

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: November 15, 2010 (B of T) Date: December 2, 2010
TITLE: Ordinance Amending the Village Code – Chapter 39 & Chapter 40
SUBMITTED BY: Carl Goldsmith, Director of Public Works *CJ*

BACKGROUND/POLICY IMPLICATIONS:
The Department of Public Works transmits for your consideration an Ordinance that creates the Department of Public Works and the Department of Community Development. Staff review found that the departments had never been formally created, but existed through the creation of the respective Directors of the departments, as well as through reference. This Ordinance simply provides guidance as to the formal responsibilities of the departments.

FISCAL IMPACT/FUNDING SOURCE:

NONE

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



November 15, 2010

TO: Village President and Board of Trustees

THROUGH: David A. Hulseberg, Village Manager

FROM: Carl S. Goldsmith, Director of Public Works *Cy*

SUBJECT: Ordinance Amending the Village Code - Chapter 39 & Chapter 40

BACKGROUND

At the direction of the Village Manager, the Public Works and Community Development Departments have been working towards the transfer of oversight of municipal facilities from Community Development to Public Works. The transfer would include the transfer of personnel and resources and is intended to provide a more centralized process of managing and maintaining the facilities. As part of the process, all applicable sections of the Municipal Code were reviewed to ensure that the change to the facility management was consistently applied. Upon review, it was determined that neither the Public Works Department, nor the Community Development Department, is formally created in the Code. The positions of Public Works Director and Community Development Director are referenced in several sections of the Code; however the actual departments and subsequent functions have not been codified. The attached Ordinance provides for the establishment of the Public Works Department under Chapter 39 and the establishment of the Community Development Department under Chapter 40. The duties and responsibilities of the departments and the directors thereof are set forth in the Code.

The Public Works Department will formally assume responsibility for oversight and management of the facilities on January 1, 2011. All personnel assigned to facility maintenance will report to the Facility Coordinator, who will report to the Public Works Operations Superintendent. All employees of the Village entrusted with care of the facilities will be assigned to the Public Works Department and future budgets will reflect the change.

The primary objective of the restructuring is greater coordination of contracts and centralization of the function. Many of the contracts for services (i.e. HVAC, landscaping) are already managed by Public Works. Rather than having individual departments bidding and in some cases duplicating efforts, a Facilities Committee will meet to plan and develop capital projects and facility improvements. This group will be comprised of a representative from each operating department. The group's actions and work should minimize issues of duplication and maximize the Village investments through joint purchasing and coordinated bidding.

This plan is consistent with the anticipated restructuring of the Public Works Department.

STAFF RECOMMENDATION

The staff recommends the Village Board adopt "AN ORDINANCE AMENDING TITLE 3 OF THE LOMBARD VILLAGE CODE IN REGARD TO THE PUBLIC WORKS AND COMMUNITY DEVELOPMENT DEPARTMENTS."

ORDINANCE _____

**AN ORDINANCE AMENDING TITLE 3 OF THE LOMBARD VILLAGE
CODE IN REGARD TO THE PUBLIC WORKS AND COMMUNITY
DEVELOPMENT DEPARTMENTS**

WHEREAS, the Village of Lombard maintains a Village Code; and

WHEREAS, among other things, the Village Code is intended to set forth the roles and responsibilities of Village Departments and employees; and

WHEREAS, selected roles and responsibilities of the Public Works and Community Development Departments are enumerated throughout the Village Code; however, the complete enumeration of said roles and responsibilities are not currently set forth therein; and

WHEREAS, the President and Board of Trustees deem it reasonable to make necessary text amendments to the Village Code to enumerate said roles and responsibilities of the Public Works and Community Development Departments;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County Illinois, as follows:

SECTION 1: That Title 3 of the Lombard Village Code is hereby amended by adding a new Chapter 39 thereto, which shall read in its entirety as follows:

**“CHAPTER 39
PUBLIC WORKS DEPARTMENT**

SECTION:

- 39.01 Creation; Composition
- 39.02 Appointment of Director of Public Works
- 39.03 Director of Public Works; General Powers and Duties
- 39.04 Director of Public Works; Specific Powers and Duties

§ 39.01 CREATION; COMPOSITION.

The Public Works Department of the Village is hereby created and established. It shall consist of a Director of Public Works and such other employees as may be provided for by the Corporate Authorities of the Village.

§ 39.02 APPOINTMENT OF DIRECTOR OF PUBLIC WORKS.

The Village Manager is authorized to appoint and remove the Director of Public Works as set forth within the adopted Village Human Resource Manual. The Village is a statutory manager form of government, meaning that the Village Manager can hire and fire department heads without the need for Village Board approval.

§ 39.03 DIRECTOR OF PUBLIC WORKS; GENERAL POWERS AND DUTIES.

The Director of Public Works shall have the control of the Public Works Department, the members thereof, and the care and custody of all building, infrastructure and equipment belonging to the Village. The Director of Public Works shall promulgate such orders, rules, and regulations for the conduct of the Public Works Department and the members thereof, as allowed by law, as he/she shall deem fit and proper.

§ 39.04 DIRECTOR OF PUBLIC WORKS; SPECIFIC POWERS AND DUTIES.

The Director of Public Works shall be in charge of all public works activities including, but not limited to, facility maintenance, fleet management, engineering, refuse and recycling, and design and construction of public improvements. In addition to those duties assigned by the Corporate Authorities or the Village Manager, the Director of Public Works shall be responsible for:

- (A) The engineering, design, supervision and construction of all public improvements including, but not limited to, paving, sidewalks, storm drainage systems, water supply and distribution systems, traffic control and other municipal engineering improvements;
- (B) On-site supervision of the construction of public improvements;
- (C) The submittal of technical engineering reports, ordinances and regulations as required;
- (D) The preparation of preliminary cost estimates for public improvements;
- (E) The maintenance and supervision of all work on Village owned property; including all streets, parkways, sidewalks, municipal buildings and all other property of the Village not specifically assigned to some other officer or employee;
- (F) The care, maintenance and operation of the Village water distribution system, the street lighting system and all streets and sidewalks and the drainage thereof;
- (G) The maintenance of any pavement, building, lighting system, sanitary sewer system, water mains and any appurtenances thereto, and all other maintenance work conducted by the Village;

- (H) The supervision of the collection and disposal of refuse, recycling and yardwaste;
- (I) The condition of all motor vehicles and other equipment of the Village, and of all buildings or places in which the same are housed or kept;
- (J) The performance of such other duties and functions as shall from time to time be provided for in this Code, as a responsibility of the Public Works Department;
- (K) The administration of Chapters 50 and 51 of the Code;
- (L) The presentation of a Capital Improvement Plan to the Public Works Committee and Corporate Authorities in accordance with applicable Village policies; and
- (M) The providing of staff support assistance to other departments, as well as the Public Works Committee, the Board of Local Improvements, the Environmental Concerns Committee, the Transportation and Safety Committee and other committees that address public works activity within the Village.”

SECTION 2: That Title 3, Chapter 40 of the Lombard Village Code is hereby amended by adding a new Chapter 40 thereto, which shall read in its entirety as follows:

“CHAPTER 40
COMMUNITY DEVELOPMENT DEPARTMENT

SECTION:

- 40.01 Creation; Composition
- 40.02 Appointment of Director of Community Development
- 40.03 Director of Community Development; General Powers and Duties
- 40.04 Director of Community Development; Specific Powers and Duties

§ 40.01 CREATION; COMPOSITION.

The Community Development Department of the Village is hereby created and established. It shall consist of a Director of Community Development and such other employees as may be provided for by the Corporate Authorities of the Village.

§ 40.02 APPOINTMENT OF DIRECTOR OF COMMUNITY DEVELOPMENT.

The Village Manager is authorized to appoint and remove the Director of Community Development as set forth within the adopted Village Human Resource Manual. The Village is a statutory manager form of government, meaning that the Village Manager can hire and fire department heads without the need for Village Board approval.

§ 40.03 DIRECTOR OF COMMUNITY DEVELOPMENT; GENERAL POWERS AND DUTIES.

The Director of Community Development shall have the authority and responsibility to control the Community Development Department, and its respective employees. The Director of Community Development shall promulgate such orders, rules, and regulations for the conduct of the Community Development Department and the members thereof, as allowed by law, as to he/she shall deem fit and proper.

§ 40.04 DIRECTOR OF COMMUNITY DEVELOPMENT; SPECIFIC POWERS AND DUTIES.

The Director of Community Development shall be in charge of all community development activities including, but not limited to, contributing to the development, redevelopment, maintenance and enhancement of the quality of life for residents and businesses in the Village. In addition to those duties assigned by the Corporate Authorities or the Village Manager, the Director of Community Development shall be responsible for:

- (A) Providing staff assistance to residents, tenants and property owners through the processing, review, approval and inspection of private development plans and projects;
- (B) Administering the provisions set forth within the Title 15 of the Code as well as any other duties assigned to the Department of Community Development or Director of Community Development, pursuant to other provisions of the Code;
- (C) Providing for the monitoring, inspection and/or enforcement of the Building Code, Zoning Ordinance, Sign Ordinance and applicable sections of the Municipal Code dealing with nuisances, including code violation investigation, issuance of citation and/or violation notices, and processing same for court or administrative adjudication action when necessary;
- (D) Promoting the sound growth and development of the Village through the development and administration of the Village Comprehensive Plan;
- (E) Overseeing and implementing the activities and recommendations pertaining to the physical growth of the Village through establishment of an annexation strategy plan, as well as administering the extraterritorial jurisdictional rights of the Village as set forth within the Illinois Compiled Statutes;
- (F) Serving as the Building Commissioner of the Village;
- (G) Advancing the economic viability of the Village through the administration of economic development plans and programs including, but not limited to, Tax Increment Finance (TIF) District activities, grant programs, and development

agreements;

- (H) Facilitating intergovernmental cooperation and the coordination of the Village's interaction with private, local and regional transportation agencies serving the public transportation needs of the community;
- (I) Providing staff support assistance to other departments as well as the Zoning Board of Appeals, the Plan Commission, the Economic and Community Development Committee, the Board of Building Appeals, the Electrical Commission, the Historical Commission and other established committees that address development activity within the Village;
- (J) Administering the relevant provisions of the DuPage County Development and Stormwater Ordinance pertaining to private development activity in the Village;
- (K) Managing the proper design and installation of private infrastructure and public improvements associated with private development activity;
- (L) Administering Village grant programs designed to address private stormwater drainage concerns; and
- (M) Coordinating and managing activities associated with the Village's Geographic Information Systems (GIS)."

SECTION 3: That this Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2010.

First reading waived by action of the Board of Trustees this ____ day of _____, 2010.

Passed on second reading this ____ day of _____, 2010, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2010.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this _____ day of _____, 2010.

Brigitte O'Brien, Village Clerk