

Village of Lombard

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



Minutes

Thursday, October 15, 2020

7:00 PM

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

*Trustees: Dan Whittington, District One; Anthony Puccio, District Two;
Reid Foltyniewicz, District Three; Andrew Honig, District Four;
Dan Militello, 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, October 15, 2020 in the Board Room of the Lombard Village Hall was called to order at 7:00 pm by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

- 7 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello
- 1 - Bill Ware

Present and in the Board Room:
Village President Keith Giagnorio
Village Clerk Sharon Kuderna
Trustee Dan Whittington
Trustee Anthony Puccio
Trustee Reid Foltyniewicz

Via conference call in:
Trustee Andrew Honig
Trustee Dan Militello

Absent:
Trustee Bill Ware

Staff Present:
Village Attorney Tom Bayer
Village Manager Scott Niehaus
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Roy Newton
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas

Via conference call in:
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Dan Whittington, seconded by Trustee Anthony Puccio, that the minutes of the Special Meeting of October 1, 2020 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

VI. Committee Reports

Community Promotion & Tourism - Trustee Andrew Honig, Chairperson

No report

Community Relations Committee - Trustee Dan Militello, Chairperson

No report

Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson

Trustee Anthony Puccio, Chairperson of the Economic & Community Development Committee, reported:

At last Monday's Economic and Community Development Committee meeting, the following actions were taken:

Hoffmann Group/Northern Seminary Redevelopment

Staff introduced an economic incentive discussion associated relative to the former Northern Theological Seminary property at 600 E. Butterfield Road. With the proposed redevelopment of the property as a mixed-use commercial site, which will include Golf Social, Morettis fuel center and residential components, the ECDC discussed general parameters of the Villages previously adopted Economic Incentive Policies. The ECDC provided direction to staff accordingly on possible incentive parameters of an Agreement, if warranted.

Humane Animal Ordinance Discussion

The ECDC received an update from staff on past actions and direction from the ECDC from the September ECDC meeting as it pertains to Animal Care provisions.

Staff also presented an update on past projects before the ECDC and pending development. The presentation also included updates regarding the departments on-line permit process.

The next meeting of the ECDC will be on November 9.

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

No report

Public Works & Environmental Concerns Committee - Trustee Bill Ware, Chairperson

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna

No report

VII. Village Manager/Village Board/Village Clerk Comments

Village President Keith Giagnorio noted that early voting has already started and urged residents to get out and vote.

Village Clerk Sharon Kuderna read the following announcements:

The deadline to complete the 2020 Census has been moved to today, October 15th. This is your final opportunity to complete the 2020 Census by midnight tonight at www.my2020census.gov or by calling 844-330-2020. Census data will be used to determine how much funding the Village of Lombard receives from the Federal and State Government. The data will also be used to determine legislative districts, which will affect federal, state and local representation. Anyone who has not completed the 2020 Census is urged to Get Counted before time runs out.

The Village would like to thank all Lombard residents who have completed the Census, and to our community partners, who have helped encourage residents to complete the census.

For those participating in Halloween trick-or-treating, recommended hours are 4:00 pm until 7:00 pm. Wearing facemasks, social distancing and trick-or-treating in small groups is recommended. More information can be found at www.villageoflombard.org/halloween.

While Halloween celebrations may be different this year, many ghosts and ghouls will still be on the “haunt” for a frighteningly good time. Lombard Police will have extra enforcements on the road from October 17th - November 2nd, cracking down on drunk and impaired drivers. Drive sober or get pulled over!

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [200314](#) **Approval of Village Payroll**
For the period ending September 26, 2020 in the amount of \$816,182.22.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [200315](#) **Approval of Accounts Payable**
For the period ending October 2, 2020 in the amount of \$481,775.70.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [200331](#) **Approval of Accounts Payable**
For the period ending October 9, 2020 in the amount of \$940,716.44.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [200212](#) **Butterfield-Yorktown Tax Increment Financing District - Expansion of the Redevelopment Project Area and Second Amendment to the Amended Redevelopment Plan and Project in Relation Thereto - Final Ordinances**
1. AN ORDINANCE DESIGNATING THE VILLAGE OF LOMBARD BUTTERFIELD-YORKTOWN TAX INCREMENT FINANCING DISTRICT EXPANDED REDEVELOPMENT PROJECT AREA - The Ordinance expands the Redevelopment Project Area for the TIF District to include PINs 06-29-101-038, 06-29-101-046, 06-29-101-048 and 06-29-301-014, within the Yorktown Shopping Center area, at the Western end of the existing TIF District, along with additional intersections between Highland Avenue and the Yorktown Shopping Center internal roadway system. (Staff requests a waiver of first reading.)
 2. AN ORDINANCE APPROVING THE VILLAGE OF LOMBARD BUTTERFIELD-YORKTOWN TAX

INCREMENT FINANCING DISTRICT EXPANDED REDEVELOPMENT PROJECT AREA FURTHER AMENDED REDEVELOPMENT PLAN AND PROJECT - The Ordinance approves a Second Amendment to the TIF Redevelopment Plan and Project for the TIF District, which addresses the qualification of the area being added to the Redevelopment Project Area for the TIF District, as a "conservation area," the redevelopment of said added area, and amends the TIF Budget in relation thereto. (Staff requests a waiver of first reading.)

3. AN ORDINANCE ADOPTING TAX INCREMENT FINANCING FOR THE VILLAGE OF LOMBARD EXPANDED BUTTERFIELD-YORKTOWN TAX INCREMENT FINANCING DISTRICT - The Ordinance adopts Tax Increment Financing relative to the area being added to the Redevelopment Project Area for the TIF District. (Staff requests 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 7864, 7865, 7866 (Previously approved Ordinance 7859)

E. [200312](#)

Purchase of a One-Ton Dump Truck and an Ordinance Declaring Certain Municipal Vehicles as Surplus, and Authorizing the Sale Thereof

Request for a waiver of bids and award of a contract to Sutton Ford in the amount of \$38,856.00 for one new Ford F-550 chassis and request for a waiver of bids and award of a contract to Monroe Truck Equipment in the amount of \$45,454.00 to furnish and install the body and equipment on the chassis per specification. Also requested is approval of an Ordinance declaring Village Unit SM485, a 2011 Ford F-550 dump truck with attached plow, as surplus and authorizing its sale at public auction. Staff requests 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 7867

F. [200321](#)

Purchase of a Ford F-550 ALS Ambulance and an Ordinance Declaring Certain Municipal Vehicles as Surplus, and Authorizing the Sale Thereof

Request for a waiver of bids and award of a contract to Foster Coach in the amount of \$228,381.00. The vehicle will be purchased through the Suburban Purchasing Cooperative (SPC Contract #174), of which the Village is a member. Approval of an Ordinance declaring unit FM64, a 2012 Ford F-450 Horton Ambulance, as surplus and authorizing its sale. Staff requests 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 7868

F-2. [200344](#)

Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages

Decreasing the number of entries in the Class "A/B-II" liquor license category by one relative to Victory Pizza, LLC d/b/a Armands Victory Tap located at 203 Yorktown Mall, Suite 346, ceasing business operations. (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 7869

F-3. [200345](#)

Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages

Decreasing the number of entries in the Class "N-II" liquor license category by one relative Pavmar Enterprises Inc. d/b/a Praga located at 229 W. St. Charles Road ceasing business operations. (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 7870

Other Ordinances on First Reading

G. [200330](#)

An Ordinance Amending the Lombard Traffic Code (Ordinance No. 1186) to Delete Traffic Regulations, Already Covered by the Village's Incorporation of the Illinois Vehicle Code by Reference into the Lombard Traffic Code, and to Renumber and Edit the Remaining Sections and Schedules Within the Lombard Traffic Code as a Result of Said Deletions

The Ordinance amends the Lombard Traffic Code to eliminate outdated, inconsistent and/or redundant language as a result of the Village's adoption of the Illinois Vehicle Code by reference, increase the minimum fine for a violation to \$35.00 and to reserve certain unused sections for future use.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7883

Ordinances on Second Reading

Resolutions

- H. [200293](#) **Kelly Court Water Main Replacement Project, Change Order No.1**
Reflecting a net increase to the contract with John Neri Construction Company, Inc. in the amount of \$20,127.05. (DISTRICT #5)
This Resolution was adopted on the Consent Agenda
Enactment No: R 31-20
- I. [200300](#) **North Avenue Pressure Adjusting Station Rehab & Building Replacement, Phase 1, Design/Build Professional Engineering Support Services**
Approving an Agreement with Christopher B. Burke Engineering Ltd. in an amount not to exceed \$199,468.84. The project scope includes preparing final plans and specifications to be used for bidding purposes, as well as solicitation of pricing from qualified contractors to complete the work identified. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 32-20
- J. [200302](#) **Resolution Appointing Brian Witkowski as Stormwater Administrator**
Brian Witkowski has been newly hired as Private Development Engineer within the Department of Community Development, and will also be assuming the role of Stormwater Administrator for the Village. Request for approval of a resolution formally designating Brian Witkowski as the Stormwater Administrator per the provisions of the DuPage County Stormwater and Flood Plain Ordinance.
This Resolution was adopted on the Consent Agenda
Enactment No: R 33-20
- K. **200310 - Agreement Between the Village of Lombard and GovTempsUSA, LLC for Human Resources Services (moved to VIII-S)**
- L. [200336](#) **Agreement with Axon Enterprise, Inc. in Regard to Tasers for the Police Department**
Request for a waiver of bids and approval of a Five-Year Agreement with Axon Enterprise, Inc., the sole source provider for taser devices, supplies and equipment, and for 70 taser devices and supplies and equipment and training in relation thereto, at a cost of \$22,972.30 for year one, and \$50,400 for each subsequent year thereafter.
This Resolution was adopted on the Consent Agenda
Enactment No: R 34-20

Other Matters

- M.** [200039](#) **Approval of Development Services Inspection Consultant Services - Thomas Engineering Group Amendment**
Staff requests that the Village Board approve an amended professional services contract with Thomas Engineering Group to continue to perform engineering inspection activities on behalf of the Community Development Department for the 2020 calendar year, in the total not to exceed amount, for the entire 2020 calendar year, of \$310,000.00.
This Request was approved on the Consent Agenda
- N.** [200311](#) **Second Amendment to the Intergovernmental Agreement Between the Village of Lombard and the Glenbard Fire Protection District Relative to Fire Protection Services**
The Second Amendment to the Intergovernmental Agreement, which was approved by the Glenbard Fire Protection District at its September 22, 2020 Board meeting, provides the Village with the authority to enforce Fire Prevention Codes, provide fire equipment inspectional services and conduct plan reviews related to new development within the District.
This Request was approved on the Consent Agenda
- O.** [200313](#) **Request to Close the Village Hall to All Regular Business on Election Day, Tuesday, November 3, 2020**
Request for concurrence in the closure of Village Hall administrative offices to all regular business on Election Day, Tuesday, November 3, 2020.
This Request was approved on the Consent Agenda
- P.** [200328](#) **Facility Use Agreement - DuPage County Clerk Election Division**
Approving a Facility Use Agreement with the DuPage County Clerk Election Division for the use of Village Hall, 255 E Wilson, as a polling place on Election Day, November 3, 2020.
This Request was approved on the Consent Agenda
- Q.** [200329](#) **Facility Use Agreement - DuPage County Clerk Election Division**
Approving a Facility Use Agreement with the DuPage County Clerk Election Division for the use of the COP Center located at 32 Yorktown, as a polling place on Election Day, November 3, 2020.
This Request was approved on the Consent Agenda
- R.** [200332](#) **Appointment - Plan Commission**
Appointment of Kevin Walker to the Plan Commission to fill a vacancy created by the resignation of Ronald Olbrysh with a term to May 2021.

This Appointment was approved on the Consent Agenda

- S. [200310](#) **Agreement Between the Village of Lombard and GovTempsUSA, LLC for Human Resources Services**
 Request to waive bids and approve an Agreement between the Village of Lombard and GovTempsUSA, LLC for the provision of Human Resources assistance through February 26, 2021 with an option to extend through October 31, 2021 with an amount not to exceed \$45,000.
 This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Dan Whittington, seconded by Trustee Reid Foltyniewicz, to Approve the Consent Agenda The motion carried by the following vote

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- A. [200322](#) **An Ordinance Amending Title III, Chapter 36 of the Lombard Village Code in Regard to Late Fees, Interest and Penalties on Monetary Amounts Owned to the Village, in Light of the COVID-19 Pandemic**
 Ordinance adding a new Section 36.08 to the Lombard Village Code, which extends the freeze, relative to the imposition of late fees, interest and penalties, on monetary amounts due the Village, through December 31, 2020. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)

A motion was made by Trustee Anthony Puccio, seconded by Trustee Dan Whittington, that the Ordinance Amending Title III, Chapter 36 of the Lombard Village Code in Regard to Late Fees, Interest and Penalties on Monetary Amounts Owned to the Village, In Light of the COVID-19 Pandemic be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 6 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

Enactment No: Ordinance 7871

- B.** [200323](#) **An Ordinance Amending Title IX, Chapter 94 of the Lombard Village Code in Regard to Violations of Gubernatorial Executive Orders, In Light of the COVID-19 Pandemic**
Ordinance adding a new Section 94.26 to the Lombard Village Code, which makes it unlawful for any person to violate the provisions of any of the Executive Orders issued by Governor Pritzker, in furtherance of the Disaster Proclamation he issued relative to the COVID-19 pandemic. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)
- A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the Ordinance Amending Title IX, Chapter 94 of the Lombard Village Code in Regard to Violations of Gubernatorial Executive Orders, in Light of the COVID-19 Pandemic be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**
- Aye:** 6 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello
- Absent:** 1 - Bill Ware
- Enactment No: Ordinance 7872
- C.** [200324](#) **An Ordinance Amending Title XI, Chapter 119.22 of the Lombard Village Code in Regard to Outdoor Dining Areas on Private Property, in Light of the COVID-19 Pandemic**
Ordinance adding a new Section 119.22(K) to the Lombard Village Code, which allows for the use of parking spaces on private property, for outdoor dining purposes in relation to a restaurant, with the approval of the Director of Community Development, even if by doing so the required parking for the restaurant is no longer provided, for so long as full occupancy indoor dining is prohibited. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)
- A motion was made by Trustee Anthony Puccio, seconded by Trustee Reid Foltyniewicz, that the Ordinance Amending Title XI, Chapter 119.22 of the Lombard Village Code in Regard to Outdoor Dining Areas on Private Property, in Light of the COVID-19 Pandemic be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**
- Aye:** 6 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello
- Absent:** 1 - Bill Ware
- Enactment No: Ordinance 7873
- D.** [200325](#) **An Ordinance Amending Title XI, Chapter 112 of the Lombard Village Code in Regard to the Sale of Alcoholic Liquor Packaged**

Goods and Cocktails to Go, in Light of the COVID-19 Pandemic

Ordinance adding a new Section 112.41 to the Lombard Village Code, which allows restaurants, with a liquor license that only permits the on-premises consumption of alcohol, to sell packaged goods and cocktails to go, for consumption off of the licensed premises, for so long as Governor Pritzker's Executive Orders, relative to the COVID-19 pandemic, prohibit the indoor occupancy of the restaurant at full capacity. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Anthony Puccio, that the Ordinance Amending Title XI, Chapter 112 of the Lombard Village Code in Regard to the Sale of Alcoholic Liquor Packaged Goods and Cocktails to Go, in Light of the COVID-19 Pandemic be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 6 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

Enactment No: Ordinance 7874

E. [200326](#)**An Ordinance Amending Title XI, Chapter 116 of the Lombard Village Code In Regard to the Extension of the Life of Certain Business Licenses, In Light of the COVID-19 Pandemic**

Ordinance adding a new Section 116.07 to the Lombard Village Code, to extend the business licenses issued in relation to liquor sales, video gaming, food handlers, pool tables, second hand dealers, food delivery vehicles, coin-operated amusement devices, movie theaters and antique dealers, that were up for renewal on July 1, 2020, through December 31, 2020 at no charge for the July 1, 2020 through December 31, 2020 time period. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)

A motion was made by Trustee Dan Whittington, seconded by Trustee Anthony Puccio, that the Ordinance Amending Title XI, Chapter 116 of the Lombard Village Code in Regard to the Extension of the Life of Certain Business Licenses, in Light of the COVID-19 Pandemic be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 6 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

Enactment No: Ordinance 7875

F. [200327](#)**An Ordinance Amending Title XV, Chapter 153, Section 153.237**

of the Lombard Village Code in Regard to Temporary Signs, in Light of the COVID-19 Pandemic

Ordinance adding a new Section 153.237(H) to the Lombard Village Code, which sets forth special temporary sign provisions that are applicable to the B3 Community Shopping District zoned portion of the area bounded by 22nd Street, Meyers Road, Butterfield Road and Highland Avenue, through January 31, 2021. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)

A motion was made by Trustee Anthony Puccio, seconded by Trustee Dan Whittington, that the Ordinance Amending Title XV, Chapter 153, Section 153.237 of the Lombard Village Code in Regard to Temporary Signs, in Light of the COVID-19 Pandemic be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 6 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

Enactment No: Ordinance 7876

G. [200334](#)

An Ordinance Amending Title XV, Chapter 153, Section 153.237(A) of the Lombard Village Code in Regard to Temporary Census Signs in the Parkway, In Light of the COVID-19 Pandemic

Ordinance adding a new Section 153.237(A)(4) to the Lombard Village Code, which allows the Village staff to place temporary signs in the parkway, relative to the 2020 Census, provided said temporary signs are removed within seven (7) days of the end of the 2020 Census data collection operations period. (2/3rds vote of the Corporate Authorities - 5 of 7 - is required, to cause the Ordinance to be effective immediately upon its passage and approval)

Village Manager Scott Niehaus noted that due to the fact that the time to file census information had expired, no action was necessary on this item.

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 Dan Whittington, seconded by Trustee Reid Foltyniewicz, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, October 15, 2020 in the Board Room of the Lombard Village Hall be adjourned at 7:21 p.m. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware