

# **Village of Lombard**

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



## **Minutes**

**Thursday, November 1, 2018**

**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, November 1, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 p.m. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

- 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- 1 - Sharon Kuderna

### Staff Present:

Village Manager Scott Niehaus  
Director of Finance Tim Sexton  
Assistant Director of Community Development Jennifer Ganser  
Director of Public Works Carl Goldsmith  
Chief of Police Roy Newton  
Fire Chief Richard Sander  
Assistant Village Manager Nicole Aranas  
Deputy Clerk Janet Downer  
Executive Coordinator Carol Bauer

## III. Public Hearings

### **180459 Budget Ordinance FY 2019**

A Public Hearing for the purpose of hearing written and oral comments from the public concerning the proposed Village of Lombard Annual Budget for the Fiscal Year beginning January 1, 2019 and ending December 31, 2019.

Village Attorney Tom Bayer called the Public Hearing relative to the Village of Lombard Budget Ordinance for FY 2019 to order at 7:01 p.m. He noted obligations had been met relative to advertising the Public Hearing.

Trustee Reid Foltyniewicz provided an overview of the budget process. He noted the total FY 2019 budget was \$9,576,022. He talked about the challenges the Village has faced with doing more with less due to legislation adopted in Springfield. He noted the Village has been diligent in cutting expenses and balancing the budget. He spoke of residents conserving and using less water as a positive, but the cost of providing water to residents continues to increase.

Village Manager Scott Niehaus also noted the Village is doing more with less. He spoke of a citizen software program where residents can apply for building permits on line which is faster and more efficient. He also thanked the Police, Fire and Public Works Departments, which are the largest operating departments in the Village, and noted how staff has contributed to managing budgets and cutting expenses without reducing services. He stated staff began working on the Village FY 2019 budget in November of 2017 and fourteen months later staff addressed a \$737,000 deficit that resulted in a balanced budget for FY 2019. He spoke of the Village not anticipating any increase in sales tax revenues and not including any sales tax revenues from new businesses such as Mariano's, The Yardhouse or Thornton's. He thanked the departments for their assistance in reducing the budget by \$1 million. He noted that Places for Eating Tax will not be used at this time for FY 2019 and that the Finance & Administration Committee and staff will be reviewing other means of generating revenue including options for Places for Eating Tax, video gaming, home rule and vehicle stickers.

Trustee Foltyniewicz asked residents to contact the Village if they had suggestions for saving money or had revenue-generating ideas.

Village Manager Scott Niehaus indicated the Tax Levy and Budget Ordinance were listed on first reading on Separate Action to allow for discussion and for total transparency. He also noted the Village will face budget challenges in years to come, but will be taking steps early-on to review budget reductions and possible revenue generating ideas.

Director of Finance Tim Sexton spoke of the distribution of the waterfall based on Village policies, and reviewed proposed revenues and proposed expenditures. He talked about challenges in the retail world due to the closing of stores and the challenging retail environment based on on-line sales. He stated there were no water or sewer rate increases proposed at this time and that the new water meter change-out program was expected to be completed by the spring of 2019. At that time a rate study will be completed and presented to the Finance & Administration Committee and the Public Works & Environmental Concerns Committee before being presented to the Village Board. He stated that two-thirds of the fees collected for water and sewer go to the DuPage Water Commission and the Glenbard Wastewater Authority with one-third going to the Village to cover the cost of providing water and sewer services to the residents. The proposed FY 2019 Capital Improvement Program expenditures are estimated at \$7,861,640.

Trustee Reid Foltyniewicz thanked the committees and staff for their hard work on preparing a balanced budget for FY 2019.

Village Attorney Bayer asked if there were any questions from the Village Board. There were no questions. Village Attorney Bayer asked if there were any questions from the audience. There were no questions.

The Public Hearing was adjourned at 7:15 pm.

#### **IV. Public Participation**

#### **V. Approval of Minutes**

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the minutes of the regular meeting of October 18, 2018 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**

Trustee Mike Fugiel, Chairperson of the Community Promotion & Tourism Committee, reported the committee would be meeting on January 8 and February 5 to review grant applications. Applications are due by December 3.

##### **Community Relations Committee - Trustee Robyn Pike, Chairperson**

No report

##### **Economic/Community Development Committee - Trustee Bill Johnston, Chairperson**

No report

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

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, reported the committee met on October 22 and reviewed video gaming. He thanked all of the residents who attended the meeting and noted it was a packed house. The Committee did vote to approve allowing video gaming by a 7 to 0 vote with stipulations. He noted that this is the first step of many steps in the review of allowing video gaming and that the process will be fully vetted with review by three other committees. He stated that although video gaming is a heated topic of discussion, all who spoke were respectful of each others opinions.

**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 Clerk/Village Board Comments**

Trustee Reid Foltyniewicz noted that all three high school football teams were in the playoffs - Glenbard East versus East St, Louis, Montini versus Sycamore, and Willowbrook versus Main West.

President Giagnorio announced that the new limited edition Lombard-opoly game was available at the Chamber website at a cost of \$25.00. He wished Deputy Clerk Janet Downer a happy birthday.

Deputy Clerk Downer read the following announcements:

Lombard Christmas Mart is Saturday, November 3 from 9 am until 2pm. Start your holiday shopping by visiting participating locations on Maple Street from Elizabeth to Main Street including churches, the Library, and the Historical Society.

Daylight Savings Time Begins November 4th. Remember to change your clocks and change the batteries in your smoke alarms and carbon dioxide detectors.

The 6-week annual free leaf pick-up for Lombard residents will begin November 5th and run through December 14th (the second full week in December). An unlimited number of paper bags containing only leaves, may be placed curbside on the normal waste collection day, without need of stickers. However, yard waste stickers are required on any cans and also, for nonresidential properties. For more information, visit [villageoflombard.org/fall](http://villageoflombard.org/fall).

The Veterans Day Ceremony is scheduled for Monday, November 12 at 11:00 am at the Sunken Garden at Commons Park. The public is invited

to attend. Please help thank all of our Veterans for their service to our country.

Tuesday, November 6th is Election Day. Do not forget to vote. To find your polling place, visit [dupagecounty.org/VoterLookup](http://dupagecounty.org/VoterLookup).

Bring unwanted campaign signs made of corrugated plastic and metal stands, at no cost, to the Village of Lombard for recycling from November 7th to 19th. During this time, a recycling bin will be available to the public, in the parking lot of the Village Hall located at 255 E. Wilson Avenue.

Wednesday, November 14 is the Village's Blood Drive honoring our Veterans and remembering Village President Bill Mueller. Hours are 8:00 am until 1:00 pm at Yorktown and 1:30 pm until 7:00 pm at the Village Hall. All donors will receive a coupon for a pint of frozen custard from Culver's, a \$10 Colonial Café gift certificate, a ticket voucher that can be redeemed at select Chicago Wolves home games, and be entered into a drawing for a Yorktown gift card. Be someone's hero, donate blood. It saves lives.

## VIII Consent Agenda

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Trustee Foltyniewicz requested that Consent Item G for a Conditional Use for a Therapeutic Massage Establishment PC 18-34: 99 E. Roosevelt Road be moved to Separate Action Item C.

### Payroll/Accounts Payable

- A.**     [180451](#)           **Approval of Village Payroll**  
For the period ending October 13, 2018 in the amount of \$797,784.68.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B.**     [180452](#)           **Approval of Accounts Payable**  
For the period ending October 19, 2018 in the amount of \$526,201.44.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C.**     [180461](#)           **Approval of Accounts Payable**  
For the period ending October 26, 2018 in the amount of \$209,100.12.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- D. [180033](#) **Hill Avenue Jurisdictional Transfer to the Village of Glen Ellyn**  
Approval of an amended ordinance approving the transfer of jurisdiction over a portion of Hill Avenue to the Village of Glen Ellyn with modified termini as requested by the Illinois Department of Transportation; and repealing Ordinance No. 7465 adopted January 18, 2018. Staff requests a waiver of first reading. (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 7590, 7465
- E. [180401](#) **Text Amendments to Chapter 97 of the Village Code - Snow Clearing Regulations**  
Recommendation from the Public Works & Environmental Concerns Committee to approve proposed amendments to Chapter 97 of the Village Code relative to the obligation of adjacent property owners located within specific zoning districts to remove snow and/or ice from the public sidewalk. 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 7591
- F. [180431](#) **PC 18-33: Conditional use for a Hockey Training Center - 121 & 130 Eisenhower Lane South**  
The petitioner requests that the Village grant a conditional use, pursuant to Section 155.420(C)(18) of the Zoning Ordinance, to allow for an indoor hockey training facility (learning center) in the IPD Limited Industrial Zoning District Planned Development. (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 7592
- G. **180432 - was moved to Separate Action Item C**
- H. [180460](#) **New Ford Interceptor Utility Purchase and an Ordinance Declaring Village Unit #PP746 as Surplus Property**  
Request for a waiver of bids and award of a contract to Currie Motors in the amount of \$40,273.00 for the purchase of one (1) Ford Interceptor Utility vehicle; and approval of an ordinance declaring Village Unit #PP746, a 2014 Ford Interceptor utility vehicle, as surplus and authorizing its sale. Public Act 85-1295 does not apply. 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 7593

H-2. [180463](#)

**Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**

Revising the Class "A/B-III" liquor license category due to new ownership of Brio Tuscan Grille located at 330 Yorktown and issuing a new Class "A/B-III" liquor license to FoodFirst Global Restaurants, Inc. d/b/a Brio Tuscan Grille. (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 7594

**Other Ordinances on First Reading**

I. [180430](#)

**PC 18-32: Rezoning - 98 E. 13th Street**

The petitioner, requests that the Village approve a map amendment from the Roosevelt Road Corridor B4A District to the R2 Single-Family Residence District. (DISTRICT #6)

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

Enactment No: Ordinance 7606

J. [180453](#)

**Ordinance Repealing Title III, Chapter 36, Article II, Sections 36.10 through 36.16 of the Lombard Village Code**

Ordinance Repealing Title III, Chapter 36, Article II, Sections 36.10 through 36.16 of the Lombard Village Code in regard to General Obligation Bonds.

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

Enactment No: Ordinance 7607

**Ordinances on Second Reading**

K. [180443](#)

**Title IX, Chapter 98, Section 98.110 of Village Code - Local Government Taxpayers' Bill of Rights Act**

Ordinance amending Title IX, Chapter 98, Section 98.110 repealing Subsection (C) relative to the late payment interest provision and relabeling Subsections (C) through (H) respectively.

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

Enactment No: Ordinance 7595



- L. [180445](#) **Village Code Amendment for the Solid Waste Contract Second Amendment**  
Recommendation from the Public Works and Environmental Concerns Committee to amend the Village Code (Title IX, Chapter 92) pertaining to new definitions, terms and conditions in the Solid Waste Contract Second Amendment.  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7596

### Resolutions

- M. [180458](#) **2019 Safe Routes to School Funding Application Support and Funding Resolution**  
Approving a resolution of support and funding commitment in an amount up to \$200,000.00 reimbursable by the Illinois Department of Transportation upon completion of the improvements, as well as authorizing the Director of Public Works to sign the federal funding agreement documents. (DISTRICTS - ALL)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 66-18
- M-2. [180442](#) **Master License Agreement with Verizon Wireless**  
Resolution authorizing a Master License Agreement with Verizon Wireless that would regulate the attachment of wireless communication equipment within the Village-owned rights-of-way. (DISTRICTS - ALL)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 67-18

### Other Matters

- N. [180454](#) **2019 Parkway Tree Pruning and Demand Trimming/Cabling**  
Award of a contract to D Ryan Tree and Landscape LLC, the lowest responsible bidder of four (4) bids received, in the amount of \$65,202.50. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)  
**This Bid was approved on the Consent Agenda**
- O. [180456](#) **Fire Pension Fund Municipal Compliance Report**  
Accept and file the Lombard Fire Pension Fund Municipal Compliance Report for the year ending December 31, 2017.  
**This Request was approved on the Consent Agenda**
- P. [180457](#) **Police Pension Fund Municipal Compliance Report**

Accept and file the Lombard Police Pension Fund Municipal Compliance Report for the year ending December 31, 2017.

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

**Q.**     [180455](#)

**Appointment - Economic & Community Development Committee**

Request for concurrence in the appointment of Alan Bennett to the ECDC filling a vacancy created by the resignation of Markus Pitchford until May 2019.

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

**Approval of the Consent Agenda**

**A motion was made by Trustee Dan Whittington, seconded by Trustee Robyn Pike , 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**

**A.**     [180414](#)

**2018 Proposed Tax Levy**

Providing for the levy and assessment of taxes for the fiscal year beginning January 1, 2018 and ending December 31, 2018 in the amount of Nine-Million-Five-Hundred-Seventy-Six-Thousand-Twenty-Two Dollars (\$9,576,022). The Finance & Administration Committee voted unanimously to recommend to the Village Board for approval.

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the 2018 Proposed Tax Levy Ordinance be passed on first 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 7604

**B.**     [180416](#)

**Village of Lombard Budget Ordinance for Fiscal Year 2019**

Ordinance adopting the Village of Lombard FY 2019 Annual Budget in the amount of \$83,911,310.

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the Village of Lombard Budget Ordinance for Fiscal Year 2019 Ordinance be passed on first 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 7605

[180432](#)

**PC 18-34: 99 E. Roosevelt Road - Conditional Use for a Therapeutic Massage Establishment**

The petitioner requests that the Village grant a conditional use, pursuant to Section 155.415(G)(2)(b)(xi) of the Zoning Ordinance, to allow for a therapeutic massage establishment in the B4APD Roosevelt Road Corridor District Planned Development. (DISTRICT #6)

**A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Ordinance relative to PC 18-34: 99 E. Roosevelt Road - Conditional Use for a Therapeutic Massage Establishment be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 5 - Dan Whittington, Mike Fugiel, Bill Johnston, Robyn Pike, and Bill Ware

**Nay:** 1 - Reid Foltyniewicz

Enactment No: Ordinance 7597

**C. Ordinances on Second Reading**

**Resolutions**

**Other Matters**

**X. Agenda Items for Discussion**

**XI. Executive Session**

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 1, 2018 in the Board Room of the Lombard Village Hall be recessed to Executive Session for the purpose of discussion of Pending Litigation at 7:34 p.m. 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, November 1, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:18 p.m.

- 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- 1 - Sharon Kuderna

## XIII Adjournment

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**A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 1, 2018 in the Board Room of the Lombard Village Hall be adjourned at 8:19 p.m. The motion carried by the following vote:**

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