

Village of Lombard

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



Minutes

Thursday, June 18, 2015

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, June 18, 2015 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:31 pm. The Lombard Fire Department 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
Assistant Director of Public Works Dave Gorman
Chief of Police Ray Byrne
Fire Chief Paul DiRienzo
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

Valerie Cholewa addressed the Village Board relative to flooding issues at her residence at 909 S. Charlotte. She stated that her parents built the home 63 years ago, and that they had not had any flooding issues until a house was torn down and a new home built at 919 S. Charlotte. She asked that the Village review the flooding issues.

Village Manager Scott Niehaus indicated that Village staff would review.

[150262](#)

Swearing-in - Battalion Chief Al Greene, Lieutenant Dan Ekhart, Lieutenant Greg Vazquez, Lieutenant Mark Laffrey and Lieutenant Brad Delatorre

Fire Chief Paul Dirienzo called Dan Ekhart, Greg Vazquez, Mark

Laffrey and Brad Delatorre to the front and provided a bio on their service to the Fire Department. Village Clerk Sharon Kuderna issued the Oath of Office to each of them swearing them in as Lieutenants. They each thanked the Village and introduced family. Fire Chief Paul DiRienzo called Al Greene to the front and provided a bio of Al's service to the Fire Department. Village Clerk Sharon Kuderna issued the Oath of Office to Al Greene swearing him in as Battalion Chief. Al thanked the Village and introduced his family.

[150267](#)

Lombard Fire Department Crew Members Recognition

Fire Chief Paul Dirienzo called Lieutenant Frank Gallione to the front. Lt. Gallione introduced the Koppang family. He indicated that on January 7th the Fire Department received a call of a woman in labor at the Lombard Metra station. Paramedics arrived and noted that birth was eminent. A healthy baby girl was delivered in the ambulance and mom and baby were transported to Good Samaritan Hospital. Stork Pins were presented to FF/PM Tim Hillsheim, John Studnicka, Galen Cardott, Dale Farris, Joe Kaforski and Lt. Tony Sally.

[150263](#)

Presentation - American Heart Association Recognition

Lt. Frank Gallione indicated that the Lombard Fire Department was receiving recognition from the American Heart Association for the Mission Lifeline: EMS-Bronze award for 2015 for achieving a high level of care in the area of cardiac patients, specifically in the care of STEMI patients. STEMI is the acronym for a patient that is having a Myocardial Infarction or "heart attack" and has an elevation in the ST segment of their EKG rhythm that is detected by the Paramedics during treatment. It was noted that out of approximately 600,000 heart attacks in a year, that approximately 200,000 are stemi's.

[150118](#)

Quarterly Lombard Town Centre Report - 2nd Quarter

Quarterly report presented by Sarah Richardt to the Village Board.

Sarah Richardt, Lombard Town Centre Director, provided a quarterly report to the Village Board. She noted that 2015 was challenging as well as exciting. She reported that there were almost no vacancies in downtown Lombard with current occupancy and store fronts under contract or renovation. She updated the Village Board: 300 people toured the historic hotel building raising \$3,000 for LTC; six media outlets were at the hotel for coverage; 700 people attended the last Blackhawks viewing event; over 1,500 attended the Ale Fest this past weekend; there will be seven offices in the hotel building and all have been leased; Babcock's of Lombard restaurant opening in hotel

building; LTC moving to the old hotel building and clothing boutique moving into 6 S. Park occupied by LTC; yoga studio opening on third floor of the hotel building and that the third floor would still be available for special events; yoga studio also opening at 11 N. Main Street; owner-occupied orthodontics office opened at 23 N. Main; Shannon's is expanding; Balken Bakery and Marquette Kitchen and Tap opening soon. She noted that eight new businesses should be opened by the end of 2015. She expressed LTC's appreciation to the Board and the Village for their continued support.

V. Approval of Minutes

A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, that the minutes of the Special Meeting of April 30, 2015; minutes of the Special Meeting of May 2, 2015; minutes of the Special Meeting May 21, 2015; minutes of the Regular Meeting of May 21, 2015 and minutes of the Special Meeting of June 5, 2015 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 Relations Committee - Trustee Dan Whittington, Chairperson

No report

Economic/Community Development Committee - Vacancy, Chairperson

No report

Environmental Concerns Committee - Trustee Mike Fugiel, Chairperson

No report

Finance Committee - Vacancy, Alternate Chairperson

No report

Public Works Committee - Trustee Bill Ware, Chairperson

Trustee Bill Ware, Chairperson of the Public Works Committee, reported the committee had met. The committee reviewed the policy relative to filling of sandbags and made some amendments to the policy. This will come to a Village Board meeting for action. The

committee also received an update on the Emerald Ash Borer tree removal. The Village has moved forward with a contract to remove all remaining EAB infected trees by the end of 2015. Tree will be replaced, but replacement will take up to three years.

Transportation & Safety Committee - Trustee Reid Foltyniewicz, Chairperson

Trustee Reid Foltyniewicz, Chairperson of the Transportation & Safety Committee, reported the committee had met. He thanked the committee members for their service as it was their last meeting since this committee is being disbanded and the duties will be incorporated in with the Public Works Committee.

Board of Local Improvements - Trustee Bill Ware, President

No report

Community Promotion & Tourism - Vacancy, Chairperson

No report

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

Village Manager Scott Niehaus said "Go Hawks".

Village President Keith Giagnorio indicated the July 16 Village Board meeting will begin at 4pm; he thanked residents for going out and clearing sewer grates to allow for the rain to run down into the sewers instead of flooding the streets; fireworks will be held on July 4th beginning at dusk at Madison Meadows Park; wished Assistant Village Manager Nicole Aranas a happy 40th birthday.

Village Clerk Sharon Kuderna reminded residents of the summer Blood Drive scheduled for July 8th at Yorktown from 9:30 am until 1pm and from 1:30 pm to 7 pm at the Village Hall.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [150246](#) **Approval of Village Payroll**
For the period ending May 16, 2015 in the amount of \$787,104.12
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [150247](#) **Approval of Accounts Payable**
For the period ending May 22, 2015 in the amount of \$597,569.99.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [150249](#) **Approval of Accounts Payable**
For the period ending May 29, 2015 in the amount of \$916,767.84.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [150264](#) **Approval of Village Payroll**
For the period ending May 30, 2015 in the amount of \$866,894.97.
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [150265](#) **Approval of Accounts Payable**
For the period ending June 5, 2015 in the amount of \$548,392.01.
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [150280](#) **Approval of Accounts Payable**
For the period ending June 12, 2015 in the amount of \$2,509,478.09.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- G. [140513](#) **BOT 14-02; Repeal of Approvals of an Annexation Agreement, Annexation, and Map Amendment (Rezoning) - 1200 & 1204 High Ridge Road**
Ordinance repealing in their entirety Ordinances 7038, 7039 and 7040, which annexed the properties at 1200 and 1204 High Ridge Road, Lombard, Illinois. (UNINCORPORATED/DISTRICT #6)

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

Enactment No: Ordinances 7038, 7039, 7040, 7085
- H. [150237](#) **PC 15-05: 324, 334, and 351 N. Buckingham Court**
Pursuant to Section 155.504 (A) (major changes in a planned

development), the petitioner requests that the Village amend Ordinance Numbers 5586 and 5848 as they relate to the Buckingham Orchard/ Lyonhart Manor Planned Development, located within the R4PD Limited General Residence District Planned Development, consisting of the following deviations:

1. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 14.36' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 324 N. Buckingham Court;
2. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 13.85' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 334 N. Buckingham Court; and
3. Approval of a deviation from Section 155.409 (F)(3)(c)(ii) to allow for a 11.70' interior side yard setback on an exterior lot where fifteen feet (15') is required for the property located at 351 N. Buckingham Court. (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 7086

I. [150239](#)

PC 15-12: 707 E. Butterfield Road (Embassy Suites Hotel)

Pursuant to Section 155.504 (A) (major changes in a planned development), the petitioner requests that the Village amend Section One of Ordinance No. 3009 to further reduce the required parking from 288 spaces to 268 spaces and to increase the number of suites from 260 to 262, within the OPD Office Planned Development Zoning District. (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 7087

J. [150241](#)

Ordinance Amending Title 3, Chapter 31 - President Pro Tem and Temporary Chairman

Ordinance relative to the designation of a President Pro Tem and a Temporary Chairman.

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

Enactment No: Ordinance 7088

K. [150242](#)

ZBA 15-05: 601 N. Grace Street

Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District (Lombard Heights Subdivision):

1. Grant approval of variations from Section 155.205 (A)(1)(c)(ii) of the Lombard Zoning Ordinance to allow for a six foot (6') high

solid fence in a corner side yard that does not consist of open-construction decorative materials; and

2. Grant approval of a variation from Section 155.205 (A)(1)(e)(ii) of the Lombard Zoning Ordinance to allow for a six foot (6') high wood fence of solid-construction within the clear line of sight area where fences or walls of open-construction are required. (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 7089

L. [150243](#)

ZBA 15-06: 341 W. Morris Avenue

Requests that the Village grant a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to allow a second story addition to the principal structure to encroach two (2) feet into the required nine (9) foot interior side yard setback for a detached garage on the subject property located within the R2 Single-Family Residence District. (DISTRICT #2)

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

Enactment No: Ordinance 7090

M. [150255](#)

Ordinance Amending Title 3 Regarding Standing Advisory Committees

Ordinance amending Title 3 relative to changes to various standing committees including Finance Committee, Public Works Committee, and Transportation and Safety Committee.

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

Enactment No: Ordinance 7091

N. [150256](#)

Tandem Axle Dump Truck Purchase

Award of a contract to JX Peterbilt, the lowest responsible bidder of nine (9) bids, in the amount of \$197,903; and approving an ordinance declaring Village unit ST344 as surplus equipment and authorizing Public Works to market and sell this truck to the highest bidder. Waiver of first reading is requested by staff. Bid in compliance with Public Act 85-1295.

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

Enactment No: Ordinance 7092

O. [150269](#)

Ordinance Amending Title 11, Chapter 112, Section 112.13 of the Lombard Village Code with Regard to Alcoholic Beverages

Revising the Class A/B-I liquor license category reflecting the closing

of Deli Capone Inc. d/b/a Capone's Restaurant & Pizzeria located at 105 W. St. Charles Road. (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 7093

P. [150271](#)

Prevailing Wage Rate

Adoption of the most current Prevailing Wages for public works projects for DuPage County for June 2015.

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

Enactment No: Ordinance 7094

Q. [150276](#)

Amending Title 11, Chapter 112, Section 112.13 (A) of the Lombard Village Code

Increasing the Class "C" liquor license category by one granting a liquor license to Le Crowe Cafe Co. d/b/a La France Cafe & Crepes located at 708-710 S. Main Street. (DISTRICT #6)

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

Enactment No: Ordinance 7095

Q-2. [150168](#)

Willow Street, Illinois Prairie Path Parking Restriction

Recommendation from the Transportation & Safety Committee to add one 3-hour parking restriction on both sides of Willow Street between Brewster and Finley Road. Staff is requesting a waiver of first reading. (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 7096

Other Ordinances on First Reading

R. [150178](#)

Text Amendment to the Historical Commission Ordinance

Approving Text Amendments to the Lombard Historical Commission Ordinance Title 3, Chapter 32, Article 6, Section 32.079. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7102

S. [150238](#)

PC 15-11: 800 Parkview Boulevard, Soaring Eagle Academy

Requests that the Village grant a conditional use, pursuant to Section 155.412 (C) (19) of the Zoning Ordinance, to allow for Schools, private, full-time: Elementary, middle, and high within the O Office

District. (DISTRICT #2)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7103

Ordinances on Second Reading

Resolutions

- T. [150212](#) **Ad-Hoc Advisory Committee - Lombard Pride**
Ordinance establishing the Lombard Pride AdHoc Committee.
This Resolution was adopted on the Consent Agenda
Enactment No: R 45-15
- U. [150251](#) **Phase II Geographic Information System (GIS) Mapping & Implementation Project**
Resolution approving a contract with Baxter & Woodman in an amount not to exceed \$25,000.00 for design engineering services.
(DISTRICTS - ALL)
This Resolution was adopted on the Consent Agenda
Enactment No: R 46-15
- V. [150252](#) **Electrical Design for Village Hall and Police Department Back-up Generators**
Resolution approving a contract with Christopher B. Burke Engineering LTD in an amount not to exceed \$45,000.00 for design engineering services. (DISTRICT #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 47-15
- W. [150254](#) **Lombard Meadows, Phase 2, Change Order No. 1**
Approving Change Order No. 1 to the contract with R.W. Dunteman Company in the amount of \$34,100.28. (DISTRICT #6)
This Resolution was adopted on the Consent Agenda
Enactment No: R 48-15
- X. [150279](#) **Accepting the Public Improvements at 309-349 N. Buckingham Court and 617-627 W. Patrick Drive (The Orchards Subdivision)**
Resolution to accept the public streets, watermain, fire hydrants, storm and sanitary sewer, and street lights at 309-349 N. Buckingham Court and 617-627 W. Patrick Drive (The Orchards Subdivision). (DISTRICT #1)
This Resolution was adopted on the Consent Agenda

Enactment No: R 49-15

- Y. [150283](#) **Northern Illinois Municipal Electric Cooperative (NIMEC) To Obtain Bids From Electricity Providers**
Authorizing NIMEC to serve as the broker for the Village in regard to obtaining bids from electricity providers and authorizing the Village Manager or Director of Finance to approve a contract with the lowest cost electricity provider.

This Resolution was adopted on the Consent Agenda

Enactment No: R 50-15

- Z. [150288](#) **Disbanding Electric Reliability and Lombard Hotel Conference Center Ad Hoc Committees**
Resolution disbanding the Electric Reliability and Lombard Hotel Conference Center AdHoc Committees.

This Resolution was adopted on the Consent Agenda

Enactment No: R 51-15

Other Matters

- AA. [150261](#) **FY2015 Sewer Lining & Backyard Sewer Lining**
Award of a contract to SAK Construction, LLC, the lowest responsible bidder of four (4) bids, in the amount of \$171,266.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

- BB. [150270](#) **Bulk Salt Purchase for Road Salt 2014-2015, Change Order No. 1**
Reflecting an increase to the contract with Morton Salt, Inc. in the amount of \$21,250.00.

This Bid was approved on the Consent Agenda

- CC. [150274](#) **Microsoft Surface Tablets**
Request for a waiver of bids and authorization to purchase seventeen Microsoft Surface tablet computers and accessories, not to exceed \$24,200.00, to replace existing Public Works desktops for mobile Public Works staff. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- DD. [150282](#) **FY2015 Bituminous Mix Purchase**
Request for a waiver of bids and award of a contract to DuPage Materials Company in an amount not to exceed \$274,866.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- EE.** [150287](#) **FireHouse Program Upgrade**
Request for a waiver of bids and award of a contract to FireHouse Software in an amount not to exceed \$27,350 for the upgrade, additional modules and continued complete system support for the Fire Department reporting system as required by the National Fire Incident Reporting System operated by FEMA. Public Act 85-1295 does not apply.
This Bid was approved on the Consent Agenda
- EE-2.** [150278](#) **Hammerschmidt Parking Lot Extension**
Award of a contract to Kee Construction, the lowest responsible bid of five (5) bidders, in the amount of \$885,506.06. Bid in compliance with Public Act 85-1295. (DISTRICT #4)
This Bid was approved on the Consent Agenda
- EE-3.** [150289](#) **Additional Repairs for Well 10**
Request for a waiver of bids and award of a contract to Layne Christenson Company in an amount not to exceed \$32,992.00. Public Act 85-12915 does not apply. (DISTRICT #6)
This Bid was approved on the Consent Agenda
- FF.** [150250](#) **810 E. Butterfield Road (Dick's Sporting Goods)**
Motion granting an extension of a temporary special event permit for Dick's Sporting Goods for the period from June 26 to July 12, 2015. (DISTRICT #3)
This Request was approved on the Consent Agenda
- GG.** [150257](#) **Appointments - Standing Committee Chairperson and Alternate Chairpersons**
Appointment of Chairpersons and Alternate Chairpersons to the six Advisory Committees and the Lombard Pride Committee.
This Appointment was approved on the Consent Agenda
- HH.** [150292](#) **Lombard Pride Committee - Appointments**
Appointment of Ellen Bachner, Brittney Conway, Bob Difino, Jenelle Hardtke, Jeffrey Lenz, Melissa Schmitz, Yvonne Invergo (Chamber representative), Dave Kundrot (Park District representative) and Dana Schwiewe (Student representative) to the Lombard Pride Committee.
This Appointment 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)

- A. [150245](#) **Budget Amendment Ordinance (Waiver of First Requested) (2/3 Vote Required)**
FY 2014 final budget amendment.
- Village Manager Scott Niehaus indicated the largest increase in the budget amendment was \$171,160 related to the Glenbard Wastewater Authority and is based on contributions from Lombard and Glen Ellyn for flow usage. Historically, Lombard has had 54% and Glen Ellyn has had 47% of the flow. This amount reflects the adjusted percentages.

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that this Ordinance be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7097

- B. [150281](#) **Amending the Budget Ordinance**
Recommendation that the Village Board not adopt an Ordinance amending the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A Bonds and the Series 2005-B Bonds for the Hotel and Conference Center, in response to the request from the Lombard Public Facilities Corporation to do so. (2/3 Vote Required)

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Village Board not adopt an Ordinance amending the Budget Ordinance to appropriate for the Debt Service for the Series 2005-A Bonds and the Series 2005-B Bonds for the Hotel and Conference Center, in response to the request from the Lombard Public Facilities Corporation to do so. The motion carried by the following vote:

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

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 18, 2015 in the Board Room of the Lombard Village Hall be adjourned at 8:31 p.m. The motion carried by the following vote:

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