

Village of Lombard

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



Minutes

Thursday, March 18, 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, MARCH 18, 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, March 18, 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, March 18th 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, March 18th, 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, March 18, 2021 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 6:00 p.m. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

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

Village Attorney Tom Bayer
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 (remote)

III. Public Hearings

IV. Public Participation

[210076](#)

Presentation - Prairie Food Co-op and 101-109 S. Main Street

Jessica Buttmer, representing Prairie Food Co-op, provided the following Power Point presentation:
Prairie Food Co-op \$4.4 million project; impact on community and 109 S. Main development; Prairie Food Co-op is a community-owned and democratically operated grocery store dedicated to strengthening our economy and creating a marketplace for transparently labeled, local, organic and sustainable food; there are over 250 food co-ops in the United States, some being in existence for over three decades; and 140+ new food co-ops being organized currently; Illinois currently has seven food co-ops with seven more starting up; Prairie Food Co-op will be the first food co-op in DuPage County; co-ops are expected to triple in number as early as 2022; co-ops make a powerful impact generating \$1604 in local economic activity for every \$1,000 spent; co-ops donate

24,100 pounds of healthy food to pantries; co-ops feature 157 local farmers and food producers; co-ops offer 92 community workshops each year; Prairie Food Co-op will be accessible at the 101-109 S. Main location by bike path, Metra, and Pace and is within walking distance for thousands of residents and commuters; Prairie Food has 1275 owners and growing; project is projected at \$4.4 million; funding includes \$89,000 from past and present Board members, four Illinois co-ops are fundraising on Prairie Food Co-op behalf, local business will do a March Challenge, and Prairie Food is pursuing \$600,000 in grants; construction to begin in 2021 with opening in 2022; thanked the Village Board and staff for all of their support;

V. Approval of Minutes

A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Whittington, that the minutes of the regular meeting of March 4, 2021 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - 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

Report will be given when the ECDC recommendation regarding the Hoffman proposal is reviewed under Separate Action.

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

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

The F&A members reviewed the Reserve Policy as well as possible stimulus funding. This was tabled to the April meeting for further review. The committee also reviewed the January 2021 Finance monthly report.

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

Trustee Dan Whittington, Chairperson of the Transportation & Safety Committee, congratulated Al Greene on his retirement after serving the Lombard Fire Department, the Village and the community for thirty years, and wished Al and his family all the best in the years to come.

**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: Controlled (prescribed) burns will take place before April 30th (depending on weather conditions), at Terrace View Pond, Morris Pond, Echo Pond, Grace/Central Pond, the Surges Center Public Works Complex, and the Village Hall Complex. Notifications of controlled burns will be sent out through the Village's social media accounts, and the Controlled Burn newsletter list. Sign up at www.villageoflombard.org/notifyme and select controlled burns. Residents interested in receiving construction alerts and updates on two major developments in downtown can sign up for e-newsletters. For updates about Lilac Station, sign up at www.villageoflombard.org/lilacstationnews. For construction updates on the new Helen Plum Library project at 411 S. Main Street, sign up at www.villageoflombard.org/libraryconstructionnews. ComEd will be conducting tree trimming in Lombard, into early summer. Preventive pruning around power lines is vital to providing reliable electric service. This work is taking place along roadways and in the easements behind homes. ComEd will notify residents if backyard access will be necessary. Visit www.villageoflombard.org/treetrimming for a map of ComEd's tree trimming schedule.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [210084](#) **Approval of Village Payroll**
For the period ending February 27, 2021 in the amount of \$904,658.19.
This Payroll/Accounts Payable was approved on the Consent Agenda

- B. [210085](#) **Approval of Accounts Payable**
For the period ending March 5, 2021 in the amount of \$896,454.27.
This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [210095](#) **Approval of Accounts Payable**
For the period ending March 12, 2021 in the amount of \$781,403.79.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [210060](#) **ZBA 21-01: 217 S. Brewster Avenue**
The Zoning Board of Appeals transmits its approval recommendation regarding the petitioner's request for a variation from Section 155.407(F) (3) of the Lombard Village Code to reduce the required interior side yard setback from six feet (6') to four feet (4') for the subject property located within the R2 Single-Family Residence Zoning District. The requested relief is for an addition to an existing single-family residence located on the subject property. (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 7933

- E. [210089](#) **Ordinance Amending the Lombard Traffic Code - North Broadview**
Recommendation of the Police Department to amend one or more schedules of the Lombard Traffic Code Ordinance No. 1186, as amended, removing the No Parking 7am-4pm M-F signage at Broadview Avenue from North Avenue up to 711 N. Broadview (dead end) and erecting signage for "No Commercial Truck Parking" at that location. The Public Safety Transportation Committee approved the request.

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

Enactment No: Ordinance 7934

- F. [210066](#) **Waste Collection and Disposal Ordinance for Annual Fee Rates**
An Ordinance amending Title IX, Chapter 92, Section 92.17 of the Lombard Village Code in regard to waste collection and disposal reflecting the fee rates that are adjusted each April 1st, as authorized in the Solid Waste Contract. Staff requests a waiver of first reading.
(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 7935
- G. [210090](#) **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 "U" liquor license category by one and granting a Class "U" liquor license to Tuxedo T-Shirt, LLC d/b/a NachoRita located at 14 W. St. Charles Road effective April 1, 2021. (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 7936

Other Ordinances on First Reading

Ordinances on Second Reading

- H. [210041](#) **Text Amendments to Title 15, Chapter 150 of the Village Code - Building Code**
The Board of Building Appeals transmits for your consideration its approval recommendation regarding deletion of redundant items covered in new codes, including updates of charts for weathering, changes to garages, decks and foundations and common practices in the area.
(DISTRICTS - ALL)
This Ordinance was passed on second reading on the Consent Agenda
Enactment No: Ordinance 7937

Resolutions

- I. [210086](#) **Downtown Sidewalks Improvement Project, Design Engineering Services**
Approving a contract with Robinson Engineering in the amount of \$33,130 for professional detailed design engineering services (Phase 2).
(DISTRICT #1)
This Resolution was adopted on the Consent Agenda

Enactment No: R 10-21

Other Matters

- J. [210050](#) **Local Tourism Grant Application 2021 - Ale Fest**
Approving a grant request from Glenbard East High School Boosters in the amount of \$10,000 from Hotel/Motel funds for expenses related to the event. The expenses include fencing, tents, village services, marketing and street closures. The event is scheduled for June 12, 2021.
- K. [210054](#) **Local Tourism Grant Application 2021 - Lombard Cycling Classic**
Approving a grant request from DuPage County Convention and Visitor's Bureau and Prairie State Cycling Series, LLC, in the amount of \$7,000 from Hotel/Motel funds for expenses related to the fees associated with the event. The grant also includes up to \$10,000 in village services. The event is scheduled to take place July 20, 2021.
This Request was approved on the Consent Agenda
- L. [210077](#) **Amendment to Village Board Policy 6.C. - Street Lighting Policy**
Recommendation of the Public Works and Environmental Concerns Committee to approve amendments that provide clarification for maintenance of non-compliant street lights, incorporate changes to lighting standards for arterial roadway lighting, and identify specific manufacturers and products for application in Lombard. (DISTRICT - ALL)
This Request was approved on the Consent Agenda
- M. [210097](#) **Three Year Extension to the Agreement with Prescient Development, Inc. for Technical Support Services**
Request for waiver of bids and authorization to execute a three (3) year extension to the agreement with Prescient Development, Inc. for technical support services with costs for the first year of \$419,434.68 and costs for the two following years with increases by the non-union employee cost of living increase from the previous January. Prescient has provided IT support services to the Village since 2007.
This Request was approved on the Consent Agenda
- N. [210098](#) **Award of Contract for Cyber Security Services**
Request for a waiver of bids and award of a three-year contract to ThinkGard LLC for cyber security services including the purchase of security equipment and software in the amount of \$129,992.71.
This Bid was approved on the Consent Agenda

Approval of the Consent Agenda

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

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

- A. [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)
- Trustee Anthony Puccio, Chairperson of the Economic & Community Development Committee, reported:

At a Special Meeting of the ECDC on Thursday, March 11th, the Committee considered an amended Economic Incentive Request by Hoffmann 600 Lombard LLC to extend the previously recommended incentive time period for the project, removing the Business District 2 incentive component, and to consider taking steps to remove the property from the Existing Business District 2 area. The ECDC recommended their support for the petitioner's amended request subject to conditions. This matter is placed on tonight's Village Board agenda under Separate Action for first reading only.

Director of Community Development Bill Heniff provided an overview of a Power Point as follows:

The economic incentive request was introduced to the ECDC on October 7, 2020; the ECDC reviewed/recommended on December 14, 2020; initial discussion before the Village Board on January 7, 2021 with Village Board support to negotiate final terms; zoning entitlements approved on January 21, 2021; amended review/recommendation by ECDC on March 11, 2021; future actions will include a purchase/sale agreement with Hoffman for 0.7 acre tract for a Village water tower; and land development agreement to be finalized; one of a limited supply of large properties available for infill development (27.55 gross/16 net acres); great location along the Butterfield Road corridor; adjacent to Yorktown Center and Fountain Square; site is well-positioned within the region with close proximity to I-88 and I-355, close to downtown Chicago and O'Hare Airport, and close proximity to major retail and employment centers; site challenges include advance engineering (\$24,000,000 estimated) to get the property ready for development alone; access and visibility limited Butterfield Road frontage, no existing primary access to abutting properties, abutting development blocks view of site, and access deficiencies limit potential land uses for the site; the Northern Seminary redevelopment by Hoffmann 600 Lombard LLC project is estimated at \$159,000,000; Hoffmann is seeking an incentive agreement to cover preliminary extraordinary costs which include, but are not limited to: land acquisition of \$9.0 million, eligible onsite improvements and site preparation (hard costs) \$23.7 million, off-site roadway improvements (contingent) \$0.6 million, land development soft costs \$4.6 million, and land development financing \$0.3 million for a total of \$38.2 million; reviewed incentive policy source of incentives; reviewed payouts by Village based upon source revenues and recommended percentages; project is a significant private-sector financial investment in the community of \$159,000,000 estimated project cost, \$27,500,000 potential incentive (at least 83% of estimated project costs un-reimbursed); project promotes a higher and better use of the property, provides a positive fiscal and economic impact, adds new and unique retail business tenants to the Lombard market; review Hoffman incentive request of \$31,500,000; reviewed recommendation of ECDC; reviewed

Hoffmann amended request; reviewed ECDC amended review and recommendation; request the Village Board review the amended Incentive Agreement; this matter is listed on first reading and should the Village Board approve the agreement on first reading, second reading would be scheduled for the April 1, 2021 Village Board meeting; the Village Board will still need to consider/approve the purchase/sale agreement for the proposed lot 7 parcel for a future water tower and consider/approve companion land development agreement for entire planned development;

Village President Keith Giagnorio noted that this is a large parcel of land in the Village and recommended the Village Board approve the Incentive Agreement.

A motion was made by Trustee Anthony Puccio, seconded by Trustee Reid Foltyniewicz, that the 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 be passed on first reading, and that this matter be placed on the Consent Agenda for the April 1, 2021 Village Board meeting for second reading . The motion carried by the following vote:

Ayes: Puccio, Foltyniewicz, Honig, Militello, Whittington

Nays: None

Enactment No: Ordinance 7970

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Whittington, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 18, 2021 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 6:38 p.m. for the purpose of discussion of Pending Litigation. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 18, 2021 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:07 p.m.

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

XIII Adjournment

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A motion was made by Trustee Anthony Puccio, seconded by Trustee Andrew Honig, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 18, 2021 in the Board Room of the Lombard Village Hall be adjourned at 7:08 p.m. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, and Dan Militello

Absent: 1 - Bill Ware