

Village of Lombard

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



Minutes

Thursday, November 17, 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, November 17, 2016 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:34 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 Ray Byrne
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

[160465](#)

Proclamation - School Board Members Day

President Giagnorio called School District #44 Superintendent Michael Robey and the members of the School Board to the front.

Village Clerk Sharon Kuderna read the proclamation for School Board Members Day.

President Giagnorio stated that one of the biggest achievements in 2016 was the approval and construction start of a new Mariano's grocery store. This project will replace an eyesore in the community and it demonstrates that Lombard is a great place to invest. He noted that he would be remiss if he did not acknowledge the efforts of School District 44 in making this a reality. Their participation in an incentive agreement will bring much needed jobs and sales tax dollars to the community, while ensuring that their existing revenues would remain unaffected. This is truly a win-win for the Village and he thanked the District for their hard work as well.

Superintendent Robey thanked the Village for the recognition and introduced the Board.

V. Approval of Minutes

A motion was made by Trustee Bill Johnston, seconded by Trustee Dan Whittington, that the minutes of the Special Meeting of August 22, 2016 and the minutes of the Regular Meeting of November 3, 2016 be approved. The motion carried by the following vote:

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

Abstain: 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

Trustee Bill Johnston, Chairperson of the Economic & Community Development Committee reported that at the November 14 meeting of the Economic and Community Development Committee meeting, the committee discussed amendments to the Village Code pertaining to commercial window lighting. The ECDC voted to keep the status quo and not to advance regulations to restrict or prohibit such lighting at this time. Lombard Town Centre also provided an update on their activities, including their Spooktacular event. The Community Development Department made a presentation regarding the importance of planning efforts in the Downtown TIF. The members were thanked for their hard work over the past few years. The Village Board should also recognize its own commitments to improve the downtown through the Village grant programs. Over \$330,000 in various grants were made to downtown business over the past two years alone. The next meeting of the ECDC will be on December 12.

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

Trustee Dan Whittington, Chairperson of the Public Safety & Transportation Committee, reported the committee met. The committee reviewed 2-hour parking restrictions in the 1/3 mile radius of the Glenbard East High School. Recommendations from the committee will be going to a December Village Board meeting.

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

Trustee Bill Ware, Chairperson of the Public Works & Environmental Concerns Committee, reported the committee met. The committee reviewed the Village Standard Lighting Policy.

Board of Local Improvements - Trustee Bill Ware, President

No report

Lombard Historical Commission

No report

VII. Village Manager/Village Board Comments

Trustee Dan Whittington indicated that he will be abstaining from voting on any of the liquor-related items on the agenda as he has ownership in the W Wine LLC d/b/a The Cellar.

President Keith Giagnorio wished Trustee Whittington and his daughter Ashleigh happy early birthday wishes. He noted with Thanksgiving just around the corner, and the holiday season near, he was truly blessed and thankful to serve our great Village. He hoped that all of the residents have the opportunity to enjoy this Thanksgiving with family, friends and neighbors. He thanked the Village Board, staff and the residents for everything that they do to make Lombard an outstanding community. On behalf of the Village, he wished the residents a Happy Thanksgiving and joyful and safe holiday season.

Village Clerk Sharon Kuderna read the following announcements:

The Village Hall will be closed Thursday and Friday, November 24th and 25th in observance of the Thanksgiving holiday. Thank you blood donors - 112 pints of blood were donated at the Blood Drive yesterday. Free leaf pick-up continues until December 2nd. An unlimited number of paper bags containing only leaves may be placed curbside on the normal waste collection days without stickers. Yard waste stickers are required on any cans and also for nonresidential properties.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [160458](#) **Approval of Village Payroll**
For the period ending October 29, 2016 in the amount of \$852,365.76.
This Payroll/Accounts Payable was approved on the Consent Agenda

- B. [160459](#) **Approval of Accounts Payable**
For the period ending November 4, 2016 in the amount of \$1,090,751.47.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- C. [160211](#) **Property Transfer between the Village of Lombard and the Forest Preserve District of DuPage County - Amended Ordinance**
This ordinance was previously approved at the May 19, 2016 meeting, and an amended ordinance approved at the June 16, 2016 meeting. Upon approval, it was determined that the legal description in Exhibit "A" did not match the property included in the conveyance.

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

Enactment No: Ordinance 7219, 7227, 7299

Other Ordinances on First Reading

- D. [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 first reading on the Consent Agenda

Enactment No: Ordinance 7307

Ordinances on Second Reading

Resolutions

E. [160456](#) **Hammerschmidt Parking Lot Extension, Final Balancing Change Order No. 1**

Reflecting an increase to the contract with KEE Construction in the amount of \$32,124.07. (DISTRICT #4)

This Resolution was adopted on the Consent Agenda

Enactment No: R 71-16

Other Matters

F. [160428](#) **PC 16-22: 400 E. St. Charles Road (Oakview Estates Phase II) (Request to Withdraw by Petitioner)**

Recommendation from the Plan Commission that the Village take the following actions on the subject property located within the R4PD Planned Development (Oakview Estates Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oakview Estates Planned Development, as established by Ordinance No. 5488, as follows:
 - a. Change the use from condominiums to attached single-family (townhomes);
 - b. Approve a deviation from Section 155.409(F)(3)(a) and 155.508(C)(6) to reduce minimum required front yard setback from 30 feet (30') to one foot (1'); and
 - c. Approve a deviation from Section 155.409(G) to increase the maximum allowable building height from 36 feet (36') to 36 feet and six inches (36'6");
2. Pursuant to Section 155.208 (number of buildings on a lot of record) of the Lombard Zoning Ordinance, approve a conditional use for two principal structures on one lot of record;
3. Pursuant to Section 155.409(K)(3) (Restrictions on attached single-family dwellings) of the Lombard Zoning Ordinance, approve a deviation to reduce the minimum separation between buildings containing attached single-family dwellings from thirty feet (30') to twenty feet (20'); and
4. Pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance, approve an eight-unit townhome development based upon the submitted plans. (DISTRICT #4)

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, seconded by Trustee Dan Whittington, 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)

[160384](#)

700 Block of S. Charlotte Parking Restriction (Continued from October 20, 2016)

Recommendation of the Public Safety & Transportation Committee to install 2-Hour Parking, 9 AM - 3 PM on School Days on Charlotte Street from Harrison Road to Harding Road. (DISTRICT #6)

Scott Gronwold spoke supporting the recommendation of 2-hour parking on South Charlotte. He thanked the Public Works Committee and staff for reviewing the matter and making this recommendation. He noted that on November 15th he checked the parking lot at Sunset Knolls and found 20 students parking there and that there were 31 students parked on South Charlotte at the same time. He stated that parking on South Charlotte is 1/10 of a mile shorter than parking at Sunset Knolls. He spoke of educating the students relative to parking restrictions and encouraged the Village Board to approve the recommendation.

Trustee Bill Ware thanked Trustees Whittington and Fugiel for their involvement in this matter and he also supported the recommendation. Village Manager Scott Niehaus stated that Public Works will install the signs and the Police Department will begin enforcement. He noted that an additional recommendation will be coming to the Village Board in December relative to 2-hour parking in the area of the high school and that it will also include Main Drive.

A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Ordinance amending the Village of Lombard Traffic Code relative to parking times limited on certain streets 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, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7300

B. [160467](#)

Amending Title 11, Chapter 112 of the Lombard Village Code - Alcoholic Beverages

Effective December 1, 2016 amend Title 11, Chapter 112 to add a new Class "XX" liquor license category; issue a Class "XX" liquor license to SBBL LLC d/b/a Brauerhouse, 1000 N. Rohlwing Road, Units 12 and 13; decrease the number of Class "A/B-III" liquor licenses by one to

reflect the non-renewal of the liquor license issued to SBBL LLC d/b/a Brauerhouse; and revise other sections of Title 11, Chapter 112 affected by the addition of a new Class "XX" liquor license classification. (DISTRICT #1)

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the Ordinance relative to Title 11, Chapter 112, of the Lombard Village Code regarding Brauerhouse, 1000 N. Rohlwing Road, Units 12 and 13 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

Abstain: 1 - Dan Whittington

Enactment No: Ordinance 7301

C. [160468](#)

Amending Title 11, Chapter 112 of the Lombard Village Code - Alcoholic Beverages

Amending Title 11, Chapter 112 of the Lombard Village Code revising the Class "L-I" Liquor License category relative to the sale and change of ownership from Wine Racks Enterprises LLC d/b/a The Cellar to W Wine LLC d/b/a The Cellar located at 141 W St. Charles Road. (DISTRICT #1)

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Ware, that the Ordinance amending Title 11, Chapter 112 of the Lombard Village Code relative to The Cellar, 141 W. St. Charles Road 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

Abstain: 1 - Dan Whittington

Enactment No: Ordinance 7302

D. [160462](#)

Amending Title 11, Chapter 112, Section 112.13 (A) of the Lombard Village Code - Alcoholic Beverages

Revising the Class "X" liquor license category to reflect a change of more than 50% of the ownership interest of American Multi-Cinema, Inc. now doing business as AMC Dine-In-Theatre Yorktown 18 located at 80 Yorktown Shopping Center. (DISTRICT #3)

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Robyn Pike, that the Ordinance amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code for AMC Theatres, 80 Yorktown Shopping Center 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

Abstain: 1 - Dan Whittington

Enactment No: Ordinance 7303

Other Ordinances on First Reading

Ordinances on Second Reading

- E. [160407](#) **Village of Lombard Budget Ordinance for Fiscal Year 2017**
Ordinance adopting the Village of Lombard FY 2017 Annual Budget in the amount of \$96,967,764.
- A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the Ordinance adopting the FY 2017 Village of Lombard Annual Budget for the period January 1, 2017 through December 31, 2017 in the amount of \$96,967,764 be passed on second reading. 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 7304

Resolutions

- F. [160447](#) **Lobbyist Services - Roger C. Marquardt and Company (Continued from November 3, 2016)**
Resolution authorizing a contract between the Village of Lombard and Roger C. Marquardt and Company in the amount of \$2,000 per month (a 50% reduction in fees) to provide lobbyist services from January 1, 2017 to December 31, 2017.
- A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the Resolution approving a contract with Roger C. Marquardt and Company to provide lobbyist services to the Village of Lombard from January 1, 2017 through December 31, 2017 in the amount of \$2,000 per month be adopted. The motion carried by the following vote:**
- Aye:** 6 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- Enactment No: R 72-16

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Mike Fugiel, seconded by Trustee Dan Whittington, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 17, 2016 in the Board Room of the Lombard Village Hall be adjourned at 7:58 p.m. The motion carried by the following vote:

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