Village of Lombard

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



Minutes

Thursday, June 7, 2012 7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller
Village Clerk: Brigitte O'Brien

Trustees: Greg Gron, District One; Keith Giagnorio, District Two;
Zachary Wilson, 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 was called to order by Village President William J. Mueller at 7:36 p.m. on Thursday, June 7, 2012 in the Board Room of the Lombard Village Hall. The Lombard Fire Department Honor Guard Posted the Colors and led the Pledge of Allegiance.

II. Roll Call

8 - William J. Mueller Brigitte O'Brien Greg Gron Keith Giagnorio Zachary Wilson Peter Breen Laura Fitzpatrick Bill Ware

Staff Present:

Village Manager David Hulseberg
Assistant Director of Finance Jamie Cunningham
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Acting Fire Chief Jerry Howell
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

Christine Wechter, Director of Operations at The Westin Lombard Yorktown, spoke with regard to the Susan G. Komen Race for the Cure. She talked about making a difference in the community and asked for the support of the Village Board for Team Lombard. She felt that becoming a Team Lombard would make the team bigger and stronger.

President Mueller spoke of his bouts with cancer and agreed to support Team Lombard in their efforts to raise money for breast cancer. He noted the event would be held on Sunday, September 23 at Yorktown.

120289 Swearing In - Lt. Paul DiRienzo to the rank of Battalion Chief and three Firefighter Candidates Matt Orsekse, Ben Speck and John Studnicka

Acting Fire Chief Jerry Howell called Lt. Paul DiRienzo to the front. He spoke of Paul's service to the Village. He gave a bio on Paul. Paul DiRienzo introduced his family.

Village Clerk Brigitte O'Brien issued the Oath of Office to Paul DiRienzo swearing him in as Battalion Chief. .

Acting Chief Jerry Howell asked the three new firefighter candidates, Matt Orsekse, Ben Speck and John Studnicka, to come to the front. He gave a bio on each of the firefighters.

Village Clerk Brigitte O'Brien issued the Oath of Office to the three firefighters.

Each of the firefighters introduced their respective families in the audience.

120306 Presentation - "Start the Heart" Automatic External Defibrillator (AED) Presentation

Battalion Chief Paul DiRienzo spoke with regard to the Start the Heart Program with DuPage County and the County providing ten defibrillators to be awarded to various organizations.

John Miller, Emergency Response Coordinator for the DuPage County Health Department, spoke with regard to the program. He noted that Peter Roskam had sponsored a grant to help make more AED's available. The County also has instituted a Community Hero Program whereby if an organization purchases two AED's, one AED is automatically donated to another agency.

Paul DiRienzo and John Miller handed the AED's out to the various organizations.

120307 Presentation - Letters of Commendation and Cardiac Care Pins

Battalion Chief Paul DiRienzo spoke about the letters of Commendation and the Cardiac Care Pins that were being presented to Paramedics for their service.

Lt. Marty Coomes requested Don Jensen to the front. He explained that Mr. Jensen experienced chest pains, shortness of breath and signs of a heart attack. The paramedics arrived, and shortly thereafter Mr. Jensen lost consciousness. He was transported to the hospital by Terry Davis and Nathanael Noon. Each of the paramedics received Cardiac Care pins for their excellent service.

Lt. Marty Coomes called Nathanael Noon and Chris Wilmot to the front. He spoke of them transporting a heart attack victim to Elmhurst Hospital in record breaking time of 27 minutes. He presented them each with Cardiac Care pins.

Lt. Marty Coomes called Mike and Kathy Mulcahy to the front. He spoke of Kathy's symptoms not being the typical symptoms of a heart attack, but the paramedics recognized those systems, and transported her to the hospital. Cardiac Care pins were given to Gabe Suto and Greg Vazquez for their excellent service.

Greg Vazquez thanked the Village Board for providing up-to-date equipment and training for the Fire Department.

President Mueller called Ron Rakosnik to the front. He spoke of Ron retiring after 27 years of service to the Lombard Fire Department, and that he was leaving to take the job of Fire Chief of the Villa Park Fire Department.

Ron Rakosnik thanked the Village for the opportunity to serve the residents for 27 years.

President Mueller thanked the four new members of the Bloomington Fire Department for attending the Swearing-in Ceremony tonight for the three new Lombard firefighters.

V. Approval of Minutes

A motion was made by Trustee Keith Giagnorio, seconded by Trustee Zachary Wilson, that the minutes of the Regular Meeting of May 17, 2012 be approved. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

VI. Committee Reports

Community Relations Committee - Trustee Keith Giagnorio, Chairperson

Trustee Keith Giagnorio, Chairperson of the Community Relations Committee, reported the committee had not met. The next meeting is scheduled for July 9th. He asked for concurrence in the appointment of Sharon Kuderna to the committee.

Economic/Community Development Committee - Trustee Peter Breen, Chairperson

Trustee Peter Breen, Chairperson of the Economic & Community Development Committee, reported the June 5th meeting has been cancelled and rescheduled to June 12th. He indicated the committee will be discussing the future of the downtown TIF, taxi versus livery and the Comp Plan for the Westmore/Meyers area. He noted Trustee Fitzpatrick will attend the meeting with regard to the Westmore/Meyers item.

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Environmental Concerns

Committee, reported the committee had not met. The next meeting is scheduled for June 26th. She asked for concurrence regarding the garden plots on vacant properties item on the agenda. She spoke of the Village receiving a sustainability award for electric aggregation. She noted the award may be presented to the Village at the Taste of Lombard on July 5th.

Finance Committee - Trustee Greg Gron, Chairperson

Trustee Greg Gron, Chairperson of the Finance Committee, reported the committee had not met. The May and June meetings have been cancelled.

Public Works Committee - Trustee Bill Ware, Chairperson

President Mueller wished Trustee Ware a belated happy birthday. Trustee Bill Ware, Chairperson of the Public Works Committee, reported the committee had not met. The next meeting is scheduled for June 12th.

Transportation & Safety Committee - Trustee Zachary Wilson, Chairperson

Trustee Zach Wilson, Chairperson of the Transportation and Safety Committee, reported the committee had met. The committee reviewed a resident request for No Parking signs on West Hickory Road which the committee denied. The committee discussed charitable solicitation in roadways. The committee will look at this further. The next meeting will be in September.

Board of Local Improvements - Trustee Greg Gron, President

Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met. The June 14th, meeting has been cancelled. He asked all residents to fly their flags that day as it is Flag Day.

Community Promotion & Tourism - President William J. Mueller, Chairperson

President William Mueller, Chairperson of the Community Promotion and Tourism Committee, reported the committee had not met.

Lombard Historical Commission - Clerk Brigitte O'Brien

Village Clerk Brigitte O'Brien, member of the Historical Commission,

reported the commission had not met. The next meeting is scheduled for July 17th.

VII. Village Manager/Village Board Comments

Trustee Giagnorio asked Director of Public Carl Goldsmith for an update on Morris Pond.

Director Goldsmith stated that during the process of construction of the Great Western Trail Bridge, fill was needed. It was determined that fill could be removed from the Morris Pond and the Finley Road Pond at no charge. So far 12 cubic yards of fill have been removed from the Finley Road Pond and 5,000 cubic feet removed from the Morris Pond. This has moved this project up from its 2014 projected date and basically with very little cost. He indicated the Village has received grants for the projects and the Village's share of the cost will be about 10% of 25% cost of the dirt removal. This has also increased the capacity of both ponds significantly.

Trustee Breen indicated that he had been contacted by a trustee from a neighboring community requesting information about the transparency policy. He stated that he and Trustee Gron will be at Capone's on June 13th beginning at 6:30 p.m. and invited residents to come and ask questions. He indicated he will be speaking at CPAC on June 8th downtown.

President Mueller congratulated Firefighter Bob Hopper on winning trophies in a Charity Cook-off event.

President Mueller congratulated students from Pleasant Lane School on raising \$1,120 for diabetes awareness.

VIII Consent Agenda

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Trustee Wilson requested that Consent agenda item AA regarding the Strategic Plan be moved from the Consent Agenda for further discussion.

Village President Mueller reminded the Village Board to request changes to the agenda by noon on Tuesday before the Board meetings.

Payroll/Accounts Payable

A. 120286

Approval of Accounts Payable

For the period ending May 18, 2012 in the amount of \$410,318.19.

This Payroll/Accounts Payable was approved on the Consent Agenda

This Payroll/Accounts Payable was approved on the Consent Agenda

E. 120275 Graffiti Cleaning Trailer Purchase

Ordinances on First Reading (Waiver of First Requested)

Request for a waiver of bids and approval to purchase a trailer from Corty Cleaning Systems of Chicago in the amount of \$15,707.50; and approval of an ordinance declaring Village unit #TS438 as surplus property and authorizing its sale at auction. Public Act 85-1295 does not apply.

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

Enactment No: Ordinance 6727

F. 120298 Sale of Surplus Equipment

Declaring Village unit FM64, a 2005 Ambulance, as surplus equipment and authorizing its sale to the City of Ottawa for \$15,000.00. Waiver of first reading is requested.

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

Enactment No: Ordinance 6728

G. <u>120300</u> Amending Title 11, Chapter 112 of the Lombard Village Code

Increasing the Class "C" liquor license category to reflect the issuance of a liquor license to Shannon's On Park, Inc. d/b/a & Deli, 11 S. Park 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 6729

H. 120314 Amending Title 11, Chapter 112 of the Lombard Village Code

Authorizing a change in corporations for Trademark Tavern & Tap, 777 E. Butterfield Road with regard to their Class A/B-II liquor license. (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 6730

Other Ordinances on First Reading

I. 120217 Vacant Lot Gardens

Recommendation from the Environmental Concerns Committee to amend Village Code Section 92.33 to allow gardens on vacant parcels. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

J. 120189 PC 12-12: Text Amendments to the Zoning and Sign Ordinances

The Village of Lombard is requesting the following text amendments to the Zoning and Sign Ordinances:

- 1. Section 155.205 of the Zoning Ordinance relative to fencing materials.
- 2. Section 155.212 of the Zoning Ordinance relative to permitted encroachments.
- Chapter 153 (Sign Ordinance) relative to balloons.
 (DISTRICTS ALL)

This Ordinance was passed on first reading on the Consent Agenda

K. <u>120310</u> Amending Title 11, Chapter 112 of the Lombard Village Code

Increasing the Class "C" liquor license category to reflect the issuance of a liquor license to Noodles & Company, 342 Yorktown Shopping Center. (DISTRICT #3)

This Ordinance was passed on first reading on the Consent Agenda

Ordinances on Second Reading

Resolutions

L. <u>120226</u> Purchasing Policy Update 2012

Proposed amendments to the Change Order Policy and the Petty Cash sections of the Purchasing Policies Manual.

This Resolution was adopted on the Consent Agenda

Enactment No: R 1-13

M. <u>120302</u> Great Western Trail Pedestrian Bridges, Design Engineering

Contract Amendment No. 3

Approving Amendment No. 3 to the contract with Bollinger, Lach & Associates, Inc. reflecting an increase of \$37,951.90. (DISTRICTS #4 and #5)

N. 120308 Release of Executive Session Minutes

Authorizing the Village Clerk to make certain Closed Session Meeting Minutes available for public inspection - First Review 2012.

This Resolution was adopted on the Consent Agenda

Enactment No: R 3-13

O. <u>120316</u> Garfield Street Public Works Facility, Resident Engineering

Approving a contract with Thomas Engineering in an amount not to exceed \$129,372.40. (DISTRICT #4)

This Resolution was adopted on the Consent Agenda

Enactment No: R 4-13

Other Matters

Р.	120288	FY2012B Maple Street Concrete Rehabilitation
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Request for a waiver of bids and award of a contract to G&M Cement Construction in the amount of \$350,549.21. Public Act 85-1295 does not apply. (DISTRICT #5)

This Bid was approved on the Consent Agenda

Q. <u>120290</u> Village Hall ADA Accessibility Improvements

Staff recommendation to reject all bids and allow staff to solicit proposals. (DISTRICT #6)

This Bid was approved on the Consent Agenda

R. 120295 Sidewalk Snow Removal

Request for a waiver of bids and award of a contract to Beverly Snow & Ice, Inc. in an amount not to exceed \$17,000.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

S. <u>120299</u> Finley Road Pavement Rehabilitation, Ph 1 (REBID)

Award of a contract to "D" Construction, the lowest responsible bid of four bidders, in the amount of \$1,899,293.29. Bid in compliance with Public Act 85-1295. (DISTRICTS #1, #2 and #6)

This Bid was approved on the Consent Agenda

T. 120301 Westmore-Meyers Rd. CDBG Sidewalk Improvements

Award of a contract to Copenhaver Construction, the lowest

This Appointment was approved on the Consent Agenda

CC. <u>120157</u> Agreement with AFSCME, Council 31, Local 89

Approving an Agreement between the American Federation of State, County and Municipal Employees (AFSCME) Council 31, Local 89 and the Village of Lombard.

This Resolution was adopted on the Consent Agenda

Enactment No: R 5-13

*AA Village of Lombard Strategic Plan (Moved to IX-B)

*DD. 120326

Tri-Town YMCA Event Signage Request

Request from the Tri-Town YMCA to place temporary banners on Village owned properties for the promotion of their Golf Outing from June 8, 2012 through June 15, 2012. (DISTRICTS #1 & #6)

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

A. <u>120139</u> PC 12-09: 640 - 685 N. Charlotte Street and 2 - 23 E. LeMoyne Avenue

Requests that the Village take the following actions for the subject properties located in the R2PD Single-Family Residence District, Planned Development:

 An amendment to Ordinances 4566 & 4772, for the Providence Glen Planned Development, to provide exceptions to the minimum rear yard setback requirements of the R2 Single-Family Residence District. This amendment would allow for a further deviation from Section 155.407(F)(4), as amended by Ordinance 5083, to reduce the rear yard setback from thirty-five (35) feet to fifteen (15) feet within the Providence Glen Planned Development, for purposes of constructing attached one-story screen porches (three season rooms). A variation from Section 155.508(C)(6)(a) (Planned Development Standards) to allow the rear yards on the perimeter of the planned development to be less than that required in the abutting zoning district and underlying subject properties. (DISTRICT #4)

Director of Community Development Bill Heniff indicated the Village Board had remanded this item back to the Plan Commission for further review and recommendation. He spoke of the proposed amendments which would affect the eleven east lots in the subdivision. He stated no further evidence had been presented. The Plan Commission has forwarded a recommendation for denial to the Village Board.

Trustee Breen indicated that he has spoken to the Trustees with regard to this matter and that it appeared that he did not have support of the Village Board for approval.

Trustee Wilson asked what the vote of the Plan Commission was on the item.

Director Heniff indicated it was unanimous to deny.

Trustee Wilson indicated that he had no problem with the addition, but that he was not a neighbor of the property. He stated he felt the whole thing was problematic based on the way the petitioner went about constructing the addition. He talked about ways to discourage residents from this type of action. He stated he did not support the request.

Trustee Ware stated he could not support the request.

Trustee Gron moved that the Village Board accept the recommendation of the Plan Commission to deny the request for PC 12-09, 640-685 N. Charlotte Street and 2-23 E. Lemoyne.

Trustee Breen questioned where does the petitioner go from here. Manager Hulseberg indicated the petitioner has one additional request for administrative relief. He can request a variation to the plat that was approved at the start of the request. There would be no action through the courts at this time. This petition would need to be done in a timely manner. If the petitioner is successful, he would be charged double the permit fees. If he is not successful, action would be taken to force removal of the three-season room.

Trustee Breen questioned the double fees.

Manager Hulseberg indicated that with further petitions, quadruple fees will have been paid.

Trustee Wilson asked what action would be taken if the final request was denied.

Manager Hulseberg indicated the Village Board does not have to approve the action to force removal of the three-season room. He stated that he felt it was his obligation as the Village Manager to move forward with legal action to have the structure removed.

A motion was made by Trustee Greg Gron, seconded by Trustee Bill Ware, that this request be denied in concurrence with the recommendation of the Plan Commission. The motion carried by the following vote:

Aye: 4 - William J. Mueller, Greg Gron, Keith Giagnorio, and Bill Ware

Nay: 2 - Peter Breen, and Laura Fitzpatrick

Present: 1 - Zachary Wilson

Ordinances on Second Reading

Resolutions

Other Matters

120317 Village of Lombard Strategic Plan (tabled June 7, 2012)

Adoption of the 2012 - 2013 Village of Lombard Strategic Plan.

Trustee Wilson asked if the Strategic Plan was carved in stone, and what happened if priorities change over the next few years. He felt the priorities should be fluid. He also felt that some of the items had a negative tone to them.

Manager Hulseberg indicated the document was fluid.

Trustee Breen did not see priorities for the storm sewer and Yorktown. Manager Hulseberg indicated it was 4 of 6 vote of the Trustees.

Trustee Breen raised concern over the wording "that could deteriorate through privatization". He asked that this language be removed.

Trustee Ware stated some Trustees could disagree with the wording.

Trustee Gron objected to the change and felt the wording should be kept in the document.

Trustee Giagnorio stated he wanted to see the wording stay in the document.

Trustee Fitzpatrick asked to have the wording removed.

Trustee Breen suggested adding "or could be enhanced" to equalize the statement.

President Mueller liked adding the "or could be enhanced" wording. Trustee Breen asked that wording be added that the priorities are in no particular order.

Trustee Fitzpatrick suggested this item be brought back to the Board at the next meeting as the Home Rule section was still in the document.

Trustee Wilson indicated he did not want to see Home Rule pursued. Manager Hulseberg noted that the Home Rule section had been removed as requested by Trustee Fitzpatrick. He stated that Home Rule had been brought up at the Strategic Planning session. President Mueller asked for a motion to accept the Strategic Plan as amended.

Trustee Wilson stated he was concerned about the word "versus" in

the second key consideration.

Trustee Fitzpatrick suggested using a slash versus the word versus.

A motion was made by Trustee Zachary Wilson, seconded by Trustee Laura Fitzpatrick, that this Request be tabled to the June 21, 2012 Village Board Meeting. The motion carried by the following vote:

Aye: 4 - Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Nay: 2 - Greg Gron, and Keith Giagnorio

X. Agenda Items for Discussion

A. 120199 Trustee Redistricting (Tabled at the June 7, 2012 Meeting to no Specific Date)

Request to discuss the options for redistricting as a result of the 2010 Census results. (DISTRICTS - ALL)

- 1. Motion to remove the issue of Trustee Redistricting from the table.
- 2. Review and approval of revised Trustee District boundaries and a map depicting same.
- 3. Approval of an amendment to Title 3, Chapter 30, Sections 30.07 (B), (C), (D) and (E), in Ordinance form with waiver of first reading, to cause said Sections to reference the 2010 census, and to describe Trustee District boundaries consistent with the approved Trustee District boundaries map.

Village Manager David Hulseberg indicated that revised maps had been distributed to the Village Board. He stated the County was not changing the precinct maps until 2013. He stated he was looking for feedback or consensus from the Village Board.

Trustee Wilson moved to table the item.

President Mueller indicated this item should be acted upon soon. Trustee Wilson indicated the Board had until October or November. President Mueller felt the Board should act as quickly as possible so that any resident who may be thinking about running for the Village Board knew what district they were in prior to filing a petition. He felt there was no reason to table this item.

Trustee Wilson stated he was not comfortable and wanted additional time to review the proposed districts.

Attorney Bayer asked if this was being tabled to a certain date. He stated if this was not tabled to a certain date, the item would need to be removed from the table and then placed on another agenda.

A motion was made by Trustee Zachary Wilson, seconded by Trustee Laura

Fitzpatrick, that this Request be tabled. The motion carried by the following vote:

Aye: 4 - Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Nay: 2 - Greg Gron, and Keith Giagnorio

XI. Executive Session

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 7, 2012 in the Board Room of the Lombard Village Hall was recessed to Executive Session at 9:15 p.m. for the purpose of discussion of Information Regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee or Specific Employees of the Village and Collective Negotiating Matters.

A motion was made by Trustee Keith Giagnorio, seconded by Trustee Peter Breen, that this be to recess. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, 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, June 7, 2012 in the Board Room of the Lombard Village Hall was called to order by Village President William J. Mueller at 10:51 p.m. Upon roll call by Village Clerk Brigitte O'Brien, the following were:

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XIII Adjournment

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The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 7, 2012 in the Board Room of the Lombard Village Hall was adjourned at 10:52 p.m.

A motion was made by Trustee Keith Giagnorio, seconded by Trustee Peter Breen, that this be adjourn. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware