



# Village of Lombard

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

## Minutes

### Board of Building Appeals

*Members Bob Mueller, Marty Igoe, Steve Flint,  
John Cullen and Maurice Bernardi*

*Staff Liaisons:*

*Director of Community Development William Heniff and  
Building Commissioner Keith Steiskal*

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Wednesday, January 31, 2018

6:00 PM

Village Hall - L22

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### Call to Order and Pledge of Allegiance

*The meeting was called to order by William Heniff, AICP, Director of  
Community Development, at 6:00 p.m.*

*Mr. Heniff led the Pledge of Allegiance.*

### Roll Call

**Present** 4 - Stephen Flint, John Cullen, Bob Mueller, and Maurice Bernardi

**Absent** 1 - Marty Igoe

*Also present: William Heniff, AICP, Director of Community  
Development; Keith Steiskal, Building Official, Jana Bryant,  
Development Engineer, and Jerry Howell, Fire Marshal.*

### Public Hearings

### Business Meeting

### Approval of Minutes

A motion was made by, Bob Mueller seconded by Stephen Flint, to approve the minutes of the February 27, 2017 meeting. The motion passed by a unanimous vote.

### Planner's Report

### New Business

[180054](#)**Text Amendments to Chapters 150 (Building Code) and 151 (Flood Control) of the Village Code**

Proposed Village Code amendments to remove antiquated language and replace with current stormwater regulations and references.

(DISTRICTS - ALL)

*Jana Bryant, Private Development Engineer, reviewed amendments to Village Code that will re-write Chapter 151 almost in its entirety to reflect the current language already adopted by reference through the County Stormwater & Flood Plain Ordinance and to eliminate antiquated or obsolete references within Code. It also modified the Best Management Practices (BMP) water quality and detention fee in lieu costs. She then reviewed the proposed amendments by topic in order to address the obsolete reference and to develop codes that are easier for interested parties to use. She also noted that the proposed amendments would also be reviewed by the Village's Public Works and Environmental Concerns Committee as well.*

**A motion was made by Stephen Flint, seconded by Bob Mueller, to recommend approval of the text amendments. The BOBA recommendation will be forwarded to the Public Safety and Transportation Committee for their review prior to final consideration by the Village Board. The motion passed by a unanimous vote.**

**Aye:** 4 - Stephen Flint, John Cullen, Bob Mueller, and Maurice Bernardi

**Absent:** 1 - Marty Igoe

[180055](#)**Backyard Drainage Grant Program**

Review of annual established grant parameters. (DISTRICTS - ALL)

*As part of an overall budget review process, Village staff was directed to various department budgets in anticipation of budget shortfall for the 2019 calendar year. The focus of this effort was to review existing programs to determine if their funding levels are appropriate as well as an overall program review to determine core services versus enhanced services. Staff presented a number of possible adjustments that are intended to address shortfalls while not impacting development activity or service levels. Staff then reviewed each of the areas for review. Mr. Heniff stated that the Village administers the Backyard Drainage Grant (BDGP) program and it is currently budgeted for \$20,000 per year. Funds to administer the program are made through the Water/Sewer fund, but administration of the program is from the General Fund. The grant is currently set up to reimburse homeowners 50% of the construction cost, surveying cost, professional design cost, and permit fee costs, with a maximum reimbursement of \$5,000. In review of the program, Community Development staff surveyed*

*surrounding municipalities and found that programs were nonexistent or funded at a lower rate than Lombard. As such, staff recommends that based on past history of applications applied for over the past five years, the Village maintain the current existing grant set up of 50% reimbursement with \$5,000 maximum reimbursement with the overall annual funding being reduced to \$10,000 per year.*

*Mr. Mueller inquired and commented about the Village's history limiting direct connections into the combined system for new construction activity*

**A motion was made by Bob Mueller, seconded by Maurice Bernardi to recommended approval of the amendment. The BOBA recommendation will be forwarded to the Public Works & Environmental Concerns (PW&EC) Committee for an additional recommendation prior to sending the matter back to the Finance Committee for consideration. The motion passed by a unanimous vote.**

**Aye:** 4 - Stephen Flint, John Cullen, Bob Mueller, and Maurice Bernardi

**Absent:** 1 - Marty Igoe

### 180056

#### **Text Amendments to Section 150.141 of the Building Code (Fee Schedule)**

Proposed Village Code amendment relative to plan re-review fees.  
(DISTRICTS - ALL)

*Mr. Steiskal stated that staff identified was plan review fees as it relates to plans that need to be reviewed more than once. Current Village code states in Title 15, Chapter 150.141 (A)(3) "After the initial review has been completed, revised or corrected plans shall be charged a fee equal to one half of the initial plan review fee". That 50% could be considered arbitrary and not right sized. In some cases that could mean staff would be charging much more or much less than the actual time used to review the plan a second or third time. Staff has been reluctant to charge this re-review fee as the fee in no way reflected the actual time used to re-review plans in most cases. In short, the fee would be too high for most re-reviews, so staff did not charge the fee. Staff surveyed 13 communities and found that some communities charged and some did not. Some charge higher plan review fees than others in an effort to cover costs associated with second reviews, etc., but staff is recommending charging people for the time and costs associated with their particular project. If the plans are very large and time consuming to review on a second round of plan review, staff is proposing charging time and material. This time and material method is similar to other plan review charges already in place for other divisions within the Village. Four options were offered to address this issue.*

*The BOBA members then discuss whether the re-review fee should apply to residential projects. Through extended discussion the re-review fee should also apply to residential projects of over \$150,000 as well.*

**A motion was made by Bob Mueller, seconded by John Cullen to recommended approval of the code amendment. The BOBA recommendation will be forwarded to the Economic & Community Development Committee (ECDC) Committee for an additional recommendation prior to sending the matter back to the Finance Committee for consideration.**

**The motion passed by a unanimous vote.**

**Aye:** 4 - Stephen Flint, John Cullen, Bob Mueller, and Maurice Bernardi

**Absent:** 1 - Marty Igoe

[180057](#)

**Text Amendments to Section 150.141 of the Building Code (Fee Schedule)**

Proposed Village Code amendment relative to re-inspection fees.  
(DISTRICTS - ALL)

*Mr. Steiskal noted that one area staff identified for review was re-inspection fees. While there is current code text to require a \$55.00 fee for residential re-inspections and \$68.00 for commercial inspections, Village policy has been for many years to allow the first failure with no re-inspection and only charge any re-inspection fees after the second inspection has failed.*

*Staff has identified this as a possible source to charge for actual timed used. In real world applications, if a scheduled inspection could not be undertaken due to delays on the contractor's end, it could result in the need for an additional inspection to be undertaken. This adds additional costs, either in the form of additional staff time and resources or by the Village's private inspection services entity (currently at a cost of \$80.00/hour).*

*Staff completed a survey of 13 communities to see how others handled the same issue. While some communities charged and some did not, most did reply that they charge re-inspection fees for most failed inspections with no allowance for one failed inspection. Staff also offered three possible options to address excessive reinspection costs. Mr. Bernardi expressed questions about the options. Through additional discussion among the BOBA members, they offered an alternate recommendation that did not assess a fee to first failed inspection but assesses a high reinspection fees for inspections after the second inspection.*

**A motion was made by Maurice Bernardi, seconded by Stephen Flint, to recommended an alternate recommendation from those options offered within**

the staff report. The BOBA recommendation will be forwarded to the Economic & Community Development Committee (ECDC) Committee for an additional recommendation prior to sending the matter back to the Finance Committee for consideration.

The motion passed by a unanimous vote.

**Aye:** 4 - Stephen Flint, John Cullen, Bob Mueller, and Maurice Bernardi

**Absent:** 1 - Marty Igoe

[180058](#)

**Text Amendments to Section 150.141 of the Building Code (Fee Schedule)**

Proposed Village Code amendment establishing an application filing fee for selected building permits. (DISTRICTS - ALL)

*Mr. Steiskal stated that a primary goal of the department is to ensure that the Village is charging right sized fees for work being done, and making sure costs are recovered for work that is requested by a developer. One area staff identified was plan reviews for large projects that would meet the definition of a "Major Development" as defined in the Subdivision and Development Ordinance. These large projects can have large plan review fees. Currently there is no requirement for the applicant to pre-pay any initial plan review fee. If the project does not proceed, the taxpayers can be left with the bill. Staff completed a survey of 13 communities to see how others handled the same issue. Some communities charged a full plan review fee upfront, some charged a set deposit amount, and some did not charge anything upfront. It should be noted that some that responded to the survey state they would like the results of the survey as they were looking at the same issues. Staff is proposing a deposit be required that will work as a retainer to be drawn from as the project progresses. Any surplus would be applied as a credit to the final permit. Mr. Steiskal noted that this code change would act more as an insurance policy to meet the overall Village goal of development paying its own way as opposed to creating a new revenue source.*

*The BOBA members then sought additional clarification on "major developments". Mr. Steiskal noted that this would only apply to very large projects that meet the definition of a Major Development (i.e., subdivision over one acre, new commercial developments and commercial expansion of 10,000 square feet in area). This would not apply to small or medium sized projects such as individual single family homes, garages, decks and the like.*

**A motion was made by Stephen Flint, seconded by Bob Muller, to recommended approval of the code amendment. The BOBA recommendation will be forwarded to the Economic & Community Development Committee (ECDC) Committee for an additional recommendation prior to sending the**

matter back to the Finance Committee for consideration.

The motion passed by a unanimous vote.

**Aye:** 4 - Stephen Flint, John Cullen, Bob Mueller, and Maurice Bernardi

**Absent:** 1 - Marty Igoe

[180059](#)

**Text Amendments to Chapter 14 of the Village Code**

Proposed Village Code amendments relative to waiving public hearing fees for units of local government and school districts.

(DISTRICTS - ALL)

*Prior to the start of this discussion, Mr. Flint stated that as a School District 44 Board member, he is abstaining from discussing or voting on the matter.*

*Mr. Heniff noted that Village Code waives public hearing fees for units of local government. As part of our initial review of department budgets for the 2019 calendar year, staff has identified this provision for additional review and consideration. Staff also surveyed surrounding municipalities to determine the practices of other jurisdictions. Staff notes that many of these projects do require significant staff time and the processing of such petitions is not markedly different than those projects within the private sector. The number of projects within a given year varies in scope and magnitude. Staff offered three options to address this issue*

**A motion was made by Bob Muller, seconded by Maurice Bernardi, The BOBA members recommended that the fee waiver provision should be eliminated. This item will be forward to the Economic & Community Development Committee (ECDC) Committee for an additional recommendation prior to sending the matter back to the Finance Committee for consideration.**

The motion passed by the following vote:

**Aye:** 3 - John Cullen, Bob Mueller, and Maurice Bernardi

**Abstain:** 1 - Stephen Flint

**Absent:** 1 - Marty Igoe

[180060](#)

**Text Amendments to Chapter 14 of the Village Code**

Proposed Village Code amendments relative to waiving building permit fees for units of local government and schools districts.

(DISTRICTS - ALL)

*Mr. Heniff stated that Village Code waives building permit fees for units of local government. Staff surveyed surrounding municipalities.*

*Building permit fees are variable by project and year.*

*The waiver has burdened the Village with covering costs to process these requests and review the permit submittals and inspections. If the*

*Village hires an outside contractual inspection service we are charged \$80/hour, regardless of the project applicant. As such, the waiver process actually becomes an incurred cost of the Village. Staff recommends that government entities pay permit fees as do private developers and no longer waive fees. He also noted that School Districts are a special exception, in that interior permits are not received from the Village rather the State. However, if a school district resurfaced their parking lot, a permit from the Village would be required, and fees would be charged.*

**A motion was made by John Cullen, seconded by Bob Mueller, The BOBA members recommended that the fee waiver provision should be eliminated. This item will be forward to the Economic & Community Development Committee (ECDC) Committee for an additional recommendation prior to sending the matter back to the Finance Committee for consideration.**

**The motion passed by the following vote:**

**Aye:** 3 - John Cullen, Bob Mueller, and Maurice Bernardi

**Abstain:** 1 - Stephen Flint

**Absent:** 1 - Marty Igoe

### [180061](#)

#### **Software Vendor Contract**

Presentation and Recommendation for a building permit submittal, plan review, and code administration software program. (DISTRICTS - ALL)

*BOBA reviewed and discussed the proposed building permit software program option that was included within the 2018 approved Village Budget. Mr. Steiskal stated that The Village's software review was based upon several internal and external factors:*

- 1. The existing software program (New World Systems) was being discontinued and new update and enhancements would no longer be made to the program.*
- 2. The software program did not have full processing enhancements.*
- 3. The current operating program (NWS) does not provide for on-line permit submittal and tracking and has resulted in deficiencies.*

*Within 2018 budget, a Technology Reserve request for \$307,480 was initially sought to select vendor to provide and implement a software program which will meet public and contractor submittal and approval needs. Through this analysis, CitizenServe has been identified as the preferred software program.*

**A motion was made by Stephen Flint, seconded by John Cullen, to recommended the procurement of the CitizenServe Software program. This item will be forward to the Economic & Community Development Committee (ECDC) Committee for an additional recommendation prior to sending the matter back to the Village Board for final approval.**

The motion passed by a unanimous vote:

## Information Only

[180062](#)

### Specification for Street Patching

*Mr. Steiskal introduced a Specification Manual update that would require contractors excavating into a street to cold patch any excavated areas by the end of the day. During the 2017 construction season, the Village received a number of service requests due to utility cut restoration in streets. To help ensure that this matter is addressed for future events, the staff reviewed current policies throughout the calendar year. Additionally, staff surveyed the policies of surrounding municipalities and found that of the 7 communities that responded, 5 of them require cold patch at a minimum in the winter months or if the permanent patch is not immediately poured. Through this analysis and to address the citizen complaints, the following language will be added to trench details for restoration in the 2018 Specification update. Action: While this matter does not require a BOBA vote of approval, the BOBA members supported the Specification change.*

## Adjournment

**A motion was made by Stephen Flint, seconded by Bob Mueller, to adjourn the meeting at 8:04 p.m. The motion passed by a unanimous vote.**