

Village of Lombard

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



Minutes

Thursday, January 9, 2020

7:00 PM

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

*Trustees: Dan Whittington, District One; Anthony Puccio District Two;
Reid Foltyniewicz, District Three; Andrew Honig, District Four;
Dan Militello, 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, January 9, 2020 in the Board Room of the Lombard Village Hall was called to order at 7:00 p.m. by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, 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 Roy Newton
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas
HR Director Kathy Dunne
Executive Coordinator Carol Bauer

III. Public Hearings

[200014](#)

Butterfield Road/Yorktown Business District No. 2 (BD2) Public Hearing Relative to the Proposed Amendment to the Boundaries and the Approval of a First Amendment to the Business District Plan in Relation Thereto

Public Hearing in Regard to the Proposed Amendment to the Boundaries of the Butterfield Road/Yorktown Business District No. 2 and the Proposed First Amendment to the Business District Plan in Relation Thereto. (DISTRICT #3)

Village Attorney Tom Bayer read the following:

The Public Hearing tonight is in regard to the Village's proposal to amend the boundaries of the Butterfield Road/Yorktown Business District Number 2, and approve a First Amendment to the Business District Plan in relation thereto. In accordance with the Business District Development and Redevelopment Law, the Village has taken the following actions on the following dates in regard to the proposed amendment to the boundaries of the Business District, and the proposed First Amendment

to the Business District Plan in relation thereto.

1) Approved, by ordinance, the date and procedures for this Public hearing regarding the proposed Amendment to the boundaries of the Business District - December 5, 2019

2) Made the proposed First Amendment to the Business District Plan available for review by the public - December 5, 2019

3) Published Notice of Public Hearing in the newspaper (The Daily Herald) on December 26, 2019 and December 27, 2019.

Pursuant to the Business District Development and Redevelopment Law, the Village is holding this Public Hearing on the proposals to approve an Amendment to the boundaries of the Butterfield Road/Yorktown Business District No. 2, and a First Amendment to the Business District Plan for said Business District in relation thereto.

The amendment to the boundaries of the Butterfield Road/Yorktown Business District No. 2 consists of the removal of The Carlisle banquets facility property, located at 435 East Butterfield Road, Lombard, Illinois, along with the 33-foot wide roadway of Gilmore Lane, located west of and adjacent thereto, from the Business District.

The First Amendment to the Business District Plan for the Butterfield Road/Yorktown Business District No. 2 under consideration this evening provides for:

A. An Amendment to the boundaries of the Business District, as set forth in the Business District Plan, to remove The Carlisle banquets facility property and the Gilmore Lane roadway therefrom, with the legal description and maps of the Business District, as contained in said Business District Plan, being amended in light of said Amendment to the boundaries of the Business District; and

B. A finding that all other provisions of the Business District Plan, not amended by the Amendment to the boundaries of the Business District, remain in full force and effect, including the finding that the Business District is a "blighted area" as defined in the Business District Development and Redevelopment Law.

The one percent (1%) Business District Retailers' Occupation Tax and one percent (1%) Business District Service Occupation Tax, as permitted by the Business District Development and Redevelopment Law, as previously approved by the Village Board, relative to the Business District, remains in full force and effect, to be used in the Business District for the planning, execution and implementation of the Business District Plan, as amended, and to pay for Business District project costs as set forth in the Business District Plan, as amended.

Any interested person may file a written objection with the Village Clerk at this time, and may be heard orally with respect to any matters embodied within the notice of this Public Hearing.

Any alternate proposals or bids for any proposed conveyance, lease, mortgage, or other disposition by the Village of land or rights in land

owned by the Village in the Business District, and any objections, shall be heard and determined this evening. There currently is no land or rights in land owned by the Village, in the Business District, that are proposed for conveyance, lease, mortgage or other disposition by the Village.

Bill Heniff, the Village's Director of Community Development, will now provide some background relative to the amendment to the proposed boundaries of the Business District and the proposed First Amendment to the Business District Plan in relation thereto.

Director of Community Development Bill Heniff noted the following:

As part of the creation of the BD2 last fall, a concern was raised by The Carlisle property owner/business relative to the impacts on the proposed district on their business and property. Through a detailed review by the ECDC at their October 14, 2019 meeting, the ECDC unanimously recommended to the Village Board that steps be taken to remove the subject property from the BD2, finding that the amendment would not otherwise impact the qualifying factors set forth in the Business District Plan or otherwise adversely affect the BD2 on a going-forward basis.

Being that no one spoke relative to this matter, it was moved by Trustee Bill Ware, seconded by Trustee Andrew Honig that the Public Hearing be closed at 7:07 p.m.

IV. Public Participation

Chris Tinnon noted that it was National Law Enforcement Appreciation Day and wanted to thank Chief Newton and all members of the Lombard Police Department for their service in protecting the community. He also thanked the Village Board for looking at all avenues relative to generating revenue for the Village including the sale of cannabis.

[200011](#)

Presentation - Lombard Historical Society Activities Presented by Director Sarah Richardt

Sarah Richardt, Lombard Historical Society Director, provided the following overview of the 2019 year in review:

Goals included bringing top programming to the community while reaching a national audience with the Sheldon Peck exhibit; highlight the 150th anniversary of Lombard with exhibits and celebrations; bring weekly programs that are both engaging and educational; continue to work on LHS collection and archives; expand donations to LHS to bring LHS to a better financial future. LHS received a Village of Lombard tourism grant in the amount of \$13,340 toward the Peck Exhibit which ran June 4th through October, 2019. Results: 1077 walk-in visitors to see the

exhibit; 1046 program visitors to attend specific activities; 200% increase in cash donations; \$4,800 in sales of book and DVD; stories on WTTW's Chicago Tonight, Chicago Sun Times, Vermont Art Guide, Daily Herald, Lombardian, and multiple state and regional newsletters. More statistics: visitors from 17 states and 3 countries (Pennsylvania was 2 to Illinois); books sold to national museum and auction houses including the Art Institute, National Fold Art Museum, Harvard University and Christies Auction House; 33% of visitors found out through word-of-mouth with print advertising second followed by 8% through WTTW; national advertising campaign included ads in The Magazine Antiques, Midwest Living, The Newtown Bee and Maine Antiques Digest. Key achievement in Peck exhibit was bringing the Lombard Historical Society and Sheldon Peck Homestead to a nationally significant level in the fold art community. Revenue for 2018 \$174,000; revenue for 2019 \$225,000; revenue from the Village of Lombard (\$150,000 budget from Hotel/Motel, \$13,000 Peck Exhibit Grant, and \$1,790 Walking Tour tourism guide; revenue from LHS donations, programming and memberships \$73,000. Significant numbers at a glance: 3965 volunteer hours valued in the independent sector at \$107,015.35; 125+ programs in 2019; in-kind donations \$44,688 Peck Exhibition, \$5,000 in software design and accounting; net income \$33,877.85, a 137% increase over 2018. Total visitors: The Sheldon Peck has had a steady increase on visitors; the Victorian Cottage and Outreach numbers took a dip in 2019 as LHS did not host the Civil War Reenactment and could not count those 2500 event goes; the overall visitors rose by almost 500 in 2019 to 12,540; highest number in history. Reviewed the 2020 events. Sarah indicated that she will be moving to Ohio and that Allison Costanza will be the new director, that she is already transitioning into the position, and that Allison had previously worked for the Lombard Historical Society.

V. Approval of Minutes

A motion was made by Trustee Anthony Puccio, seconded by Trustee Dan Whittington, that the minutes of the regular meeting of December 19, 2019 be approved. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

VI. Committee Reports

Community Promotion & Tourism - Trustee Andrew Honig, Chairperson

Community Relations Committee - Trustee Dan Militello, Chairperson

No report

**Economic/Community Development Committee - Trustee Anthony Puccio,
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**

No report

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/Village Clerk Comments

Trustee Reid Foltyniewicz also thanked the Police Department for serving and protecting the community on this Law Enforcement Appreciation Day as well as every day throughout the year.

Village Clerk Sharon Kuderna read the following announcements:

Residents can recycle their old holiday lights by placing them in the bin at the Public Works facility through January 17th. In addition, residents can recycle their Christmas trees at no charge by placing trees at the curb beginning January 6th and running through January 17th. The live trees must be free of tinsel and decorations.

Every two seconds, someone needs blood. Make that New Year's resolution - be someone's hero - save a life - become a blood donor. The winter blood drive is scheduled for Wednesday, January 15 from 8:00 am until 1:00 pm at Yorktown and from 1:30 pm to 7:00 pm at the Village Hall. All donors will receive a coupon for a free pint of Culver's frozen custard as well as a coupon for \$10 at Noodles and Company.

Village Offices will be closed on Monday, January 20 in observance of the Dr. Martin Luther King Day holiday. Offices will reopen at 8:00am on Tuesday, January 21st.

The second Village Board meeting in January has been rescheduled to Thursday, January 23rd beginning at 7pm and is open to the public.

VIII Consent Agenda

.

Payroll/Accounts Payable

- A. [200001](#) **Approval of Accounts Payable**
For the period ending December 20, 2019 in the amount of \$1,016,420.08.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [200016](#) **Approval of Village Payroll**
For the period ending December 21, 2019 in the amount of \$795,297.86.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [200017](#) **Approval of Accounts Payable**
For the period ending December 27, 2019 in the amount of \$1,493,904.28.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [200021](#) **Approval of Accounts Payable**
For the period ending January 3, 2020 in the amount of \$260,369.53.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- E. [190279](#) **Proposed First Amendment to the Butterfield Road/Yorktown Business District No. 2 Plan and a Boundary Amendment - Ordinance Approving Boundary Amendment to the Butterfield Road/Yorktown Business District No. 2 and a First Amendment to the Business District Plan in Relation Thereto**
Ordinance approving a Boundary Amendment to the Butterfield Road/Yorktown Business District No. 2, and the approval of a First Amendment to the Business District Plan in relation thereto. The proposed amendment would remove the property at 435 E. Butterfield

Road and Gilmore Lane from the previously established Business District. (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 7767 (Other Ordinance previously approved: 7757, 7703)

F. [200018](#)

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

An Ordinance amending Title XI, Chapter 112, Section 112.13(A) of the Village Code to decrease the number of entries in the following liquor license categories by one relative to the non-renewal of liquor licenses for the January 1, 2020 through June 30, 2020 licensing term:

Class "A/B-I" - Patan Inc. d/b/a Masala located 801 E. Butterfield Road (DISTRICT #3); Class "C" - Lombard BBQ Inc. d/b/a Firewater BBQ N Brew located at 440 E Roosevelt Road (DISTRICT #6); and Class "V" - Duafe I, LLC d/b/a 18/8 Fine Men's Salons-Lombard located at 314 Yorktown (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 7768

F-2. [200022](#)

Cannabis Retailers Occupation Tax

The Ordinance amends Section 98.117 of the Village Code to revise the reference to the statutory basis for the tax, as a result of the enactment of Public Act 101-593, effective December 4, 2019, and to correct the name of the Illinois Compassionate Use of Medical Cannabis Program Act, as contained therein.

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

Enactment No: Ordinance 7769

Other Ordinances on First Reading

G. [190503](#)

Text Amendments to Section 94.05(A) of the Village Code Pertaining to Waste Within Parkways

Recommendation from the Economic Community Development Committee (ECDC) to approve text amendments to the Village Code to change the time limits in which waste can be placed within the parkway from 12 hours to 24 hours prior to the scheduled waste collection day, to the Village Code and removal of waste containers from the public rights-of-way from 12 hours to 24 hours after the scheduled waste collection day.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7774

Ordinances on Second Reading

- H. [190492](#) **Commercial Recyclers Code - Amendment Regarding Terms and Conditions**
Recommendation of the Public Works & Environmental Concerns Committee to approve an Ordinance amending Title XI, Chapter 124 of the Lombard Village Code in regard to commercial recyclers. The Ordinance clarifies further the materials that commercial recyclers can collect.
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7770

Resolutions

- I. [190497](#) **Main Street Improvements, Construction Observation**
Approving a contract with Civiltech Engineering in an amount not to exceed \$153,916.00 for Construction Observation services. (DISTRICTS #1, #2, #4, #5 & #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 1-20
- J. [190506](#) **165-169 N. West Road Sanitary Main Extension**
Resolution accepting the public sanitary sewer at 165-169 N. West Road. All public improvements were designed, constructed and tested in conformance with Village requirements. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 2-20
- K. [200010](#) **Consultant Engineering Services**
Approving a three-year agreement with Robinson Engineering, Ltd. for FY2020 through FY2022 in the amount of \$160,700.00 per year, subject to Village Board appropriations for FY2021 and FY2022.
This Resolution was adopted on the Consent Agenda
Enactment No: R 3-20

Other Matters

- L. [190493](#) **2020 SCADA System Software Upgrade**
Request for a waiver of bids and award of a contract to Energenecs, Inc. in an amount not to exceed \$31,300.00. The current SCADA software is compatible with Windows 7, however, as of January 20, 2020, Microsoft

will no longer support Windows 7, therefore requiring an upgrade so the software is compatible with Windows 10. Energenecs has performed the last two upgrades and has been the Village's SCADA integrator for the past 17 years.

This Bid was approved on the Consent Agenda

M. [190507](#)

Pension Fund Accounting Services

Request for a waiver of bids and authorization for the Director of Finance to sign a three (3) year engagement letter with Lauterbach & Amen for Police and Fire Pension Accounting Services for FYE 2020-2022.

This Bid was approved on the Consent Agenda

N. [200012](#)

Coarse Aggregate Material

Award of a contract to Vulcan Materials Company, the lowest responsible bidder of three (3) bids received, in an amount not to exceed \$36,000.00.

This Bid was approved on the Consent Agenda

O. [200013](#)

Snow and Debris Hauling

Award of a contract to Nagel Trucking, the lowest responsible bidder of two (2) bids received, in an amount not to exceed \$49,000.00.
(DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

P. [200015](#)

Disaster Recovery and Business Continuity Services

Request for a waiver of bids and award of a three-year contract to ThinkGard LLC in the total three year amount of \$144,177 (\$48,225 for the first year and \$47,976 for years two and three) to provide disaster recovery and business continuity services.

This Bid was approved on the Consent Agenda

Q. [190504](#)

**Kane McKenna & Associates Consultant Service Agreement -
Butterfield Yorktown TIF District Amendment Evaluation**

Request for concurrence with the recommendation from the Economic Community Development Committee (ECDC), to approve, and approval of, a professional consultant service agreement pertaining to the Butterfield Yorktown Tax Increment Financing (TIF) District with Kane McKenna & Associates. Pursuant to the agreement, the consultant will analyze selected properties for potential inclusion in the TIF District. This contract will be paid from the Butterfield-Yorktown TIF District Fund as opposed to the General Fund of the Village. (DISTRICT #3)

This Request was approved on the Consent Agenda

R. [200019](#)

DuPage Monarch Project

Staff recommends endorsement of the DuPage Monarch Project per the

request of the Lombard Garden Club.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

A. [190453](#) **ZBA 19-07: 201 W. Madison Street**

The petitioner requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:

1. Grant approval of a variation from Section 155.205(A)(1)(c)(ii) of the Lombard Village Code to allow for a six foot (6') high solid fence in a corner side yard; and
2. Grant approval of a variation from Section 155.205(A)(1)(e) of the Lombard Village Code to allow for a six foot (6') high solid fence in the clear line of sight area of a driveway.

At the December 19, 2019 Board of meeting this petition was continued to the January 9, 2020 meeting. (DISTRICT #6)

Trustee Bill Ware indicated that he met with the residents, understood their request because of the uniqueness of their property, and was recommending that the Village Board approve the request for the fence variances with a waiver of first reading.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Ordinance relative to ZBA 19-7 for 201 W. Madison Street 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, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Enactment No: Ordinance 7771

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Dan Militello, seconded by Trustee Anthony Puccio, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 9, 2020 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:35 p.m. for the purpose of discussion of Pending Litigation and Collective Negotiating Matters. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 9, 2020 in the Board Room of the Lombard Village Hall was called to order at 7:59 p.m. by Village President Keith Giagnorio.

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

XIII Adjournment

.

A motion was made by Trustee Anthony Puccio, seconded by Trustee Reid Foltyniewicz, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 9, 2020 in the Board Room of the Lombard Village Hall be adjourned at 8:00 p.m. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware