

Village of Lombard

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



Minutes

Thursday, March 2, 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 held on Thursday, March 2, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:01 pm. Paul Friedrichs, Executive Director of the Lombard Park District, 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
Human Resources Director Kathy Dunne
Executive Coordinator Carol Bauer

Village President Giagnorio wished his wife Angela a happy birthday. He thanked Trustee Bill Ware for handling the last Village Board meeting due to his unforeseeable absence.

III. Public Hearings

IV. Public Participation

Oliver Anderson spoke relative to parking at the Oakview Estate Condominiums. He stated he supported the project, but asked the Board for assistance with parking.

Michele Lynch also spoke relative to the Oakview Estates Condominiums and parking.

Village Manager Scott Niehaus noted that the Oakview Estates item was on first reading and would be on the March 16th Village Board meeting agenda for second reading.

Joseph Manzara spoke relative to the parking at Oakview Estates and noted the lack of sufficient parking may result in residents parking across the street at the Park District property. He also stated this was

already a dangerous intersection and felt the insufficient parking and more tenants would add to the dangerousness of the area.

V. Approval of Minutes

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Ware, that the minutes of the regular meeting of February 16, 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

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

Trustee Reid Foltyniewicz, Chairperson of the Finance and Administration Committee, reported the committee met reviewed long range planning for FY 2018 budget revenues and expenditures.

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 Historical Commission

No report

VII. Village Manager/Village Board Comments

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, commended Police and Fire Department personnel for saving two lives and noted how important Village equipment and training is.

Village Clerk Sharon Kuderna read the following announcements: With construction season beginning, we encourage everyone to visit our construction website at www.villageoflombard.org/construction <<http://www.villageoflombard.org/construction>> for information on the Village's upcoming projects.

The Village is recognizing Severe Weather Preparedness week, March 5-11 and is encouraging all residents to sign up for our e-news, and connect with the Village on Facebook and Twitter. Severe Weather can strike anywhere - anytime. In the event of a weather emergency, the Village will share important information to residents online.

Visit www.villageoflombard.org/connect <<http://www.villageoflombard.org/connect>> to learn how to stay connected.

On Sunday, March 12, Daylight Saving Time begins. The Lombard Fire Department is reminding you that when you Change Your Clocks - Change Your Batteries to help protect your family from a preventable tragedy.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [170092](#) **Approval of Accounts Payable**
For the period ending February 17, 2017 in the amount of \$881,367.76.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [170096](#) **Approval of Village Payroll**
For the period ending February 18, 2017 in the amount of \$835,499.07.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [170097](#) **Approval of Accounts Payable**
For the period ending February 24, 2017 in the amount of \$996,474.57.

This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [170087](#) **PC 17-05: 1011 S. Main Street**
Recommendation from the Plan Commission to approve the following variances for a proposed public information freestanding automatic changeable copy (ACC) sign at the southeast corner of Main Street and Wilson Avenue:
1. A variance from 153.210(E) to allow for an automatic changeable reader board of twenty-four (24) square feet, where sixteen (16) square feet is allowed by code;
 2. A variance from 153.219(A) to allow for an institutional sign of forty (40) square feet, where thirty-two (32) square feet is allowed by code; and
 3. A variance from 153.219(B) to allow for an institutional sign of ten feet (10') in height, where six feet (6') in height is allowed by code. (DISTRICT #6)

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

Enactment No: Ordinance 7331

Other Ordinances on First Reading

- E. [170093](#) **Revised Salary Ordinance**
Ordinance amending the Village's Salary Ordinance effective March 2, 2017 due to restructuring of positions.
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 7332
- F. [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 first reading on the Consent Agenda**
- Enactment No: Ordinance 7337
- G. [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 first reading on the Consent Agenda

Enactment No: Ordinance 7338

H. [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)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7342

I. [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 first reading on the Consent Agenda

Enactment No: Ordinance 7339

J. [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 first reading on the Consent Agenda

Enactment No: Ordinance 7340

K. [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 first reading on the Consent Agenda

Enactment No: Ordinance 7341

Ordinances on Second Reading

L. [170035](#)

PC 17-03: Park District Recreation Center (543 E. Taylor, former Fairwood School)

Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the CR Conservation Recreation District:

1. Approve a conditional use pursuant to Section 155.404(C)(7) of the Lombard Zoning Ordinance for a public recreational facility;
2. Approve a variation from Section 155.404(G) to allow a building height of thirty-six feet (36') where a maximum of thirty feet (30') is permitted; and
3. Approve a variation from Section 155.404(H) of the Lombard Zoning Ordinance to allow a development with less than 75% open space. (DISTRICT #6)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7333

Resolutions

- M.** [170069](#) **Glenbard Wastewater Authority - DuPage Forest Preserve District Land Swap**
Approving a proposal from Jorgensen & Associates, Inc. in the amount of \$26,106.78 for survey work related to the Glenbard Wastewater Authority.
This Resolution was adopted on the Consent Agenda
Enactment No: R 20-17
- N.** [170098](#) **Westmore-Meyers Road Bicycle and Pedestrian Improvements**
Approving a contract with Christopher B. Burke Engineering, LTD, in an amount not to exceed \$78,055.05 for Preliminary Design (Phase 1) engineering. (DISTRICTS #5 & #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 21-17

Other Matters

- O.** [170022](#) **Water & Sewer System Supplies**
Award of a contract to HD Supply, the lowest responsible bid of five (5) bidders, in the amount of \$57,000.00. Bid in compliance with Public Act 85-1295.
This Bid was approved on the Consent Agenda
- P.** [170070](#) **Public Information Notification Signage**
Award of a contract to Parvin-Clauss Sign Company, the lowest responsible bid of three (3) bidders, in the amount of \$71,438.00. Bid in compliance with Public Act 85-1295. (DISTRICT #6)
This Bid was approved on the Consent Agenda
- Q.** [170081](#) **2017 Civic Center Pump and Motor Rehabilitation Project**
Award of a contract to Peerless Midwest, the lowest responsible bidder of two (2) bids received, in an amount not to exceed \$92,650.00. Bid in compliance with Public Act 85-1295. (DISTRICT #6)
This Bid was approved on the Consent Agenda
- R.** [170082](#) **2017 SCADA System Hardware Upgrade**
Request for a waiver of bids and award of a contract to Energenecs, Inc. in the amount of \$141,300.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- S. [170083](#) **Demolition of Well House No. 11**
Request for a waiver of bids and award of a contract to American Demolition Corporation in an amount not to exceed \$65,650.00. Public Act 86-1296 does not apply. (DISTRICT #2)

This Bid was approved on the Consent Agenda

- T. [170012](#) **Local Tourism Grant Application 2017 - Lombard Historical Society Civil War Reenactment**
Grant request from the Lombard Historical Society in the amount of \$8,600, from Hotel/Motel funds, to cover costs of the event. The costs include entertainment, supplies, logistics and advertising. The event will take place July 21-23, 2017, at Four Seasons Park.

This Request was approved on the Consent Agenda

- U. [170028](#) **Local Tourism Grant Application 2017 - Through Darkness to Light Exhibit**
Grant request from the Lombard Historical Society in the amount of \$510 from Hotel/Motel funds for expenses supporting a new exhibit. The grant supports expenses such as exhibit supplies, framing, shipping and books. The event will take place February 2 through March 15, 2017 with a reception to be held on Wednesday, February 22, 2017.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Reid Foltyniewicz, 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

Trustee Dan Whittington indicated that he would recuse himself from voting on Separate Action items B & C.

Ordinances on First Reading (Waiver of First Requested)

- A-2. [170108](#) **455 E. Butterfield Road - Miller's Ale House - March Madness Temporary Event**
Amending Title 11, Chapter 112, Section 112.18(B) of the Lombard

Village Code to allow the consumption of alcoholic beverages in an area adjacent to the licensed premises on March 17, 2017 in connection with a temporary event (March Madness) as it relates to Miller's Ale House, Inc. d/b/a Miller's Ale House located at 455 E. Butterfield Road. (DISTRICT #3)

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the Ordinance approving an amendment to Title 11, Chapter 112, Section 112.18(B) of the Lombard Village Code to allow for alcoholic beverages in an area adjacent to the licensed premises on March 17, 2017 in connection with a temporary event (March Madness) as it related to Miller's Ale House, Inc. d/b/a Miller's Ale House located at 455 E. Butterfield Road be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7335

A. [170048](#)

License Agreement for a Portion of the Parkside Avenue Right-of-Way

Approving a License Agreement with Union Pacific Railroad for a portion of the Parkside Avenue right-of-way between Stewart Avenue and Craig Place. The Ordinance requires adoption by at least a three-fourths vote of the Corporate Authorities (6 of 7). Staff is requesting a waiver of first reading. (DISTRICT #4)

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the Ordinance approving a License Agreement with the Union Pacific Railroad for a portion of the Parkside Avenue right-of-way between Stewart Avenue and Craig Place be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7334

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

Other Matters

B. [170011](#)

Local Tourism Grant Application 2017 - Glenbard East Boosters Ale Fest

Grant request from the Glenbard East High School Boosters in the amount of \$10,000 from Hotel/Motel funds for costs associated with the 4th Annual Ale Fest to be held June 10, 2017 on West Parkside at Lilacia Park. (DISTRICT #1)

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, that the Village Board approve a grant request from the Glenbard East High School boosters in the amount of \$10,000 from Hotel/Motel funds for costs associated with the 4th Annual Ale Fest to be held on June 10, 2017 on West Parkside at Lilacia Park be approved. The motion carried by the following vote:

Aye: 4 - Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Abstain: 1 - Mike Fugiel

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 2, 2017 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:24 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 held on Thursday, March 2, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:49 pm.

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 2, 2017 in the Board Room of the Lombard Village Hall be adjourned at 7:50 p.m. The motion carried by the following vote:

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