

Village of Lombard

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



Minutes

Thursday, May 19, 2016

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; 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, May 19, 2016 in the Board Room of the Lombard Village Hall, was called to order by Village President Keith Giagnorio at 7:30 p.m. The Lombard Police Department and Lombard Fire Department Honor Guards posted the Colors and 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 Paul DiRienzo
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

[160212](#)

Proclamation - National Police Week

Village President Keith Giagnorio called Chief of Police Ray Byrne and Fire Chief Paul DiRienzo to the front.

Village Clerk Sharon Kuderna read the proclamation for National Police Week.

Village President Giagnorio presented the proclamation to Chief Byrne.

Chief Byrne thanked the Village for their continued support as well as the recognition of National Police Week. He spoke of thousands of law enforcement personnel traveling to the Police memorial each year and that Lombard has the names of three Police Officers listed on the Memorial Wall.

[160223](#)**Proclamation - EMS Week**

Village Clerk Sharon Kuderna read the proclamation for EMS Week. Village President Keith Giagnorio presented the proclamation to Lt. Frank Gallione.

Lt. Gallione thanked the Village for their support. Lt. Gallione thanked the Firefighter Paramedics that have served the community for so many years.

President Giagnorio noted that Lombard had the second highest call volume of Fire Departments in DuPage County.

[160213](#)**Recognition - Westlake Middle School Wildcat Concert Band**

Assistant District #44 School Superintendent Aldo Calderin thanked the Village for recognizing the Glenn Westlake Wildcat Concert Band for their achievement. He noted that the band had been invited to play at the May 6th University of Illinois at Urbana-Champaign Superstate Festival. The Wildcats were only one of nine bands from the State of Illinois chosen to participate. He thanked the School Board for their support.

He also thanked the police and fire personnel for all that they do for the community.

V. Approval of Minutes

A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, that the minutes of the Regular Meeting of May 5, 2016 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 met. The committee reviewed grant requests for Ale Fest and the Civil War Re-Enactment. The committee will be changing their meetings to the first Tuesday of each month.

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

No report

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

President Giagnorio congratulated Wade Hardtke on his recent recognition.

Trustee Fugiel noted that he had attended the Mayors Caucus event this past week.

Village Clerk Sharon Kuderna read the following announcements: Cop on the Top is scheduled to take place tomorrow at the Dunkin Donut at 1160 S. Main Street and the Dunkin Donut at 411 E. North Avenue from 5am until 1pm. This marks the 14th year that law enforcement officers participate in the event by sitting on top of the roof of the Dunkin Donut shops to heighten awareness and raise money for the Law Enforcement Torch Run and Special Olympics Illinois. In 2015, this event raised more than \$542,000 statewide. Please consider stopping for a cup of coffee and supporting this great event.

The Village Hall will be closed on Monday, May 30th in observance of the Memorial Day holiday.

The Memorial Day Ceremony will take place at noon on Monday, May 30th at the Sunken Garden at the Commons Park. Residents, Veterans and local scouts are invited to attend.

The June 2nd Board of Trustees meeting has been cancelled. The next regularly scheduled Village Board meeting is June 16th.

Cruise Nights returns to downtown Lombard beginning Saturday, June 11th from 6-10 pm. Opening night will feature Big Dog mercer. Added this year is car theme nights and Kid's Corner will return. More information, please check the Village website.

www.villageoflombard.org <<http://www.villageoflombard.org>>

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [160197](#) **Approval of Village Payroll**
For the period ending April 30, 2016 in the amount of \$811,583.35.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [160198](#) **Approval of Accounts Payable**
For the period ending May 6, 2016 in the amount of \$856,374.22.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [160215](#) **Approval of Village Payroll**
For the period ending April 30, 2016 in the amount of \$1,624.39.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [160216](#) **Approval of Accounts Payable**
For the period ending May 13, 2016 in the amount of \$917,325.80.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- E. [160132](#) **ZBA 16-02: 515 N. Lombard Avenue**
Recommendation from the Zoning Board of Appeals to grant a variation from Section 155.407(H) of the Lombard Zoning Ordinance to

allow for less than the minimum of 50 percent of the lot area to be open space, as required by Code, from 50% to 48.5%. (DISTRICT #4)

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

Enactment No: Ordinance 7213

F. [160149](#)

PC 16-07: Yorktown Commons Planned Development Amendment (Continued from the May 5, 2016 meeting)

Recommendation from the Plan Commission to take the following actions on the subject properties located within the B3PD Community Shopping District Planned Development (Yorktown Shopping Center and Yorktown Commons Planned Developments):

1. Revoke the approval of the Subdivision approved pursuant to Ordinance 7175;
2. Approve a new Plat of Subdivision;
3. Pursuant to Section 155.504(A) of the Lombard Zoning Ordinance, approve a Major Change to the Yorktown Shopping Center Planned Development (Yorktown PD) to remove approximately 2247 square feet (10' feet in width) of land area from the planned development;
4. Pursuant to Section 155.504(A) of the Lombard Zoning Ordinance, approve a Major Change to the Yorktown Commons Planned Development (Yorktown Commons PD) to add approximately 2247 square feet (10' feet in width) of land area to the planned development; and
5. Pursuant to Sections 155.415(F) and 155.508(C)(6)(a) and (b) of the Lombard Zoning Ordinance, approve a deviation and variation to reduce the required interior side yard setback from ten (10) feet to zero feet for land adjacent to the Yorktown Commons PD; and to approve said deviation and variation within the Yorktown PD and Yorktown Commons PD to permit the existing buildings and infrastructure commonly known as the "Convenience Center" to remain in place pending redevelopment. (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: Ordinances 7214 and 7215

G. [160208](#)

Salary Ordinance

Ordinance approving recommended amendments to the Village of Lombard Salary Ordinance.

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

Enactment No: Ordinance 7216

H. [160209](#)

Historical Commission Name Change

Ordinance amending Title III., Chapter 32, Article VI., Sections 32.075, 32.077, 32.078 and 32.079 of the Lombard Village Code with regard to

changing the name of the Historical Commission to the Lombard Historic Preservation Commission.

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

Enactment No: Ordinance 7217

- I. [160210](#) **Amending Title 11, Chapter 112, Sections 112.12(A), 112.13(A) and 112.14(A) of the Lombard Village Code in regard to Alcoholic Beverages**
Effective June 1, 2016 creating a new Class "FF" liquor license category and licensing fee and issuing a new Class "FF" liquor license to Wineski's, Inc. located at 854 N. Ridge 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 7218
- J. [160211](#) **Property Transfer between the Village of Lombard and the Forest Preserve District of DuPage County**
Declaring the necessity for the Village of Lombard to use and occupy certain real estate owned by the Forest Preserve District of DuPage County, for the wastewater treatment facilities of the Glenbard Wastewater Authority, pursuant to the Local Government property Transfer Act.
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7219 and Ordinance 7227
- K. [160217](#) **Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
Amending Title 11, Chapter 112, Section 112.13(A) increasing the number of entries in the Class "K" liquor classification and issuing a liquor license to Usmania Foods, Inc. d/b/a Shahi Banquets located at 530 E. North Avenue effective June 1, 2016. (DISTRICT #4)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7220
- L. [160219](#) **Ordinance Amending Title 11, Chapter 112, Section 112.18 (Alcoholic Beverages) of the Lombard Village Code (Craft Beer Event)**
Ordinance amending Title 11, Chapter 112, Section 112.18 (B) providing for the sale and consumption of alcoholic beverages with a Craft Beer Event scheduled for June 11, 2016. (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 7221

Other Ordinances on First Reading

Ordinances on Second Reading

- M.** [160150](#) **Community Development Fee Schedule Modifications**
Recommendation from the Plan Commission to approve an Ordinance amending Title 3, Chapter 36, Section 36.21 of the Lombard Village Code in regard to the fee schedule relative to certain zoning and subdivision related petitions and applications. (DISTRICTS - ALL)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7222
- N.** [160188](#) **Amending Title 11, Chapter 112 Section 112.13(A) of the Lombard Village Code**
Revising the Class "A/B I", "A/B II" and "A/B-III" liquor license categories, effective June 1, 2016, to reflect the 2015 sales certification for Marquette Kitchen & Tap and Roundheads Pizza Pub. (DISTRICTS #1 and #2)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7223
- O.** [160191](#) **Amending Title 11, Chapter 112 Section 112.13(A) of the Lombard Village Code**
Revising the Class "A/B II" and "A/B-III" liquor license categories, effective June 1, 2016, to reflect the 2015 sales certification for Brauerhouse located at 1000 Rohlwing Road. (DISTRICTS #1)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7224

Resolutions

- P.** [160142](#) **IL Route 53 Storm Water Pump Station Improvements, Resident Engineering**
Approving a contract with Baxter & Woodman, Inc. in an amount not to exceed \$179,523.00 for resident engineering services. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 35-16
- Q.** [160196](#) **Intergovernmental Agreement with DuPage County**
Authorizing an Intergovernmental Agreement with DuPage County regarding concrete pavement patching and repair of Highland Avenue

north of Butterfield Road. (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 36-16

Other Matters

- R. [160194](#) **Off-Season Bulk Salt Purchase for Road Salt FY16**
Award of a contract to Compass Materials, the lowest bidder of four (4) bids, in the amount of \$73,255.00. Bid in compliance with Public Act 85-1295.
This Bid was approved on the Consent Agenda
- S. [160206](#) **FY2016 Asphalt Paving and Patching Program**
Award of a contract to G A Paving LLC, the lowest bidder of eight (8) bids received, in the amount of \$887,625.71. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
Enactment No: R 45-16
- S-2. [160218](#) **FY2016 Bituminous Mix Purchase**
Request for a waiver of bid and award of a contract to DuPage Materials Company in an amount not to exceed \$295,000.00. Public Act 85-1295 does not apply. (DISTRICT ALL)
This Bid was approved on the Consent Agenda
- S-3. [160221](#) **Illinois Route 53 Storm Water Pump Stations Improvements**
Award of a contract to Rausch Infrastructure, the lowest responsible bidder of three bids in the amount of \$5,279,700.00. Public Act 85-1295 does not apply. (DISTRICT #1)
This Bid was approved on the Consent Agenda
- T. [160201](#) **Yorktown Mall Special Event - Adidas Tent Sale**
Request for a Temporary Special Event Permit for the Adidas Tent Sale to take place at Yorktown Shopping Center from May 26 to May 30, 2016. (DISTRICT #3)
This Request was approved on the Consent Agenda
- U. [160207](#) **Yorktown Temporary Event - Season's Produce and Specialty Market**
Request for a time extension and alternate fee schedule for the Season's Produce Temporary Event Permit to take place at Yorktown Center from May 26 to October 30, 2016. (DISTRICT #3)
This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, 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

Ordinances on Second Reading

Resolutions

- A. [160214](#) **IEPA Loan Agreement**
Authorizing the signatures of the President and Clerk on a Loan Agreement with the Illinois Environmental Protection Agency regarding the funding of the Roosevelt Road Watermain Lining, Phase I & II projects and the Water Transmission Main project. The loan agreement provides for funding in the amount of \$8,172,392.00 over a 20 year term at 1.86% interest. (DISTRICTS #2 & #6)
- Village Manager Scott Niehaus gave a short introduction and asked Director of Public Works Carl Goldsmith to provide an overview of the projects.
- Director of Public Works Carl Goldsmith noted the following:
The Village of Lombard is receiving an IEPA State Revolving Loan for the Roosevelt Road Watermain Lining Phase I (Finley to Fairfield) and Phase II (Fairfield to Wisconsin) and the Water Transmission Main for the Civic Center Reservoir to the South Booster Station.
- Roosevelt Road Watermain Lining: Village watermain is located within the IDOT right-of-way; the work will be installed under the operating permit from IDOT; there has been a significant history of watermain breaks in this area; there are significant safety concerns for workers performing maintenance and repairs; there will be a significant impact on the motoring public; the Phase I project from Finley Road to Fairfield will begin in 2016; approximately 7,000 linear feet of watermain lining via a cured in-place lining will be constructed; the Phase II project from Fairfield to Wisconsin will be constructed in 2017; approximately 7,000 linear feet of watermain lining via a cured in-place lining will be constructed; installing a new water main under Roosevelt Road pavement with open cut - engineer's estimate

\$3,810,091.18; lining the existing water main (current design) - low bid \$4,071,931.33; replacing water main in existing location - engineering cost of estimate \$4,851,691.63; replacing water main under Roosevelt Road pavement - direct drilling - engineering cost of estimate - \$4,394,139.48; replacing water main within permanent easement - engineering cost of estimate - \$7,892,183.75; Village competitively bid the project with two phases - Phase I in 2016 and Phase II in 2017; the bids came in above engineer's estimates but were in-line with the market; recent bids for similar water main lining projects reflect similar pricing; the plans and specifications were developed to ensure the most cost effective approach - staff looked at construction costs and evaluated maintenance costs.

Water Transmission Main: construction in 2016; the Village operates a water system that has two pressure zones - the low pressure zone north of Roosevelt Road and the high pressure zone south of Roosevelt Road; the Village performed a water network analysis in 2013 to look at the system capabilities and made recommendations for improvements; analysis determined that the proposed water storage facility on Eisenhower Lane was not necessary (property sold by Village in 2015); study determined that the Village should construct a transmission main to connect CCRF to South Booster Station; this will allow for the Village to transfer water from the low pressure zone to the high pressure zone and without causing significant head-losses and pressure drops in and around the South Booster Station.

Projects funding: cash basis of funding Capital Improvement would not permit the construction of these projects at this time; staff identified funding through an IEPA State Resolving Fund (SRF) - 20 year maximum term, includes construction and resident engineering costs, interest rate of 1.86% which is very favorable and better than the Village could obtain on the bond market; the Village submitted a loan application to the IEPA in January 2015 following Village Board authorization; the Village developed cost estimates for the projects that were used for the purposes of determining the amount of the Village's initial funding request: Roosevelt Road Phase I - \$2,821,240.38; Roosevelt Road Phase II \$3,347,651.73; Water Transmission Main \$3,019,177.50; total request \$9,188,069.61; the initial request did not include the resident engineering services; the Village was required to comply with the bidding requirements from IEPA which do not allow award of contracts until Loan Agreements are executed.

Project costs versus loan request - Roosevelt Road Watermain lining Phase I - initial IEPA funding request - \$2,821,240.38; bid award (pending Board approval) \$4,071,931.33; funding shortfall - \$1,250,690.95; requested funding for resident engineering \$298,977.07; project total \$4,370,908.40.

Project costs versus loan request - Roosevelt Road Watermain Lining Phase II: initial IEPA funding request \$3,347,651.73; bid award

(pending Board approval) \$4,273,162.10; funding shortfall \$925,510.37; requested funding for resident engineering \$334,104.15; project total \$4,607,266.25.

Project costs versus loan request - Transmission Main Project; initial IEPA funding request \$3,322,983.70; bid award (pending Board approval) \$2,915,870.01; funding shortfall/surplus (\$407,113.69); requested funding for resident engineering \$280,468.00; project total \$3,196,338.01.

The Village's approved IEPA loan agreement falls short of the necessary funding for the three projects: approved loan amount \$8,172,392.00; project costs \$12,050,354.16; shortfall \$3,877,962.16; the Village is eligible for additional funds by adopting a revised ordinance that sets for the additional funding request.

Next steps: staff recommends that the Village Board take the following actions relative to the IEPA loan and projects: authorize the Village President to execute the loan agreement with the IEPA; approve the contract with Fer-Pal Construction USA for the Roosevelt Road Watermain Lining Phase I Project in the amount of \$4,071,931.33; approve a contract with Swallow Construction Corporation for the Transmission Main Project in the amount of \$2,915,870.01; approve the revised debt authorizing ordinance seeking additional IEPA loan funds to cover the full projects costs. This will be presented to the Village Board of Trustees in June 2016.

Village Manager Scott Niehaus noted that communications meetings would be scheduled for the projects.

Trustee Ware inquired about the length of time.

Director Goldsmith noted that if the bids were awarded tonight, the project would begin about mid-June and finish by late October, then resume in the spring of 2017.

Trustee Foltyniewicz asked about federal grants.

Trustee Johnston asked if additional funding was guaranteed.

Director Goldsmith felt confident.

Trustee Ware asked about the rate

Director Goldsmith indicated 1.86%.

Trustee Ware asked about the Transmission Line.

Director Goldsmith indicated Wilson from Stewart to Edgewood and south.

Trustee Foltyniewicz indicated although not a flashy project, it was definitely one that was needed.

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Resolution authorizing the signatures of the President

and Clerk on a Loan Agreement with the Illinois Environmental Protection Agency regarding the funding of the Roosevelt Road Watermain Lining, Phase I and II projects and the Water Transmission Main Project be adopted. The loan agreement provides for funding in the amount of \$8,172,392 over a 20 year term at 1.86%. 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 37-16

Other Matters

B. [160126](#)

Transmission Main

Award of a contract to Swallow Construction Corporation, the lowest responsible bidder of ten bids received, in the amount of \$2,915,870.01. Bid in compliance with Public Act 85-1295. (DISTRICT #6)

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Johnston, that the Village Board award a contract to Swallow Construction Corporation, the lowest responsible bidder of ten bids received in the amount of \$2,915,870.01 be approved. The motion carried by the following vote:

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

C. [160143](#)

Roosevelt Rd. Water Main Lining, West Phase

Award of a contract to Fer-Pal Construction USA, LLC, the lowest responsible bidder of two (2) bids received, in the amount of \$4,071,931.33. Bid in compliance with Public Act 85-1295. (DISTRICTS #2 & #6)

A motion was made by Trustee Robyn Pike, seconded by Trustee Bill Ware, that the Village Board award a contract to Fer-Pal Corporation USA, LLC, the lowest responsible bidder of two bids received in the amount of \$4,071,931.33 for the Roosevelt Road Water Main Lining, West Phase Project. The motion carried by the following vote:

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

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Robyn Pike, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 19, 2016 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 8:24 p.m for the purpose of discussion of Collective Negotiating Matters and Setting the Price for the Sale or Lease of Property Owned by 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, May 19, 2016 in the Board Room of the Lombard Village Hall, was called to order by Village President Keith Giagnorio at 8:52 p.m. Upon roll call by Village Clerk Sharon Kuderna, the following were:

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 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, May 19, 2016 in the Board Room of the Lombard Village Hall be adjourned at 8:53 p.m. The motion carried by the following vote:

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