

Village of Lombard

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



Minutes

Thursday, August 18, 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, August 18, 2016 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:31 p.m. Village Clerk Sharon Kuderna 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
Interim Fire Chief Pat Gericke
Assistant Village Manager Nicole Arranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

[160357](#)

Presentation by Lombard Historical Society

Jennifer Heneghan, President of the Lombard Historical Society, presented a check to the Village of Lombard in the amount of \$18,000. She noted that the Society had entered into an agreement with the Village relative to a loan for an addition on the Carriage House at 23 W. Maple. The loan was in the amount of \$202,000 and this is the final payment and constitutes that the loan has been paid off. She thanked the Village for their support and cooperation as the addition would not have been possible without the assistance provided by the Village.

V. Approval of Minutes

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the corrected and amended minutes of the Special Meeting of June

**30, 2016 and the Minutes of the Regular Meeting of July 21, 2016 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

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 August 8 ECDC meeting, the Committee continued its discussions regarding the Lombard Town Centre Strategic Plan and visioning efforts. The LTC addressed past questions raised by the Committee and staff and stated that this planning and visioning efforts will continue through the 2016 year. The ECDC will consider their 2017 funding request at the September 12 ECDC meeting.

The ECDC continued its discussion of perimeter window and business lighting for commercial businesses and thanked the business owners who attended the meeting and offered their input. The ECDC will continue this discussion at future meetings.

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

No report

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

Trustee Bill Ware, Chairperson of the Public Works & Environmental Concerns Committee, reported that the Village Board and Public Works Committee held a joint on Monday to review the proposed Ten Year Capital Improvement Plan for the Village. He thanked the

Committee and the staff for their hard work.

Board of Local Improvements - Trustee Bill Ware, President

No report

VII. Village Manager/Village Board Comments

Village President Keith Giagnorio wished Trustee Foltyniewicz a happy birthday.

Village Manager Scott Niehaus thanked the members of the Lombard Fire Department Union 3009 Collective Bargaining Unit that were in the audience for attending the meeting tonight. he noted that the Fire Union and Village had come to an agreement relative to a Union contract.

Village Clerk Sharon Kuderna noted the following: Cruise Nights and the Summer Concerts Series continues in downtown Lombard and will run every Saturday from 6-10 pm through the end of August. Only two more Cruise Nights events left for the season. This weekend is the band Stache, featured cars are 80's and newer and Montini High School will host the Kid's Corner. It is free family fun so come and join us in downtown Lombard. Please check the Village's website www.villageoflombard.org/cruisenights <<http://www.villageoflombard.org/cruisenights>> for additional information.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [160325](#) Approval of Accounts Payable**
For the period ending July 22, 2016 in the amount of \$1,646,955.84.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [160335](#) Approval of Village Payroll**
For the period ending July 23, 2016 in the amount of \$789,874.63.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [160336](#) Approval of Village Payroll**
For the period ending July 29, 2016 in the amount of \$1,155,776.07.
This Payroll/Accounts Payable was approved on the Consent Agenda

- D. [160337](#) **Approval of Accounts Payable**
For the period ending August 5, 2016 in the amount of \$526,348.41.
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [160353](#) **Approval of Village Payroll**
For the period ending August 6, 2016 in the amount of \$795,022.19.
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [160354](#) **Approval of Accounts Payable**
For the period ending August 12, 2016 in the amount of \$721,312.43.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- G. [160334](#) **Easement Agreement with the DuPage County Forest Preserve District**
An ordinance declaring the necessity for the Village of Lombard to use and occupy certain real estate owned by the Forest Preserve District of DuPage County for storm sewers and electrical conduit pursuant to the Local Government Property Transfer Act (50 ILCS 605/0.01 et seq.). (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 7255
- H. [160340](#) **Sale of Surplus Equipment**
Declaring two (2) seizure vehicles, 1 MRL cardiac monitor and 2 manual Ferno stretchers as surplus equipment and authorizing their sale and/or disposal. Staff is requesting 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 7256
- I. [160349](#) **Historic Preservation Commission - Certified Local Government Requirements**
Amending Title III., Chapter 32, Sections 32.076(A) of the Lombard Village Code in regard to the Lombard Historic Preservation Commission. (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 7257
- I-2. [160199](#) **PC 16-08A: 400, 406, 412, 420, and 440 S. Finley Road, Single**

Family Subdivision

Recommendation from the Plan Commission to approve the following actions on the subject property located within the R1 Single-Family Residence District:

1. Approve a Map Amendment rezoning the entire property back to the R2 Single-Family Residence District;
2. Approve a variation from Section 154.304 (D)(3) and Section 154.305 (D)(3)(b) to eliminate the requisite sidewalk on the north side of Hickory Street; and
3. Approve a Major Plat of Subdivision. (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 7258, 7259

I-3. [160331](#)**PC 16-16: 837 S. Westmore Meyers Road; WT Café**

Requests that the Village grant a conditional use, pursuant to Section 155.415(C)(3) of the Zoning Ordinance, to allow for catering services located within the B3PD Community Shopping District, Planned Development. (DISTRICT #6)

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

Enactment No: Ordinance 7260

Other Ordinances on First Reading**J. [160303](#)****PC 16-15: 331 W. Madison Street (CPSA)**

Recommendation from the Plan Commission to approve a conditional use to allow for an expansion of a Private Elementary, Middle and High School, in the R2 Single-Family Residence District; and approval of a conditional use for a planned development with a companion variation from Section 155.508 (C) (7), reducing the minimum required open space to 50% where a minimum of 62.5% is required for planned developments. (DISTRICT #6)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7269

Ordinances on Second Reading**Resolutions****K. [160175](#)****Certified Local Government (CLG) Application Request**

Recommendation from the Historic Preservation Commission to authorize the filing of an application for Certified Local Government status. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 56-16

- L. [160318](#) **2015 Historic Survey (Survey of Sites)**
Recommendation from the Historic Preservation Commission to approve a Resolution accepting the 2015 Historic Sites and Structures Inventory according to Section 32.079(B).

This Resolution was adopted on the Consent Agenda

Enactment No: R 57-16

- M. [160320](#) **Amendment to an Intergovernmental Agreement with York Township Regarding Route 53 and Madison Street**
Authorizing the signatures of the President and Clerk on the Fourth Amendment to the Intergovernmental Agreement with York Township regarding Route 53 and Madison Street. (DISTRICTS #1, #2 & #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 58-16

- N. [160338](#) **Gatz Pond Outfall, Design Engineering**
Approving a contract with Engineering Resource Associates, Inc. in the amount of \$122,850.00. (DISTRICT #5)

This Resolution was adopted on the Consent Agenda

Enactment No: R 59-16

- O. [160350](#) **FY16 Crack Sealing Program, Final Balancing Change Order No. 1**
Resolution reflecting a decrease to the contract with Denler, Inc. in the amount of \$55,639.85. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 60-16

- P. [160351](#) **Agreement with Lombard Firefighters Union**
Approval of an Agreement between the Village of Lombard and IAFF Local 3009 Firefighter's Union.

This Resolution was adopted on the Consent Agenda

Enactment No: R 61-16

Other Matters

- Q. [160321](#) **Sewer Root Control**
Request for a waiver of bids and award of a contract to Duke's Root Control in the amount of \$30,000.00. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- R. [160324](#) **FY 2016 Surface Treatment Program**
Request for a waiver of bids and award of a contract to CAM, LLC in the amount of \$70,000.00. Public Act 85-1295 does not apply.
(DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

- S. [160327](#) **Police Department Desktop PC Replacement**
Request for a waiver of bids and award of a contract to Dell in an amount not to exceed \$45,550.68 for the purchase sixty (60) desktop computer systems for the Police Department and one computer for the Historical Society. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- T. [160339](#) **Two Rivers Nation Family Fun Night - Public Signage Request**
Request from Two Rivers Nation to allow the use of public rights-of-way and public property for the display of signage associated with the Family Fun Night event through September 10, 2016.
(DISTRICTS - ALL)

This Request was approved on the Consent Agenda

- U. [160347](#) **Yorktown Mall Special Event - Adidas Tent Sale**
Request for a Temporary Special Event Permit for the Adidas Tent Sale to take place at Yorktown Shopping Center from August 24 to August 28, 2016. (DISTRICT #3)

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. [160352](#) **Amending Village Code Title 11, Chapter 112 - Alcoholic Beverages**
Amending Title 11, Chapter 112 Section 112.13(A) reflecting an increase in the Class "C" liquor license category by one and granting a liquor license to Bricks on Highland LLC d/b/a Bricks Wood Fired Pizza

Cafe located at 2770 S. Highland Avenue effective September 1, 2016. (DISTRICT #3)

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that this Ordinance 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 7261

A motion was made by Trustee Bill Ware, seconded by Trustee Bill Johnston, that the Ordinance Amending Village Code Title 11, Chapter 112 - Alcoholic Beverages, be reconsidered. The motion carried by the following vote:

Ayes: Bill Ware, Mike Fugiel, Reid Foltyniewicz, Bill Johnston and Robyn Pike

Nays: None

Abstain: Dan Whittington

Enactment No: Ordinance 7261

A motion was made by Trustee Bill Ware, seconded by Trustee Bill Johnston, that the Ordinance Amending Village Code Title 11, Chapter 112 - Alcoholic Beverages - 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 7261

Other Ordinances on First Reading

Ordinances on Second Reading

- B. [160085](#) Ordinance Amending Title IX, Chapter 98, Section 98.1(B)(1) of the Lombard Village Code in Regard to the Tax on the Gross Receipts of Places for Eating**

Recommendation of the Finance & Administration Committee to approve an ordinance amending Title IX, Chapter 98, Section 98.1(B) (1) of the Lombard Village Code relative to a proposed 1% increase in the Places for Eating Tax.

Trustee Reid Foltyniewicz noted that he was proud to work with a Village Board that was faced with some difficult decisions and made decisions for the future of the Village.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the Ordinance Amending Title IX, Chapter 98, Section 98.1(B)(1) of the Lombard Village Code in Regard to the Tax on Gross Receipts of Places for

Eating 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 7262

C. [160314](#)

Ordinance Amending Title XI, Chapter 121, Section 121.08 of the Lombard Village Code - Taxi Subsidy Program

Ordinance amending the Lombard Village Code implementing a phased elimination of the Taxi Subsidy Program.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Robyn Pike, that the Ordinance Amending Title XI, Chapter 121, Section 121.08 of the Lombard Village Code Regarding the Taxi Subsidy Program be 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 7263

Resolutions

Other Matters

X. Agenda Items for Discussion

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Robyn Pike, seconded by Trustee Dan Whittington, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, August 18, 2016 in the Board Room of the Lombard Village Hall be adjourned at 7:51 p.m. The motion carried by the following vote:

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