

Village of Lombard

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



Minutes

Thursday, March 5, 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, March 5, 2020 in the Board Room of the Lombard Village Hall was called to order at 7:00 pm by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

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

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
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

[200100](#)

Presentation - CitizenServe

Director of Community Development Bill Heniff presented the following: Reviewed the labor-intensive process relative to inspection reporting and how it was handled in 2010 including hand-written reports on three-part forms, paperwork brought back to the Village Hall for typing, applicants called with results, customers coming to pick up reports would first go downstairs, pick up the fee schedule, bring it upstairs for payment, return downstairs with receipt to pick up the permit; historic building records were on microfiche; Code Enforcement pictures were taken by using a Polaroid camera with 3.5" disc; in 2016 a five-year goal was to be able to offer to residents and contractors an on-line permit processing link; the link now meets the desires and the needs of the development community along with on-line submittal, on-line response, approval and payment,

24/7 access for submittal and tracking, and compatibility with existing processes; reviewed various statistics as it relates to building permits; CitizenServe implementation began in 2017 including a customized process for Lombard and training for employees; in 2019 beta-testing with contractors was done; completion of the edit functions completed and engagement with BOBA through the process; In 2019 2,865 permits were issued and 511 (17.8%) were approved through the electronic permit process; most of these permits were to larger contractors pulling multiple permits (e.g. window contractors, roofers etc.); several local builders engaged in efforts; roll-out of the new program will establish benchmarks for future measure of accomplishment; Community Development is recognizing varying audiences such as homeowners, architects and contractors; communication has been done relative to the new Citizen Serve program via press releases, posting on the Village website and shared in weekly E-Pride; article will appear in the Spring 2020 Lombard Pride newsletter with a follow-up article in the summer issue focusing on code enforcement but also reminding residents and contractors about online permitting; communication efforts also include a "how to" video reviewed by BOBA, outreach through weekly e-blasts, Twitter, Facebook and website.

Trustee Reid Foltyniewicz questioned how the resident would be issued the yellow permit that is typically placed in the window of the home. Director of Community Development Bill Heniff stated the permit can be mailed, but can also be printed out as it will be attached to the completed and approved building permit.

Village Manager Scott Niehaus commended Bill Heniff and his staff for the excellent job they had done in getting this new program up, running and beta-tested; spoke of the positive comments and feedback from contractors who were used to do the beta test; noted better to measure twice and cut once and that was what staff did on the beta test to test the system; spring season is upon us and that means residents will be coming in for deck, fence and other home improvement permits; staff will monitor and track the number of permits that are processed electronically and share information with the Village Board; spoke of ease for residents and contractors that they do not have to get to the Village Hall before closing at 4:30 pm to apply for a permit - can apply on line at any time of the night or day.

Village President Keith Giagnorio also thanked staff for the great job.

[200101](#)

Presentation - Census 2020

Assistant Village Manager Nicole Aranas provided the following: The census is required by Article 1, Section 2 of the United States Constitution to be completed every ten years; this reflects the amount of US House of Representatives seats; the last census was completed in 2010; Lombard's population in 2010 was 43,165; total estimated

population in 2018 was 44,523; the census is easy, safe and important; this is the first census to be able to be completed online and/or over the phone; (completing a paper form or having someone come to your door) are still options; there are 9 questions and they take about ten minutes to complete; no citizenship is required; responses are confidential; identifiable information cannot be shared; technology is secure; Congressional House seat apportionment and redistricting are important factors of the census; the census is the basis for government and private business planning and decisions; \$675 billion in federal funding is available; Lombard receives \$183 per person/resident or \$1830 over the next ten years; State of Illinois - \$1,535/year per person or \$15,350 over ten years; an undercount of 1% would result in \$78,982 per year of \$789,828 over ten years in federal funding and \$625,060 a year or \$6.6 million over ten years for the State funding; provided update on the historically hard to count population; census timelines includes March 1st outreach via postcard; April the census count begins; May/June follow-up in person and by phone; November count complete; and December is the President's report on census; Lombard communication plan in place to include website, social media, weekly e-news, printed newsletter, electronic signs; special efforts will include signage, information, promotional items, solar LED sign boards, inserts in water bills, special e-news, website banner, presentations, kiosk, displays, videos (cable and in lobby), mobile response kiosks; Village has received State funding; Village partnering with businesses, groups, organizations to raise awareness, reach out to hard to count populations and encourage participation; additional communication from trusted resources and sharing of promotional materials, promotional products and message reach.

Village President Keith Giagnorio noted that these ten minutes are so very important and urged everyone to participate and complete the census questionnaire.

V. Approval of Minutes

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the minutes of the regular meeting of February 20, 2020 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Absent: 1 - Anthony Puccio

VI. Committee Reports

Community Promotion & Tourism - Trustee Andrew Honig, Chairperson

No report

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

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, reported the committee met and began review of the 2021 budget and future revenue options and the "consolidation" of the police and fire pension funds. The next meeting is April 27th.

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, reported the committee met and reviewed the proposed Fire and Police budgets and staffing; the barnacle immobilization device and a request for a removal of a stop sign at Taylor Road at the entrance to Madison Meadow Park.

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

Village Clerk Sharon Kuderna read the following announcements:
It is time to spring forward! Daylight Savings Time begins this Sunday, March 8th. Be sure to move your clocks ahead one hour. The Lombard Fire Department is also reminding residents to change batteries in their smoke and carbon monoxide to help keep their families safe.

The Lombard Public Works Department is seeking residents to participate in its 3rd annual Public Works Citizens Academy. The Academy is held on Mondays from 6-8:30 pm beginning April 20th continuing through May 21st. Any resident interested in learning more about the duties performed by our Public Works staff including the ins & outs of road construction projects in the community, can register on the Village website at www.villageoflombard.org/PWCA.

The Lombard Police Department will conduct special patrols this St. Patrick's Day to crack down on impaired drivers and encourage people to wear their seat belts. We urge residents and visitors to enjoy St. Patrick's Day responsibly. Make sure you have a designated driver or use public forms of transportation such as a cab, uber, a ride-sharing service and a friend or family member.

Lombard recognizes Illinois Severe Weather Preparedness Week. Severe weather can occur at any time. The Village will communicate any severe weather alerts to residents via the Village website, Facebook, Twitter, the E-Pride newsletter, and text messages. Make sure that you and your family have a safety plan in the event of severe weather.

The 2020 Census is coming! The [2020 Census](https://www2.census.gov/about/partners/general/2020-faqs.pdf?) counts every person living in the 50 states, District of Columbia and the five U.S. territories. It is essential that all those living in your household be counted. Come early March 2020, households will start receiving their census login information in the mail and the census response website will go live. The 2020 Census will be easier than ever to respond. For the first time ever, each home will receive an invitation to respond to the census online, on the phone, or through the mail. Learn more about the 2020 Census at villageoflombard.org/2020Census.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [200091](#) **Approval of Village Payroll**
For the period ending February 15, 2020 in the amount of \$817,488.19.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [200092](#) **Approval of Accounts Payable**
For the period ending February 21, 2020 in the amount of \$803,971.98.
This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [200104](#) **Approval of Accounts Payable**
For the period ending February 28, 2020 in the amount of \$1,787,673,10.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [200057](#) **PC 20-09: 218 E. St Charles Road - Afterthought Brewing**
The Plan Commission transmits its recommendation to approve an Ordinance authorizing the conditional uses as set forth below, relative to the subject property which is located within the B2 General Neighborhood Shopping District:
1. Approve a zoning conditional use pursuant to Section 155.414(C)(25) of the Lombard Village Code to allow for a craft alcohol production facility; and
2. Approve a zoning conditional use pursuant to Section 155.414(C)(19) of the Lombard Village Code to allow for outside service areas for other conditional uses in the district (outdoor seating area). (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 7784
- E. [200081](#) **Amending 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 Lombard Village Code increasing the number of authorized liquor licenses in the Class "C" liquor license category by one and issuing a liquor license to The Simple Greek Chicagoland LLC d/b/a The Simple Greek located at 789 E. Butterfield Road. (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 7785
- F. [200097](#) **Waste Collection and Disposal Annual Fee Rates**
Ordinance amending Title IX, Chapter 92, Section 92.17 of the Lombard Village Code in regard to waste collection and disposal, reflecting adjustments to the service fees and rates as set forth in the Solid Waste Contract. Staff requests a waiver of first reading. (DISTRICTS - ALL)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7786
- G. [200102](#) **An Ordinance Amending Ordinance No. 5759, Adopted November 3, 2005, Vacating a Portion of the Lombard Road Right-of-Way**
Requesting approval of a ordinance to delete the rededication option, as

set forth within Ordinance 5759 which vacated a portion of Lombard Road, near 1301 N. Lombard Road. The ordinance vacated the right-of-way, but reserved the right for the Village to reacquire the vacated portion of the right-of-way between 2025 and 2030, if so desired. This Ordinance requires 3/4 vote (5 of 6) of the Trustees in order to approve. (DISTRICT #1)

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

Enactment No: Ordinance 7787

H. [200109](#)

An Ordinance Amending Ordinance No. 5803, Adopted January 19, 2006, Vacating a Portion of the Lombard Road Right-of-Way

Requesting approval an ordinance to delete the rededication option, as set forth within Ordinance 5803 which vacated a portion of Lombard Road, near 1301 N. Lombard Road. The ordinance vacated the right-of-way, but reserved the right for the Village to reacquire the vacated portion of the right-of-way between 2026 and 2031, if so desired. This Ordinance requires 3/4 vote (5 of 6) of the Trustees in order to approve. (DISTRICT #1)

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

Enactment No: Ordinance 7788

I. [200105](#)

Amending Title XI, Chapter 110, Section 110.21(C) - Coin-Operated Amusement Devices

An Ordinance amending Title XI, Chapter 110, Section 110.21(C) of the Village Code increasing the number of Class B coin-operated amusement devices licenses from two (2) to three (3) and issuing a license to PacMan Zone located at 275 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 7789

J. [200107](#)

General Obligation Bonds (Alternative Revenue Source), Series 2018 - Abatement of All of the Taxes Levied for the Year 2019

An Ordinance providing for the abatement of all of the taxes heretofore levied for the year 2019 to pay debt service on General Obligation Bonds (Alternate Revenue Source), Series 2018, of the Village of Lombard, DuPage County, Illinois.

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

Enactment No: Ordinance 7790

K. [200108](#)

Amending Title XI, Chapter 112, Section 112.24(B) of the Lombard

Village Code - Outdoor Seating

An Ordinance amending Title XI, Chapter 112, Section 112.24(B) of the Lombard Village Code relative to liquor service in outdoor seating areas.
(DISTRICTS - ALL)

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

Enactment No: Ordinance 7791

Other Ordinances on First Reading**Ordinances on Second Reading****L. [200049](#)****PC 20-04: Text Amendments to the Zoning Code, Outdoor Dining**

The petitioner, the Village of Lombard, is requesting approval of an Ordinance approving zoning text amendments to the following Sections of Title XV., Chapter 155 of the Lombard Village Code, and other relevant sections for clarity:

1. Amend Section 155.413(B) and 155.413(K) of the Village Code to add "Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Village Code," to the list of permitted uses in the B1 Limited Neighborhood Shopping District and amend the Restrictions on Business Uses;
2. Amend Section 155.414(K) of the Village Code relative to Restrictions on Business Uses in the B2 General Neighborhood Shopping Districts;
3. Amend Section 155.415(I) of the Village Code relative to Restrictions on Business Uses in the B3 Community Shopping District;
4. Amend Section 155.416(K) of the Village Code relative to Restrictions on Business Uses in the B4 Corridor Commercial Shopping District;
5. Amend Section 155.417(G)(1)(a) and Section 155.417(G)(10) of the Village Code to add "Outdoor Dining, as an accessory use to a restaurant or grocery store, subject to Chapter 119 of the Lombard Village Code" to the list of permitted uses in the B4A Roosevelt Road Corridor District and amend the Restrictions on Business Uses;
6. Amend Section 155.418(I) of the Village Code relative to Restrictions on Business Uses in the B5 Central Business District;
7. Amend Section 155.419(I) of the Village Code relative to Restrictions on Business Uses in the B5A Downtown Perimeter District;
8. Amend Section 155.802 of the Village Code to define "outdoor dining" and amend the definition of "outdoor café"; (DISTRICT ALL)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7792

- M.** [200053](#) **Text Amendments to Title XV., Chapter 150, Section 150.060 of the Lombard Village Code: Adoption of the 2017 National Electrical Code and Local Amendments**
An Ordinance approving amendments to the Section 150.060 of the Village Code to adopt by reference the 2017 National Electric Code and local amendment relative to GFCI requirements for sump pump connections. (DISTRICT ALL)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7793
- N.** [200054](#) **Text Amendments to Title IX, Chapter 93, Section 93.02(B) of the Lombard Village Code: Construction Hours**
An Ordinance approving amendments to Section 93.02(B) of the Village Code to modify weekend construction hours within the Village. (DISTRICTS - ALL)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7794
- O.** [200070](#) **Text Amendment Title XI., Chapter 119 of the Lombard Village Code, Outdoor Dining**
An Ordinance amending Chapter 119 of the Village Code regarding outdoor dining on private commercial property. (DISTRICTS - ALL)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7795
- P.** [200082](#) **Text Amendments to Title XIII., Chapter 134 of the Lombard Village Code - Cannabis Paraphernalia**
An Ordinance amending Title XIII., Chapter 134 of the Village Code in regard to Drug-Related Offenses, relative to the possession of cannabis paraphernalia by individuals under the age of twenty-one (21).
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7796

Resolutions

Other Matters

- P-2.** [200085](#) **Agreement with Fraternal Order of Police**
Approval of an agreement between the Fraternal Order of Police and the Village of Lombard. Contract begins January 1, 2020 and ends December 31, 2023.

This Request was approved on the Consent Agenda

Q. [200096](#)

Pump Cable Junction Box Improvements

Request for a waiver of bids and award of a contract to Okeh Electric Company in the amount of \$97,900.00. Due to the specialty nature of the work, proposals were directly solicited from five (5) pre-selected qualified contractors, of which, Okeh Electric Company submitted the sole responsive proposal. (DISTRICTS #1, #2 & #3)

This Bid was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Absent: 1 - Anthony Puccio

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

A. [200023](#)

PC 20-05: 1196 S. Main Street - Conditional Use for a Massage Establishment

The Plan Commission submits its recommendation for the approval of a conditional use, pursuant to Section 155.415(G)(2)(b)(xi) of Lombard Village Code, to allow for a massage establishment (as defined and regulated by Title XI, Chapter 122 of the Lombard Village Code) within the B4A Roosevelt Road Corridor District. (DISTRICT #2)

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that the Ordinance relative to PC 20-05 for 1196 S. Main Street Conditional Use for a Massage Establishment be passed on second reading. The motion carried by the following vote:

Aye: 4 - Dan Whittington, Andrew Honig, Dan Militello, and Bill Ware

Nay: 1 - Reid Foltyniewicz

Absent: 1 - Anthony Puccio

Enactment No: Ordinance 7797

B. [200025](#)**PC 20-02: Text Amendment to the Zoning Ordinance, Storage Centers**

The Plan Commission transmits for your consideration its recommendation to approve a zoning text amendment to Section 155.417 (G)(2)(b), the B4A Roosevelt Road Corridor District, of the Village Code to list "Storage centers, provided that the use fronts along an arterial roadway" as a conditional use. (DISTRICTS - ALL)

A motion was made by Trustee Dan Militello, seconded by Trustee Bill Ware, that the Ordinance relative to PC 20-02 for a text amendment to the Zoning Ordinance for Storage Centers be passed on second reading. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Absent: 1 - Anthony Puccio

Enactment No: Ordinance 7798

C. [200030](#)**PC 20-03: Beyond Self-Storage, 850 E. Roosevelt Road**

The Plan Commission transmits for your consideration its recommendation to approve a zoning conditional use pursuant to Section 155.417(G)(2)(b) of the Lombard Village Code to allow for a "Storage center, provided that the use fronts along an arterial roadway" on the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #6)

Stephanie Ostrowski questioned flooding in the area; suggested the Village have a study done to review and evaluate impact of the self storage facility on the home values before this matter is approved on second reading; inquired about the Village compensating homeowners for decrease in value and/or lowering taxes; inquired about mosquito abatement (natural or chemical) with the addition of the two ponds; Village Manager Scott Niehaus noted there is no statutory requirement for the Village to compensate homeowners and no Board policy to do so. Director of Public Works Carl Goldsmith noted the mosquito abatement would be larvicidal if the ponds qualify.

Trustee Bill Ware thanked the residents for coming out and speaking on this matter. He appreciated their comments, but as he had stated previously, he would be supporting the proposal.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Ordinance relative to PC 20-03 for the Beyond Self Storage facility at 850 E. Roosevelt Road be passed on second reading. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Absent: 1 - Anthony Puccio

Enactment No: Ordinance 7799

D. [200031](#)**PC 20-01: 451 E North Ave, Holiday Inn Express**

The Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. Holiday Inn Express (petitioner) request that the Village take the following actions on the subject property located within the B4 Corridor Commercial District:

1. A zoning conditional use pursuant to Section 155.416(C)(34) of the Lombard Village Code to allow for "Four-story buildings and buildings which are 40 feet to 45 feet in height.", and
2. Approval of a two lot Major Plat of Resubdivision

The subject property for the proposed hotel is currently vacant.

The petitioner proposes to build a Holiday Inn Express. Though the use of a hotel is permitted in the B4 Zoning District, zoning entitlements are needed for the building height. (DISTRICT #4)

Therese Cilella thanked the Village Board and staff for listening to the concerns of the residents; asked that the residents be kept updated on the proposed development; asked that the Village take extra steps to ensure the lagoon is kept safe; residents want to remain involved.

Village Manager Scott Niehaus noted communication efforts that the Village has taken with regard to the Woodmore development on the former Ken Loch property; ensured residents that the Village would continue to keep them updated on the project.

Village President Keith Giagnorio stated the developer will need to follow all of the rules and codes now that the project has been approved. He thanked both Therese and Stephanie and felt both residents would be key to disseminating information to the neighbors on each of the projects. Village Manager Scott Niehaus stated that "trust equals efficiency".

A motion was made by Trustee Dan Whittington, seconded by Trustee Andrew Honig, that this Ordinance be passed on second reading. The motion carried by the following vote:

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

Nay: 1 - Andrew Honig

Absent: 1 - Anthony Puccio

Enactment No: Ordinances 7800, 7801

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 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, March 5, 2020 be adjourned at 7:49 p.m. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Absent: 1 - Anthony Puccio