

Village of Lombard

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



Minutes

Thursday, December 19, 2013

7:30 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; 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 held on Thursday, December 19, 2013 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:34 p.m. Acting Village Clerk Janet Downer led the Pledge of Allegiance.

II. Roll Call

- 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware
- 1 - Sharon Kuderna

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

III. Public Hearings

IV. Public Participation

Walter Smith, 411 S. School Street, President of Lombard Town Centre, provided a recap of the work that had been accomplished by the Lombard Town Centre staff and volunteers in 2013. He spoke of six new businesses in downtown, one additional new business moving in shortly and some good prospects for the future. He talked about the 13 events that had been held; the 1,000 attendees at the outdoor sports viewing events; the 4,000 attendees for Spooktacular; and the 2,000 hours that had been donated by volunteers. He spoke of the 200% increase in views and that 2,500 had viewed the webpage. He felt there was a large following and people wanting to know what is going on downtown. He indicated moving to 6 S. Park has increased exposure of LTC and that they are renting office space out for meetings. He hoped that in 2014 they would increase membership and sponsorship. He stated LTC had received \$8,800 in corporate sponsorships in 2013 and had not received any sponsorship in the past. He talked about expanding events and a means of getting more people into the stores. He spoke of an open House for downtown and

showcasing downtown Lombard using realtors for a successful event. He read a letter from Betty Shissler, owner of Punky's, thanking LTC for all that they have done. He reminded everyone to live, work, and play purple.

V. Approval of Minutes

A motion was made by Trustee Peter Breen, seconded by Trustee Dan Whittington, that the minutes of the Special Meeting of November 12, 2013; the minutes of the Special Meeting of November 13, 2013; the minutes of the Special Meeting of November 14, 2013; and the minutes of the Regular Meeting of December 5, 2013 be approved. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

VI. Committee Reports

Community Relations Committee - Trustee Dan Whittington, Chairperson

No report

Economic/Community Development Committee - Trustee Laura Fitzpatrick, Chairperson

No report

Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson

No report

Finance Committee - Trustee Peter Breen, Chairperson

No report

Public Works Committee - Trustee Bill Ware, Chairperson

No report

Transportation & Safety Committee - Trustee Reid Foltyniewicz, Chairperson

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Community Promotion and Tourism Committee, indicated they did not have a quorum at the last meeting. Communications Coordinator Bridget Doyle made a presentation to the committee regarding communications. The Village will be looking at doing more electronic communications in 2014 including facebooking, electronic messaging, etc. Information will be brought to the Board. She noted the first grant process under the new guidelines had been successful.

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

Trustee Foltyniewicz gave some holiday safety tips to residents including not leaving valuables and gifts in plain view in your automobiles; not hanging purses on the back of chairs at restaurants and asking neighbors to pick up any packages left at your door. Trustee Whittington wished everyone a safe and happy holiday. Trustee Fitzpatrick wished everyone a Merry Christmas. President Giagnorio wished everyone a Merry Christmas and Happy New Year and emphasized spending time with family.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [130628](#) **Approval of Village Payroll**
For the period ending November 30, 2013 in the amount of \$888,830.46.

 This Payroll/Accounts Payable was approved on the Consent Agenda

- B. [130629](#) **Approval of Accounts Payable**
For the period ending December 6, 2013 in the amount of \$724,240.49.

This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [130638](#) **Approval of Accounts Payable**
For the period ending December 13, 2013 in the amount of \$806,067.91.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [130624](#) **Declaration of Surplus Equipment**
Declaring unused brass water meters and fittings as surplus equipment and authorizing their sale to the highest bidder. Staff is requesting 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 6905

- E. [130633](#) **Sale of Surplus Equipment**
Declaring an ambulance chassis as surplus equipment and authorizing its sale to the highest bidder. Staff is requesting 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 6906

***F. Title 11, Chapter 121, Section 121.03A(2) - Number of Taxicab Business Licenses (Moved to IX-A)**

- G. [130636](#) **Ordinance Amending Title 11, Chapter 112, of the Village Code with regard to Alcoholic Beverages**
Amending Title 11, Chapter 112 of the Lombard Village Code with regard to alcoholic beverages and a new Class T-III Liquor License Category relative to a change of ownership for the Fairfield Inn & Suites located at 645 W. North Avenue. (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 6907

Other Ordinances on First Reading

- H. [130535](#) **Ordinance Amending Chapter 90 of the Lombard Village Code - Animal Sale Regulations**
Ordinance establishing regulations to Section 90 of the Lombard Village Code to limit the sale of animals associated with temporary

sales activity. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 6915

Ordinances on Second Reading

Resolutions

- *I. Lombard Town Centre Request for Funding - Calendar Year 2014 (Moved to IX-C)**
- J. [130614](#) **Terrace View Pond Improvements, Change Order No. 4**
Reflecting an increase to the contract with Martam Construction, Inc. in the amount of \$21,335.10. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 175-13
- K. [130627](#) **Payment of the 2013 Estimated Employer Costs for the Illinois Municipal Retirement Fund ("IMRF")**
Authorizing the payment of the 2013 estimated employer costs for the Illinois Municipal Retirement Fund ("IMRF") Early Retirement Incentive Program in the amount of \$2,089,983.22.
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 176-13
- L. [130631](#) **2013 Driveway Apron, Curb and Sidewalk Restoration Program, Final Balancing Change Order No. 2**
Reflecting a decrease to the contract with Kings Point General Cement in the amount of \$92,198.05. (DISTRICTS - ALL)
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 177-13
- M. [130632](#) **Hill Avenue Bridge, Design Engineering Contract Amendment No. 2**
Reflecting an increase to the contract with Bollinger, Lach & Associates, Inc. in the amount of \$6,778.46. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: Resolution 178-13
- N. [130640](#) **Finley Road Pavement Rehabilitation, Ph 2, Change Order No. 5**
Reflecting a decrease to the contract with ALamp Concrete Contractors in the amount of \$10,711.06. (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: Resolution 179-13

Other Matters

- *O.** [130644](#) **Tree and Stump Removal**
Request for a waiver of bids and approval to renew a contract with Ciosek Tree Service, Inc. in an amount not to exceed \$110,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- P.** [130637](#) **FY2014 Traffic Signal Maintenance**
Request for a waiver of bids and approval to extend a contract with Meade Electric Company, Inc. in an amount not to exceed \$65,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- Q.** [130641](#) **Landscape Maintenance**
Request for a waiver of bids and approval to renew a contract with Green Horizon, Inc. in an amount not to exceed \$65,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- R.** [130642](#) **Grass and Weed Mowing**
Request for a waiver of bids and approval to renew a contract with Green Horizon, Inc. in an amount not to exceed \$72,630.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- S.** [130643](#) **Parkway Tree Trimming**
Request for a waiver of bids and approval to renew a contract with Nels J. Johnson Tree Experts in an amount not to exceed \$65,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- T.** [130384](#) **Gatz Pond & NAS Watersheds Sewer Separation Analysis and Prioritizing Plans**
Recommendation from the Public Works Committee to accept the final report from the Stormwater/Combined Sewer Modeling project performed by Christopher B. Burke Engineering, Ltd. to use as a basis for planning of the Capital Improvement Plan regarding sewer separation. (DISTRICTS #1, #2, #4, #5 & #6)
This Request was approved on the Consent Agenda

- U. [130533](#) **Retail Business Grant Program**
Motion to approve the revised Downtown Retail Business Grant Program Policy as recommended by the Economic and Community Development Committee. (DISTRICTS #1 and #4)

This Request was approved on the Consent Agenda
- V. [130639](#) **Overhead Sewer Grant Program Funding**
Staff request to reallocate \$30,000 within the Water/Sewer Capital Reserve Fund to the Overhead Sewer Grant Program to accommodate increased resident participation. (DISTRICTS - ALL)

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- *A. [130634](#) **Title 11, Chapter 121, Section 121.03A.(2) - Number of Taxicab Business Licenses**
Amending Title 11, Chapter 121, Section 121.03A.(2) decreasing the number of Taxicab Business Licenses from eleven (11) to ten (10) due to the non-renewal of Holiday Taxi & Limo.

President Giagnorio indicated this matter had been removed from the Consent Agenda by Trustee Ware.
Trustee Bill Ware spoke about taxi cab licensing and asked that this matter be tabled to the first meeting in January.
Trustee Fitzpatrick spoke regarding taxi cab licensing in general, and felt this item referred to a license that was being withdrawn as the operator failed to renew the taxi license and was no longer in business.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the ordinance regarding Title 11, Chapter 121, Section 121.03A.(2) - the Number of Taxicab Business Licenses, be continued to

January 16, 2014. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, and Bill Ware

Nay: 1 - Laura Fitzpatrick

Enactment No: Ordinance 6916

***B.** [130651](#)

Ordinance Amending the Budget Ordinance

Recommendation that the Village Board not adopt an Ordinance amending the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A Bonds and the Series 2005-B Bonds for the Hotel and Conference Center, in response to the request from the Lombard Public Facilities Corporation to do so. (2/3 vote required)

Trustee Breen indicated this is the fifth time that the Lombard Hotel and Conference Center AdHoc Committee had recommended to the Village Board that the Board not approve a request for funding for the shortfall for the hotel. He spoke of no increase to residents and no additional taxes. He noted the hotel and conference center will remain open. He indicated the issues were debt related. The committee is recommending that the Board obtain additional legal advisors with regard to this matter.

A motion was made by Trustee Peter Breen, seconded by Trustee Bill Ware, that the Village Board concur with the recommendation of staff and the Hotel and Conference Center AdHoc Committee and not approve an amendment to the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A Bonds and the Series 2005-B Bonds for the Hotel and Conference Center. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

Enactment No: Ordinance

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

***C.** [130568](#)

Lombard Town Centre Request for Funding - Calendar Year 2014

Request from Lombard Town Centre for funding for calendar year 2014. (DISTRICT #1)

President Giagnorio indicated this item had been pulled from the Consent Agenda by Trustee Ware.

Trustee Ware stated that he has been struggling with this matter for two weeks. He stated that he voted against funding two years ago and voted in favor of funding last year. He stated he had spoken to Walter Smith, President of Lombard Town Centre, and that Mr. Smith had answered some of his questions. He asked if Village staff was receiving reports from LTC on a regular basis.

Director of Community Development Bill Heniff indicated that he meets with the Executive Director every week and that he receives monthly reports.

Trustee Ware asked about the reports being sent to the Village Board. Director Heniff indicated the reports are shared with the Economic & Community Development Committee. He stated staff meets with the LTC and provides guidance as needed.

Trustee Ware spoke of the LTC becoming a self-sustaining entity, but was not sure that would ever happen. He spoke of the LTC becoming self-sustaining like the Jaycees with the Taste of Lombard. He asked if LTC was a duplication of efforts of another board or agency. He stated the Village does not fund the Chamber. He asked for clarification on the salary of the LTC director.

Director Heniff indicated the salary was \$38,000 plus some outside payments.

Trustee Ware indicated that he was struggling with the \$55,000 request, and suggested a lower amount. He stated he was not comfortable with funding 100% of the request. He talked about LTC continuing with the events and the outdoor sports viewings, and talked about volunteer hours. He asked about a vacant spaces downtown.

Trustee Whittington stated that he was President of LTC at one point. He stated that not one Main Street organization is self-sufficient.

Trustee Breen indicated that he has been the Chairperson of ECDC for the past two years, and has seen the funding request go down for LTC. He stated that ECDC asked LTC to put together a budget packet and the packet they presented was the best looking budget packet of anyone. He stated that the funding has decreased. In 2009 the request was \$75,000 and spoke of the money coming from the TIF funds. Those TIF monies are paid in by businesses in the TIF district and the money is meant to be put back into the TIF district. He felt that LTC was the best performing organization and had cut the vacancies downtown in half. He noted he received accolades from surrounding towns about Lombard's downtown. He reported that Lombard was the fourth largest community in DuPage County. He spoke of the historic churches and buildings downtown and of Lilacia Park. He felt the funding request was modest compared to what the community receives from LTC. He talked of the volunteer efforts and having to have a full-time person to coordinate the volunteer hours. He stated he fully supported the LTC request for funding.

Trustee Fitzpatrick felt that hiring a full-time Village employee would cost more than \$55,000 with health insurance and pension benefits.

She agreed with what Walter Smith had expressed. She stated the Village pays more for Cruise Nights and the July 4th fireworks. She talked of the year round services provided by LTC, and felt that Village staff had enough to do. She talked about street level office space for the LTC and felt the South Park location was an asset. She spoke of the LTC successes and did not feel LTC should be compared to the Chamber or the Jaycees. She supported full funding.

Trustee Fugiel stated he would support funding this year. He asked for quantifiable objectives for the board to review. He asked for updates on vacancies and sales tax to be included in future reports.

Trustee Foltyniewicz stated he was a huge supporter of downtown, and felt that the LTC was doing a great job. He reminded residents to sign up for the purple shopping cards for downtown. He talked about having someone new in charge and having more stability for downtown. He felt that downtown Lombard was back.

Trustee Whittington thanked the LTC staff, Board and volunteers for all that they have done this past year. He stressed the importance of membership and corporate sponsorship. He spoke about fundraising events.

Trustee Ware stated he had hoped for a compromise on the funding request, and stated that he will have to vote against funding.

A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, that the Village Board approve a Resolution providing for the funding for Lombard Town Centre as the official Illinois Main Street Program Organization serving the Village of Lombard. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, and Laura Fitzpatrick

Nay: 1 - Bill Ware

Enactment No: Resolution 180-13

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Dan Whittington, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 19, 2013 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 8:15 p.m. for the purpose of discussion of Information regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee, Specific Employees or Legal Counsel of the Village. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 19, 2013 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:58 p.m.

7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware
1 - Sharon Kuderna

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, December 19, 2013 in the Board Room of the Lombard Village Hall be adjourned at 8:59 p.m. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Peter Breen, Laura Fitzpatrick, and Bill Ware