

# Village of Lombard

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



## Minutes

**Thursday, March 7, 2013**

**7:30 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

*Acting Village President Bill Ware*

*Village Clerk: Brigitte O'Brien*

*Trustees: Greg Gron, District One; Keith Giagnorio, District Two;  
Zachary Wilson, 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 was called to order by Acting Village President William Ware at 7:30 p.m. Thursday, March 7, 2013 in the Board Room of the Lombard Village Hall. Village Clerk Brigitte O'Brien led the Pledge of Allegiance.

## II. Roll Call

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

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

## III. Public Hearings

## IV. Public Participation

[130119](#)

### Proclamation - Arts Month

Village Clerk Brigitte O'Brien read the proclamation for Arts Month. Acting President Bill Ware presented the proclamation to Alicia York from School District #44. He encouraged residents to come and visit the art displayed in the Community Room through the beginning of April. He talked of the reception held for the students and families prior to the Village Board meeting.

Alicia York thanked the Village. She stated that 62 students had received awards, 58 families had attended the reception and that equated to over 200 people.

## V. Approval of Minutes

**A motion was made by Trustee Keith Giagnorio, seconded by Trustee Zachary Wilson, that the minutes of the Regular Meeting of the Village Board held on February 21, 2013 be approved. The motion carried by the following vote:**

**Aye:** 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

## **VI. Committee Reports**

### **Community Relations Committee - Trustee Keith Giagnorio, Chairperson**

No report

### **Economic/Community Development Committee - Trustee Peter Breen, Chairperson**

No report

### **Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson**

No report

### **Finance Committee - Trustee Greg Gron, Chairperson**

No report

### **Public Works Committee - Trustee Bill Ware, Chairperson**

No report

### **Transportation & Safety Committee - Trustee Zachary Wilson, Chairperson**

No report

### **Board of Local Improvements - Trustee Greg Gron, President**

No report

### **Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson**

No report

### **Lombard Historical Commission - Clerk Brigitte O'Brien**

No report

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

Trustee Breen indicated the Village Board had previously discussed his proposal to have the six standing committees be a part of the budget process by each committee being assigned a Village

department, and reviewing the department's budget. The Board had agreed to hold a workshop to discuss this proposal. He stated that an e-mail had been received from the Village Manager that indicated that the Trustees from Districts 1, 2 and 6 felt this matter should be discussed after the election and the new board is seated. He expressed his disappointment, and felt this was discussed behind closed doors. He stated he had made this proposal while serving as Acting Village President. He felt the workshop should be held before the second meeting in March, and felt this was a more robust way of reviewing the budget.

Trustee Wilson congratulated Glenbard East and Glenbard South High Schools on their recent mock trial competition. He noted that Glenbard East placed in the top 8 and that Glenbard South had received the highest overall score. He congratulated the individuals on each team.

Trustee Gron indicated he wanted to respond to Trustee Breen's comments with regard to the workshop. He noted the e-mail came from Village Manager Hulseberg, and there were no behind-closed-doors meetings that led to the e-mail. He stated there was no violation of the Open Meetings Act, and that each Trustee had a vote on this matter.

Trustee Fitzpatrick indicated the Village Board had agreed to have a workshop on this matter.

Acting President Ware congratulated the Montini Catholic High School Wrestling Team and the Montini Boncettes on their recent championships. He reported there was a Pep Rally at the school the following day.

## VIII Consent Agenda

.

Trustee Wilson asked if there was a waiver of first reading on the Covington consent item.

It was noted that there was no waiver of first on this matter.

Trustee Wilson questioned stormwater control for this matter.

Director of Community Development Heniff indicated that there will be a Special Service Agreement with the regard to EMS calls and that stormwater would also be addressed.

## Payroll/Accounts Payable

- A. [130091](#)      **Approval of Accounts Payable**  
For the period ending February 22, 2013 in the amount of \$166,598.41.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [130108](#)      **Approval of the Village Payroll**  
For the period ending February 23, 2013 in the amount of \$809,984.17.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [130109](#)      **Approval of Accounts Payable**  
For the period ending March 1, 2013 in the amount of \$2,057,168.00.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

#### **Other Ordinances on First Reading**

- D. [120596](#)      **PC 12-19: 300 W. 22nd Street (Covington/Cove Landing Planned Development)**  
Requests the following actions be taken on the subject property, located within an R5 General Residence District Planned Development:
1. Pursuant to Section 155.504(A) (major changes in a planned development) and Section 155.511 (Site Plan Approvals for planned developments) of the Lombard Zoning Ordinance, amend the conditional use for the Covington/Cove Landing Planned Development, as established by Ordinance 1174 and as amended by Ordinances 1321, 1390, 2977 and 3183, to allow for the construction of an eighty (80) unit assisted living facility on the subject property, per the submitted plans.
  2. Pursuant to Section 155.410 (C) of the Lombard Zoning Ordinance, grant a Conditional Use for an assisted living facility (convalescent and nursing home). (DISTRICT #3)
- This Ordinance was passed on first reading on the Consent Agenda

### **Ordinances on Second Reading**

#### **Resolutions**

- E. [130095](#)      **Participation in the Suburban Tree Consortium**  
Resolution authorizing participation in the Suburban Tree Consortium for the purchase of the Village's parkway trees. (DISTRICTS - ALL)

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

Enactment No: Resolution 88-13

F. [130099](#)**Review of Executive Session Minutes**

Resolution authorizing the Village Clerk to make certain Closed Session Meeting Minutes available for public inspection (First Review 2013).

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

Enactment No: Resolution 89-13

G. [130100](#)**Plat of Abrogation - 628-636 W. Meadow Avenue**

Resolution authorizing signatures of the Village President and Clerk on a Plat of Easement Abrogation to allow for consolidation of the five-lot subdivision that was originally part of the Lyonhart Development located at 628-636 W. Meadow Avenue. (DISTRICT #1)

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

Enactment No: Resolution 90-13

\*G2. [130114](#)**Cable Television Franchise Agreement**

Resolution extending the term of a nonexclusive cable television Franchise Agreement with MediaOne, Inc. from March 5, 2013 until April 4, 2013 in order to enter into a Renewal Franchise Agreement.

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

Enactment No: Resolution 91-13

H. [130102](#)**Plat of Vacation - Stormwater Management Area - 337-349 Buckingham Court**

Resolution vacating the stormwater management area located at 337-349 Buckingham Court in order to allow for development of townhomes associated with the Lyonhart/The Orchards development. (DISTRICT #1)

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

Enactment No: Resolution 92-13

I. [130104](#)**Waste Collection and Disposal Ordinance for Annual Fee Rates**

Staff recommendation to amend the Village Code to reflect the fee rates that are adjusted each April 1st as authorized in the Solid Waste Contract.

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

Enactment No: Ordinance 6802

**Other Matters**

- J.     [130094](#)     **Tree Planting**  
Request for a waiver of bids and authorization to purchase trees from the Suburban Tree Consortium in an amount not to exceed \$99,600.00. Public Act 85-1295 does not apply.  
**This Bid was approved on the Consent Agenda**
- K.     [130096](#)     **Grass & Weed Mowing**  
Award of a contract to Green Horizon, Inc., the only bidder, in the amount of \$72,000.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)  
**This Bid was approved on the Consent Agenda**
- L.     [130097](#)     **Gasoline and Diesel Fuel Purchase**  
Request for a waiver of bids and award of a contract to Heritage FS, Inc. to supply gasoline and diesel fuel to the Village as specified in the DuPage County joint fuel contract. Public Act 85-1295 does not apply.  
**This Bid was approved on the Consent Agenda**
- M.     [130103](#)     **Tree & Stump Removal**  
Award of a contract to Ciosek Tree Service, the lowest responsible bid of nine bidders, in the amount of \$63,000.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)  
**This Bid was approved on the Consent Agenda**
- N.     [130106](#)     **Highland Estates Lift Station Control Panel Replacement**  
Request for a waiver of bids and award of a contract to The Flolo Corporation in an amount not to exceed \$59,790.00. Public Act 85-1295 does not apply. (DISTRICT #3)  
**This Bid was approved on the Consent Agenda**
- O.     [130107](#)     **Highland Estates & Prairie LaLonde Lift Station Improvements, Generator & Control Panel Installation**  
Request for a waiver of bids and award of a contract to Okeh Electric Company in an amount not to exceed \$85,100.00. Public Act 85-1295 does not apply. (DISTRICTS #3 & #4)  
**This Bid was approved on the Consent Agenda**
- \*P.    **Grant Request from Friends of the DuPage Theatre (Moved to IX-E)**
- Q.     [120671](#)     **Grant Application For 2013 Lilac Time Advertising**

Request from the Lombard Park District for \$11,900 from Hotel/Motel funds for costs associated with the 2013 Lilac Time Advertising. The Community Promotions & Tourism Committee recommended awarding a grant in an amount not to exceed \$11,900.

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

R. [120672](#)

**Grant Request For 2013 Lilac Princess Scholarships**

Request for \$5,000 from Hotel/Motel funds for five \$1,000 scholarships for the 2013 Lilac Princesses. The Community Promotions & Tourism Committee recommended awarding the Lilac Court five \$1,000 scholarships.

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

S. [130024](#)

**Grant Request For 2013 Taste Of Lombard**

Request from the Lombard Jaycees for \$35,000 from Hotel/Motel funds, for costs with Taste of Lombard Fest fireworks. The Community Promotions & Tourism Committee recommended awarding a grant in an amount not to exceed \$30,000.

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

T. [130060](#)

**Grant Application For 2013 Lilac Parade**

Request from the Lombard Lilac Festival Parade Committee for \$25,000 from Hotel/Motel funds, for costs associated with the annual Lilac Parade. The Community Promotions & Tourism Committee recommended awarding a grant in an amount not to exceed \$25,000.

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

U. [130105](#)

**Banner Request, Lombard Historical Society**

Request from the Lombard Historical Society to place a temporary banner on Village owned property for the promotion of the Sweet's Civil War Re-Enactment event from July 8, 2013 through July 28, 2013.

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

\*U2. [130071](#)

**2012 Comprehensive Annual Financial Report, Management Letter and Recommendations**

Motion to accept and file with the Village Clerk the 2012 Comprehensive Annual Financial Report, Management Letter and Recommendations regarding the Management Letter comments.

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

### **Approval of the Consent Agenda**

**A motion was made by Trustee Zachary Wilson, seconded by Trustee Laura Fitzpatrick, to Approve the Consent Agenda The motion carried by the**



following vote

**Aye:** 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

## IX. Items for Separate Action

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

- A. [130080](#) **Progress Road Right of Way Vacation (3/4 Vote of the Trustees Required 5 of 6)**  
Ordinance vacating that portion of Progress Road east of the Garfield Street public right-of-way in order for the project known as the School of Expressive Arts and Learning to construct a driveway in accordance with the terms of the Development Agreement and providing the Village with the required easements for utilities and access.  
(DISTRICT #4)

**A motion was made by Trustee Keith Giagnorio, seconded by Trustee Peter Breen, that this Ordinance be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Ordinance 6803

- B. [130101](#) **Buckingham Court Cul-De-Sac Right-of-Way Vacation (3/4 Vote of the Trustees Required 5 of 6)**  
Ordinance vacating the cul-de-sac bulb portion of the right-of-way in order to extend the road system for the Lyonhart/The Orchards project located 336-344 N. Buckingham Court. (DISTRICT #1)

Trustee Gron indicated the project had been on-going for sometime, and he was pleased to see this project moving forward.

**A motion was made by Trustee Greg Gron, seconded by Trustee Keith Giagnorio, that this Ordinance be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Ordinance 6804

### Other Ordinances on First Reading

- C. [130081](#) **PC 13-02: 837 South Westmore-Meyers Road**  
Requests an amendment to Ordinance 4636, which established alternate wall sign regulations for tenants within the Eastgate Shopping

Center, located within the B3PD Community Shopping Planned Development District. The amendment requests that the design provisions as set forth within Section 3-H of Ordinance 4636 be removed, which would result in the underlying wall signage regulations as set forth within the Lombard Sign Ordinance to apply for the center. (DISTRICT #6)

Acting President Ware indicated that he was excusing himself from voting on this matter due to his employment.

**A motion was made by Trustee Laura Fitzpatrick, seconded by Trustee Greg Gron, that this Ordinance be passed on first reading. The motion carried by the following vote:**

**Aye:** 5 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, and Laura Fitzpatrick

**Abstain:** 1 - Bill Ware

## Ordinances on Second Reading

## Resolutions

- D. [100445](#) **Technology Drive (Four-Party Intergovernmental Agreement) (3/4 Vote of the Trustees Required 5 of 6)**  
Resolution authorizing the signatures of the Village President and Clerk on an Agreement pertaining to the dedication, vacation and future use of portions of Technology Drive. (DISTRICT #3)

**A motion was made by Trustee Zachary Wilson, seconded by Trustee Laura Fitzpatrick, that this Resolution be adopted. The motion carried by the following vote:**

**Aye:** 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Resolution 93-13 Resolution 26-11

## Other Matters

- \*E. [120670](#) **Grant Request From Friends Of The DuPage Theater**  
Request for \$3,000 from Hotel/Motel funds for costs associated with the 2013 DuPage Sculpture Show. The Community Promotions & Tourism Committee recommended awarding a grant in an amount not to exceed \$3,000.

Trustee Fitzpatrick spoke about the Sculpture Show and indicated this will be the fifth year that the show will be held during Lilac Time. She

indicated she is the chairperson for the Sculpture Show as well as the chairperson of the Community Promotion and Tourism Committee. She stated she receives no monetary reward for this. She indicated she will be excusing herself from the room while this matter is discussed and a vote taken. She noted that she had someone in the audience to answer any questions if necessary.

Trustee Fitzpatrick leaves the room.

Trustee Gron questioned the staff recommendation to deny this request based on the fact that the Sculpture Show fund had a balance of over \$6,000, and that other organizations had been directed to use their savings before coming to the Village asking for a grant.

Kevin Fitzpatrick, 348 S. Lewis, indicated the Sculpture Show had received \$3,000 in sponsorships this year, and that was the reason for the balance in the fund. He spoke of the Friends of the DuPage paying the bill for the storage of items from the DuPage Theatre. He indicated the Friends of the DuPage group does not have even close to \$6,000. He spoke of the Friends raising monies to pay for scholarships for the students and artists who participate in the Sculpture Show. He stated that over \$4,000 is given out each year. He talked about the cost of advertising and lunch for the participants. He stated that all monies raised from this event are given away in scholarships. He noted participants need to work or reside in DuPage County.

Trustee Gron questioned who receives the money.

Kevin Fitzpatrick indicated the money goes to the artists and goes toward scholarships.

Acting President Ware questioned if the \$6,000 was part of the Sculpture Show proceeds.

Kevin Fitzpatrick spoke of the Friends being a 501c3 organization, and that they pay for the storage of items from the DuPage Theatre plus pay for their insurance. He indicated the Village paid for the storage of the salvaged theater items for many years, and that the Historical Society stored the items for awhile, but that now the Friends pay that expense. He stated that the \$6,000 was raised privately.

Director of Finance Tim Sexton stated that when he reviewed the budget as submitted, he looked at the last three years and looked at the revenues minus the expenses and the \$6,000+ was the result. He stated that he just looked at what was submitted.

Trustee Breen felt the Friends of the DuPage organization was not making a lot of money and it appeared they were \$250 to the black.

Trustee Gron stated he looked at the budget and the previous budget, and felt it appeared the Friends would make money.

Kevin Fitzpatrick stated the Friends of the DuPage organization uses a different accounting system. He stated that \$1,000 goes for the storage of theater items. He felt the Friends would not make \$250, and that every dollar is given to the artists, pays the storage fees and pays for the insurance to have the event. He reiterated that the

Friends makes about nothing on the Sculpture Show. He talked about how the prizes are based on the money raised by the event and contributions. He said the event is free to the public and is held the day before Mother's Day each year. He felt this was a modest investment for the Village.

Trustee Fitzpatrick returned to the meeting after the vote was taken.

**A motion was made by Trustee Peter Breen, seconded by Trustee Keith Giagnorio, that this Request be approved. The motion carried by the following vote:**

**Aye:** 5 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, and Laura Fitzpatrick

**Nay:** 1 - Bill Ware

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

## **XI. Executive Session**

## **XII. Reconvene**

## **XIII Adjournment**

.

**A motion was made by Trustee Peter Breen, seconded by Trustee Keith Giagnorio, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 7, 2013 in the Board Room of the Lombard Village Hall be adjourned at 8:10 p.m. The motion carried by the following vote:**

**Aye:** 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware