

Village of Lombard

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



Minutes

Thursday, November 20, 2014

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

Trustees: Dan Whittington, District One; Mike Fugiel, District Two;

Reid Foltyniewicz, District Three; Peter Breen, District Four;

Laura Fitzpatrick, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 20, 2014 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:32 p.m. Village Clerk Sharon Kuderna led the Pledge of Allegiance.

II. Roll Call

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

Staff Present:
Village Manager Scott Niehaus
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Fire Chief Paul DiRienzo
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

Village President Giagnorio wished everyone a Happy Thanksgiving.

III. Public Hearings

[140441](#)

FYE2015 Budget

A Public Hearing for the purpose of hearing written and oral comments from the public concerning the proposed Village of Lombard Annual Budget for the Fiscal Year beginning January 1, 2015 and ending December 31, 2015.

The Public Hearing regarding the proposed FY 2015 Village of Lombard Budget was called to order by Village Attorney Tom Bayer at 7:34 p.m. Village Attorney Tom Bayer provided a brief overview of the Public Hearing for the purpose of hearing written and oral comments concerning the Village of Lombard Annual Budget for the Fiscal Year beginning January 1, 2015 and ending December 31, 2015 and noted that the notice had been published in the paper.

Village Manager Scott Niehaus thanked the Village Board, staff and Finance Committee for their time in reviewing and preparing the proposed budget. He highlighted some of the 2014 accomplishments

such as the Madison Street Concrete Rehabilitation Program; Vista Pond Expansion; Metra, UP, Lombard and DuPage County Lombard Station project. He noted that the Vista Pond project was being done with a State grant. Of the \$9.7 million Lombard Metra station project, the Village was contributing only \$300,000. Highlighted were also the Youth Leadership Program and the formal Welcome Home Veterans Program. The Village has initiated E-news and expanded its social media contacts through Facebook and Twitter. He noted that all five labor contracts had been completed; the Village continues to explore opportunities for partnerships, consortiums and resource-sharing; noted 22 new employees in Public Works due to the Early Retirement Incentive Program.

Finance Director Tim Sexton provided a brief overview of the proposed FY 2015 budget as follows: FY 2015 budget totals \$91,467,003, an increase of \$1,614,905 (1.8%) when compared with the FY 2014 year end estimated expenditures of \$89,852,098; highlighted the Capital Improvement Projects Funds and the Water and Sewer Capital Reserve Fund totals; FY 2015 budget is based upon projected revenue from taxes, fees, and other sources totaling \$92,739.51, an increase of \$6,535,081 (7.6%) when compared with the FY 2014 year end estimated revenue of \$86,203,970; 2015 year end revenue estimate includes \$5,500,00 for two Illinois Environmental Protection Agency (IEPA) loans in the Water & Sewer Capital Reserve Fund; highlighted Total Capital Improvement Projects Fund and W/S Operations and Maintenance; total proposed expenditures for FY 2015 are \$41,384,354, a decrease of \$1,420,098 (3.3%) when compared with the FY 2014 year end estimated expenditures of \$41,384,354; total proposed revenue for FY 2015 is \$41,046,258, an increase of \$390,898 (1.0%) when compared with FY 2014 year end estimated revenue of \$40,655,360; primary decrease in FY 2015 expenses compared to 2014 FYE estimate - \$2,289,201 was budgeted for the FY 2014 Early Retirement Incentive; primary increase in FY 2015 revenues compared to the FY 2014 FYE estimate - \$2,117,670 in Utility Tax dollars are being allocated to the General Fund to maintain the corporate General Fund balance at 25% of expenditures as provided for in the Village's financial policy; reviewed the non-discretionary versus discretionary FY 2015 proposed operating budget General Fund expenses.

Finance Director Tim Sexton reviewed the Water & Sewer Fund FY 2015 proposed operating budget as follows: total proposed expenditures for FY 2015 are \$16,158,169 - this represents an increase of \$1,083,048 (7.2%) when compared with the FY 2014 fiscal year end estimated expenditures of \$15,075,121; total proposed revenue for FY 2015 is \$15,450,813 - this represents an increase of \$504,543 (3.4%) when compared with the FY 2014 fiscal year end estimated revenue of \$14,946,270; the most significant increase of

\$949,000 is due to the rising cost to purchase Lake Michigan Water; the DuPage Water Commission (DWC) officially passed a rate hike that directly affected local water rates beginning in 2012; DWC customers began paying 30% more starting in January 2012; DWC approved a 20% increase for 2013, an 18% increase for 2014 and a 17% increase for 2015; the proposed budget includes an increase in water and sewer rates of 3.98% for 2015; 67.5% of the FY 2015 proposed expenses in the W&S Fund are payments for the DuPage Water Commission and Glenbard Wastewater Authority for the purchase and delivery of Chicago water and the processing of wastewater; the FY 2015 proposed water and sewer O&M rates is \$11.86 per 1,000 gallons; the Village would receive \$3.85 per 1,000 gallons for operating and maintenance activities; the FY 2015 proposed Water/Sewer rate increase is \$0.50 or 3.98% per 1,000 gallons; the Village's portion of the \$0.50 increase is \$0.03 or 6.0% of the overall 3.98% per 1,000 gallons; for the average residential customer that uses 4,000 gallons/month, this increase of \$0.50 will cost an additional \$2.00 per month.

Finance Director Tim Sexton reviewed the FY 2015 Capital Improvement Program (January 1st to December 31st) as follows: expenditures for FY 2015-2024 CIP are proposed at \$129,344,350; include Roosevelt Road Watermain Lining Phase I and II and the Transmission Main (Civic Center to South Booster) are candidates for IEPA loan program - total cost is \$8,207,500; expenditures for FY 2015 are proposed at \$19,007,250; noted sewer/storm water control improvements budgeted at \$2,688,500 and water system improvements budgeted at \$5,748,100.

Village Manager Scott Niehaus asked if there were any questions. Village Attorney Tom Bayer noted that being there were no questions or comments, the Public Hearing was closed at 7:45 p.m.

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Mike Fugiel, seconded by Trustee Peter Breen, that this be approved. The motion carried by the following vote:

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

VI. Committee Reports

Community Relations Committee - Trustee Dan Whittington, Chairperson

Trustee Dan Whittington, Chairperson of the Community Relations Committee, reported the committee met. The committee reviewed the Senior Fair. The committee will review additional handicap parking as well as a possible shuttle for the fair. The first official Welcome Home Veterans Programs event was held and was quite successful. The committee reviewed the Communications Policy and this will be coming to the Village Board.

Economic/Community Development Committee - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Economic and Community Development Committee, reported the committee had met. The committee reviewed grant requests for the Balkan Bakery and Coffee Shop and the annual funding request from Lombard Town Centre in the amount of \$55,000. LTC had requested an additional part-time person. The committee did not approve this request and is looking for LTC to do additional fundraising to help fund this request.

Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson

No report

Finance Committee - Trustee Peter Breen, Chairperson

No report

Public Works Committee - Trustee Bill Ware, Chairperson

No report

Transportation & Safety Committee - Trustee Reid Foltyniewicz, Chairperson

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Community Promotion and Tourism Committee, reported the committee had met. The committee reviewed a new 2014 Local Tourism Grant Program whereby if an event is scheduled at a hotel and will create a commitment of 150 or more rooms, the Village will assist with an incentive such as a gift basket for each room. The costs would far outweigh the benefits and revenue. These requests will not need to go to the committee, but can be approved by the Village Manager. The committee also reviewed a \$500 funding request from The Westin for marketing costs. Grant applications for the 2015 season will be distributed in January.

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

Village Manager Scott Niehaus requested concurrence of the Village Board to reschedule the January meetings from the first and third Thursdays in January to the second and fourth Thursdays due to the New Year holiday. The January meetings will be held on January 8 and January 22nd and will then be rescheduled meetings. The Village Board concurred.

Village Manager Scott Niehaus indicated he had received a request today from the petitioner for the medical marijuana facility indicating that he had a scheduling conflict and requesting to re-table the petition that was scheduled for the December 4th meeting to January 8th. Trustee Bill Ware noted that there would be a taping at the Overtime Bar and Grille tonight that will be aired on the Sunday Chicago's Best TV series.

Trustee Dan Whittington reminded residents of Jingle Bell Jubilee on December 6th with a tree lighting at Lilacia Park scheduled at 6pm. Trustee Reid Foltyniewicz provided an update on Montini volleyball and football games and provided information on a concert scheduled at the Maple Street Chapel on November 29th.

President Keith Giagnorio reminded residents that the Village Hall will be closed on Thursday and Friday next week for the Thanksgiving holiday.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [140437](#) **Approval of Village Payroll**
For the period ending November 1, 2014 in the amount of \$816,892.82.

 This Payroll/Accounts Payable was approved on the Consent Agenda

- B. [140438](#) **Approval of Accounts Payable**
For the period ending November 7, 2014 in the amount of \$917,898.61.

 This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [140455](#) **Approval of Accounts Payable**
For the period ending November 14, 2014 in the amount of \$799,563.21.

 This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [140342](#) **Highland/St. Charles Modification of Restricted Turn Movement**
Recommendation from the Transportation & Safety Committee to modify the "No Left Turn" restriction at Maple and Highland to 7 - 9 AM and at St. Charles and Highland to 4 - 7 PM. (DISTRICT #4)

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

 Enactment No: Ordinance 7020

- E. [140450](#) **Mutual Aid Box Alarm System**
Ordinance authorizing an addendum to the Mutual Aid Box Alarm System Master Agreement.

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

 Enactment No: Ordinance 7021

- F. [140459](#) **AMC Yorktown Request for Ordinance Amendment - Alcoholic Beverages**
Amending Title 11, Chapter 112, Section 112.33(B) of the Lombard Village Code in regard to alcoholic beverages and restrictions on the age of employees of establishments with a liquor license. (DISTRICT #3)

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

Enactment No: Ordinance 7022

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- G.** [140428](#) **2014 Driveway Apron, Curb and Sidewalk Restoration Program, Final Balancing Change Order No. 2**
Reflecting an increase to the contract with Strada Construction Company in the amount of \$2,108.15. (DISTRICTS - ALL)
This Resolution was adopted on the Consent Agenda
Enactment No: R 50-14
- H.** [140444](#) **2014 Tree Planting Program, Final Balancing Change Order No. 1**
Reflecting an increase to the agreement with West Central Municipal Conference in the amount of \$16,000.00. (DISTRICTS - ALL)
This Resolution was adopted on the Consent Agenda
Enactment No: R 51-14
- I.** [140457](#) **Prescription Drug Services Agreement**
Resolution authorizing the signature of the Village President on an Agreement with Express Scripts Insurance Company.
This Resolution was adopted on the Consent Agenda
Enactment No: R 52-14

Other Matters

- J.** [140448](#) **2015 Maintenance of Traffic Control Equipment**
Request for a waiver of bids and award of a contract to H&H Electric in the amount of \$52,281.20. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- K.** [140456](#) **Dell Server Hardware**
Request for a waiver of bids and authorization to purchase Dell hardware to add redundancy to the Village of Lombard's Business, Police, and Fire critical server applications. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- L. [050656](#) **PC 05-41: 1301 North Lombard Road - LFI Reimbursement Request for Selected Public Improvements**
Request for a motion to authorize a change order and reimbursement for proposed improvements associated with Ordinance 5695 relative to the O'Hare/DuPage Business Center Planned Development.
(DISTRICT #1)
This Request was approved on the Consent Agenda
Enactment No: Ordinance 6669
- M. [140445](#) **Westin Lombard Request for Funding**
Recommendation from the Community Promotion and Tourism Committee to approve a request from the Lombard Westin for \$500 for marketing.
This Request was approved on the Consent Agenda
- N. [140453](#) **Fire Pension Fund Municipal Compliance Report**
Accept and file the Lombard Fire Pension Fund Municipal Compliance Report for the year ending December 31, 2013.
This Request was approved on the Consent Agenda
- O. [140454](#) **Police Pension Fund Municipal Compliance Report**
Accept and file the Lombard Police Pension Fund Municipal Compliance Report for the year ending December 31, 2013.
This Request was approved on the Consent Agenda

Approval of the Consent Agenda

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

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

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

- A. [140372](#) **Levy and Assessment of Taxes**
Providing for the levy and assessment of taxes for the Fiscal Year beginning January 1, 2014 and ending December 31, 2014 for the

Village of Lombard in the amount of Eight Million Seven Hundred Sixty Five Thousand Three Hundred Eighty One Dollars (\$8,765,381).

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

Trustee Breen, Chairperson of the Finance Committee, indicated that the amount the Village can increase the tax levy without going to a referendum is \$97,467.00. Last year the Village Board voted to freeze the tax levy and that was the first time that had been done in over 20 years. He indicated he is against automatically increasing taxes. He noted the Village had a sound budget; felt the Village did not have to approve a tax levy to fund expenses; felt the fund balances were healthy; and the Village had \$40 million in the bank. He noted that although the Finance Committee was recommending approval of the tax levy, he did not agree with the recommendation. He spoke of uncertain times, expenses that may come up down the road that would necessitate a tax increase; early retirement incentives; grants from the State; \$500,000 grant for Vista Pond; felt there was no reason last year and no reason this year to approve the tax levy; if there would be a need next year, the Board could address it at that time. He indicated he did not support the recommendation of the Finance Committee.

Trustee Ware indicated he disagreed with the recommendation last year to freeze the tax levy and was worried about the compounding effect for the years ahead. He spoke of sound financial reserves and the economy looking up. He did not agree with freezing the tax levy. Trustee Whittington questioned the pensions.

Trustee Foltyniewicz questioned the amount per household.

Trustee Fitzpatrick indicated she would not support the tax levy again this year. She stated she was concerned about the residents and felt the Village was in a sound position and did not need to approve a tax levy.

Trustee Fugiel stated he was against the tax levy last year and felt the monies could assist in getting some projects completed. He stated he would support the tax levy.

Trustee Foltyniewicz indicated that he voted to freeze the levy last year. He talked of a balanced budget, living within your means, the challenges that face Lombard and passing the buck to future Village Boards. He felt it would be irresponsible to vote against the tax levy again this year and he would support the tax levy. He spoke of high interest rates, aging facilities, building up reserves for the future, cost of improvements being higher in the future and the recommendation

from the Finance Committee.

Trustee Breen noted that it appeared that most of the Village Board seemed to want to approve a tax levy. He questioned if the majority of the Board wanted to set that money aside for reserves in the General Fund.

Trustee Ware inquired if those funds could still be used for capital improvements.

Village Manager Niehaus provided response regarding specific purposes and funds.

Attorney Bayer noted that funds can be used for identified purposes.

Trustee Fitzpatrick talked of hoarding the residents' money and felt the residents did not have extra money.

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

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

Nay: 2 - Peter Breen, and Laura Fitzpatrick

B. [140451](#)

Proposed Water/Sewer Rate Increase

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

Trustee Breen inquired about the proposed water and sewer rates. Director of Finance Sexton indicated the increase was due to the increased rate for purchase of Lake Michigan water and the increase in the fees for the processing of wastewater. He noted that what the Village is charged is what is charged to the residents.

Trustee Breen indicated that some municipalities charge a fee on top of the actual cost of water and sewer fees, but that the Village of Lombard does not charge any additional fees for water or sewer.

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

Foltyniewicz, that this Ordinance be passed on first reading. The motion carried by the following vote:

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

C. [140373](#)

Budget Ordinance for Fiscal Year 2015

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

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that this Ordinance be passed on first reading. The motion carried by the following vote:

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

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Peter Breen, seconded by Trustee Dan Whittington, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 20, 2014 in the Board Rom of the Lombard Village Hall be adjourned at 8:20 p.m. The motion carried by the following vote:

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