take care of funding for the Executive Director position. She noted the \$62,000 that the LTC has in reserve could be used for fundraisers and events.*

*Trustee Fitzpatrick questioned if the LTC Executive Director would be a Village employee.*

*Dan Whittington, President of LTC, indicated this amount could cover two years.*

*Trustee Wilson questioned the hourly rate if they were receiving \$35,000.*

*Trustee Ware indicated the Executive Director position would be a consultant position.*

*Dan Whittington spoke regarding the \$35,000 and a salaried position versus a part-time position and finding a qualified person. He noted they would want to take their time to find an experienced person to fill this position.*

*Trustee Wilson questioned the rate of pay.*

*Trustee Tross indicated he did not have a problem with the \$35,000. He stated although the results have not been to his satisfaction, he indicated he wanted to show support for the LTC. He stated the Village Board talked about very similar situations with the Lilac Parade and the Taste of Lombard and the fact that the Village does not run those events. He stated he did not understand the supervision of this position by the Director of Community Development. He questioned why the Village was getting involved in the operations of the LTC. He asked who would do the hiring. He asked if this position would be a 1099*

employee. He felt the past director had some conflicting goals as the Village wanted vacancies filled and the LTC wanted promotions. He stated the Village does not get involved in the operation of the Chamber and the Village has given them in excess of \$70,000. He inquired as to who was going to hire the person and felt this was an LTC project and not a Village project.

Dan Whittington noted this would be a collaborative project with the LTC and the Village and come under the jurisdiction of Director of Community Development Bill Heniff.

Trustee Wilson reported the Village has not had a hand in the LTC operation and that maybe the Village needed to be involved. He noted the Village has not been involved in the Lilac Parade and the Taste and emphasized where that is now. He felt if Director Heniff was involved, the results may be more to the liking of the Village.

President Mueller indicated that possibly the Village has been too involved. He stated he has attended almost all of the meetings and they are 2-3 hours in length. He indicated he was frustrated and stopped attending. He noted that staff also attended the meetings. He thanked Kathy Hogan for the most precise report he has seen come from the LTC. He stated the Executive Director left over a month ago and there had been no meetings.

Dan Whittington noted that a meeting had been called after the Executive Director resigned. He noted the meeting was in early December and that was the last meeting.

President Mueller questioned two months with no director and no meetings. He indicated if the Village had lost a key person, they would be meeting.

Dan Whittington stated they had met a month ago. He stated they spoke about coming to the Village.

President Mueller felt the LTC should have met and that they should not be relying on the Village. He questioned how they have been operating for two months without a key employee. He stated he could not have run his own business for two months without meeting regarding the loss of a key employee. Trustee Tross indicated marketing the downtown and filling vacancies was a key element and not just having events. He spoke about the Main Street Program. He spoke regarding the report that had been prepared by Community Development and had been given to LTC repeatedly. He stated LTC hired the past director Laura Bergeson and she had a strong marketing background. He noted the Village had spent thousands of dollars on two different reports and had a listing of storefronts available. He did not want to see this become another Historical Museum where they requested funding for a director and that has been expanded. He asked who would be hiring the LTC Executive Director. Dan Whittington noted the Lombard Town Centre would do the hiring. Trustee Tross felt having the LTC in downtown Lombard was important and he had no question with the \$35,000.

Trustee Moreau questioned the vision for Option 4.

Director Heniff indicated one person would be tasked with recruitment and advancing economic development. He spoke about the building code and Capital Improvement Program and all of that coming together.

Trustee Moreau questioned the special events.

Director Heniff indicated LTC would handle special events and not Village staff. He stated LTC has \$60,000 to cover those activities.

Trustee Moreau questioned if that money could be used to pay a staff member.

Trustee Gron noted his concern if the person did not have an office and appearance in the downtown. He stated it gave a feeling of comradery. He viewed it as having eyes on the street and being there to answer questions and help direct businesses. He felt if the Executive Director was at the Village Hall, the person would not be seeing and hearing the voices of the business people and not have a feel for what was happening in the downtown. He felt this was a

*big concern.*

*Trustee Ware indicated with Option 4, the Executive Director would be located in downtown and be able to focus on downtown.*

*Trustee Fitzpatrick indicated if this was a staff position. the time would be torn. She spoke about the City of Elmhurst and a similar situation. She noted the beauty of a contract, is that it can be ended.*

*President Mueller stated that in five years, the LTC had held over 30 interviews and tours of the downtown and not one resulted in a closing. He indicated the Village had given \$450,000 to the LTC, plus grant money and money for Cruise Nights. He stated over \$500,000 had been spent in the last five years to bring people to downtown Lombard and the Village is questioned as to why the Village does not do more. He questioned what the Village was receiving in return. He asked what LTC was doing and felt they should be doing more. He stated after five years and \$500,000, the Village was still in the same situation it was five years ago with vacancies that have not been filled.*

*Trustee Moreau agreed with President Mueller. She felt the Village was back to where it started. She questioned if the \$35,000 was realistic.*

*President Mueller stated the City of Elmhurst had a Special Service District that they had created. He noted if you went to downtown Elmhurst on a Saturday, they had people shoveling snow, but that the expenses came out of the Special Service District funds. He stated the property owners paid for that.*

*Trustee Ware noted the \$35,000 came from evaluating the amount of money in the TIF and keeping in mind that LTC still had \$62,000 in reserve.*

*Trustee Wilson spoke of the numerous e-mails he received from the previous LTC Executive Director and felt it was not fair to blame her for not filling any vacancies. He asked if there was something the Village was not doing and if the Village needed to be more business-friendly. He felt there was no one who worked harder than Laura Bergeson did. He did not know whose fault it was that \$500,000 and five years had not resulted in more positive results. He asked what other options were available and what else could be done.*

*Trustee Tross stated one thing was tried and has not worked.*

*President Mueller indicated the Village was not at fault and that staff had met with developers. He spoke most recently of a restaurant wanting to move into downtown Lombard at a cost of \$425,000 for the owner. The Village was giving a \$100,000 restaurant grant and a \$20,000 facade grant. The owner then came to the Village requesting additional funding to help with a \$60,000 sprinkler system that they could not afford to pay for. He indicated this was \$200,000 for a \$425,000 project. After all of the time and work of staff, the owner walked away.*

*Trustee Wilson indicated he was just looking for answers and not being critical.*

*President Mueller stated the Village lost a very good business and the owner decided to go to Elmhurst where the property was cheaper. He spoke of the time he and Trustee Gron had spent and that the business owner told him that the Village of Lombard had the best grant programs. He felt it was not the fault of the Village or LTC. He indicated it is the property owners who determine the rental amounts for the properties and this is what is causing problems. He stated he has heard of rents increasing by 33% and that business is looking to move. He indicated this is part of the problem.*

*Trustee Fitzpatrick stated one business could not get a bank loan.*

*Trustee Moreau questioned the Village bringing in businesses to downtown.*

*Trustee Gron indicated that Laura Bergeson went out and recruited trying to bring businesses to downtown.*

*Director Heniff indicated recruiting could be done and that the Village Board could direct the Community Development Department to take on this activity.*

*He noted that staff has done outreach activities and if they hear of something or someone with interest, they follow up. Additional outreach could be done. He*

stated if the Village Board indicates they want Community Development staff to do outreach, that is what they will do.

Trustee Tross felt the Village should be committed to filling vacancies. He felt LTC should do promotions like Spooktacular to help promote a cohesive business district where all of the businesses are making a profit. He thought this bolstered comradery for the downtown merchants and helped bring foot traffic to the businesses. He felt the key was promotion. He spoke on going back to the issues of vacancies, build-outs and facades and that is why the Village established grant programs to help promote businesses. He questioned why the person promoting downtown should be an LTC employee. He stated he did not like the mix of an LTC employee and supervision by a Village staff person. He noted the Village is government and the LTC is a separate entity. He stated he supported the \$35,000, but did not support the Village supervision of the LTC Executive Director. He commented about the City of Elmhurst and the Spring Road area that is a Special Service District. He noted they also have vacancies. He indicated Elmhurst has a standing contract with a marketing company to try and recruit business to the city. He stated the Village paid for an inventory study and a marketing study. He questioned the Village contracting with a marketing firm to do the legwork. He suggested giving a marketing firm the \$35,000 and let them do their thing.

President Mueller stated the Village had already looked at doing that. He noted that the marketing firm that is contracted by Elmhurst was also contracted by the City of Wheaton. Wheaton received no leads and other communities that tried using the firm also received nothing. The other communities questioned if they were receiving their fair share. The City of Wheaton no longer uses that firm. He indicated the Village could contract with a marketing firm.

Trustee Tross stated that someone in the Village could possibly handle this as the Village had given LTC \$75,000 for three years and we had not received anything. He wanted someone to bring the Village merchants. He felt the Village was committed to filling the vacancies. He suggested giving LTC \$35,000 and let them do their thing. He suggested Option #4 or to contract a marketing firm.

Trustee Moreau felt LTC was spread too thin. She felt LTC should do the promotions and the Department of Community Development handle finding businesses to fill vacancies.

Colleen Whittington, member of Lombard Town Centre, spoke regarding the recession and that the LTC has been able to rally the businesses. She indicated they help the businesses by being the liaison between the businesses and the Village in getting answers for them and getting information on grants that are available. She felt it was good to have the LTC presence in downtown. She noted Laura Bergeson walked the streets and asked merchants what she could do to help them. She felt this was vital as well as filling vacancies. She talked about the red tape that merchants need to go through for the Village.

President Mueller disagreed with the red tape and indicated he sat down with Laura Bergeson and explained the grant programs to her.

Trustee Tross felt the business owners called red tape anything to do with the Village and obtaining a permit.

Trustee Wilson questioned the \$35,000 to LTC. He felt if staff was going to do the work, the \$35,000 should go to staff.

Trustee Tross indicated former Trustee Ken Florey had twisted his arm about LTC years ago. He felt LTC needs to know they have a revenue source that ends in June 2011. He suggested \$35,000. He felt the Village needed to keep the lines of communication open as well as the lines of communication from business to business and event to event. He felt there were other things that needed to be done in downtown Lombard.

President Mueller noted that part of the \$62,000 was Village money.

*Mr. Heniff stated that at the February 3, 2010 Economic and Community Development Committee (ECDC) meeting, the ECDC recommended that the Village Board approve future funding to the Lombard Town Centre (LTC) in an amount not to exceed \$35,000 for a part-time Lombard Town Centre Executive Director (ED). On February 4, 2010 the Village Board approved this recommendation. Mr. Heniff said that subsequent to those meetings, staff has been working with LTC President Dan Whittington and its Board to develop a job description and begin the process of interviewing candidates. To date, they are still reviewing candidates and expect to make a decision the week of June 7, 2010.*

*Mr. Heniff outlined the terms for funding and asked the ECDC to make a recommendation to the Village Board for consideration at their June 17, 2010 meeting.*

*Mr. Nielsen asked about the audit and whether or not it could be waived. Mr. Heniff stated that this was a requirement from the previous funding approvals.*

*Mr. McNicholas suggested that the LTC provide a plan for future funding requests no later than March 1, 2011.*

- Z.**     [100319](#)     Temporary Special Event Permits - Yorktown Merchants Association Request to grant three additional Temporary Special Event Permits to the Yorktown Merchants Association relative to their proposed Concert and Fine Arts Fair. (DISTRICT #3)  
**Attachments:**   [Yorktown Special Events.doc](#)  
                          [100319.pdf](#)
- AA.**    [100320](#)     Letter of Credit Time Extension - Buckingham Orchard Project Motion to allow a one-year time extension for the Letter of Credit posted as a Construction Guarantee for the Buckingham Orchard Project. (DISTRICT #1)  
**Attachments:**   [Motion to Extend LOC - Memo.doc](#)  
                          [Motion to Extend LOC.doc](#)  
                          [100320.pdf](#)
- BB.**    [100324](#)     437 E. St. Charles Road - Plats of Easement Motion to accept easements for the existing public watermain and sanitary sewer located in Lombard Common Park as well as 175 feet of newly-constructed watermain located in Paradise Bay Water Park. (DISTRICT #4)  
**Attachments:**   [437 E. St. Charles Rd.doc](#)  
                          [437 E. St. Charles Easement.pdf](#)  
                          [100324.pdf](#)
- CC.**    [100332](#)     114 S. Elizabeth Street - Sacred Heart German Fest Request for the use of public rights-of-way and public property for the display of banners for the period July 7 through July 18, 2010. (DISTRICTS #1 and #4)



**Attachments:** [SacredHeartGermanFest2010.doc](#)  
[Germanfest Signage 2010.doc](#)  
[100332.pdf](#)

- DD.** [100337](#) Contract with Exelon Energy Company  
Ratifying a contract with Exelon Energy Company for the provision of electrical energy for street lighting. (DISTRICTS - ALL)

**Attachments:** [Electric Memo- Ratification Street Lightingt - NIMEC 6-10.doc](#)  
[Electric-NIMEC Contract Ratification 6-10.doc](#)  
[100337.pdf](#)  
[Exelon Agreement.pdf](#)  
[Exelon Agreement Part II.pdf](#)

- EE.** [100341](#) 810 E. Butterfield Road (Dick's Sporting Goods)  
Motion granting an extension of a temporary special event permit for Dick's Sporting Goods for the period from June 25 to July 18, 2010. (DISTRICT #3)

**Attachments:** [BOT Memo Dicks Special Event 2010.doc](#)  
[dickssportinggoods\\_2010.doc](#)  
[100341.pdf](#)

**\*FF. Appointment - Trustee District #2 Replacement (This item was moved following Public Participation)**

**\*GG Re-appointment and Appointments (Electrical Commission) (Moved to IX-C)**

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**\*HH Request for Appeal of a Driveway Variance Denial (Moved to IX-D)**

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- \*II.** [100328](#) Severance Agreement - Ed Seagraves  
Agreement providing a severance package to Fire Chief Ed Seagraves.

**Attachments:** [submitges.doc](#)  
[gesagreementmemo.doc](#)  
[gesVOLUNTARY SEPARATION AGREEMENT AND RELEASE.doc](#)  
[Voluntary Separation Agreeemtn and release- Chief Seagraves.pdf](#)  
[100328.pdf](#)

## **IX. Items for Separate Action**

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

- A.** [100315](#) BOT 10-02: 1210 S. School Street  
1. Ordinance Authorizing the Execution of an Annexation Agreement  
(2/3 of Corporate Authorities Vote required)

2. Ordinance Annexing Certain Territory to the Village of Lombard.  
(UNINCORPORATED/DISTRICT/DISTRICT #6)

**Attachments:** [York Center Neighborhood Annexation.pdf](#)

[BOTPublicNotice.doc](#)

[CoverSheet.doc](#)

[DAH referral memo.doc](#)

[100315.pdf](#)

[Certification.pdf](#)

[Ordinance 6502.pdf](#)

[Ordinance 6503.pdf](#)

[Il Dept. of Revenue Response.pdf](#)

[Pre Annexation Agreemen.pdf](#)

## Other Ordinances on First Reading

## Ordinances on Second Reading

### Resolutions

- \*B. [100330](#) 300-310 S. Main Street (Prairie Path Villas) (Tabled September 2, 2010)  
Authorizing the Village of Lombard to notify the Illinois Environmental Protection Agency that the Village will no longer agree to have certain right-of-ways act as an engineered barrier. (DISTRICT #1)

**Attachments:** [BOT memo TACO void cont.doc](#)  
[BOT memo TACO void.doc](#)  
[Cover SheetTACO agreement.doc](#)  
[Memo 9-2.pdf](#)  
[BOT memo TACO void 10-7 report.doc](#)  
[100330.pdf](#)

### Other Matters

- \*C. [100339](#) Re-appointment and Appointments - Electrical Commission  
Request for concurrence of the Village Board in the re-appointment of Russell Schroeder to the Electrical Commission with a term to 2014 and the appointment of John Foulkes with a term to 2012; appointment of Matt Komel with a term to 2014; appointment of Jim Roberts with a term to 2014; and appointment of John Funk with a term to 2012. Staff members are Leonard Farina and Battalion Chief Mike Torrence.

**Attachments:** [appoinatmentselectrical2010.doc](#)  
[submitelectricalappt.DOC](#)  
[Letters of Appointment 6-18.pdf](#)  
[100339.pdf](#)

- \*D. [100274](#) Request for Appeal of a Driveway Variance Denial  
Review of an appeal for a denial of a driveway width variance request for 370 E. 17th Street. Public Works Director recommended denial. (DISTRICT #3)

**Attachments:** [100274.pdf](#)

## X. Agenda Items for Discussion

## XI. Executive Session

## XII. Reconvene

## XIII Adjournment

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