

# **Village of Lombard**

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



## **Meeting Minutes**

**Thursday, April 15, 2010**

**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, Richard J. Tross, District Two,  
Zachary Wilson, District Three, Dana Moreau, District Four, Laura Fitzpatrick, District  
Five and Bill Ware, District Six*

## I. Call to Order and Pledge of Allegiance

[Play Video](#)

*The regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by President William J. Mueller at 7:35 pm Thursday, April 15, 2010 in the Board Room of the Lombard Village Hall. Members of Cub Scout Pack 202, Boy Scout Troop 202 and Venture Crew 202 Posted the Colors. Village Clerk Brigitte O'Brien led the Pledge of Allegiance.*

## II. Roll Call

[Play Video](#)

**Present:** Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Richard J. Tross, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee Bill Ware

*President Mueller thanked the Scouts for their participation in Posting the Colors for the meeting. He noted that it was scouting's 100th anniversary. He asked for all of the scouts and leaders to come forward and presented each group with a certificate. One of the scout leaders spoke indicating they are always looking for boys and girls between the ages of 14 and 21 to join.*

*Staff Present:*

*Director of Finance Tim Sexton*

*Director of Community Development Bill Heniff*

*Director of Public Works Carl Goldsmith*

*Chief of Police Ray Byrne*

*Fire Chief Ed Seagraves*

*Executive Coordinator Carol Bauer*

## III. Public Hearings

*none*

## IV. Public Participation

[Play Video](#)

[100168](#)

### **Proclamation - Arbor Day**

[Play Video](#)

*Village Clerk Brigitte O'Brien read the proclamation for Arbor Day. President Mueller presented the proclamation to Director of Public Works Carl Goldsmith. He thanked Steve Kremske and the staff of Public Works for their work with the Village's tree programs. He thanked the Village Board for approving funding for the programs.*

[100169](#)

### **Proclamation - Healthy Lombard**

[Play Video](#)

*Village Clerk read a proclamation for Healthy Lombard. President Mueller called School District #44 representative Jay Wojcik to the front. Jay Wojcik indicated it was an honor to have so many organizations involved in the*

*Healthy Lombard Coalition and asked for all of the representatives to come to the front. She asked the representatives of each group to introduce themselves and the group they are affiliated with for this program. Representatives from Forward, Lombard Park District, Operation Pull Your Own Weight, School District #87, the Lions Club, Kiwanis, Best Buy, Helen Plum Library, DuPage Medical, and Tri-Town YMCA spoke of their organization's involvement in Healthy Lombard.*

*Jay Wojcik encouraged other organizations to check the website for Healthy Lombard and to become involved. She presented President Mueller with a Healthy Lombard t-shirt.*

*President Mueller thanked Jay and felt this program was good for Lombard. He noted that not just the children will be healthier, but hopefully everyone will become healthier by following this program. He stated about 50-60 students are involved in the Pull Your Own Weight program as well. He noted that he has been in the program for two weeks and has lost 9 pounds. He indicated Lombard was acting as a model for other communities.*

**100170**[Play Video](#)**Proclamation - National Telecommunicator's Week**

*Village Clerk Brigitte O'Brien read the proclamation for National Telecommunicator's Week.*

*President Mueller presented the proclamation to Fire Chief Ed Seagraves and Chief of Police Ray Byrne.*

*Chief Byrne spoke about the DuComm staff and how important they are in directing the police and fire to various calls for assistance and/or emergencies and also in keeping Village staff safe. He noted that DuComm was one of the largest dispatch centers outside of Chicago.*

**100171**[Play Video](#)**Proclamation - Global Love Day**

*Village Clerk Brigitte O'Brien read the proclamation for Global Love Day.*

*President Mueller indicated the Love Foundation had requested the proclamation and a copy would be mailed to them.*

**100172**[Play Video](#)**Proclamation - Congregation Etz Chaim 50 Year Anniversary**

*Village Clerk Brigitte O'Brien read the proclamation for Congregation Etz Chaim's 50 year anniversary.*

*President Mueller invited members of the Congregation to come to the front and presented the proclamation to them.*

*Rabbi Stephen Bob thanked the Village for the proclamation and noted how the Congregation appreciated the good relationship they have with the Village. He stated this is a time of celebration and there were many activities planned for the weekend in honor of their anniversary.*

**100190**[Play Video](#)**Proclamation - Lombard Pride Week**

*Village Clerk Brigitte O'Brien read the proclamation for Lombard Pride Week.*

*President Mueller reported the Pride Clean-up Day is scheduled for Saturday, April 24 and to contact Joelyn if you are interested in helping. He stated the clean-up will start at 9 am from the Village Hall. He encouraged residents and groups to participate in preparation for Lilac Time in Lombard.*

[100201](#)**Proclamation - Maple Street Chapel 140th Anniversary**[Play Video](#)

*Village Clerk Brigitte O'Brien read the proclamation for the Maple Street Chapel's 140th anniversary.*

*President Mueller noted that the proclamation would be presented to the Maple Street Chapel Preservation Society at a dinner being held tomorrow evening at the Chapel.*

**V. Approval of Minutes**[Play Video](#)

**It was moved by Trustee Fitzpatrick, seconded by Trustee Gron, to approve the minutes of the regular meeting of April 1, 2010. The motion carried by the following vote:**

**Aye:** 5 - Gron, Tross, Wilson, Moreau and Fitzpatrick

**Abstain:** 1 - Ware

**VI. Committee Reports****Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson**[Play Video](#)

*Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, reported the committee met. She stated the committee recapped the work and results of the Census Committee. She noted that Lombard's return was about 75% and State-wide the return was 60%. She stated the committee approved a Medal of Character Excellence for the Glenbard East Key Club and that will come to the Village Board in May. The Social Services Program was discussed and they are waiting for an application from Tri-Town Y. The committee also discussed a community picnic and they want to talk to the Jaycees in early fall regarding this matter. A new President's Service award is being instituted. The next meeting is scheduled for May 10.*

**Economic/Community Development Committee - Trustee Bill Ware, Chairperson**[Play Video](#)

*Trustee Bill Ware, Chairperson of the Economic & Community Development Committee, reported the committee met. The committee reviewed some staff recommendations regarding the downtown promotional signage that would promote downtown grants. The committee provided staff with some suggestions for redesigning the signs and direction on promoting the program. They suggested some other locations for sign placement. Staff will make revisions and once the signs are completed, will make them available to downtown property owners. The committee reviewed a proposed fee schedule for larger developments which showed a comparison to surrounding communities. Staff recommended a new planning review fee that would only apply to major plats of subdivision and major developments. This was continued to the next meeting. The committee requested additional information on fee schedules from surrounding communities. The next meeting is scheduled for May 5.*

**Environmental Concerns Committee - Trustee Dana Moreau, Chairperson**[Play Video](#)

*Trustee Dana Moreau, Chairperson of the Environmental Concerns Committee,*

*reported the committee had not met. The next meeting is scheduled for April 27. She spoke regarding Arbor Day and how this day was founded by J. Sterling Morton. She encouraged residents to go to the Morton Arboretum as it is beautiful.*

### **Finance Committee - Trustee Zachary Wilson, Chairperson**

#### [Play Video](#)

*Trustee Zach Wilson, Chairperson of the Finance Committee, reported the committee had not met. The next meeting is scheduled for April 20.*

### **Public Works Committee - Trustee Greg Gron, Chairperson**

#### [Play Video](#)

*Trustee Greg Gron, Chairperson of the Public Works Committee, reported the committee met. The committee approved a change order for Olde Town East which is on the agenda for Board action and is an increase for concrete instead of the asphalt option. The committee reviewed the Village Street Light Policy with regard to North Main Street and felt they should give more input to the Village on this matter. They discussed private detention facilities and staff provided an analysis of long-term maintenance and ownership issues. The committee discussed amendments to the Clear Water Disconnect Program. The committee will prepare a recommendation regarding this matter. The next meeting is scheduled for May 11.*

### **Transportation & Safety Committee - Trustee Richard Tross, Chairperson**

#### [Play Video](#)

*Trustee Dick Tross, Chairperson of the Transportation & Safety Committee, reported the committee met. He indicated a recommendation for no parking on Madison was on the agenda for consideration as well as a recommendation for denial for a four-way stop at Wilson and Cherry. He indicated the committee's recommendation for denial was based on no standards being met for the placement of the requested sign. He noted that the Wilson and Cherry item had been pulled from the Consent agenda. He spoke about the committee receiving an update from the Public Works staff regarding the Union Pacific improvements being made over the next three years. He spoke about safety issues and people jay-walking. The committee will receive an on-going update on commuter and pedestrian safety in the downtown area. He stated he had received e-mails regarding non-courteous drivers and jay-walking pedestrians. He complimented the Police Department on their participation in the rail safety program. The committee felt that no other action should be taken other than continuing with the current Police enforcement programs for the motoring public, pedestrians and commuters. The next meeting is scheduled for May 3.*

### **Board of Local Improvements - Trustee Richard Tross, President**

#### [Play Video](#)

*Trustee Dick Tross, President of the Board of Local Improvements, reported the board had not met. The next meeting is scheduled for May 13.*

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

#### [Play Video](#)

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

### **Lombard Historical Commission - Clerk Brigitte O'Brien**

#### [Play Video](#)

Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission had not met. The next meeting is scheduled for April 20. The Cemetery Restoration is planning a clean-up of the cemetery for Saturday, April 24 from 10 am until 1 pm. President Mueller stated he had driven around the cemetery and noted how beautiful it is with the flowers in bloom. He reported the Garden Club had donated 3,000 daffodils and the Park District planted the bulbs. He thanked both groups for their donations.

### **US Census Complete Count Ad Hoc Committee - Trustee Laura Fitzpatrick, Chairperson**

[Play Video](#)

Trustee Laura Fitzpatrick, Chairperson of the US Census Complete Count Ad Hoc Committee, reported the committee had not met. Their final meeting will be in May.

## **VII. Village Manager/Village Board Comments**

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President Mueller wished Manager Hulseberg a speedy recovery. Acting Village Manager Tim Sexton gave a powerpoint presentation on property tax and pensions. He noted that 2009 is the first year the Equalized Assessed Value had declined. He stated the EAV is determined by the last three calendar years sales and that would be 2006, 2007 and 2008. The base EAV declined \$31.5 million or 1.8%, but this was partially offset by new growth of \$15.0 million. The overall EAV declined 0.9% including new growth. He indicated the tax rate will increase from .4560 per \$100 of EAV to .4657 per \$100 of EAV or a 2.1% increase.

Director Sexton spoke about the various pensions for Village employees. He stated some changes had been made to the IMRF pension, but spoke about how additional changes are necessary. He stated that IMRF has increased the retirement age from 60 to 67 and the means of calculating final pensions for employees based on years of service to the highest 8 of 10 years. He stated an employee under IMRF must work 40 years to reach maximum 75% retirement. He stated that beginning January 1, 2011 the Village rate will increase from 11.40% to 13.48% for IMRF contributions and 6.2% for Social Security. He stated the unfunded mandate for IMRF is \$8.7 million.

Director Sexton spoke about the police and fire pensions. He indicated that members of the police and fire department receive 75% of the pay after 30 years of service and they are eligible for retirement at age 50. The Village's share is 39.42% for police and 31.58% for fire. There is no contribution for Social Security for either police or fire. The unfunded liability for police is \$24.6 million and for fire it is \$12.7 million. He reported that there is an increase of over \$1 million in pension costs. This will reduce the funds the Village has for operations. He encouraged residents to contact their legislators and push for pension reform.

Trustee Moreau asked for confirmation that the Village was not the cause of the tax rate increasing.

Director Sexton indicated the Village is a non-home rule community and the Village is allowed the CPI increase. He noted this is based on the EAV going down and the pensions costing more.

President Mueller noted that pensions are governed by the State and not the Village.

Trustee Moreau questioned who is causing the tax rate increase.

Director Sexton noted that it was the Village.

Trustee Moreau asked what IMRF stood for.

Director Sexton noted it was Illinois Municipal Retirement Fund.

Trustee Tross remarked that this is the first time that the EAV rate had increased in probably 15 years. He noted that people are under the impression that if the EAV goes down, taxes go down. He noted this is not the case. He stated the property tax cap is based on dollars and not the rate. He stated the increase is nominal.

Director Sexton indicated the Village is no where near the limit it can go to legally and reminded residents that only 8% of their tax bill goes to the Village.

Trustee Ware requested a copy of the powerpoint.

President Mueller noted that the Village had suffered two losses this past week. He spoke about the death of Bill Hammerschmidt and how the family had founded the Hammerschmidt Brick and Tile Company many years ago. He noted the Hammerschmidts had been involved in the community for many years. He expressed condolences to the family of Bill Hammerschmidt. He noted that Dorothy Bell had passed away and that she was the wife of Jim Bell, a developer in Lombard for many years. He expressed condolences to the family of Dorothy Bell.

President Mueller reminded residents that they should have received the Lilac Time brochure which was included in the Lombard Park District brochure. He stated Lilac Time runs from May 1 through May 16. He encouraged residents to take advantage of the many activities planned for Lilac Time in Lombard.

President Mueller thanked Village Clerk Brigitte O'Brien for her service along with her dog Cooper who visits schools and the children read to him.

Clerk O'Brien noted the students love to read to Cooper and this is part of the English as a second language program at the Westlake School.

President Mueller spoke about Steve Spoden being inducted into the Glenbard East High School Hall of Fame. He stated a ceremony will be held at the school on Thursday, April 22 and that Steve was one of ten people being honored. He noted that Steve has been the photographer for the Lombardian for many years and he congratulated Steve on this honor.

Trustee Zach Wilson noted that the Lombard Service League had chosen First Lady of Lombard Eileen Mueller as the Woman of the Year this year.

President Mueller noted that his wife was surprised to have been selected.

Trustee Laura Fitzpatrick indicated that May 8th will be the date of the Sculpture Show and it will run from 11 am to 6 pm. This year they have twice the number of artists participating in the event including 16 high school artists. The event will take the entire park this year and reminded residents to participate.

## VIII. Consent Agenda

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### Payroll/Accounts Payable

- A. [100165](#)      **Approval of Village Payroll**  
For the period ending March 27, 2010 in the amount of \$1,147,653.08.
- This Matter was approved on the Consent Agenda.**
- B. [100166](#)      **Approval of Accounts Payable**  
For the period ending April 2, 2010 in the amount of \$182,343.41.
- This Matter was approved on the Consent Agenda.**
- C. [100184](#)      **Approval of Accounts Payable**  
For the period ending April 9, 2010 in the amount of \$241,945.23.
- This Matter was approved on the Consent Agenda.**

**Ordinances on First Reading (Waiver of First Requested)**

- D. [100162](#)      **Liquor License Amendment - CVS/Pharmacy #6497, 350 E. North Avenue, & CVS/Pharmacy #2791, 1005 E. Roosevelt Road**  
Amending Title 11, Chapter 112 of the Alcoholic Liquor Code reflecting a change in corporate entity for both locations. (DISTRICTS #1 & #6)

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

**Enactment No:** Ordinance 6462

- E. [100191](#)      **Intergovernmental Agreement**  
Approving and authorizing the execution of an Intergovernmental Agreement establishing the Northern Illinois Municipal Gas Franchise Consortium.

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

**Enactment No:** Ordinance 6463

**Other Ordinances on First Reading**

- F. [100136](#)      **Hammerschmidt School, No Parking on Madison**  
A request to establish a no parking zone on the south side of Madison Street 85 feet in either direction from Hammerschmidt Avenue. (DISTRICTS #5 & #6)

**This Matter was passed on first reading on the Consent Agenda.**

**Ordinances on Second Reading**

- G. [090018](#)      **PC 09-03: 500 E. Roosevelt Road (Westgate Lincoln Mercury) (Continued from April 1, 2010)**  
Granting a time extension to Ordinance 6312 extending the time period for construction of the conditional use for motor vehicle sales, service and repair in the B4APD Roosevelt Road Corridor District Planned Development for a ninety (90) day period subject to certain timelines and compliance with provisions. (DISTRICT #6)

**This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6464

- H. [100109](#)      **PC 10-03: 115 E. St. Charles Road**  
The petitioner, the Village of Lombard and the Lombard Town Centre, requests approval of a conditional use for a Farmer's Market (French Market) in the B5 Central Business District. (DISTRICT #4)



**This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6465

- I. [100134](#) **Liquor License Amendment - Famous Dave's, 206 Yorktown**  
Amending Title 11, Chapter 112 of the Village Code reflecting a change in the Class A/B liquor license category for Famous Dave's. (DISTRICT #3)

**This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6466

- J. [100137](#) **Lombard Public Facilities Corporation**  
Appointing William Lichter as a Director of the Lombard Public Facilities Corporation due to the resignation of Toni Sherman.

**This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6467

- K. [100145](#) **Titles 3 and 15 of the Lombard Village Code (Building Permit Fees)**  
Amending Title 15, Chapter 150, Sections 150.41 and 150.283 and Title 3, Chapter 36, Section 36.21 of the Lombard Village Code with regard to increasing building permit fees. (DISTRICTS - ALL)

**This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6468

## Resolutions

- L. [100154](#) **St. Charles Road Water Main Replacement, Resident Engineering**  
Approving a contract with Thomas Engineering Group, LLC in the amount of \$86,357.44 (DISTRICT #1)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 90-10

- M. [100174](#) **Olde Towne East Phase 5 Change Order No. 1**  
Reflecting an increase in the amount of \$17,755.99 to the contract with ALamp Concrete Contractors. (DISTRICT #4)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 85-10

- N. [100176](#) **Annual Geotechnical Engineering and Construction Material Testing Contract Amendment No. 2**  
Authorizing a renewal of the annual services contract with Testing Services Corporation in the amount of \$65,000.00 and a renewal of the annual services contract with Seeco in the amount of \$65,000.00 to perform geotechnical engineering and construction testing services. (DISTRICTS - ALL)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 86 87-10

- O. [100180](#) **French Market Agreement - 115 E. St. Charles Road**  
Authorizing the signatures of the Village President and Clerk on a French Market Operators' Agreement relative to the operation of the French Market at 115 E. St. Charles Road (Hammerschmidt Parking Lot). (DISTRICT #4)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 88-10

- P. [100031](#) **Capital Improvement Program**  
Approving the Village of Lombard FY2011-FY2020 Capital Improvement Program.

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 89-10

### **Other Matters**

- \*Q. Wilson Avenue and Cherry Lane (Moved to IX-C)

- R. [100143](#) **St. Charles Water Main Replacement**  
Award of a contract to ALamp Concrete Contractors, the lowest responsible bid of four bidders, in the amount of \$312,463.00. Bid in compliance with Public Act 85-1295. (DISTRICT #1)

**This Matter was approved on the Consent Agenda.**

- S. [100177](#) **One Medium Duty Dump Truck**  
Award of a contract to Freeway Ford, the lowest responsible bid of three bidders, in the amount of \$29,890.00; and approval of an ordinance authorizing the trade-in of Village unit SM485. Staff is requesting a waiver of first reading. Bid in compliance with Public Act 85-1295.

**This Matter was approved on the Consent Agenda.**

**Enactment No:** Ordinance 6469

- T. [100178](#) **Five Pickup Trucks with Plows**  
Award of a contract to Freeway Ford, the lowest responsible bid of three bidders, in the amount of \$71,254.00; and approval of an ordinance authorizing the trade-in of Village units WT441, ST308, ST309, ST321, FO312 and EL347. Staff is requesting a waiver of first reading. Bid in compliance with Public Act 85-1295.
- This Matter was approved on the Consent Agenda.**
- Enactment No:** Ordinance 6470
- U. [100179](#) **2010-2011 Mosquito Abatement Program**  
Award of a contract to Clarke Mosquito Abatement, the lowest responsible bid of two bidders, in the amount of \$88,059.80. Bid in compliance with Public Act 85-1295.
- This Matter was approved on the Consent Agenda.**
- V. [100186](#) **IT - HVAC System Replacement Project**  
Request for award of a contract to KCW Environmental Conditioning, Inc., the lowest responsible bid of five bidders, in an amount not to exceed \$65,387.00. Bid in compliance with Public Act 85-1295.
- This Matter was approved on the Consent Agenda.**
- \*W. Main Street Lighting Phase 2 (Moved to IX-D)
- X. [100189](#) **Sewer Lateral Lining**  
Request for a waiver of bids and award of a contract to Performance Pipelining, Inc. in the amount of \$30,000.00. Public Act 85-1295 does not apply.
- This Matter was approved on the Consent Agenda.**
- \*Y. 2011-2016 Solid Waste Contract (this item has been removed from the agenda)
- Z. [100182](#) **Contract with Constellation New Energy, Inc.**  
Motion to ratify a contract with Constellation New Energy, Inc. for the provision of electrical energy for the Village Hall for the period of May 2010 through May 2011.
- This Matter was approved on the Consent Agenda.**
- AA. [100183](#) **2009 Property Tax Levy Rate Reallocation Report**  
Motion to concur with the decision of the Director of Finance regarding the Village's 2009 Property Tax Levy.
- This Matter was approved on the Consent Agenda.**

## Passed The Consent Agenda

It was moved by Trustee Wilson, seconded by Trustee Fitzpatrick, to approve the Consent Agenda. This approval includes suspension of the rules, waive first reading and pass on second reading, waive competitive bidding and award contracts, approve and adopt resolutions as needed for the preceding items as read by the Clerk on the Consent Agenda.

The motion carried by the following vote:

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

## IX. Items for Separate Action

### Ordinances on First Reading (Waiver of First Requested)

#### Other Ordinances on First Reading

#### Ordinances on Second Reading

- A. [100088](#) **Budget Ordinance for Fiscal Year 2010-2011**  
Adopting the FY 2010-2011 Annual Budget for the Village of Lombard.

[Play Video](#)

It was moved by Trustee Wilson, seconded by Trustee Ware, that this matter be passed on second reading. The motion carried by the following vote:

**Aye:** 5 - Gron, Wilson, Moreau, Fitzpatrick and Ware

**Nay:** 1 - Tross

**Enactment No:** Ordinance 6471

- B. [100126](#) **Amending Title 5, Chapter 50 of the Lombard Village Code with Regard to Water and Sewer Rates**  
Three Ordinances amending the Village Code as it relates to water and sewer rates for FYE 2011.

[Play Video](#)

It was moved by Trustee Gron, seconded by Trustee Fitzpatrick, that this matter be passed on second reading. The motion carried by the following vote:

**Aye:** 5 - Gron, Wilson, Moreau, Fitzpatrick and Ware

**Nay:** 1 - Tross

**Enactment No:** Ordinances 6472-6474

## Resolutions

**Other Matters**

- \*C. [100048](#) **Wilson Avenue and Cherry Lane**  
Request for a 4-Way Stop. This was recommended for denial by the Transportation and Safety Committee. (DISTRICT #6)

[Play Video](#)

*Trustee Ware indicated that he had pulled the item from the Consent Agenda and was requesting that this item be tabled to the first meeting in May.*

**It was moved by Trustee Ware, seconded by Trustee Wilson, that this matter be tabled to May 6, 2010 The motion carried by the following vote:**

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

- \*D. Main Street Lighting Phase 2

[Play Video](#)

*Dick Schneider, 5 E. View, spoke regarding the proposed street lighting for North Main Street. He indicated he understood that this was going back to committee and would limit his comments due to the fact that this is being sent back to committee. He indicated that the residents in the area were sent a letter from the Public Works Department regarding the proposed street lighting changes. He noted that, however, no letter was sent to the North Main residents regarding the test area that has been set up on South Main Street. He felt the North Main residents should receive a letter regarding the test area so the residents can actually see how the LED lighting would look. He gave a demonstration of LED lighting versus the typical lighting and stressed that if the LED lighting system was installed, there could be no change in the bulbs without a major expense in changing the underground cables. He noted that the bulbs for the lighting system on South Main Street can be changed and the Village is not locked into one particular lighting type. He felt that once the LED lighting is installed, the company knows the Village is stuck with it and also spoke regarding replacement parts for the system. He stated he had more to say, but because this item is being referred back to committee, he would just strongly suggest the Village take a serious look at the LED lighting and compare it to the alternatives.*

*Therese Willig, 418 N. Main Street, did not speak, but agreed with Dick Schneider. Trustee Gron indicated there were concerns raised at the meeting the other night. He felt it best that this be referred back to committee for further review before a decision is made. He did not want to leave any stone unturned. He asked that the validity of the LED lighting be checked as well as the manufacturer. He also wanted to hear more input from the residents. He noted that a special meeting will be scheduled and open to the public for comments and input. He indicated the test area had been installed on South Main Street and he had not as yet had the opportunity to visit the test area. He invited residents to check the test area and to voice their opinion.*

*It was moved by Trustee Gron that this item be referred back to the Public Works Committee and it be returned to the Village Board on May 6th, seconded by Trustee Tross.*

*Trustee Tross stated that he has known Dick Schneider for 35 years. He noted that the test area at Main and Ethel was a test area for the Village and not just for North Main Street and this was a test for the issue of LED lighting.*

*Director Goldsmith spoke regarding the LED lighting test area and noted that Energy Efficiency Grants were coming forward. He hoped the LED lighting test area would provide a survey of residents and was looking for feedback. He noted that thus far, the feedback had been positive and the three-light LED was preferred.*

*Trustee Moreau questioned the lenses in the 800 block.*

*Director Goldsmith stated the lights had been staggered and the lenses changed. He spoke of the glare or halo at the top of the light and that staff had worked with the company to diffuse the halo. He stated the 800 block of South Main has all new lenses and there was no additional cost for switching these lights. He reported there was a federal funding program that would change offset the cost to change out 105 lights on the west side of town.*

*Trustee Tross questioned the cost of changing the LED lighting and asked if the survey was for all of the residents.*

*Director Goldsmith indicated this was a cost-effective measure.*

*Trustee Tross indicated he lives two-hundred feet away from the LED lighting and welcomed residents to come and see it.*

*President Mueller stated there were LED lights also at Edson.*

*Director Goldsmith stated all responses so far had been positive.*

*Trustee Moreau questioned the 800 block test area.*

*Director Goldsmith indicated the LED fixtures had been staggered. Staff had worked with the manufacturer regarding the halo or glow at the top of the fixture and a strip has been painted in the interior of the lens to soften that glow. He spoke of the staggered lighting and the LED lighting for the pedestrians. He also noted the lighting was reduced from 4 arc to 3 arc. He reported that all lights had been changed to be consistent.*

*Trustee Wilson questioned additional cost.*

*Director Goldsmith indicated there was no additional cost.*

*Trustee Wilson questioned 8 lights.*

*Director Goldsmith stated there were 4 on each side of the street and that included the pedestrian lights.*

*Trustee Gron questioned if this would slow up the project.*

*Trustee Moreau asked if all the North Main residents would receive the information on the test area.*

*Director Goldsmith indicated letters would be sent out possibly the following day.*

*Trustee Moreau questioned if the residents in the test area would be notified of the test area.*

*President Mueller suggested both areas be notified.*

*Director Goldsmith indicated he hoped that the letter would also include information on the special meeting.*

*Trustee Tross indicated he has known Dick Schneider a long time. He asked staff to investigate if the system was designed for LED lighting, if it would have to remain LED lighting and not be able to be changed without significant expense. He stated he hoped that Public Works was not looking at changing out all the lights that had just been replaced on South Main Street. He indicated he had a concern if the LED lighting was installed and could not be changed out to vapor or any new technology down the road.*

*Trustee Wilson noted that he did not notice much of a difference in the LED lighting.*

*He questioned the purpose and felt most residents would probably not notice the difference. He asked if the letter was because staff was receiving a lot of calls.*

*Trustee Moreau stated should would rather have residents see the lights now in the test area than have the lights in front of their house and complain. She asked that staff address the benefits of each to help make a decision.*

*President Mueller questioned the letter going out to the North Main residents as well as the homes on South Main where the test area is located. He asked if the letter was not going to everyone else. He asked staff to further investigate and provide the Board with additional information.*

**It was moved by Trustee Gron, seconded by Trustee Tross, continued refer back to Public Works Committee and table to May 6th Village Board meeting The motion carried.**

## X. Agenda Items for Discussion

100188

### **Red Light Photo Enforcement**

Presentation by the Lombard Police Department.

*Chief of Police Ray Byrne provided a powerpoint presentation on Red Light Photo Enforcement. He noted the Village Board had given approval for the RedLight Program in late 2008 and that the Village Board had requested an update on the program after it had been in operation for one year. He indicated the RedLight Program was recommended in an effort to reduce traffic accidents. The program is not a stand-alone program and is supplemented by a dedicated four-person Traffic Safety Unit, seat belt enforcement campaigns, overweight and over-dimension truck enforcement programs, child safety seat inspections program, railroad crossing safety programs, aggressive driver programs, school safety enforcement programs, roadside safety checkpoints, and DUI (driving under the influence) saturation programs. This is just one additional step in an effort to prevent accidents and injuries.*

*Chief Byrne spoke regarding awareness and how the Village has written press releases, has information on the website, posters placed at various locations throughout the Village, and articles in the newsletters and newspapers in an effort to create awareness and inform the public.*

*Chief Byrne reported that the RedLight cameras were installed at two locations and those locations were based on the highest traffic accidents. Main and Roosevelt was the highest traffic accident location, but because it was under construction and the Illinois Department of Transportation would not issue the required permits, a Red Light camera was not able to be installed at that location. RedLight cameras were installed at Finley and Roosevelt on March 19, 2009 and at North Avenue and Route 53 on May 19, 2009.*

*Chief Byrne noted that the Village has not changed the timing of the yellow lights at those intersections. He noted both intersections are under control of IDOT and all lights are engineered and timed based on their standards. The installation of the RedLight cameras was based on the intersections with the highest number of traffic accidents. Chief Byrne noted that the majority of tickets are issued for turning right on red without stopping. He reported that RedSpeed does not break down the violations by type. He stated Lombard Police officers review every alleged violation, apply a strict standard to the review and issuance of tickets, approve violations with a standard of "would you issue a citation if you were behind this violator?" and typically only approve 20% of the actual violations that are reviewed. No tickets are given for failing to stop at the white line. He reported that Lombard's approach to RedSpeed is safety as the priority and the percentage of citations approved by Lombard officers is low. He noted that to date \$92,606 in revenues has been received. The Village has not received any revenue from the program since October and revenue has consistently declined.*

*Chief Byrne reported that the Police Department has looked at rear-end collisions for both intersections both pre and post installation of the RedLight cameras. He indicated that at Finley and Roosevelt there were 33 rear-end collisions before the cameras and 18 rear-end collisions after the cameras were installed, which is a 45% reduction in rear-end crashes after the cameras. At North Avenue and Route 53, there were 37 rear-end crashes before the cameras and 23 after the cameras which is a 38% reduction in rear-end crashes at that location.*

*Chief Byrne reported before the cameras were installed at Finley and Roosevelt on March 19, 2009 there were 59 crashes and since the cameras were installed that have been 57 crashes, a negligible decrease. At North Avenue and Route 53 the cameras were installed on May 19, 2009 and prior to installation there were 70 crashes and since the cameras were installed there have been 48 crashes or a 31% reduction in*

accidents. He felt that the reduction in crashes is due to the drivers being aware of the Red Light enforcement at those locations.

Chief Byrne noted that there is legislation in Springfield regarding RedLight camera enforcement and a compromise bill may come out. He indicated the Village has already followed all of the requirements of the proposed bill. This bill will have no impact on the Village of Lombard or how the program is handled in Lombard. He indicated the Village already runs the program exactly as the proposed legislation is recommending. There had been a controversy regarding the shortening of the yellow lights at intersections, but he guaranteed that the two intersections with RedLight enforcement are guided by IDOT standards and the yellow lights have not been shortened.

Chief Byrne indicated that IDOT requires the traffic signals at the intersection of North Avenue and Route 53 to be upgraded to LED technology and this must be done by August of 2010. The Village has an agreement with RedSpeed which calls for cost sharing of the upgrade on a 50/50 basis. The Village's cost for the improvements is \$12,111. Grant funding may be possible for some of the costs. The Village's portion of the improvements would be paid for from revenues over the past 7 months. RedSpeed requires an extension of the existing agreement for this intersection until at least November 19, 2010 before proceeding with their share of the improvements.

Chief Byrne stated that Lombard has operated the program in a responsible manner and many of the criticisms of red light photo enforcement systems are not applicable to the way that Lombard has chosen to operate the program. He felt any system or enforcement tool is susceptible to abuse and the key is to utilize any tool in a responsible manner.

Chief Byrne recommended the removal of the camera at Finley and Roosevelt as there has been no appreciable improvement in safety at that location. He recommended leaving the camera at North Avenue and Route 53 as there has been a significant reduction in traffic accidents at that location. He noted that Main and Roosevelt was the top crash location in 2008 and 2009 and remains the top crash intersection in the Village. This intersection could be considered a viable location for RedLight camera installation based on the crash data and could be the location for the secondary camera if removed from Finley and Roosevelt.

President Mueller suggested this matter be referred to the Transportation and Safety Committee for review.

Trustee Ware questioned if this was in front of the committee in February.

Trustee Tross indicated it was a similar report. The committee did not take formal action or make a formal recommendation.

Trustee Gron requested information from other communities regarding RedSpeed enforcement.

Chief Byrne stated he could contact communities and request information.

President Mueller indicated there was a decrease in accidents at Gary and North Avenue and that Naperville had discontinued the camera enforcement.

Trustee Tross stated the T&S Committee was given information from surrounding municipalities. He noted the committee was proud of Lombard's philosophy regarding RedLight enforcement. He noted that Lombard did not use this as a revenue source, but as a safety measure to reduce accidents and injuries.

President Mueller noted that some communities are using the RedLight enforcement to balance their budgets. He congratulated the Police Department.

Trustee Tross questioned the removal of the camera at Finley and Roosevelt and asked if the recommendation to remove was based solely on the minimal reduction in crashes.

Chief Byrne indicated it was.

Trustee Wilson asked if the Police Department or RedSpeed is able to provide a breakdown of the types of accidents or if a report could be generated.

Chief Byrne indicated they did not have a breakdown on the types of accidents and it



would be time-consuming to generate as a staff person would need to look at each accident report.

Trustee Wilson questioned if some of the police officers reviewing the alleged violations from RedSpeed issue more tickets than others. He asked if 20% of the alleged violations were approved for citations, did some of the officers approve a lot and some approve very little.

Chief Byrne noted that some officers do approve more tickets than others, but the average is 20%.

Trustee Wilson questioned the amount of overtime for this program and review of the alleged violations.

Chief Byrne indicated overtime is about one hour per month.

Trustee Fitzpatrick indicated the house bill is very much what Lombard has already been doing as far as RedLight procedures. She felt Lombard was the model for the legislation.

Trustee Ware questioned no income and inquired about expenses.

Chief Byrne indicated the expenses are basically the one hour of overtime per month.

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**It was moved by Trustee Fitzpatrick, seconded by Trustee Moreau, to amend the motion, remove the RedLight photo camera at Finley and Roosevelt, leave the RedLight photo camera at North Avenue and Route 53 and not install a RedLight camera at Main Street and Roosevelt Road The motion carried by the following vote:**

**Aye:** 5 - Gron, Tross, Wilson, Fitzpatrick and Ware

**Nay:** 1 - Moreau

Trustee Moreau questioned if the T&S Committee had reviewed the Main Street and Roosevelt Road RedLight photo camera installation.

Trustee Tross indicated T&S did not review moving the RedLight photo camera to Main and Roosevelt. He indicated he was not going to take it upon himself to recommend that T&S review this. He did not feel this was a safety issue. He did concur with removing the Finley and Roosevelt camera.

Trustee Moreau felt it did not make sense to get rid of the camera entirely without relocating it to the intersection with the highest crash statistics.

President Mueller felt it was proper to send this matter to the T&S Committee. He felt there was more information than the Village had before and this should go back to the committee.

Trustee Moreau wanted to have consistency in the role of the committees. She stated she voted no on the last motion and that the Village has qualified people on the committees and those committees should give recommendations to the Board. She felt some things the Village Board decides and some things come with recommendations from committees.

Trustee Fitzpatrick felt the powerpoint was misleading. She asked if the recommendation was to remove the camera at Finley and Roosevelt, leave the camera at North and Route 53 with no additional cameras.

Trustee Wilson felt this was the consensus of the committee before.

President Mueller asked about the \$12,000 to upgrade the LED light at North Avenue and Route 53.

Chief Byrne indicated this would come from the Village revenue from RedLight.

Trustee Ware stated there had been no revenue since October.

Chief Byrne stated the Village had not received revenue, but RedLight has. He indicated the Village will never owe, but we may not receive as well.

President Mueller asked how this would be paid with no revenue.

Chief Byrne stated the Village would need to pay. There would be an amendment to

*the agreement that Klein, Thorpe and Jenkins would prepare and this would have to come to the Village Board for approval.*

**It was moved by Trustee Tross, seconded by Trustee Wilson, to approve to review the technology for the future, refer this to the T&S Committee for review of North Avennue and Route 53 LED change and look at the intersection of Main Street and Roosevelt Road for possible RedLight photo camera The motion carried by the following vote:**

**Aye:** 5 - Gron, Tross, Wilson, Moreau and Fitzpatrick

**Nay:** 1 - Ware

\*B.

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**DuPage Mayors and Managers Conference**

Discussion of participation with the DMMC with regard to the legislative initiative related to the DuPage Water Commission.

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It was moved by Trustee Tross, seconded by Trustee Gron, Director of Finance Tim Sexton spoke regarding a proposal for the Village to participate with other municipalities through the DuPage Mayors and Managers Conference with regard to legislation related to the DuPage Water Commission. He noted there had been a lot of changes since just the morning regarding this matter and concessions were being made related to the proposed legislation. He stated that SB 580 proposed dissolving the DuPage Water Commission and transferring authority and assets of the DWC to DuPage County. A Water Distribution Committee would be formed comprised of an equal number of members from the County (7) and the municipalities (7) served by the DWC. The County Clerk and County Treasurer would perform all functions for the Water Distribution Committee and the County Auditor would perform an annual audit of the Water Distribution Committee. The bill as proposed would transfer all powers vested in the DWC for operation and maintenance to the County effective December 1, 2010. One issue was the .25% sales tax that has been charged and if this would be diverted to the county for other uses. The bill proposes that the .25% sales tax proceeds could only be used for infrastructure, capital projects and bond payments and effective January 1, 2014, if the 0.25% sales tax is not being used entirely for these purposes, then it would be taken away. The operation of the Water Commission under the County has given great concern. One issue being looked at is authority to provide water to unincorporated areas. It was noted that the DuPage Mayors and Managers Conference has served as a facilitator in this matter. It has been proposed that the members of the DWC participate and fund a lobbyist and public relations firm to assist the customers in the mission to introduce the "good government" bill. The cost of the services is estimated at \$100,000 with assessments being based upon \$50,000 being split equally among the customer group and the remaining \$50,000 based upon usage of water through the DWC. The Village's portion would be \$4,640.87.

Director Sexton indicated that additional changes may be proposed including maintaining the current structure. He stated that all communities in the DWC are supporting this proposal with the exception of Downers Grove. He advised staff is recommending approval of this expenditure in the event that compromises can not be reached. If compromises can be reached, this expenditure would not be necessary.

Trustee Wilson indicated that SB 580 had passed and he supports Cronin's proposal.

Director Sexton stated that parts of the compromise were included in the bill and parts were not.

Trustee Wilson was against spending any Village money on this matter.

Trustee Tross moved authorizing staff to spend up to the maximum stated to fund the lobbyist and public relations company regarding the DuPage Water Commission proposed legislation. Seconded by Trustee Gron.

Trustee Tross stated that the Village is the closest government to the residents of Lombard. He felt that what the Village does effects the residents on a greater basis than any other hierarchy of government. He spoke of DuPage County taking \$75 million from the DWC because of budget shortfalls. He noted that in 2012 the agreement with the City of Chicago for Lake Michigan water will expire and that Mayor Daley is considering privatizing the water system. He questioned if this occurred what would happen to water rates. He questioned if the County took over the DWC if they would charge processing fees and felt there would be fees. He spoke of the original Tree Towns Water Commission that included Lombard, Villa Park and Elmhurst and the Village's commitment to its residents. He indicated he supported staff's recommendation and the requested expenditure regarding this bill.

Trustee Gron questioned if DuPage County took over the DWC how this would affect the municipalities and water rates.

President Mueller indicated everyone is looking for good government. He noted that the DWC has worked effectively for many years. He spoke of the Tree Towns Water Commission and how the communities worked to bring safe water to the residents. He felt the DWC had accomplished the goal of bringing safe water to DuPage County and at low rates. If the County took over the DWC, he felt the rates would be greater and municipalities would lose control over rates. The current rates are lower than ten years ago. He spoke about Mayor Daley wanting to privatize the water system. He stated that rates under the American Waterworks system doubled. He noted that checks and balances were needed. He stated there are 25 members in the DWC and they have to agree on changes. The proposal includes 7 County members and 6 municipal representatives and that the County will have one more vote. He felt the DWC was moving along and accomplishing what it was supposed to do. He stated the municipalities are not in favor of changing the DWC. Ten members of the thirteen are opposed to the change and feel this is the best way to provide water to the residents. He indicated there is another challenge. Aurora has expressed interest in obtaining Lake Michigan water through the DWC and they did not want to buy water from Naperville. He stated that water is taken for granted and we all just turn on a faucet and there it is. He felt water would be a very expensive commodity in the future and felt the Village needed to protect its residents.

Trustee Gron felt the County was not as fiscally responsible as the Village and they were spending money all the time.

Trustee Fitzpatrick indicated the County had a \$10 million surplus and felt they did a fine job handling money. She spoke of the \$300,000 DWC report and felt it was deplorable. She stated there were math and accounting errors. She felt the taxpayers are paying and paying and the DWC was a redundancy in the system. She felt the County taking over the DWC would save money. She noted that Senator Cronin had made five amendments to the bill. The bill passed by a 39 to 5 vote. She felt this was an outstanding vote record. She stated she did not know what the good government bill was.

President Mueller stated the DWC forensic report shows that there is no problem at the DWC level. He noted that 6 years ago DuPage County Chairperson Schillerstrom took \$75 million from the DWC. He stated he was in Springfield and knows what happened at the time. The DWC had to build up reserves. He reported the DWC had a \$40 million reserve and questioned if the County would take that from the DWC. The DWC refunded \$40 million to members and Lombard's share was \$2.2 million. That money was put into the Water Fund and has been used to help offset water rates for residents. Part of the problem with the DWC was the treasurer put money in different accounts and it was not caught until it was too late. The DWC funds were not mishandled and none of the money was taken. The forensics report confirms this. The treasurer was asked to resign and the chairman was terminated. The DWC is moving forward and he is sure this will not happen again. He noted the proposal from the County shows 7 members from the County and 6 municipal members. He stated Senator Cronin made a presentation at a recent meeting and none of the Republican members supported the DWC proposal. Some Democrats voted in favor. He felt the Village had to govern to protect its residents. He spoke of compromise and all of the municipalities in the DWC working together. He encouraged leaving the DWC in place. All commission members are reappointed. The tax is in place until 2014. He stated DWC is trying to keep this out of becoming political. He felt the DWC has served the Village and residents and this helps keep control over the water rates. He asked the Board if they

wanted to give someone else control over the water rates.

Trustee Tross reminded each Board member that they had just approved an ordinance regarding water and sewer rates. He suggested thinking back to the meeting where this was discussed. He felt if this legislation was approved, the Village could do nothing about the water rates.

President Mueller reminded the Board that they worked hard to keep the rate at \$2.08.

Trustee Wilson felt it was about accountability. He stated he read the DWC audit and it was deplorable. There was no accountability with DWC. He felt there would be accountability with the County. He disagreed with Trustee Tross. He noted that only a few trustees had read the audit. He felt the DWC was mismanaged and there was no accountability. He indicated he was not voting to spend Village funds on this matter. He also noted that the Democrats supporting this does not make it bad. He stated the SB 580 was all about accountability.

Trustee Ware stated he started to read the audit and would not support the recommendation.

authorize participation with DMMC with regard to legislative initiatives related to the DuPage Water Commission in the amount of \$4,649.87. The motion failed by the following vote:

**Aye:** 2 - Gron and Tross

**Nay:** 4 - Wilson, Moreau, Fitzpatrick and Ware

## **XI. Executive Session**

None

## **XII. Reconvene**

*President Mueller indicated that earlier the Annual Meeting of the Glenbard Wastewater Authority had been held. The GWWA reviewed the last year's accomplishments.*

## **XIII. Adjournment**

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*The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, April 15, 2010, in the Board Room of the Lombard Village Hall was adjourned at 10:07 pm.*

**It was moved by Trustee Moreau, seconded by Trustee Ware, adjourn. The motion carried by the following vote:**

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware