

# Village of Lombard

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



## Minutes

**Thursday, March 16, 2017**

**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, March 16, 2017 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, 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  
Director of Public Works Carl Goldsmith  
Chief of Police Ray Byrne  
Fire Chief Richard Sander  
Assistant Village Manager Nicole Aranas  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

[170111](#)

### Proclamation - Earth Hour

Village Clerk Sharon Kuderna read the proclamation for Earth Hour.

## V. Approval of Minutes

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Johnston, that the minutes of the Special Meeting of February 27, 2017 and the minutes of the Regular Meeting of March 2, 2017 be approved. The motion carried by the following vote:

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

## 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**

Trustee Bill Johnston, Chairperson of the Economic & Community Development Committee, reported at Monday's Economic and Community Development Committee meeting, the following activities occurred: (1) the College of DuPage Center for Entrepreneurship presented their various programs and activities to assist small business, including offering assistance on marketing plans, business plans and financial analyses. Lombard businesses have used their services through their Small Business Development Center program; (2) The ECDC discussed proposed Amendments to Village Code pertaining to Special Events and Sidewalk Sales in the downtown area. No formal action was taken at this meeting. This item will be discussed with Lombard Town Centre at their next meeting and will return to the ECDC for a formal recommendation to the Village Board; (3) Stephanie Schiszik introduced herself to the ECDC members as the new Executive Director of Lombard Town Centre.

**Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson**

No report

**Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson**

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, noted the committee had met and received updates from the Police and Fire Departments. The next meeting is the first Monday of April.

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

Trustee Bill Ware, Chairperson of the Public Works and Environmental Concerns Committee, reported the committee met jointly with the Finance Committee and began a review of the water rate study.

**Board of Local Improvements - Trustee Bill Ware, President**

No report

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

Trustee Reid Foltyniewicz spoke relative to the Tiara Presentation for the members of the Lilac Court and about the five young ladies representing the Village not only during Lilac Time but for the coming year. He noted the beauty and historic value of the Maple Street Chapel.

Village Clerk Sharon Kuderna read the following announcement. St. Patrick's Day is tomorrow. Do not drink and drive.

**VIII Consent Agenda**

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**Payroll/Accounts Payable**

- A.**     [170109](#)           **Approval of Accounts Payable**  
For the period ending March 3, 2017 in the amount of \$312,547.52.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B.**     [170123](#)           **Approval of Village Payroll**  
For the period ending March 1, 2017 In the amount of \$804,868.80.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C.**     [170124](#)           **Approval of Accounts Payable**  
For the period ending March 10, 2017 in the amount of \$991,681.78.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- D. [170121](#)      **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 37 flashlights, 23 AED's, 4 printer, 1 server, 1 asphalt tack tank and 1 pre-lit Christmas tree. 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 7336

**Other Ordinances on First Reading**

- E. [160374](#)      **Building Code Amendments - Chapter 150.050 of the Village Code - (Plumbing)**  
Recommendation from the Board of Building Appeals to approve an ordinance granting approval of text amendments to Title 15, Chapter 150 of the Lombard Village Code relative to plumbing code amendments for WaterSense fixtures and grease traps. (DISTRICTS - ALL)
- This Ordinance was passed on first reading on the Consent Agenda**
- Enactment No: Ordinance 7348
- F. [170102](#)      **Text Amendments - Issuance of Building Permits**  
Recommendation from the Board of Building Appeals to approve an ordinance amending Title XV, Chapter 150, Section 150.157 of the Lombard Village Code with regard to the issuance of building permits by the Village. This amendment removes obsolete, duplicative and/or inconsistent language with other sections of the Village Code.
- This Ordinance was passed on first reading on the Consent Agenda**
- Enactment No: Ordinance 7349
- G. [170103](#)      **Inspection Overtime Minimum Hours on Weekends and Holidays**  
Recommendation from the Board of Building Appeals to approve an ordinance amending Title XV, Chapter 150, Section 150.141 of the Lombard Village Code with regard to engineering plan review fees and inspection fees.
- This Ordinance was passed on first reading on the Consent Agenda**
- Enactment No: Ordinance 7350
- H. [170125](#)      **Amending Section 50.999 of the Lombard Village Code**

Staff recommendation to amend Section 50.99 of the Village Code to permit the Village to impose a fine of \$1,000 for each violation of the Village's Industrial Pretreatment Ordinance related to wastewater. This amendment is consistent with State and Federal regulations.  
(DISTRICTS - ALL)

**This Ordinance was passed on first reading on the Consent Agenda**

Enactment No: Ordinance 7351

### Ordinances on Second Reading

- I. [170060](#) **Text Amendment to Chapter 90 of the Village Code - Animal Regulations**  
Recommendation from the Economic and Community Development Committee for approval of an Ordinance pertaining to Section 90 of the Lombard Village Code with regard to dangerous animals.  
(DISTRICTS - ALL)  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7337
- J. [170061](#) **Text Amendment to Chapter 94 of the Village Code - Nuisances**  
Recommendation from the Economic and Community Development Committee for approval of an Ordinance pertaining to Chapter 94, Section 94.04 of the Lombard Village Code with regard to commercial vehicles parking in residential zoned districts. (DISTRICTS - ALL)  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7338
- K. [170088](#) **PC 17-06: Text Amendment to the Zoning Ordinance, Development Signs**  
Recommendation from the Plan Commission to approve a text amendment to Section 153.215 and Section 153.602 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the time period and applicability of development sign regulations. (DISTRICTS - ALL)  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7339
- L. [170089](#) **PC 17-07: Text Amendment to the Zoning Ordinance, Rear Yard Setback**  
Requests a text amendment to Section 155.407(F)(4), R2 Single-Family Residence District requirements of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the minimum rear yard setback requirement from thirty-five feet (35') to twenty-five feet (25'). (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7340

- M. [170095](#) **Waste Collection and Disposal Ordinance for Annual Fee Rates**  
Amending the Village Code to reflect the fee rates that are adjusted each April 1st as authorized in the Solid Waste Contract. (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7341

## Resolutions

- N. [170112](#) **IL Route 53 Storm Water Pump Station, Change Order No. 2**  
Reflecting an increase to the contract with Rausch Infrastructure LLC in the amount of \$56,131.00 representing six modifications to the existing contract and three authorized unit price items for work related to field changes. (DISTRICT #1)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 22-17

## Other Matters

- O. [170110](#) **2017 Traffic Signal Modernization Program**  
Award of a bid to Meade, Inc., the lowest responsible bidder of three (3) bids received, in the amount of \$101,046.51. Bid in compliance with Public Act 85-1295. (DISTRICTS #1, #3, #4, #5 & #6)

**This Bid was approved on the Consent Agenda**

- P. [170122](#) **Gasoline and Diesel Fuel Purchase**  
Request for a waiver of bids and award of a contract to Buchanan Energy relative to supplying gasoline and diesel fuel for Village vehicles using the joint purchasing contract through DuPage County. Public Act 85-1295 does not apply.

**This Bid was approved on the Consent Agenda**

## Approval of the Consent Agenda

**A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, 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)

### Other Ordinances on First Reading

### Ordinances on Second Reading

- A. [170086](#) **PC 17-01: 400 E. St. Charles Road, Oakview Estates Phase II**  
Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the R4PD Planned Development (Oakview Estates Planned Development):
1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oakview Estates Planned Development, as established by Ordinance No. 5488, as follows:
    - a. Change the use from condominiums to attached single-family (townhomes);
    - b. Approve a deviation from Section 155.409(F)(3)(a) and 155.508(C)(6) to reduce minimum required front yard setback from 30 feet (30') to one foot (1');
    - c. Approve a deviation from Section 155.409(F)(3)(d) and 155.508(C)(6) to reduce minimum required rear yard setback from 30 feet (30') to 20 feet (20');
    - d. Approve a deviation from Section 155.409(F)(3)(c)(ii) and 155.508(C)(6) to reduce minimum required interior side yard setback for exterior lots from 15 feet (15') to five feet (5'); and
    - e. Approve a deviation from Section 155.409(G) to increase the maximum allowable building height from 36 feet (36') to 36 feet and six inches (36'6");
  2. Pursuant to Section 155.208 (number of buildings on a lot of record) of the Lombard Zoning Ordinance, approve a conditional use for three principal structures on one lot of record;
  3. Pursuant to Section 155.409(K)(3) (Restrictions on attached single-family dwellings) of the Lombard Zoning Ordinance, approve a variation to reduce the minimum separation between buildings containing attached single-family dwellings from thirty feet (30') to twenty feet (20');
  4. Pursuant to Section 155.602(A)(3)(e) of the Lombard Zoning Ordinance, approve a variation to allow off-street parking spaces open to the sky to be located in a required front yard;
  5. Pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance, approve a ten-unit townhome



- development based upon the submitted plans; and
6. Pursuant to Section 154.203(D) (Minor and major plats of resubdivision) of the Lombard Zoning Ordinance, approve a major plat of resubdivision (if warranted). (DISTRICT #4)

Oliver Anderson, Board of Directors of Oakview Estates, spoke relative to the parking concerns and cross access at the development. He requested the Village continue to assist with the ongoing discussions and spoke of property values of the current owners. Michael Sirota indicated he was not opposed to the proposed development, but requested further consideration for alternative parking for the current owners.

Eric Carlson, ECA Architects, indicated the firm is working with the developer relative to parking solutions for the property and that fifteen additional parking spaces have been established.

Trustee Bill Johnston indicated that he had not been contacted by the homeowners or the association, assumed that all of the concerns had been addressed and was surprised to hear that there were still outstanding issues.

Trustee Reid Foltyniewicz asked how many official parking spaces were at the development.

Director of Community Development Bill Heniff indicated that the removal of the 25-space parking lot at the far end of the development can be removed as the code requirement for that parking has been eliminated. The proposed townhome phase of the project will exceed code provisions and the Oakview Estates Phase 1 has the ability to construct additional spaces on their own property if desired.

Trustee Bill Ware asked if each condo had a two-car garage and capacity to park two more cars in front of the garage, plus the eight additional spots.

Director of Community Development Bill Heniff concurred.

Village Manager Scott Niehaus provided additional clarification relative to the parking spots and the Village Code as it relates to required parking per unit.

**A motion was made by Trustee Bill Ware, seconded by Trustee Robyn Pike, that the ordinance regarding PC 17-01 for 400 E. St. Charles Road, Oakview Estates Phase II be passed on second reading. 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 7342

## Resolutions

**Other Matters****B. [170013](#)****Local Tourism Grant Application 2017 - Lombard Town Centre Spooktacular**

Grant request from the Lombard Town Centre in an amount not to exceed \$12,500 from Hotel/Motel funds for costs associated with the Spooktacular event to take place October 14, 2017 in Downtown Lombard. (DISTRICT #1)

Trustee Robyn Pike indicated that she would be abstaining from voting on this as she is on the Spooktacular Committee.

Chris Cholewa, President of Lombard Town Centre, introduced the new LTC Executive Director Stephanie Schiszik. The following report was given: The Spooktacular Fall Festival is Lombard Town Centre's signature event that began 11 years ago as a trick or treat event in the downtown and has grown over the years into a four-hour family-friendly event with more than 4500 attendees. In 2017, LTC proposes extending the event from 11 am until 10 pm and changing the day from Sunday to Saturday. The expanded event will continue its family-friendly Halloween component while adding in more experiences for adults of all ages and increasing our attendance to more than 5000. Details include: St. Charles Road will be closed between Main Street and Elizabeth and Park will be closed between Grove and Michael McGuire; there will be three designated entry points; adults will be charged \$5.00, children will be free; there will be provisions to allow people access to businesses even if they are not attending the event; LTC has been in discussion with Lou Dog Productions and they will be hired to assist with the event; there will be a diverse mix of revenue sources including grants, sponsorships, admission tickets and vendor fees and proceeds from sales; this diversity was a well thought out mix, all contributing to the bottom line; this event is designed to support the downtown businesses and preliminary discussions have received a positive reaction; discussions will continue until the time of the event to insure that communication is a top priority and any concerns are addressed; the plan has a certain amount of flexibility and can be adjusted as needed; the event was strongly vetted before any plans for expansion were made; the Spooktacular Fall Festival supports the LTC mission to preserve and promote Lombard's historic downtown and directly meets the goals of the LTC Strategic Plan to become more sustainable.

Trustee Mike Fugiel indicated the Community Promotion & Tourism Committee reviewed the LTC grant application and approved a grant in an amount not to exceed \$12,500.

Trustee Bill Johnston indicated he was looking forward to the expanded event.

Trustee Reid Foltyniewicz inquired if the grant included the services of the Fire, Police and Public Works Departments. Response - not

included.

President Keith Giagnorio noted communication was necessary to the downtown businesses relative to the event and the change from a Sunday to a Saturday for the event.

Chris Cholewa indicated LTC wanted to increase visibility of the downtown; will be addressing any concerns before they happen; and will have an ongoing communication to the businesses.

Trustee Dan Whittington questioned closing of the parking lot off of Orchard.

Village Manager Scott Niehaus stated LTC needed to know they had approval of the event before they could proceed with all other aspects of planning the event including a request for a liquor license.

**A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that the grant request from Lombard Town Centre in an amount not to exceed \$12,500 for the Spooktacular event be approved. The motion carried by the following vote:**

**Aye:** 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, and Bill Ware

**Abstain:** 1 - Robyn Pike

## **X. Agenda Items for Discussion**

## **XI. Executive Session**

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 16, 2017 in the Board Room of the Lombard Village Hall be recessed at 7:39 p.m. for the purpose of discussion of Probable or Imminent Litigation. 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, March 16, 2017 in the Board Room of the Lombard Village Hall was called to order at 7:58 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 Bill Johnston, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 16, 2017 in the Board Room of the Lombard Village Hall be adjourned at 7:59 p.m. The motion carried by the following vote:**

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