

# **Village of Lombard**

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



## **Minutes**

**Thursday, March 15, 2018**

**7:00 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, March 15, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 P.M. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

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

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 Roy Newton  
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 Robyn Pike, seconded by Trustee Dan Whittington, that the minutes of the Regular Meeting of March 1, 2018 and the minutes of the Special Meeting of March 8, 2018 be approved. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

## VI. Committee Reports

### **Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson**

Trustee Mike Fugiel, Chairperson of the Community Promotion & Tourism Committee, reported the committee met and reviewed a grant request from the Glenbard East Boosters for Ale Fest 2018 to be held on June 9th and a grant request from the Lombard Historical Society for the Civil War Encampment to be held July 20-22; reviewed holiday

decorations and Cruise Night events as it pertains to the Village Budget.

### **Community Relations Committee - Trustee Robyn Pike, Chairperson**

Trustee Robyn Pike, Chairperson of the Community Relations Committee, reported the committee met and reviewed proposed amendments to the Village budget relative to the Pride Newsletter and the Senior Fair. These changes will be forwarded to the Finance and Administration committee for further review. Trustee Pike distributed copies of the communications report.

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

No report

### **Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson**

No report

### **Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson**

Trustee Mike Fugiel, Alternate Chairperson of the Public Safety & Transportation Committee, reported the committee met and reviewed a request for a no parking restriction on Broadview Avenue south of North Avenue and reviewed proposed changes to the the Village Budget relative to the Fire Department public education program and Police Department realignment of duties.

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

Trustee Bill Ware, Chairperson of the Public Works & Environmental Concerns Committee, reported the committee met and reviewed curbside compost collection and a proposed policy relative to pavement management procedures and policies.

### **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 Comments

Village Manager Scott Niehaus requested Village Attorney Tom Bayer provide an update on the LPFC restructuring.

Village Attorney Tom Bayer advised the Village Board that the closing on the refinancing of the Lombard Public Facilities Corporation's debt, relative to the Lombard Public Facilities Corporation's Hotel and Conference Center, was in the process of being completed today, with all parties other than Nuveen having signed off on the closing documents, and with executed signature pages for all documents being sent to the attorneys who will be issuing the bond opinion. As such, Tom Bayer stated that, while it was very likely that the closing would be completed later tonight, the wire transfer of the Village's Effective Date Contribution of \$3,000,000 would not take place until tomorrow morning, even if the closing is completed tonight. Tom Bayer indicated that he would keep the Village Manager and Finance Director advised of the status of the closing, after tonight's Village Board meeting, so that the Village Manager can update the Village Board later tonight or tomorrow. Trustee Whittington thanked Trustee Fugiel for chairing the Public Safety meeting.

Village Clerk Sharon Kuderna read the following announcements:

The Lombard Police Department reminds residents to celebrate safely this St. Patrick's Day holiday weekend. If you choose to drink, designate a sober, reliable driver to get you home safely from the party. If you are planning on driving, do not drink and always remember to use your seatbelt.

The Lombard Public Works Department is seeking residents 18 years and older to participate in the first-ever Public Works Citizens Academy starting on April 16th. To learn more about the hands-on training opportunity, visit [Lombard.org/PWACA](http://Lombard.org/PWACA).

Mark your calendar for the next community blood drive on Wednesday, April 11th. The details can be found at the Village's website: [villageoflombard.org/blooddrives](http://villageoflombard.org/blooddrives)

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [180116](#) Approval of Accounts Payable

For the period ending March 2, 2018 in the amount of \$169,741.12.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

**B. [180135](#)**

**Approval of Village Payroll**

For the period ending March 3, 2018 in the amount of \$808,431.17.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

**C. [180136](#)**

**Approval of Accounts Payable**

For the period ending March 9, 2018 in the amount of \$1,411,586.77.

**This Payroll/Accounts Payable was approved on the Consent Agenda**

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

**D. [170086](#)**

**PC 17-01: Oakview Estates Phase II, 400 E. St. Charles Road -  
Time Extension Request**

Requesting approval of an Ordinance extending the time period to start construction of the proposed project for an additional three month period until June 17, 2018. (DISTRICT #4)

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

Enactment No: Ordinance 7342, 7484

**E. [180117](#)**

**Ford Expedition Purchase**

Request for a waiver of bids and award of a contract to Kunes Country Ford in the amount of \$36,748.00; and approval of an ordinance declaring Village unit FR4 as surplus and authorizing its sale at public auction. Staff requests a waiver of first reading. Public Act 85-1295 does not apply.

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

Enactment No: Ordinance 7485

**F. [180119](#)**

**Village Equipment To Be Declared Surplus**

Village Departments are requesting to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the Ordinance, to be sold at auction, sold for scrap, or recycled as these items have extended beyond their useful life or are obsolete to include one (1) 2008 Ford Taurus, one (1) 2000 Roadmaster Trailer, one (1) 1999 Amida-4H Light Trailer Chassis, one (1) M5 Multi Gym and forty (40) Panasonic Toughbook in-car laptops. 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 7486

- G. [180128](#) **Waiver from Section 13.01 of the Village Code (Outstanding Debt) Owed the Village Relative to 144 E. St. Charles Road****  
Staff request for a waiver from Section 13.01 of the Village Code as it pertains to payment of all outstanding debts owed the Village prior to issuance of a building permit. This request is being made relative to ongoing environmental remediation work being performed at 144 E. St. Charles Road (the former Spotless Cleaners site) and under the review of the Illinois Environmental Protection Agency (IEPA). (DISTRICT #4)

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

Enactment No: Ordinance 7487

- H. [180133](#) **Scrivener's Error; Conditional Uses within the B5 Zoning District****  
Staff recommends approval of an Ordinance specifically amending Ordinance No.3520, adopted February 20, 1992, Nunc Pro Tunc, to correct a Scrivener's Error contained therein, in regard to the B-5 Central Business District regulations and pertaining to drive-through/drive-in establishments. (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 7488

- H-2. [180140](#) **Ordinance and Bill of Sale of a Sanitary Sewer Line - Clover Creek Apartments (830 Foxworth Blvd)****  
Requests approval of an ordinance declaring property as listed in the associated Bill of Sale as surplus property. Staff requests a waiver of first reading. (DISTRICT #2)

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

Enactment No: Ordinance 7489

### **Other Ordinances on First Reading**

- I. [180054](#) **Text Amendments to the Village Code Chapters 150, 151, 154 and 155: Flood Control****  
The Department of Community Development transmits comprehensive amendments pertaining to the Village's Flood Control Regulations, as follows:
1. An Ordinance approving amendments to Chapter 150 (the Building Code) with regarding to stormwater and floodplain regulations.
  2. An Ordinance approving amendments to Chapter 151 (to be titled

Stormwater and Floodplain Regulations).

3. An Ordinance approving non-substantive amendments to Chapter 154 (Subdivision and Development Ordinance) amending references to the aforementioned Chapter 151.

4. An Ordinance approving non-substantive amendments to Chapter 155 (Zoning Ordinance) also amending references to the aforementioned Chapter 151. (DISTRICTS - ALL)

**This Ordinance was passed on first reading on the Consent Agenda**

Enactment No: Ordinances 7501, 7502, 7503, 7504

I-2. [180134](#)

**Third Amendment to the Boundary Line Agreement Between the Villages of Lombard and Glen Ellyn**

Ordinance authorizing the execution of a Third Amendment to a Boundary Line Agreement with the Village of Glen Ellyn. (DISTRICT #1)

**This Ordinance was passed on first reading on the Consent Agenda**

Enactment No: Ordinance 7500

### **Ordinances on Second Reading**

J. **180101 - Amending Title 11, Chapter 118 of the Lombard Village Code - Peddlers and Solicitors (this item has been moved to Separate Action)**

K. [180109](#)

**Solid Waste Collection and Disposal Ordinance for Annual Fee Rates**

Recommendation from staff to amend the Village Code to reflect the fee rates that are adjusted each April 1st as authorized in the Solid Waste Contract.

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7490

### **Resolutions**

L. [180113](#)

**Participation in Suburban Tree Consortium**

Resolution expressing intent to continue participation in the Suburban Tree Consortium for the purchase of parkway trees.

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

Enactment No: R 20-18

M. [180137](#)

**Third Amendment to the Village Manager Employment Agreement**

Authorizing the signature of the Village President and Village Clerk to a third amendment to the Village Manager Employment Agreement.

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

Enactment No: R 21-18

- N. [180138](#) **Intergovernmental Agreement between the Village of Lombard and the Lombard Park District****  
Resolution authorizing an Intergovernmental Agreement between the Village of Lombard and the Lombard Park District to allow for the provision of a fireworks display on July 4, 2018 i Madison Meadows Park. (DISTRICT #6)

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

Enactment No: R 22-18

- N-2. [180141](#) **Acceptance of Plat of Easement - Clover Creek Apartments (810-890 Foxworth Blvd.)****  
Staff recommends approval of Resolution Accepting a Plat of Easement for Clover Creek Apartments located at 810-890 Foxworth Boulevard. (DISTRICT #2)

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

Enactment No: R 23-18

- N-3. [180146](#) **Employee Full and Final Resignation Agreement and Release****  
Resolution authorizing a Full and Final Resignation Agreement and Release between the Village of Lombard and Kevin Barbier.

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

Enactment No: R 24-18

### **Other Matters**

- O. [180098](#) **Vehicle Exhaust Extraction System Purchase****  
Request for a waiver of bids and award of a contract to Hastings Air Energy Control in an amount not to exceed \$87,230.52. Public Act 85-1295 does not apply. (DISTRICTS #3 & #4)

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

- P. [180103](#) **2018 Bulk Salt Purchase for Road Salt****  
Request for a waiver of bids and approval to purchase an additional 3,250 tons of salt from Detroit Salt at a total cost of \$167,343.00. This purchase is in accordance with the contract option to purchase up to 130% of the original contract amount.

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

- Q. [180114](#) **Tree Planting****



Request for a waiver of bids and approval of payment to the Suburban Tree Consortium in an amount not to exceed \$228,000.00 for the purchase and planting of approximately 600 parkway trees. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

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

R. [180125](#)

**Gasoline and Diesel Fuel Purchase**

Request for a waiver of bids and approval to purchase fuel from Buchanan Energy as specified in the DuPage County joint purchase contract #16-043-BF. Public Act 85-1295 does not apply.

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

S. [180132](#)

**Development Services Inspection Agreement Consultant Services With Thomas Engineering Group**

Request for a waiver of bids and award of a contract for development services inspection consultant services in an amount not to exceed \$96.46 per hour for regular business hours. Public Act 85-1295 does not apply.

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

T. [180118](#)

**First National Bank of Omaha (Vox Business Card Program)**

Approval to enter into an agreement with First National Bank of Omaha (VOX Business Card) for credit card services, which provides a reward program with rebates to the Village based on volume of usage. The current service provider does not offer a rebate program and if approved, staff will cancel the current account.

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

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

**A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, to Approve the Consent Agenda The motion carried by the following vote**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

## **IX. Items for Separate Action**

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

A. [180145](#)

**Appointment of Two (2) New Directors for the Lombard Public Facilities Corporation (LPFC)**

The Directors of the Lombard Public Facilities Corporation (LPFC) request the appointment of two (2) new Directors for the LPFC to be

effective at 12:01 a.m. on Friday, April 6, 2018.

*Village Manager Scott Niehaus requested that this item be continued to the April 5, 2018 Village Board meeting as the Village was waiting for a letter from the LPFC relative to appointments.*

**A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, that the Lombard Village Board continue the matter of the appointment of two new Directors for the Lombard Public Facilities Corporation (LPFC) to April 5, 2018. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7499

## Other Ordinances on First Reading

## Ordinances on Second Reading

**B. [180101](#) **Amending Title 11, Chapter 118 of the Lombard Village Code - Peddlers and Solicitors****

Effective April 1, 2018 amending the following Sections of Village Code Title 11, Chapter 118:

1. Section 118.03(B) - requiring that a photo ID be taken by the Village;
2. Section 118.05 - revising the cost of the license to \$50.00;
3. Section 118.08(B) - revising the hours of soliciting or peddling; and
4. Section 118.08(C) - clarifying that the Village issued photo ID badge must be displayed on the solicitor's outer garment.

Trustee Bill Johnston asked that this matter be continued to the April 5th Village Board meeting to allow staff additional time to further review the proposed amendments based on a meeting that staff had with Comcast.

**A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the ordinance amending Title 11, Chapter 118 of the Lombard Village Code relative to peddlers and solicitors be continued to April 5, 2018. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7505

## 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 Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 15, 2018 in the Board Room of the Lombard Village Hall be adjourned at 7:18 p.m. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware