

Village of Lombard

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



Minutes

Thursday, June 21, 2018

7:00 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; Bill Johnston, District Four;

Robyn Pike, 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, June 21, 2018 in the Board Room of the Lombard Village Hall was called to order at 7:02 p.m. by Village President Keith Giagnorio. Assistant Director of Public Works Dave Gorman led the Pledge of Allegiance.

II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Staff Present:

Village Manager Scott Niehaus
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Assistant Director of Public Works Dave Gorman
Chief of Police Roy Newton
Fire Chief Richard Sander
Human Resources Director Kathy Dunne
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Dan Whittington, seconded by Trustee Robyn Pike, that the minutes of the regular meeting of May 17, 2018 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Robyn Pike, and Bill Ware

Present: 1 - Bill Johnston

VI. Committee Reports

Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson

No report

Community Relations Committee - Trustee Robyn Pike, Chairperson

No report

Economic/Community Development Committee - Trustee Bill Johnston, Chairperson

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

No report

Public Works & Environmental Concerns Committee - Trustee Bill Ware, Chairperson

Trustee Bill Ware, Chairperson of the Public Works & Environmental Concerns Committee, reported the committee met jointly with the Finance & Administration Committee relative to the water study. Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, spoke of the various committees comprised of Village residents who make recommendations to the Village Board. He thanked the sixteen members of the Public Works & and Finance Committees who met and reviewed the water rate study.

Board of Local Improvements - Trustee Bill Ware, President

No report

Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna

No report

VII. Village Manager/Village Board Comments

Trustee Reid Foltyniewicz congratulated Tom Masterson on the designation of his building at 134 W. St. Charles Road as a local

landmark.

Village Clerk Sharon Kuderna read the following announcements:

The July 5th Board of Trustees meeting has been cancelled. The next regular meeting will be Thursday, July 19th at 7 p.m. in the Village Hall.

The Village of Lombard will be hosting a fireworks display on Wednesday, July 4, at Madison Meadow Park, at approximately 9:30 p.m. Free shuttle bus transportation to and from designated locations will be provided. More information can be found at:

villageoflombard.org/fourthofjuly.

The Village Hall will be closed for business on July 4th.

Lombard's Cruise Nights & Summer Concerts Series is celebrating its 20th anniversary this season! Be sure to join us this Saturday, June 23rd in downtown Lombard from 6 to 10 p.m. where the featured band is 'Rocks Off', (a Rolling Stones tribute band). More information can be found at villageoflombard.org/cruisenights.

Thank you to all who donated at the Village's summer community blood drive yesterday. With the help of Heartland Blood Center, we were able to collect 137 pints of blood and able to save over 400 lives. The next scheduled Village blood drive is the We Remember Blood Drive scheduled for September 12th.

VIII Consent Agenda

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Trustee Reid Foltyniewicz asked Village Manager Scott Niehaus to provide some additional information relative to Consent item R, small wireless facilities.

Village Manager Scott Niehaus noted that State Statutes now allow all phone companies to install small pods on top of light poles in lieu of installing thirty-foot high poles. These pods are smaller than a trash can. The Village has the right to regulate and inspect these pods and these pods will not impede or interfere with any Village operations. The Village will receive \$250 per year for each pod. These pods should help to improve cell phone service.

Director of Community Development Bill Heniff noted that there is a correction to the site plan for Starbucks relative to the date which should be May 16, 2018.

Payroll/Accounts Payable

A. [180252](#) Approval of Village Payroll

For the period ending May 12, 2018 in the amount of \$858,843.89.

This Payroll/Accounts Payable was approved on the Consent Agenda

B. [180253](#)

Approval of Accounts Payable

For the period ending May 18, 2018 in the amount of \$779,703.79.

This Payroll/Accounts Payable was approved on the Consent Agenda

C. [180260](#)

Approval of Accounts Payable

For the period ending May 25, 2018 in the amount of \$615,227.57.

This Payroll/Accounts Payable was approved on the Consent Agenda

D. [180261](#)

Approval of Village Payroll

For the period ending May 26, 2018 in the amount of \$821,189.77.

This Payroll/Accounts Payable was approved on the Consent Agenda

E. [180262](#)

Approval of Accounts Payable

For the period ending June 1, 2018 in the amount of \$371,117.90.

This Payroll/Accounts Payable was approved on the Consent Agenda

F. [180268](#)

Approval of Accounts Payable

For the period ending June 8, 2018 in the amount \$559,278.15.

This Payroll/Accounts Payable was approved on the Consent Agenda

G. [180280](#)

Approval of Village Payroll

For the period ending June 9, 2018 in the amount of \$931,191.74.

This Payroll/Accounts Payable was approved on the Consent Agenda

H. [180281](#)

Approval of Accounts Payable

For the period ending June 15, 2018 in the amount of \$1,382,454.95.

This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

I. [180193](#)

Local Landmark: 134 W. St. Charles Road

The Historic Preservation Commission (HPC) is recommending that the Village Board approve the designation for 134 W. St. Charles Road as a landmark site.

(DISTRICT #1)

waived of first reading and passed on second reading with suspension of the rules

Enactment No: Ordinance 7530

- J.** [180249](#) **Village Equipment To Be Declared Surplus**
Village Departments are requesting to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the Ordinance, to be sold at auction, sold for scrap, or recycled as these items have extended beyond their useful life or are obsolete to include one (1) Ford Crown Victoria vehicle, one (1) Ford Explorer vehicle, one (1) Sony HD Multimedia DC/DVD Player, thirty (30) Programmable Logic Controllers, 21 (twenty-one) Touchscreen HMI's, 20 (twenty) DC battery backups, 15 (fifteen) PLC input & Output Cards, 5 (five) transformers, 5 (five) transformers, 5 (five) SCADA radio units, 1 (one) automatic transfer switch and twenty (20) pounds of scrap metals.
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 7531
- K.** [180254](#) **PC 18-16: 446 E. Roosevelt Road - Bank of America - Conditional Use for a Bank/Financial Institution**
Requests that the Village grant a conditional use, pursuant to Section 155.417(G) of the Zoning Ordinance, to allow for a bank/financial institution in the B4APD Roosevelt Road Corridor Planned Development Zoning District. (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 7532
- L.** [180255](#) **PC 18-17: 201-275 W. Roosevelt Road - Starbucks**
Requests that the Village take the following actions on the subject property located within the B4A Roosevelt Road Corridor Road District:
1. Grant a conditional use, pursuant to Section 155.417(G)(2)(b) of the Zoning Ordinance, to allow for a drive-through facility;
 2. Grant a conditional use, pursuant to Section 155.417(G)(2)(a) of the Zoning Ordinance, to allow for an outside service area;
 3. An amendment to Ordinances 3710 and 3711 which granted approval to allow for the establishment of three principal structures and three (3) freestanding signs on the subject property. (DISTRICT #2)
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 7533
- M.** [180257](#) **PC 18-18: 100 S. Main Street - West Suburban Bank**
Requests that the Village grant a conditional use, pursuant to Section 155.418(C)(7) of the Zoning Ordinance, to allow for a drive-through facility on the subject property located within the B5 Central Business District. (DISTRICT #2)

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

Enactment No: Ordinance 7534

N. [180269](#)

Ordinance Relative to the Sale and Delivery of Alternative Nicotine Products and Devices

Ordinance Amending Article XI, Chapter 120 of the Lombard Village Code in regard to the regulation of the possession, sale and delivery of alternative nicotine products to persons under the age of eighteen (18).

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

Enactment No: Ordinance 7535

O. [180273](#)

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

Revising the Class "F" liquor license category and issuing a new license to Shree Sahajanand Inc. d/b/a Royal Liquor & Wine located at 243 S. Westmore-Meyers Road. (DISTRICT #5)

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

Enactment No: Ordinance 7536

P. [180274](#)

Prevailing Wage Rate

Adoption of the most current Prevailing Wages for public works projects for DuPage County for June 2018.

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

Enactment No: Ordinance 7537

Q. [180276](#)

800 E. Roosevelt Road - Noon Whistle Brewing Special Event

Amending Title 11, Chapter 112, Section 112.18(B) of the Lombard Village Code with regard to alcoholic beverages, providing for the sale and consumption of beer in connection with a temporary event (Summerfest) on June 30, 2018 located at 800 E. Roosevelt Road. (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 7538

R. [180282](#)

Ordinance Amending the Lombard Municipal Code - Permitting, Regulations and Deployment of Small Wireless Facilities

Ordinance amending the Lombard Village Code providing for the framework by which the telecommunications industry may improve their coverage through the installation of small cell wireless facilities atop

municipal light poles and traffic signals within the public right-of-way.

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

Enactment No: Ordinance 7539

S. [180285](#)

Tandem Axle Dump Truck Purchase and an Ordinance Declaring Village Unit #ST340 as Surplus Property

Request for a waiver of bids and award of a contract of JX Peterbilt in the amount of \$199,302.34 for the purchase of a tandem axle dump truck with salt spreader and plow; and approval of an ordinance declaring Village unit #ST340, a 2009 Sterling LT8513 tandem axle dump truck, as surplus and authorizing its sale. Public Act 85-1295 does not apply. Staff requests a waiver of first reading.

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

Enactment No: Ordinance 7540

Other Ordinances on First Reading

T. [180056](#)

Text Amendments to the Village Code of Ordinances, Chapter 150.141: Plan Re-review Fee Amendments

The ECDC and BOBA recommend approval of code amendments to Chapter 150.141: Plan Re-review Fee Amendments. The amendments would replace the existing plan-re-review fee provisions and would tie the re-review fee to the type and nature of the specific plan re-review itself. This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7552

U. [180057](#)

Text Amendments to the Village Code of Ordinances, Chapter 150.141: Inspection Fee Amendments

The ECDC and BOBA recommend approval of the code amendments to Chapter 150.141: Inspection Fee Amendments. The amendments would establish an additional inspection fee to account for construction projects that are subject to excessive re-inspections, as set forth within the draft Ordinance. This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7553

- V. [180058](#) **Text Amendments to Section 150.141 of the Building Code (Fee Schedule)**
Ordinance amending Village Code Chapter 150.141(AA) relative to establishing Plan Review Fee Deposits for Major Developments. The amendments would establish a building permit plan review deposit requirement for "Major Developments". This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process. (DISTRICTS - ALL)
This Ordinance was passed on first reading on the Consent Agenda
Enactment No: Ordinance 7554
- W. [180059](#) **Text Amendments to the Village Code of Ordinances, Chapter 14 and Section 150.141: Fee Waiver for Local Governments and School Districts**
The ECDC and BOBA recommend approval of the code amendments to Chapter 14 and Section 150.141 relative to a fee waiver for local governments and school districts. The amendments would remove the existing public hearing and building permit fee waiver provisions for Units of Local Government and School Districts and would make the entities subject to the permit fee requirements already established within Village Code. This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process (DISTRICTS - ALL)
This Ordinance was passed on first reading on the Consent Agenda
Enactment No: Ordinance 7555
- X. [180199](#) **305 East Morningside Avenue: Removal of Landmark Site Designation**
At the April 17, 2018 Historic Preservation Commission (HPC) meeting, the HPC refused to issue the necessary certificate of appropriateness to allow the replacement windows, that were installed by the current owner without a Village permit, to remain in the building. As a result, the current owner filed an appeal of the HPC's decision to the Village Board, and requested that the Village Board allow the replacement windows to remain, subject to the acquisition of the appropriate "after the fact" permit and the payment of the appropriate permit fees, and remove the Landmark Site designation relative to the property, as previously established via Ordinance 6698. The Ordinance grants the relief sought by the current property owner, thereby removing the Landmark Site designation relative to the property. (DISTRICT #5)
This Ordinance was passed on first reading on the Consent Agenda
Enactment No: Ordinance 7556

- X-2. [180287](#) **Title 11, Chapter 118, Section 118.06 of the Lombard Village Code - Regulation of Solicitors for Funds**
Amending Title 11, Chapter 118, Section 118.06 to cite the proper short title of "The Solicitation for Charity Act" as well as the proper citation of the statute pursuant to the Illinois Compiled Statutes 225 ILCS 460/0/01 et seq.
This Ordinance was passed on first reading on the Consent Agenda
Enactment No: Ordinance 7557

Ordinances on Second Reading

- Y. [180227](#) **Text Amendment to Section 32.079(G) of the Village Code: Historic Plaques**
The Historic Preservation Commission (HPC) is recommending that the Village Board adopt an amendment to the Village Code that would obligate the property owner to return a Landmark Site Plaque to the Village in the event the property is no longer designated a landmark site.
(DISTRICTS - ALL)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7541

Resolutions

- Z. [180256](#) **Disclosure Policies and Procedures**
Resolution approving policies and procedures for preparing and updating disclosures as required under the Federal Securities Laws for the Village Of Lombard, DuPage County, Illinois.
This Resolution was adopted on the Consent Agenda
Enactment No: R 41-18
- AA. [180265](#) **Updated Debt Management Policy**
Resolution authorizing an addition to the Village of Lombard Financial Policies regarding an updated Disclosure Policies and Procedures and an updated Debt Management Policy. The Finance and Administration Committee voted unanimously to recommend the approval of an updated Debt Management Policy.
This Resolution was adopted on the Consent Agenda
Enactment No: R 42-18
- BB. [180283](#) **Review of Executive Session Minutes**
Resolution authorizing the Village Clerk to make certain Closed Session

Meeting Minutes available for public inspection (First Review 2018).

This Resolution was adopted on the Consent Agenda

Enactment No: R 43-18

CC. [180286](#)

MFT Resolution for Fiscal Year 2018 General Maintenance

Authorizing the use of MFT funds in the amount of \$588,000.00 for the 2018 HMA Paving & Patching program. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 44-18

Other Matters

DD. [180264](#)

FY2018 Bituminous Asphalt Purchase

Request for a waiver of bids and award of a contract to DuPage Materials Company in an amount not to exceed \$274,866.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

EE. [180278](#)

FY2018 Sanitary and Storm Sewer CCTV Inspection and Cleaning, Rejection of Bids

Recommendation from staff to reject all bids and authorize staff to request proposals from the five original bidders with the revised scope of items.

This Bid was approved on the Consent Agenda

FF. [180279](#)

Bulk Water Dispensing Station

Request for a waiver of bids and award of a contract to Flowpoint Inc./Midwest Water Group in an amount not to exceed \$34,632.33 for the construction of a bulk water dispensing station. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

GG. [180270](#)

Contract with Constellation New Energy, Inc.

Request to ratify a three (3) year contract with Constellation New Energy, Inc. for the provision of electrical energy for street lighting.

This Request was approved on the Consent Agenda

HH. [180277](#)

Re-Appointments - Board of Local Improvements, Board of Fire and Police Commissioners and Police Pension Board of Trustees

Request for approval of the re-appointment of Keith Giagnorio, Sharon Kuderna, Molly O'Toole and Angel Diaz to BOLI for two-year terms of office to May 2020; re-appointment of Tom Rachubinski to the Board of

Fire and Police Commissioners for a three-year term to May 2021 and the re-appointment of Jerry Peterson to the Police Pension Board of Trustees for a two-year term to April 2020.

This Appointment was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- A. [180259](#) **Budget Amendment Ordinance****
Ordinance approving the final FYE 2017 Budget Amendment. (2/3 vote of Corporate Authorities required)
- A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the Ordinance approving the final FYE 2017 budget amendment be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**
- Aye:** 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- Enactment No: Ordinance 7542
- B. [180266](#) **Issuance of Waterworks and Sewerage Revenue Bonds****
Ordinance authorizing the issuance Of Waterworks And Sewerage Revenue Bonds of The Village Of Lombard, DuPage County, Illinois, in an aggregate principal amount not to exceed \$3,900,000 or, in lieu thereof, General Obligation Bonds (Alternate Revenue Source) in an aggregate principal amount not to exceed \$3,900,000 for the purpose of paying the costs of improving the waterworks and sewerage system of the Village. Staff requests waiver of first reading.
- Village Manager Scott Niehaus spoke relative to the Village being able to issue debt, that the projects included in the bonds will not exceed \$3.89 million and there will include be three water and sewer project included.

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware,

that the Ordinance authorizing the issues of Waterworks and Sewerage Revenue Bonds in an aggregate principal amount not to exceed \$3,900,000 for the improving of the waterworks and sewerage system in the Village 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, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7543

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Bill Johnston, seconded by Trustee Dan Whittington, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 21, 2018 in the Board Room of the Lombard Village Hall be recessed at 7:24 p.m. to Executive Session for the purpose of discussion of Collective Negotiating Matters be to recess. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 21, 2018 in the Board Room of the Lombard Village Hall was called to order at 7:38 p.m. by Village President Keith Giagnorio.

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

XIII Adjournment

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A motion was made by Trustee Dan Whittington, seconded by Trustee Bill

Ware, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 21, 2018 in the Board Room of the Lombard Village Hall be adjourned at 7:39 p.m. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware