

Village of Lombard

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



Minutes

Thursday, April 1, 2021

6:00 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*

NOTICE IS HEREBY GIVEN THAT THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD WILL HOLD A REGULAR VILLAGE BOARD MEETING ON THURSDAY, APRIL 1, 2021, AT 6:00 P.M. AT THE LOMBARD VILLAGE HALL, BOARD ROOM, 255 EAST WILSON AVENUE, LOMBARD, ILLINOIS.

NOTICE OF MEETING MODIFICATION DUE TO COVID-19

In light of Public Act 101-0640, which created new Section 7(e) of the Open Meetings Act, and as a Disaster Declaration has been issued by the Governor of the State of Illinois relative to the COVID-19 pandemic, the Village President has determined that an in-person meeting of the Village Board, or a meeting conducted under the Open Meetings Act requirements, relative to a quorum of the members of the Village Board having to be physically present at a meeting when some members of the Village Board are participating remotely, is not practical or prudent because of the disaster. In this regard, members of the Village Board may be participating in the meeting through a virtual meeting platform.

Physical attendance at this public meeting will be capped to a maximum capacity of 50 persons in total, inclusive of Village officials, staff and consultants (whose physical attendance will be given precedence), with strict social distancing requirements in place. While the public is welcome to attend the meeting, and provide comments, in person, given capacity limitations and the COVID-19 pandemic, residents are invited to view and participate remotely through the means offered below. Residents may view the meeting live on television, at Comcast Channel 6 or AT&T Channel 99, or on online at www.villageoflombard.org/220/view-meetings-live.

Public comments may be submitted in advance of the meeting on the Village website at www.villageoflombard.org/publiccomment, via email to communications@villageoflombard.org or by calling and leaving a voicemail at (630) 620-5929. The Village requests that written comments be submitted to the Village by 4:00 p.m. on Thursday, April 1, 2021. Notwithstanding this request, all written comments received before the public comment portion of the agenda will be read into the public meeting record.

Individuals who wish to speak during the live meeting, other than in person, or wish to listen to the meeting by telephone should contact the Village by 5:00 p.m. on Thursday, April 1st by calling (630) 620-5929, on the Village website at www.villageoflombard.org/publiccomment or via email to communications@villageoflombard.org. Individuals who sign up to speak during the live meeting, other than in person, or listen to the meeting by telephone by

5:00 p.m. on Thursday, April 1st, will receive information about how to join the meeting by e-mail or phone, based upon their request, after the sign-up time ends.

The physical attendance restrictions in place for this meeting have been adopted to comply with Governor Pritzker's Executive Orders regarding social distancing and the need to maximize residential self-isolation to slow the spread of COVID-19 to the greatest extent possible.

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, April 1, 2021 in the Board Room of the Lombard Village Hall was called to order at 6:00 pm by Village President Keith Giagnorio. Village Manager Scott Niehaus led the pledge of Allegiance.

II. Roll Call

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

Trustee Anthony Puccio via remote

Staff Present:

Village Attorney Tom Bayer

Village Attorney Jason Guisinger

Village Manager Scott Niehaus

Director of Finance Tim Sexton

Director of Community Development Bill Heniff

Chief of Police Roy Newton

Fire Chief Richard Sander

Assistant Village Manager Nicole Aranas

Executive Coordinator Carol Bauer (remote)

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Militello, that the minutes of the regular meeting of March 18, 2021 be approved. The motion carried by the following vote:

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

No report

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 Clerk Sharon Kuderna read the following announcements: Waste Management's yard waste collection program begins April 5th and ends the second full week in December. Bundled brush, as well as paper bags and cans of leaves and grass, must have a yard waste sticker attached. For more information visit

villageoflombard.org/solidwaste

To save money and enrich soil, residents may prefer to mulch grass clippings or compost yard waste in a bin on their property. The Village's Compost Bin Reimbursement Program is available at villageoflombard.org/yardwaste. Waste management also offers an annual curbside collection program.

April is Distracted Driving Awareness Month across the nation, and the Lombard Police Department is urging drivers to drop their phones and focus on the road with a not-so-subtle reminder: "Phone in One Hand."

Ticket in the Other”.

The Spring Blood Drive is scheduled for Wednesday, April 14th at Yorktown Center from 8:00 am until 1:00 pm and at the First Church, 220 S. Main from 1:30 pm until 7pm. DO SOMETHING AMAZING - be a hero, donate blood.

EXCUSES NEVER SAVE A LIFE, HOWEVER BLOOD DONATIONS DO. Visit villageoflombard.org/blooddrive.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [210101](#) **Approval of Village Payroll**
For the period ending March 13, 2021 in the amount of \$898,782.98.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [210102](#) **Approval of Accounts Payable**
For the period ending March 19, 2021 in the amount of \$937,586.51.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [210108](#) **Approval of Accounts Payable**
For the period ending March 26, 2021 in the amount of \$928,231.50.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [210072](#) **PC 21-10: 1060 North DuPage Avenue - Conditional Use for an Athletic Learning Center - 10th Planet Lombard**
The Plan Commission transmits for your consideration its approval recommendation regarding the petitioner's request for a zoning conditional use pursuant to Section 155.420(C)(18) of the Lombard Village Code to allow for an athletic learning center to operate on the subject property in the I-Industrial District. (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 7938
- E. [210105](#) **Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
Ordinance increasing the number of authorized licenses in the Class "C" liquor license category by one and granting a Class "C" liquor license to Tsuki Sushi Inc. d/b/a Tsuki Sushi at 1005 E. St. Charles Road.

(DISTRICT #5)

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

Enactment No: Ordinance 7939

Other Ordinances on First Reading

F. [210062](#)

PC 21-09: Text Amendment to Chapter 154 of Village Code - Fees in Lieu of Public Improvements and Public Improvements in ROW's Not Controlled by the Village of Lombard

The Plan Commission submits, for Village Board approval, its recommendation to amend Section 154.308 of, and add a new Section 154.309 to, the Lombard Village Code, relative to the payment of a fee in lieu of constructing required public improvements, and the construction of public improvements in regard to rights-of-ways that are not under the jurisdiction of the Village. (DISTRICTS - ALL)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7945

G. [210073](#)

PC 21-11: Apartment Building, 215 S. Westmore Meyers Road

The Plan Commission transmits for your consideration its approval recommendation regarding the petitioner's request for the following for a property located within the R4 Limited General Residential District:

1. A variance for a transitional building setback of 15', where 50' is required, on the north side pursuant to Section 155.409(I)(2) of Village Code;
2. A variance for a transitional landscape yard of 15', where 30' is required, on the north side pursuant to Section 155.409(J) of Village Code;
3. A variance for perimeter yard landscaping of 0', where 5' is required on the south side at the parking lot, pursuant to Section 155.709(B) of Village Code; and
4. A variance for density to allow for 15 units, where 14 units are allowed, pursuant to Section 155.409(D)(4) of Village Code.

(DISTRICT #5)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7946

Ordinances on Second Reading

H. [200403](#)

An Ordinance Authorizing an Economic Incentive Agreement for the Hoffmann Development, Comprising a Part of the Butterfield-Yorktown TIF District and a Part of the Butterfield

Road/Yorktown Business District No. 2 of the Village of Lombard, Illinois

The Ordinance approves an Economic Incentive Agreement between the Village and Hoffmann 600 Lombard, LLC, and Illinois limited liability company (the "Developer"), pursuant to which the Developer will acquire title to an approximately 27.55 acres parcel of property, located at 600-690 East Butterfield Road (the "Property") and redevelop the Property with a project consisting of a Golf Social location, a full-service sit down restaurant (e.g. Moretti's Italian restaurant), a fuel center, related ancillary retail and service commercial uses, potentially up to 400 future multifamily dwelling units, and a connection road between Butterfield Road and 22nd Street (the "Project"), with the projected costs of the Project, including the costs of the acquisition of the Property, being estimated to be \$159,000,000, and the Village will reimburse the Developer for TIF and Business District Eligible Redevelopment Costs incurred by the Developer in furtherance of the Project, in the principal amount of not to exceed \$27,500,000, over a 16 year period, with said reimbursement to be made solely from a portion of the TIF incremental revenues generated by the Property, and from a portion of the general sales taxes, business district sales taxes, places for eating taxes and amusement taxes that are generated by the businesses that operate on the Property as part of the Project. In the event that the Property is removed from Lombard Business District No. 2 at a future date (which has been requested by the Developer), the reimbursement to the Developer will occur over an 18 year period, and business district sales taxes will not be used as part of the reimbursement. (DISTRICT #3)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7940

Resolutions

- I. [210099](#) **Water & Sewer System Supplies, Change Order No. 1**
Reflecting a decrease of \$22,500.00 to the contract with Core & Main LP. After awarding a contract to Core & Main, the vendor requested that their bid for Category X - Fire Hydrants, Extensions, Repair Kits and Repair Parts be withdrawn as they misquoted pricing for this category.
This Resolution was adopted on the Consent Agenda
Enactment No: R 11-21
- J. [210106](#) **FY21 Sanitary Sewer Investigation Program - Olde Towne Area**
Approving a contract with Baxter & Woodman in the amount of \$75,647.00. Baxter & Woodman is part of the current Public Works Design Engineering Short List and was selected for this contract based on performing similar sanitary sewer overflow investigations in 2020.

This Resolution was adopted on the Consent Agenda

Enactment No: R 12-21

K. [210109](#) MFT General Maintenance Supplemental Resolution for Fiscal Year 2021

Authorizing the use of MFT funds for the purchase of salt, local streets resurfacing, street light pole & fixture replacement and lighting panel electrical disconnects. This Supplemental Resolution appropriates the use of \$1,248,650.00 of Motor Fuel Tax Funds and Rebuild Illinois Bond Funds from the Village's MFT account; bringing the total 2021 appropriation to \$3,572,650.00.

This Resolution was adopted on the Consent Agenda

Enactment No: R 13-21

Other Matters

L. 210079 - 2021-2022 Bulk Salt Purchase for Road Salt (this item has been removed from the agenda)

M. [210100](#) Water & Sewer System Supplies Bid

Request for a waiver of bids and award of a contract to Ziebell Water Service Products in the amount of \$32,000.00. Originally awarded on February 18, 2021 to Core & Main LP, that contractor has since asked to have their bid for Category X withdrawn, thereby reducing their contract amount from \$49,500.00 to \$27,000.00.

This Bid was approved on the Consent Agenda

N. [210103](#) Gasoline and Diesel Fuel Purchase

Requesting a waiver of bids and award of a contract to Gas Depot. The price for gasoline is the low rack average daily OPIS price plus (0.0090) per gallon for delivery. The price for diesel is the low rack average daily OPIS price plus (0.0145) per gallon for delivery. This purchase will be made through a joint fuel purchase (DuPage County bid #19-011-DOT).

This Bid was approved on the Consent Agenda

O. [210104](#) Sensus Omni Register Head Replacement

Request for a waiver of bids and award of a contract to Core & Main LP in an amount not to exceed \$37,760.00 for the purchase of Sensus Omni register head replacements. Core & Main is the local distributor of Sensus meters and equipment.

This Bid was approved on the Consent Agenda

P. [210110](#) Granicus One-year Contract Extension

Staff recommendation to approve a one year agreement with Granicus for Legistar agenda management and supporting broadcast services. Staff is asking for the Village Board approval of this one year contract in the amount of \$30,454.06, no increase over the 2020 contract amount.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

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 Bill Ware, seconded by Trustee Andrew Honig, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, April 1, 2021 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 6:12 pm for the purpose of discussion of Pending Litigation. The motion carried by the following vote:

Aye: 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, April 1, 2021 in the Board Room of the Lombard Village Hall was called to order at 6:40 pm by Village President Keith Giagnorio.

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

XIII Adjournment

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A motion was made by Trustee Bill Ware, seconded by Trustee Dan Militello, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, April 1, 2021 in the Board Room of the Lombard Village Hall be adjourned at 6:41 p.m. be adjourn. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Absent: 1 - Anthony Puccio