

# **Village of Lombard**

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



## **Minutes**

**Thursday, July 16, 2020**

**6:00 PM**

**SPECIAL MEETING**

**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 Special meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, July 16, 2020 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 6:00 p.m. Chief of Police Roy Newton 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

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

Present via remote access:  
Trustee Dan Militello

Staff Present:  
Village Manager Scott Niehaus  
Village Attorney Tom Bayer  
Director of Finance Tim Sexton  
Director of Community Development Bill Heniff  
Assistant Director of Public Works Dave Gorman  
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 Andrew Honig, seconded by Trustee Bill Ware, that the minutes of the Special Meeting of the Village Board of June 18, 2020 be approved. The motion carried by the following vote:**

**Aye:** 5 - Sharon Kuderna, Dan Whittington, Anthony Puccio, Andrew Honig, Dan Militello, and Bill Ware

**Abstain:** 1 - Reid Foltyniewicz

## **VI. Committee Reports**

### **Community Promotion & Tourism - Trustee Andrew Honig, Chairperson**

Trustee Andrew Honig, Chairperson of the Community Promotion Committee, reported the following:

The travel and tourism sector is still recovering from the significant impacts of the COVID-19 pandemic.

The DuPage Convention and Visitors Bureau has created an outward facing COVID-19 hub to raise awareness that DuPage hospitality businesses are open and welcoming guests and providing planning resources and guidelines.

Upon the release of the Phase 4 Restore Illinois guidelines, the Village has worked with State representatives and the DuPage Convention and Visitors Bureau on behalf of our banquet facilities and hotels with meeting space to advocate for restrictions limits based upon capacity of the venue vs. a fixed limit of 50 persons.

The DuPage County Board recently voted to set aside \$1 million of the \$161 million of federal CARES Act funding it received, for the COVID-19 Tourism Promotion and Business Attraction Relief fund. The funds will be used to put together a marketing campaign promoting the readiness of the DuPage hospitality industry to safely welcome guests and the marketing of DuPage County as a premier global business location.

Finally, the agenda this evening includes a funding commitment to the DuPage Convention and Visitors Bureau for a portion of the annual hotel/motel tax funds collected in FY2021. The DCVB is a not-for-profit organization formally certified by the State of Illinois as the official agency for the promotion of DuPage County tourism and represents 38 communities and hundreds of individual businesses within the County. Our funding commitment will be limited by the amount and level of hotel motel tax revenues actually received in the upcoming year.

### **Community Relations Committee - Trustee Dan Militello, Chairperson**

Trustee Dan Militello, Chairperson of the Community Relations Committee, reported the following:

Lombard's COVID webpage, has received more than 28,500 page-views and is the top visited page on our website. Additionally, our

main website has received more than 159,500 visits. Social media continues to be a significant communications resource, and our Facebook page recently passed a milestone of 10,000 followers. Staff has made efforts in maintaining consistent communications with Lombard organizations through bi-monthly virtual meetings of Lombard's "PR Power Hour" group. County-wide communication also continues staff hosts monthly virtual Talk DuPage meetings -- group of municipal communicators throughout the DuPage. These platforms allow for ongoing collaboration and opportunities for new partnerships. You may begin to notice signs around town, encouraging residents to complete the 2020 Census. This is part of the Village's 2020 Census branding campaign. As completion rates are directly tied to the funding of services, the Village will continue to focus efforts on communicating the importance of completing the census.

### **Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson**

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

The ECDC reviewed an application for the Downtown Retail Business Grant for Florence + Ice Cream, proposed to be located at 5 S. Park Avenue. The applicant is seeking to install interior improvements consisting of plumbing, electric, and drywall. The ECDC unanimously voted to approve the grant, subject to three conditions. As the grant amount is under \$10,000, it does not need approval from the Board of Trustees.

Staff offered a review and formal presentation of the Second Amendment to the Butterfield-Yorktown Tax Increment Finance (TIF) District. The ECDC unanimously voted to recommend approval of the proposal and to proceed with implementation steps.

At the February 10, 2020 meeting, the ECDC discussed animal care regulations. The ECDC continued the matter to the September 14, 2020 meeting.

Staff also provided an update regarding Community Development's 2020 work program. In light of COVID, the department is still on track to meet the 2020 goals presented to the ECDC back in December.

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

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, reported the following:

The Village Board, Finance and Administration Committee and staff continue to monitor the significant revenue reductions that the Village faces.

The Village recently received the April sales tax information from the state, and it was better than staff had anticipated.

Therefore, our revenue reduction is not as large as we were projecting; however, it is still very significant - an estimated reduction of 17.2% of total revenue for the year.

Congratulations to Finance department employee Diane Miller on her upcoming retirement and thank you for your service to the Village.

There is still a lot of hard work to do in the Village budget process, which staff will be doing over the next several months.

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

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, reported the following:

#### **Police**

Police provided extra staffing and patrols for the evenings of July 3rd and 4th;

The 2019 Police Annual Report was completed and is posted on the Village Website;

In June of 2020 LPD officers responded to 9-1-1 calls or initiated activity including traffic stops 4,955 times, the most of any DuComm police agency;

#### **Fire**

Reported on the Fire Department's response to Covid-19 calls since March which includes transporting over 250 suspected COVID-19 patients and 54 confirmed COVID-19 patients;

The Fire Department provided highlights of the Fire Department's 2019 annual report;

Chairman Whittington and the committee members expressed their appreciation to the fire and police departments for their work during the Covid-19 crisis.

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

Trustee Bill Ware, Chairperson of the Public Works & environmental Concerns Committee, reported the following:

Main Street Resurfacing Project north of Graham should be completed in the next week. The Village will begin resurfacing Main Street between Wilson and Roosevelt. This phase of the project is expected to be completed by August 10th;

As part of the Village's Sanitary Sewer Investigation program, the Village will be smoke testing the sanitary sewers in the vicinity of Route 53 and

Phillips Court and north of Terrace View Pond. The smoke testing is being performed to locate sources of water that enter the sanitary sewer system during rainstorms. This water can overload sanitary sewers and cause sewage backups in basements and other low-lying areas. The testing is scheduled for the week of July 20th, weather permitting. Due to the improvements to the traffic signals at Finely and Oak Creek, the Village will be removing a pedestrian activated traffic signal on Finely Road south of 16th Street. The work will take place mid-August. The Public Works and Environmental Concerns Committee reviewed the 2021-2030 Capital Improvements Plan at their July 14, 2020 meeting. The plan identifies projects and funding sources for major improvements anticipated by the Village for a ten-year period. The CIP will be presented to the Village Board for consideration as part of the Village's annual budget process. Residents are encouraged to visit the interactive construction map on the Village's website to see what projects will impact their neighborhood this summer. Contact Public Works at 630-620-5740 with any questions.

#### **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: The regularly scheduled August 6th Village Board meeting has been cancelled pursuant to action taken by the Village Board at the December 5, 2019 Village Board meeting cancelling the first meetings in June, July and August. The next regularly scheduled meeting will be August 20th. It takes just minutes to be counted in the 2020 U.S. Census. The distribution of more than \$675 billion in federal funds, grants, and support to states, counties, and communities are based on census data. Ensuring a complete count for Illinois and Lombard is critical for appropriate funding. It only takes a few minutes to complete the census online at [www.my2020census.gov](http://www.my2020census.gov). Are you getting Village news? The Village is communicating via Facebook and Twitter, and through a weekly e-mail newsletter to residents. Connect with us and find out about construction projects, public safety alerts, lane closures, seasonal tips, and more. Find us on

social media and sign up for our weekly newsletter at  
[www.villageoflombard.org/enews](http://www.villageoflombard.org/enews).

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [200192](#)      **Approval of Accounts Payable**  
For the period ending June 19, 2020 in the amount of \$946,454.55.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [200198](#)      **Approval of Village Payroll**  
For the period ending June 20, 2020 in the amount of \$833,875.49.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [200199](#)      **Approval of Accounts Payable**  
For the period ending June 26, 2020 in the amount of \$935,258.44.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [200211](#)      **Approval of Accounts Payable**  
For the period ending July 3, 2020 in the amount of \$413,276.35.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [200218](#)      **Approval of Village Payroll**  
For the period ending July 4, 2020 in the amount of \$921,249.57.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [200219](#)      **Approval of Accounts Payable**  
For the period ending July 10, 2020 in the amount of \$1,127,981.22.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- G. [200194](#)      **Ordinance Confirming and Supporting a Loan to the Glenbard Wastewater Authority**  
Approval of an Ordinance of the Village of Lombard, DuPage County, Illinois, confirming and supporting a loan to the Glenbard Wastewater Authority (GWWA) from the IEPA Water Pollution Control Loan Program in the amount of \$3,000,000 for the 2020 Sludge Dewatering Rehabilitation Project. Staff requests 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 7830

H. [200038](#)

**Butterfield-Yorktown TIF District Second Amendment to the Redevelopment Plan and Project - Ordinance Calling for a Public Hearing and a Joint Review Board Meeting**

The Ordinance sets the Joint Review Board meeting, relative to the Second Amendment to the TIF Redevelopment Plan and Project, for Friday, August 7, 2020, at 2:00 p.m., in the Board Room at the Village Hall, and sets the Public Hearing, relative to the Second Amendment to the TIF Redevelopment Plan and Project, for Thursday, September 17, 2020, at 6:00 p.m., in the Board Room at the Village Hall. (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 7831 (previously approved: R 5-20)

I. [200214](#)

**FY21 Vehicle Replacement, Two Tandem Axle Dump Trucks and Ordinance Authorizing the Sale of Vehicles Declared Surplus**

Request for a waiver of bids and award a contract through a joint purchasing agreement with Sourcewell in the amount of \$413,897.38 to JX Peterbilt of Bolingbrook, IL for the purchase of two new tandem axle dump trucks and approval of an ordinance declaring unit ST341, a 2011 International dump truck, and unit WT 436, a 2009 Sterling tandem dump truck, as surplus and authorizing their 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 7832

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

J. [200195](#)

**Emergency Medical Service (EMS) Mileage Rate Increase**

An Ordinance amending Title IX, Chapter 91, Section 91.21(A) of the Lombard Village Code to increase the mileage rate to \$15.00 per mile for Village residents/Glenbard Fire Protection District residents and \$16.00 per mile for non-Village/non-Glenbard Fire Protection District residents.

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

Enactment No: Ordinance 7846

### **Ordinances on Second Reading**

- K.**     [200188](#)           **Tax Levy Ordinance - Special Service Area Number Three**  
Ordinance providing for the levy and assessment of taxes for the Village of Lombard Special Service Area Number Three (SSA #3) in the amount of \$9,270.00 for the fiscal year beginning January 1, 2020 and ending December 31, 2020. (DISTRICT #6)  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7833

### Resolutions

- L.**     [200215](#)           **2020 Driveway Apron, Curb, and Sidewalk Restoration Program Change Order # 1**  
This Change Order is intended to adjust the contract quantities for the additional work the Village has requested on Finley Road for extending the sidewalk south of Pinebrook Drive. This Change Order will increase the Contract amount by \$35,390.00 (DISTRICTS - ALL)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 21-20
- M.**     [200216](#)           **First Review of Executive Session Minutes - 2020**  
Resolution authorizing the Village Clerk to make certain Closed Session Meeting Minutes available for public inspection First Review 2020.  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 22-20
- N.**     [200225](#)           **Intergovernmental Agreement Between Village of Lombard and Glenbard Township HS District No. 87**  
Resolution authorizing an Agreement between the Village of Lombard and Glenbard Township High School District No. 87 to provide paramedic services during football games held at the Glenbard East High School. (DISTRICT #2)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 23-20

### Other Matters

- O.**     [200191](#)           **FY2020 Crack Sealing/Pavement Preservation Program**  
Request for a waiver of bids and award of a contract to Denler, Inc. in the amount of \$161,233.16. This contract was competitively bid on March 21, 2019, through the Municipal Partnering Initiative. Included in the initial General Terms and Conditions, the bidder was requested to submit a

fixed price for years two and year three as well. This request reflects year two. (DISTRICTS - ALL)

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

**P.**     [200193](#)

**Ambulance Billing Services Contract Extension**

Motion to waive bids and approve a three (3) year contract extension for EMS ambulance billing services with Andres Medical Billing Ltd. at the current rate of 3.50% of monthly revenue collected.

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

**Q.**     [200196](#)

**Kelly Court Water Main Replacement WA 20-07**

Request for a waiver of bids and award of a contract to John Neri Construction Co., Inc., the lowest proposal of three (3) proposals received, in the amount of \$78,275.00. The Village solicited proposals from pre-qualified vendors in an effort to coordinate the work with the FY2020 Asphalt Paving & Patching program. (DISTRICT #5)

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

**R.**     [200200](#)

**Sewer Root Control**

Request for a waiver of bids and award of a contract to Duke's Root Control in an amount not to exceed \$41,755.05. Duke's Root Control uses their patented and proprietary chemical, which is the only diquat-based herbicide registered by the USEPA for controlling tree roots in sanitary sewers. This exclusive chemical has less of an environmental impact and is safer to use than other available chemicals. (DISTRICTS - ALL)

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

**S.**     [200205](#)

**FY2020 Bituminous Asphalt Purchase**

Request for a waiver of bids and award of a contract to DuPage Materials Company in an amount not to exceed \$228,000.00. DuPage Material has been the material supplier for the last three (3) years, as they have multiple locations and the material has been readily available. In the past, other companies have had difficulty supplying asphalt in the quantities needed. (DISTRICTS - ALL)

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

**T.**     [200208](#)

**DuPage Convention & Visitors Bureau - Financial Commitment**

Request from the DuPage Convention & Visitors Bureau affirming the Village's commitment of 25% of one of the occupancy tax points of the annual collected hotel/motel tax for Fiscal Year 2021, for use by the DuPage Convention and Visitor's Bureau.

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

## Approval of the Consent Agenda

A motion was made by Trustee Dan Whittington, seconded by Trustee Anthony Puccio, 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)

A. [200174](#)

**ZBA 20-02: 210 S. Finley Road**

Overturn recommendation of the Zoning Board of Appeals and approve a variation from Section 155.210(A)(3)(b) of the Village Code to allow of a detached garage with the vertical distance (height) measured from the average grade to the highest point on the roof or parapet of 19.5', where 17' is permitted in the R2 Single-Family Residence District. (DISTRICT #1)

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Ordinance relative to ZBA 20-02, 210 S. Finley Road, be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7834

B. [200197](#)

**Amending the Village's Fiscal Year 2019 Budget Ordinance #7605 and Repealing Ordinance #7829 in Relation to a Budget Ordinance Amendment, as a Result of a Scrivener's Error Contained Therein**

An Ordinance amending the Village's Fiscal Year 2019 Budget Ordinance #7605 to increase the Fiscal Year 2019 Budget by \$2,066,320 and repealing Fiscal Year 2019 Budget Amendment Ordinance # 7829, approved on June 18, 2020. This amendment reflects an increase of \$86,093 to the General Fund, an increase of \$1,482,287 to the Waterworks and Sewerage fund, an increase of \$64,765 to the Fleet Services Reserve Fund, and an increase of \$433,175 to the Police Pension Reserve fund. Request to repeal Ordinance #7829 due to scrivener's error. Staff requests waiver of first reading. This requires a two-thirds (2/3rds) vote of the Corporate Authorities (5 of 7).

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Andrew Honig, that the Ordinance amending the Village's Fiscal Year 2019 Budget Ordinance #7605 and repealing Ordinance #7829 in relation to a Budget Ordinance Amendment, as a result of a scrivener's error container therein, be

**waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 7 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Enactment No: Ordinance 7835

## **Other Ordinances on First Reading**

## **Ordinances on Second Reading**

## **Resolutions**

## **Other Matters**

- C.     [200217](#)     **Intergovernmental Agreement for Participation in DuPage County Local Government COVID-19 Reimbursement Program**  
Approval of an Intergovernmental Agreement with DuPage County for Village of Lombard participation in the local government COVID-19 Reimbursement Program.
- Village Manager Scott Niehaus provided the following information: this is an intergovernmental agreement with DuPage County allocating \$2.3 million of federal funding to the Village of Lombard for COVID-19 relief, from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); this will be an account that the Village can draw on for COVID-19 expenses; DuPage County received more than \$161 million in federal funds through the CARES Act; the Local Government Municipal COVID-19 Reimbursement Program allows these federal funds to be used by DuPage cities, towns, and villages, for pandemic-related expenses; these expenses include commodities, the cleaning of Village facilities and equipment, the purchase of personal protective equipment for first responders, and staffing directly related to the pandemic. Lombard's \$2.3 million of COVID-19 relief funding equates to \$51.84 per-capita, which exceeds the State's allocation of \$41.50 per capita for downstate areas; this funding is not intended to replace lost revenue, as that is not an eligible expense; this relief funding was made possible through Intergovernmental Agreements and cooperative efforts of DuPage Mayors and Managers Conference and member municipalities, and the State of Illinois; the Village has faced unanticipated expenditures as a result of the COVID-19 pandemic and the Village is grateful for this much needed funding; the Village remains focused on responsible financial planning; DuPage County and the DuPage Mayors and Managers Conference were able to work together so that DuPage County could make available a large portion of its CARES Act allocation to municipalities like the Village of Lombard; Lombard will be the first

community to approve the Intergovernmental Agreement that is listed on the agenda; the Village faces budget challenges for the next several years as COVID-19 will have a multi-year impact on the Village and budget;

**A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Village Board approve an Intergovernmental Agreement for participation in the DuPage County Local Government COVID-19 Reimbursement Program. The motion carried by the following vote:**

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

## **X. Agenda Items for Discussion**

## **XI. Executive Session**

## **XII. Reconvene**

## **XIII Adjournment**

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**A motion was made by Trustee Anthony Puccio, seconded by Trustee Andrew Honig, that the Special Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, July 16, 2020 be adjourned at 6:26 p.m. The motion carried by the following vote:**

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