

# Village of Lombard

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



## Minutes

**Thursday, January 17, 2013**

**7:30 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

*Acting Village President Bill Ware*

*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 held on Thursday, January 17, 2013 in the Board Room of the Lombard Village Hall was called to order by Acting Village President Bill Ware at 7:30 p.m. Village Clerk O'Brien led the Pledge of Allegiance.

## II. Roll Call

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Staff Present:  
Village Manager David Hulseberg  
Director of Finance Tim Sexton  
Director of Community Development Bill Heniff  
Director of Public Works Carl Goldsmith  
Deputy Chief of Police Pat Rollins  
Fire Chief Paul DiRienzo  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

[130014](#)

### **Swearing-in - Acting Village President Bill Ware**

Village Clerk O'Brien issued the Oath of Office for Acting Village President to Trustee Bill Ware.  
Bill Ware introduced his family and thanked the Village Board for their support.

[130004](#)

### **Proclamation - Fitness February**

Village Clerk Brigitte O'Brien read the proclamation for Fitness February.  
Acting President Ware called Jay Wojcik and other members of Healthy Lombard to the front.  
Jay Wojcik thanked the Village and introduced participants and supporters of Fitness February and Healthy Lombard. She noted that the Fitness February event will be held on February 16th from 10 am to 2 pm at Yorktown.

[130019](#)**Proclamation - Eagle Scout Day**

Village Clerk Brigitte O'Brien read the proclamation for Eagle Scout Day.

Acting President Ware called Trustee Peter Breen, who achieved the rank of Eagle Scout, to the front.

Trustee Breen indicated he was accepting the proclamation on behalf of the Three Fires Council.

**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 December 20, 2012 and the Minutes of the Regular Meeting of January 3, 2013 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**

No report

**Economic/Community Development Committee - Trustee Peter Breen, Chairperson**

Trustee Peter Breen, Chairperson of the Economic and Community Development Committee, reported the committee had met. The committee recommended not moving forward with a satellite Village office in the downtown especially with the elimination of Village vehicle stickers. He noted the committee had received a good response with regard to outdoor dining and recommends expansion of this program. He indicated the Game Watch event in downtown Lombard went well and Lombard Town Centre will look at doing other events similar to that one. He stated a proclamation was read during the meeting recognizing Chris Stilling for his hard work and dedication. The next meeting is scheduled for February 11th.

**Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson**

No report

**Finance Committee - Trustee Greg Gron, Chairperson**

No report

**Public Works Committee - Trustee Bill Ware, Chairperson**

No report

**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 the current Noise Ordinance and concurred with not making any changes at the current time. The committee also reviewed a request for temporary no parking on Park Avenue for events such as the Craft Fair and Cruise Nights. He noted that IDOT will be upgrading the LED lighting with battery back-ups and spoke about pre-emption of the signals at the railroad crossing at Elizabeth. The next meeting will be February 4th.

**Board of Local Improvements - Trustee Greg Gron, President**

No report

**Community Promotion & Tourism - Trustee Laura Fitzpatrick, Chairperson**

No report

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

No report

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

Village Manager Hulseberg spoke about an article in the Daily Herald regarding the per capita taxes in communities, and how Lombard came in significantly lower than many area communities. He spoke of comparing apples to apples and how some communities may have their own fire protection districts, etc. that could cause some of the calculations to be higher or lower.

Trustee Giagnorio thanked Trustee Breen for his work as Acting Village President for the last three months and wished Trustee Ware good luck in his role as Acting Village President for the next three months.

Acting President Ware thanked Trustee Breen for his service as Acting Village President.

Acting President Ware congratulated Carol Bauer on the success of

the last Blood Drive held on January 16th with 197 pints of blood donated with 19 deferrals. He noted that will help nearly 600 people.

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [120654](#)      **Approval of Accounts Payable**  
For the period ending December 21, 2012 in the amount of \$723,284.20.  
  
approved on the consent agenda
  
- B. [120655](#)      **Approval of Village Payroll**  
For the period ending December 15, 2012 in the amount of \$791,070.47.  
  
This Payroll/Accounts Payable was approved on the Consent Agenda
  
- C. [130000](#)      **Approval of Accounts Payable**  
For the period ending December 31, 2013 in the amount of \$327,000.22.  
  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- D. [130002](#)      **Ordinance Amending Title 9, Chapter 97, Section 97.200 of the Lombard Village Code with Regard to Permits for Overweight and/or Overdimension Vehicles on Village Streets**  
Ordinance amending the Lombard Village Code reflecting changes to the Illinois Vehicle Code that became effective on January 1, 2010. Staff is requesting a waiver of first reading.  
  
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda  
  
Enactment No: Ordinance 6789

- E. [130008](#) **Ordinance Amending Title 3, Chapter 31 of the Lombard Village Code with regard to Term Limits for Elected Officials**  
Amending the terms of office for those persons elected to the offices of Village President, Village Clerk or Trustee at the April 9, 2013 consolidated election and each election for any of said offices thereafter, stipulating that no person may serve more than three consecutive four year terms in the same office.  
**This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**  
Enactment No: Ordinance 6790
- F. [130009](#) **Ordinance Amending Title 11, Chapter 112, Section 112.13 of the Lombard Village Code in regard to Alcoholic Beverages**  
Revising the Class A/B-I liquor license category reflecting the closing of Famous Dave's located at 206 Yorktown. (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 6791
- G. [130010](#) **Ordinance Amending Title 11, Chapter 112, Section 112.13 of the Village Code with regard to Alcoholic Beverages**  
Revising the Class A/B-I liquor license category reflecting the issuance of a Class A/B-I liquor license to Maxfield's Pancake House located at 352 E. Roosevelt Road. (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 6792

### Other Ordinances on First Reading

### Ordinances on Second Reading

- H. [120624](#) **Arboretum Drive, Yield Signs**  
Request to install yield signs at the intersections of Arboretum Drive with Lincoln and Edson Streets. (DISTRICT #3)  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 6793

### Resolutions

- I. [120677](#) **2012 B Sanitary Sewer Lining, Final Balancing Change Order No. 2**  
Resolution authorizing a decrease to the contract with Visu-Sewer of Illinois LLC in the amount of \$1,435.00 to adjust the contract quantities

to reflect final measured quantities in the field. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: Resolution 74-13

J. [130003](#)

**Annual Geotechnical Engineering, Construction Material Testing and Environmental Services Contract**

Authorizing exercising the option to renew the current agreements for FY2013 with Testing Services Corporation, Seeco Consultants and Terracon Consultants for a total not to exceed \$150,000.00 for Geotechnical Engineering, Construction Material Testing and Environmental Services Contracts. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: Resolution 75-13 76-13 77-13

K. [130007](#)

**IDOT Agreement for Traffic Signal Improvements; LED and Battery Back-up Equipment**

Authorization to enter into an Agreement with the Illinois Department of Transportation to share the cost of traffic signal improvements at ten various intersections within the Village of Lombard by paying for each approach leg's share of ten percent of the signal upgrades and associated engineering for a total cost of \$10,486.85. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: Resolution 78-13

L. [130011](#)

**2233 S. Highland Avenue (Yorktown Green Parking Garage)**

Resolution accepting the public watermain and fire hydrants for the project known as the Yorktown Green Parking Garage located at 2233 S. Highland Avenue. (DISTRICT #3)

Enactment No: Resolution 79-13

**Other Matters**

M. [130012](#)

**Water Meters & Accessories**

Request for a waiver of bids and award of a contract to HD Supply Waterworks for the purchase of water meters and accessories in an amount not to exceed \$22,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

**This Bid was approved on the Consent Agenda**

N. [130013](#)

**CA-6 Coarse Aggregate**

Request for award of a contract to Koz Trucking, Inc., the lowest responsible bid of five bidders, in an amount not to exceed \$29,540 for the purchase of Coarse Aggregate. Bid in compliance with Public Act

85-1295. (DISTRICTS - ALL)

**This Bid was approved on the Consent Agenda**

O. [120665](#)

**Commercial Corridor Snow Removal Policy**

Proposed modifications to the Policy in order to ensure that the public sidewalks in the commercial corridors are kept free of all snow and ice to maintain the safety of those conducting business in Lombard.  
(DISTRICTS #1, #4 & #5)

**This Request was approved on the Consent Agenda**

P. [130005](#)

**Event Signage Request, Lombard Baseball League**

Request from the Lombard Baseball League to place temporary banners on Village owned property for the promotion of their registration from January 8, 2013 through January 21, 2013.

**This Request was approved on the Consent Agenda**

### **Approval of the Consent Agenda**

**A motion was made 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)**

\*A. [120676](#)

**Ordinance Amending Title 3, Chapter 31 of the Lombard Village Code in Regard to Village President (Tabled January 3, 2013)**

Revising Title 3, Chapter 31 of the Village Code in regard to the selection of a President Pro-Tem and Temporary Chairman.

Acting President Bill Ware indicated that he had met with Village Attorney Tom Bayer and asked for further clarification on the proposed ordinance.

Village Attorney Tom Bayer indicated that the proposed ordinance appoints a President Pro-Tem and Temporary Chairperson if there were a vacancy.

Trustee Breen noted that he had attended the DuPage Mayors and Managers Conference meeting the night before and had spoken to Mayors with regard to this proposed ordinance. He spoke of the situation with West Chicago Mayor Mike Fortner who was elected to the position of State Representative and the smooth transition that followed after the appointment. He spoke of the former Mayor of West Chicago who had passed away suddenly. He indicated there was movement to change State law with regard to this matter and how it



may takes years to get this change adopted. He spoke of the embarrassment of the Village Board when they were going through the process of selecting an Acting Village President after the death of President Mueller. He stated he hopes that it never happens in the Village again where a replacement is needed, but if that does occur, he felt having a plan in place for the appointment was necessary. He felt it was the current Village Board's job to have a policy in place. Trustee Giagnorio indicated that the problem was with the split Board and voting.

Village Attorney Bayer stated the ordinance, if adopted, would take effect after the new Board is sworn into office.

Trustee Breen spoke of the idea of selecting a Trustee to serve as Acting Village President if the President were unable to attend a meeting instead of defaulting to the senior trustee.

Trustee Giagnorio stated he wanted the residents to know that this proposed ordinance was not a cure all.

Trustee Giagnorio moved that the proposed ordinance be tabled to the first meeting in June so that the new Village Board could review this and make a decision. He did not feel that it was fair to saddle a new Board with a policy that they had not given their input on with regard to the selection of an Acting Village President.

**A motion was made by Trustee Keith Giagnorio, seconded by Trustee Greg Gron, that this Ordinance be tabled to the first meeting in June. The motion failed by the following vote:**

**Aye:** 3 - Greg Gron, Keith Giagnorio, and Bill Ware

**Nay:** 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

Trustee Fitzpatrick felt that what the Village Board has in place is broken and that this needed to be fixed. She felt that the most tenured person may not be the best person to take over as Acting Village President. She spoke of Trustee Ware not being the most tenured nor the least tenured. She spoke of making a choice before emotions are involved in the selection process and before the need arises. She felt waiting was not a good choice and felt the Village Board should make a decision.

Trustee Wilson felt the Board would not change dramatically after the upcoming election.

Trustee Breen moved that a selection of an Acting Village President be made with sixty (60) days following each election.

A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, that this Ordinance as proposed to select an Acting Village President within sixty (60) days following an election, be waived of first reading and passed on second reading with suspension of the rules. The motion failed by the following vote:

**Aye:** 2 - Peter Breen, and Laura Fitzpatrick

**Nay:** 3 - Greg Gron, Keith Giagnorio, and Zachary Wilson

## **Other Ordinances on First Reading**

## **Ordinances on Second Reading**

## **Resolutions**

## **Other Matters**

## **X. Agenda Items for Discussion**

## **XI. Executive Session**

A motion was made by Trustee Greg Gron, seconded by Trustee Keith Giagnorio, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 17, 2013 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 8:12 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. 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 January 17, 2013 in the Board Room of the Lombard Village Hall was called to order by Acting President Bill Ware at 8:44 p.m.

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

## **XIII Adjournment**

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**A motion was made by Trustee Zachary Wilson, seconded by Trustee Peter Breen, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 17, 2013 in the Board Room of the Lombard Village Hall be adjourned at 8:45 p.m. The motion carried by the following vote:**

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