

Village of Lombard

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



Minutes

Thursday, April 20, 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, April 20, 2017 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

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

III. Public Hearings

IV. Public Participation

[170023](#)

Lombard Town Centre Quarterly Report

Quarterly report presented by the Lombard Town Centre Executive Director to the Village Board.

Executive Director Stephanie Schiszak reported that LTC will follow a road map based on the approved Strategic Plan goals and objectives. Moving forward, the LTC quarterly reports will be based on the Strategic Plan goals and objectives. LTC is looking at an app for downtown and looking on building its membership and volunteer base. Goals and Objectives for FY 17:

Goal 1: Raise awareness of the value and mission of LTC by building community.

Goal 2: Operate LTC as a professional organization by ensuring transparency and appropriately representing the community.

Goal 3: Grow the Board of Directors and the volunteer base by engaging individuals with experience that match the mission of the

organization.

Goal 4: Increase the foot-traffic in Lombard's TIF District by promoting downtown events and the many dining, shopping and special services options.

Goal 5: Become a self-sustaining organization through increasing membership revenue, growing special events and seeking corporate and foundation support.

V. Approval of Minutes

A motion was made by Trustee Robyn Pike, seconded by Trustee Bill Ware, that the minutes of the regular meeting of April 6, 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 that at the April 10th meeting of the Economic and Community Development Committee, the DuPage County Workforce Development Division made a presentation to the ECDC members about their organization and various workforce assistance programs available to residents and businesses. Village staff offered an extended presentation regarding the proposed Butterfield/Yorktown Tax Increment Financing (TIF) District that will be undertaken, per Village Board direction. The ECDC also considered proposed Amendments to Section 110 of the Village Code pertaining to Special Events and Sidewalk Sales and unanimously voted to recommend approval. Lombard Town Centre also offered a report on their efforts and their role in facilitating activity in the downtown. The next meeting of the ECDC will be on Monday, May 8, 2017 at 7:00 p.m. at the Village Hall.

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

Trustee Reid Foltyniewicz, Chairperson of the Finance and Administration Committee, reported the Village Board and Finance Committee held a joint meeting prior to tonight's Village Board meeting to review the proposed FY 2018 Village of Lombard budget. The Village Board unanimously approved the recommendations of the Finance and Administration Committee. Village staff will continue to meet and review options relative to 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

No report

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [170162](#) **Approval of Village Payroll**
For the period ending April 1, 2017 in the amount of \$811,984.88.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [170163](#) **Approval of Accounts Payable**
For the period ending April 7, 2017 in the amount of \$1,660,631.00.
This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [170180](#) **Approval of Accounts Payable**
For the period ending April 14, 2017 in the amount of \$976,024.81.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [160504](#) **Second Amendment to the Boundary Line Agreement Between the Villages of Lombard and Glen Ellyn**
Ordinance authorizing the execution of a Second Amendment to a Boundary Line Agreement with the Village of Glen Ellyn. (DISTRICT #2)

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

Enactment No: Ordinance 7354

- E. [170176](#) **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 four (4) Police Department seizure vehicles and one (1) recreational style trailer. 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: Ordinances 7355

Other Ordinances on First Reading

Ordinances on Second Reading

- F. [170116](#) **PC 17-08: 1005-1027 E. Division Street**
Recommendation from the Plan Commission that at the Village take the following actions on the subject property located within the R2 Single-Family Residence District and the R3 Attached Single-Family Residence District:
1. For the property at 1027 E. Division Street, approve a map amendment from the R2 Single-Family Residence District to the R4 Limited General Residence District;
 2. For the property at 1005 E. Division Street, approve a map amendment from the R3 Attached Single-Family Residence District to the R4 Limited General Residence District;
 3. For both properties as noted above, approve a conditional use for a new planned development with the following companion variations and deviations, reflective of existing buildings and structures already located on the premises:

- a. A deviation from Section 155.409(I) and Section 155.508(C) (6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14');
 - b. A variation from Section 155.409(J), Section 155.508(C)(6) (b), and Section 155.707(A) to reduce the depth of the transitional landscape yard;
 - c. A variation from Section 155.707(B) to allow transitional landscape yard improvements;
 - d. A variation from Section 155.706(C)(1) to reduce the required perimeter parking lot landscaping for the south side of an existing parking lot, as depicted on the submitted site and landscape plan;
 - e. A deviation from Section 155.602(A)(3)(e) to allow off-street parking areas open to the sky to be located in a required front yard;
 - f. A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit; and
4. Grant site plan approval authority to the Lombard Plan Commission pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance. (DISTRICT #5)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinances 7356, 7357

G. [170117](#)

PC 17-09: 659 N. Edgewood Avenue

Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the R2 Single-Family Residence District:

1. Approve a variation from Section 155.407(F)(1) to reduce required front yard setback for an existing detached single-family dwelling from thirty feet (30') to twenty-nine feet (29').
2. Approve a plat of resubdivision. (DISTRICT #4)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7358

H. [170119](#)

PC 17-12: Text Amendments to the Zoning Ordinance

Recommendation from the Plan Commission to approve text amendments to Section 155.602 Table 6.3, Section 155.603 Table 6-4, and Section 155.802 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the parking requirements and definitions for "convalescent, nursing or rest home" and similar uses. (DISTRICTS - ALL)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7359

- I. [170153](#) **Ordinance Amending Title III, Chapter 30, Section 30.20 of the Lombard Village Code - Standing Committees**
Ordinance amending Title III reflecting changes made in 2015 to Standing Committees and updating a section of the Code that was not changed previously.

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7360

Resolutions

- J. [170157](#) **TIF District Lighting Improvements, Final Balancing Change Order No. 3**
Approving Final Balancing Change Order No. 3 to the contract with Thorne Electric Inc. reflecting an increase of \$26,825.49 and a time extension of 42 days. (DISTRICTS #1 & #4)

This Resolution was adopted on the Consent Agenda

Enactment No: R 26-17

- K. [170179](#) **Roosevelt and Finley Intersection Improvements, Design Engineering Supplement**
Approving a supplement to the contract with Christopher B. Burke Engineering in the amount of \$34,981.09 for additional services not included in the original scope of work due to unexpected reviews and subsequent delays. (DISTRICT #2)

This Resolution was adopted on the Consent Agenda

Enactment No: R 27-17

- L. [170181](#) **Intergovernmental Agreement between the Villages of Lombard and Glen Ellyn regarding the Glenbard Wastewater Authority**
Resolution approving an Intergovernmental Agreement between the Villages of Lombard and Glen Ellyn in regard to the Glenbard Wastewater Authority Bemis Road Facility and the Annexation of a portion thereof by the Village of Glen Ellyn. (DISTRICT #2)

This Resolution was adopted on the Consent Agenda

Enactment No: R 28-17

- M. [170183](#) **Fireworks Production Agreement**
Resolution approving an Agreement with the Mad Bomber Fireworks Productions for the provision of a fireworks display at Madison Meadow Park on July 4th at a cost of \$35,000. (DISTRICT #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 29-17

- N.** [170184](#) **Agreement with Lombard Park District for Use of Madison Meadow Park**
Resolution approving an Agreement with the Lombard Park District for use of the Madison Meadow park for a fireworks display on July 4th.
- This Resolution was adopted on the Consent Agenda**
- Enactment No: R 30-17

Other Matters

- O.** [170159](#) **Catch Basin Cleaning**
Award of a contract to National Power Rodding Corp., the lowest responsible bidder of five (5) bids received, in an amount not to exceed \$59,950.00. Bid in compliance with Public Act 85-1295. (DISTRICTS #1 & #4)
- This Bid was approved on the Consent Agenda**
- P.** [170170](#) **FY2017 CCTV Inspection and Cleaning**
Award of a contract to National Power Rodding, the lowest responsible bid for Lombard's quantities, in the amount of \$33,436.70 of four (4) bids were received in total. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)
- This Bid was approved on the Consent Agenda**
- Q.** [170174](#) **FY 2017 Crack Sealing Program**
Request for a waiver of bids and award of a contract to Denler, Inc. in the amount of \$126,995.00 for a second-year option for the Crack Sealing Program. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
- This Bid was approved on the Consent Agenda**
- R.** [170175](#) **FY 2017 Sewer Lining and Rear Yard Sewer Lining**
Award of a contract to Hoerr Construction Inc., the lowest responsible bidder of six (6) bids received, in the amount of \$179,680.50. Bid in compliance with Public Act 85-1295. (DISTRICTS -ALL)
- 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 Second Reading

- A. [170139](#) **Amending Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code - Alcoholic Beverages**
Amending Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code relative to the Class "FF" liquor license category description.

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the amending Title 11, Chapter 112.12(A) of the Lombard Village Code - Alcoholic Beverages, be passed on second reading. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
Enactment No: Ordinance 7361
- B. [170154](#) **Vacation of Elizabeth Street Right-of-Way North of Roosevelt Road, relative to PC 17-11, Carriage Animal Clinic, 244 W. Roosevelt Road (3/4 vote of the Trustees required 5 of 6)**
Ordinance vacating a portion of Elizabeth Street immediately North of Roosevelt Road. (DISTRICT #2)

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Johnston, that the Ordinance relative to the vacation of the Elizabeth Street right-of-way north of Roosevelt Road PC 17-11, Carriage Animal Clinic, 244 W. Roosevelt Road 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 7362
- C. [170118](#) **PC 17-11: 244 W. Roosevelt Road**
Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the B4A Roosevelt Road Corridor Zoning District:
 1. Pursuant to Section 155.417(G)(2)(b)(i) approve a conditional use for an animal hospital and kennel;
 2. Pursuant to Section 155.417(G)(3) approve a variation for a minimum lot area of 19,000 square feet, where 40,000 is required;

3. Pursuant to Section 155.417(G)(4) approve a variation for a minimum lot width of 132' where 150' is required;
4. Pursuant to Section 155.417(G)(5)(a) approve a variation for a front yard setback of 25' where 30' is required;
5. Pursuant to Section 155.417(G)(8) approve a variation for a transitional building setback of 30' where 40' is required; and
6. Pursuant to Section 155.707(A)(5)(a) approve a variation for a transitional landscape yard of 24' where 30' is required.
(DISTRICT #2)

A motion was made by Trustee Robyn Pike, seconded by Trustee Bill Ware, that the Ordinance relative to PC 17-11 for 244 W. Roosevelt Road 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 7363

Ordinances on First Reading (Waiver of First Requested)

D. [170172](#)

Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code in regard to Alcoholic Beverages

Effective June 1, 2017 increasing the number of Class "FF" liquor license entries by one and issuing a new Class "FF" liquor license to CS Wines, Inc. d/b/a Wines Till Sold Out (WTSO) located at 876 N. Ridge Avenue. (DISTRICT #1)

[Enter body here.]

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the Ordinance amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code with regard to alcoholic beverages 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 7364

E. [170182](#)

Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code in regard to Alcoholic Beverages

Revising the Class "F" liquor license category reflecting the ceasing of business by Lombard Liquor Inc. d/b/a Lombard Liquor and issuing a new liquor license to Totra Maa Lombard Inc. d/b/a Lombard Liquor located at 420 W. 22nd Street. (DISTRICT #3)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license,

Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Ordinance amending Title 11, Chapter 112, Section 112.13 (A) of the Lombard Village Code with regard to alcoholic beverages 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 7365

Other Ordinances on First Reading

Resolutions

- F. [170132](#) **Westmore-Meyers Road Safety and Bicycle/Pedestrian Improvements**
Approving a Resolution for Improvement by Municipality Under the Illinois Highway Code allowing the use of Motor Fuel Tax funds in the amount of \$78,055.00 for the Phase 1 Engineering Study for the Westmore-Meyers Road Safety and Bicycle/Pedestrian Improvements. (DISTRICTS #5 & #6)

Trustee Ware thanked staff and the Board for the revision and reconsideration of the contract for the Westmore-Meyers Road Improvements.

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Resolution relative to the Westmore-Meyers Road Safety and Bicycle/Pedestrian Improvements be adopted. The motion carried by the following vote:

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

Enactment No: R 31-17

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 held on Thursday, April 20, 2017 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:21 p.m. to discuss Probable or Imminent Litigation; Approval and Review of Executive Session Minutes and to Determine Whether the Need for Confidentiality Still Exists as to Those Executive Session Minutes Which Have Not Previously Been Made Available for Inspection; and Information Regarding the Appointment, Employment,

Compensation, Discipline, Performance or Dismissal of a Specific Employee or Specific Employees of the Village. 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, April 20, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:44 p.m.

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 Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, April 20, 2017 in the Board Room of the Lombard Village Hall be adjourned at 7:45 p.m. The motion carried by the following vote:

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