

Village of Lombard

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



Minutes

Thursday, December 1, 2016

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, December 1, 2016 was called to order by Village President Keith Giagnorio at 7:31 p.m. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

- 7 - Keith Giagnorio, Sharon Kuderna, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- 1 - Dan Whittington

Staff Present:
Village Manager Scott Niehaus
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, that the minutes of the regular meeting of November 17, 2016 be approved. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington

VI. Committee Reports

Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson

No report

Community Relations Committee - Trustee Robyn Pike, Chairperson

No report

**Economic/Community Development Committee - Trustee Bill Johnston,
Chairperson**

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, reported the committee had met and reviewed the 2017 Risk Management and Insurance Renewal Program and long term planning for revenues and expenditures for 2018. The Village's insurance agenda Mike Nugent was able to save the Village \$14,000. The next meeting is in January.

**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

**No Lombard Historical Commission
report**

No report

VII. Village Manager/Village Board Comments

Village Clerk Sharon read the following announcements:

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [160472](#) Approval of Accounts Payable

For the period ending November 10, 2016 in the amount of \$1,986,964.87.

This Payroll/Accounts Payable was approved on the Consent Agenda

B. [160478](#)

Approval of Village Payroll

For the period ending November 12, 2016 in the amount of \$800,985.17.

This Payroll/Accounts Payable was approved on the Consent Agenda

C. [160479](#)

Approval of Accounts Payable

For the period ending November 18, 2016 in the amount of \$1,112,894.52.

This Payroll/Accounts Payable was approved on the Consent Agenda

D. [160487](#)

Approval of Accounts Payable

For the period ending November 25, 2016 in the amount of \$853,678.72.

This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

E. [160470](#)

PC 16-25: Text Amendment to the Sign Ordinance

Recommendation from the Plan Commission that the Village of Lombard approve the following text amendment to the Sign Ordinance (Section 153 of the Code of Ordinances):

1. An amendment to Section 153.235(F), Shopping center identification sign, to change the setback of a shopping center identification sign from seventy-five (75) feet from the centerline of the adjacent road to five (5) feet from the property line.
(DISTRICTS - ALL)

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

Enactment No: Ordinance 7305

F. [160471](#)

PC 16-26: Sacred Heart Church School Playground

Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the R2PD Planned Development (Sacred Heart Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Sacred Heart Planned Development, as established by Ordinance No. 4936, as follows:
 - a. Amend the boundaries of the Planned Development to include the property identified as PIN 06-07-211-014, located behind the property at 336 W. Maple Avenue, for use as a playground

- associated with an existing school; and
- b. Amend the approval of a conditional use for a religious institution to include the property identified as PIN 06-07-211-014, located behind the property at 336 W. Maple Avenue, in order that it may be used as a playground associated with an existing school;
2. Pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance, approve a playground consisting of a playground structure associated with the existing school, based upon the submitted plans. (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 7306

Other Ordinances on First Reading

Ordinances on Second Reading

- G. [160461](#) **Ordinance Amending Title III, Chapter 30, Section 30.01 of the Lombard Village Code - Start Times of Regular Meetings of the Village Board**
Ordinance amending Village Code authorizing a change in the start time of Village Board meetings from 7:30pm to 7:00pm effective January 1, 2017.
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7307

Resolutions

- H. [160463](#) **Maintenance on State Maintained Right-of-Way**
Resolution enabling Village employees to perform maintenance work within State owned rights-of-way. (DISTRICTS - ALL)
This Resolution was adopted on the Consent Agenda
Enactment No: R 73-16

Other Matters

- I. [160473](#) **Facility Cleaning Services - Public Works, Village Hall & Police Buildings**
Request for a waiver of bids and award of a contract with Advanced Cleaning Systems, Inc. in an amount not to exceed \$39,291.24. Public Act 85-1295 does not apply. (DISTRICT #6)
This Bid was approved on the Consent Agenda

- J.** [160474](#) **Street Light Poles - Replacement Poles**
Request for a waiver of bids and authorization to purchase 25 street light poles from Ameron Pole Products in the amount of \$39,425.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda
- K.** [160481](#) **Roosevelt Road Water Main Lining, East Phase**
Award of a contract to Fer-Pal Construction USA, LLC, the lowest responsible bidder of two bids received, in the amount of \$4,273,162.10. Bid in compliance with Public Act 85-1295. (DISTRICTS #2 & #6)

This Bid was approved on the Consent Agenda
- L.** [160482](#) **HVAC Maintenance Contract PWO 1706**
Award of a contract to Season's Comfort, the lowest responsible bidder of three bids, in an amount not to exceed \$33,780.00 FY 2017, and \$34,778.00 FY 2018. Bid in compliance with Public Act 85-1295. (DISTRICTS #3, #4 & #6)

This Bid was approved on the Consent Agenda
- M.** [160483](#) **Street Light Maintenance Contract PWO 1705**
Award of a contract to H&H Electric Company, the lowest responsible bidder of three bidders, in an amount not to exceed \$38,003.40 FY 2017, and \$33,914.50 FY 2018. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda
- N.** [160484](#) **Tree and Stump Removal**
Request for a waiver of bids and approval to renew a contract with Ciosek Tree Service, Inc. in an amount not to exceed \$45,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda
- O.** [160485](#) **2017 Maintenance of Traffic Control Equipment, Contract Extension**
Request for a waiver of bids and award of the 2017 contract option to H&H Electric Company in the amount of \$52,081.20. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, to Approve the Consent Agenda The motion carried by the following vote

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

- A. [160476](#) **Ordinance Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code in regard to Alcoholic Beverages**
Decreasing the number of licenses in the Class "A/B-III" liquor license category by one to reflect the closing of Central Florida Restaurants Inc. d/b/a T.G.I. Friday's located at 601 E. Butterfield Road.
(DISTRICT #3)

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the Ordinance amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code with regard reducing the class A/B III liquor licenses due to the closure of T.G.I. Friday's be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington

Enactment No: Ordinance 7308

Other Ordinances on First Reading

- B. [160489](#) **First Amendment to the Woodmoor Development LLC Utility Service and Development Agreement**
Ordinance approving a First Amendment to a Utility Service and Development Agreement for the Ken-Loch Golf Course Property.
(UNINCORPORATED)
- Trustee Reid Foltyniewicz noted that Village staff spoke at length with the residents impacted by this development in the summer of 2015. Anyone can review past Village meetings via the Village website. This development is being constructed in unincorporated DuPage County, but impacts Lombard residents. The developer has agreed to assist with stormwater issues that impact the surrounding properties in exchange for being allowed to purchase Lombard water and sewer services. The project will commence later this year or next spring. Village staff will continue to update the residents on the progress of this development.
- Village Manager Scott Niehaus spoke of the Frequently Asked Questions page that had been prepared and noted the Village staff will be included in meetings relative to this development. The developer will hold a neighborhood meeting with staff and residents in late

February or early March.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the Ordinance approving the first amendment to the Woodmoor Development LLC Utility Service and Development Agreement be passed on first reading. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington

Enactment No: Ordinance 7315

Ordinances on Second Reading

Resolutions

- C. [160486](#) **Factum LLC - 115 W. St. Charles Road Parking Agreement (2/3 vote of Corporate Authorities required)**
Resolution approving a contract for the sale of parking easement and access easement rights at 109-115 West St. Charles Road.
(DISTRICT #1)

A motion was made by Trustee Robyn Pike, seconded by Trustee Bill Johnston, that the Resolution relative to the Factum LLC, 115 W. St. Charles Road, Parking Agreement be adopted. The motion carried by the following vote:

Aye: 6 - Keith Giagnorio, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington

Enactment No: R 74-16

Other Matters

- D. [160490](#) **Request for Fee Waiver - Sacred Heart School**
Consideration of fee waiver request from Sacred Heart School related to their Planned Development petition to construct a playground on their property. (DISTRICT #1)

Jim Leahy spoke on behalf of Sacred Heart relative to the request for a waiver of fees associated with their development project to construct a playground on their property. He noted that he was the Chairman of the Sacred Heart Finance Committee as well as the Buildings and Grounds Chairperson. He spoke of Sacred Heart doing fundraising for 18 months to raise money for the project. Once they saw that their

target was close, they proceeded, but were unaware of the fees associated with the Plan Commission hearing and had not budgeted for those fees. Thus Sacred Heart is a little short on the budget for the project. He noted that Sacred Heart recognizes that the residents should not be expected to pay for the playground and the Village should not waive any out-of-pocket expenses. Sacred Heart was just asking if there were any fees that could be waived, if the Village could consider waiving them, it would assist with the project.

Trustee Bill Ware spoke of setting a precedent and that he would not feel comfortable doing that.

Trustee Mike Fugiel agreed and noted that he could not support the request.

Trustee Bill Johnston spoke of the ECDC Committee reviewing the Village Code.

Trustee Reid Foltyniewicz inquired if the playground would be available for all residents and if it would be available during German Fest. He spoke of using public dollars for private use.

Jim Leahy responded no to both and noted that the playground will be fenced and the gate locked other than when a Sacred Heart representative was there to be able to oversee activities on the playground.

Attorney Tom Bayer noted that either a Board member could make a motion relative to the request or if no motion was made, the matter would die for lack of a motion.

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 1, 2016 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:53 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 and to discuss Salary Schedules for One or More Classes of Employees. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees

of the Village of Lombard held on Thursday, December 1, 2016 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:15 p.m. Upon roll call by Village Clerk Sharon Kuderna, the following were:

- 7 - Keith Giagnorio, Sharon Kuderna, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- 1 - Dan Whittington

XIII Adjournment

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A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 1, 2016 in the Board Room of the Lombard Village Hall be adjourned at 8:16 p.m. The motion carried by the following vote:

Aye: 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Absent: 1 - Dan Whittington