

Village of Lombard

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



Meeting Minutes

Thursday, January 6, 2011

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

*Trustees: Greg Gron, District One; Keith Giagnorio, District Two;
Zachary Wilson, District Three; Dana Moreau, District Four;
Laura Fitzpatrick, District Five; and Bill Ware, District Six*

I. Call to Order and Pledge of Allegiance

[Play Video](#)

The regular meeting of the President and Board of Trustees of the Village of Lombard was called to order on Thursday, January 6, 2011 in the Board Room of the Lombard Village Hall at 7:36 pm. Village Clerk Brigitte O'Brien led the Pledge of Allegiance.

II. Roll Call

[Play Video](#)

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee Bill Ware

Staff Present

Village Manager David Hulseberg

Director of Finance Tim Sexton

Director of Community Development Bill Heniff

Director of Public Works Carl Goldsmith

Chief of Police Ray Byrne

Fire Chief Mike Torrence

Executive Coordinator Carol Bauer

III. Public Hearings

[Play Video](#)

None

IV. Public Participation

[Play Video](#)

None

[100685](#)

Proclamation - National Blood Donor Month

[Play Video](#)

Village Clerk Brigitte O'Brien read the Proclamation for National Blood Donor Month. Village President Mueller reminded residents to contact Carol Bauer at the Village Hall regarding the Blood Drive and encouraged them to donate blood. He thanked Carol for her dedication to this worthwhile program.

V. Approval of Minutes

[Play Video](#)

It was moved by Trustee Giagnorio, seconded by Trustee Ware, to approve minutes of the Special Meeting of November 18, 2010; minutes of the Special Meeting of December 2, 2010; minutes of the Special Meeting of December 8, 2010 and minutes of the Regular Meeting of December 16, 2010. The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

VI. Committee Reports

Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson[Play Video](#)

Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, reported the committee had not met. The next meeting is scheduled for February 14. She noted that the Block Captain Program will be discussed. She asked the Village Board for concurrence on the appointment of Mike Ledonne which is listed on the agenda for approval.

Economic/Community Development Committee - Trustee Bill Ware, Chairperson[Play Video](#)

Trustee Bill Ware, Chairperson of the Economic and Community Development Committee, reported the committee had met. He stated the committee reviewed the Retail Grant Program and that many landlords and business owners were in attendance at the meeting. He thanked them for attending and for their feedback. This is scheduled to come to the Village Board at the January 20th meeting. He spoke of some changes to the grant program:

50% of the approved grant can be paid up front with the remainder of the 50% of the forgivable loan to be paid over 5 years;

property owners may get pre-approved to help with capital improvements and there will be more leniency with restaurants;

all grants will be forwarded to the Village Board for approval - the Economic and Community Development Committee has in the past been able to approve a grant up to \$10,000 without Board approval.

The Committee discussed the Downtown Revitalization Project Guidebook. Members felt the Village should focus on immediate actions, look at use of the DuPage Theater site, and supported the pedestrian and crosswalk improvements. They suggested marketing ideas and encouraged including using Channel 6 to promote shop Lombard. The next meeting is scheduled for February 2.

Environmental Concerns Committee - Trustee Dana Moreau, Chairperson[Play Video](#)

Trustee Dana Moreau, Chairperson of the Environmental Concerns Committee, reported the committee had not met. The next meeting is scheduled for January 25.

Finance Committee - Trustee Zachary Wilson, Chairperson[Play Video](#)

Trustee Zach Wilson, Chairperson of the Finance Committee, reported the committee had not met. The next meeting is scheduled for January 18. He spoke of the Village holding Budget Workshops.

Public Works Committee - Trustee Greg Gron, Chairperson

Trustee Greg Gron, Chairperson of the Public Works Committee, reported the committee had not met. The next meeting is scheduled for January 11.

Transportation & Safety Committee - Trustee Keith Giagnorio, Chairperson[Play Video](#)

Trustee Keith Giagnorio, Chairperson of the Transportation and Safety Committee, reported the committee had met. The committee reviewed parking restrictions in Olde Grove and on Westmore Avenue. He commended staff for their assistance in working

with business owners to come up with a solution. He noted the bakery on Westmore requested ten-minute parking. He indicated there had been a thirty day trial period for the ten-minute parking. He stated Director Heniff reviewed the Illinois State Highway Report and the committee approved this with a few suggestions. This will go the Plan Commission and then come to the Village Board. The committee reviewed the Downtown Revitalization Project book. They suggested looking at traffic patterns during various peak and off-peak hours and also suggested basing this on the redevelopment plans when they come in. They spoke about signage. The next meeting is scheduled for February 7.

Board of Local Improvements - Trustee Greg Gron, President

[Play Video](#)

Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met. The next meeting is scheduled for January 13.

Community Promotion & Tourism - President William J. Mueller, Chairperson

[Play Video](#)

President William Mueller, Chairperson of the Community Promotion and Tourism Committee, reported the committee had not met. The next meeting is scheduled for January 20.

Lombard Historical Commission - Clerk Brigitte O'Brien

[Play Video](#)

Village Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission had not met. The next meeting is scheduled for January 18.

VII. Village Manager/Village Board Comments

[Play Video](#)

Village Manager David Hulseberg reported public safety pension changes were signed by the governor. He indicated that there is a proposal in Springfield to increase the state income tax from 3% to 5-1/4%.

Trustee Moreau questioned the next step after the committees review the Downtown Revitalization Guide.

Director Heniff stated the suggestions will be reviewed by staff and incorporated into the Guide. This will then be brought to the Village Board after the Plan Commission has reviewed.

Trustee Moreau questioned a timeframe.

Director Heniff hoped the Plan Commission would review in February and this would come to the Village Board at the first meeting in March unless there were some delays.

Trustee Moreau questioned if this information was on the website.

Director Heniff indicated he would verify.

Trustee Moreau felt more people would look at this on line.

Director Heniff indicated he would look at ways to get the information out to residents.

VIII. Consent Agenda

Payroll/Accounts Payable

A. [100682](#) Approval of Accounts Payable

For the period ending December 17, 2010 in the amount of \$1,049,774.61.

This Matter was approved on the Consent Agenda.

B. [100693](#)

Approval of Village Payroll

For the period ending December 18, 2010 in the amount of \$827,547.30.

This Matter was approved on the Consent Agenda.

*C. [100695](#)

Approval of Accounts Payable

For the period ending December 24, 2010 in the amount of \$920,226.23.

This Matter was approved on the Consent Agenda.

Ordinances on First Reading (Waiver of First Requested)

D. [100687](#)

Liquor License Amendment - Claim Jumper Restaurant, 92 Yorktown

Amending Title 11, Chapter 112 of the Village Code reflecting a change of ownership in the Class A/B III liquor license classification. (DISTRICT #3)

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

Enactment No: Ordinance 6562

Other Ordinances on First Reading

E. [100661](#)

ZBA 10-13: 320 S. Martha Court

Requests a variation to Section 155.407(F)(4) to reduce the rear yard setback from thirty-five feet (35') to twenty-three feet (23') to allow for the construction of an addition in the R2 Single Family Residential District. (DISTRICT #5)

This Matter was passed on first reading on the Consent Agenda.

Enactment No: Ordinance 6567

F. [100662](#)

ZBA 10-14: 1029 E. Woodrow Avenue

Requests a variation to Section 155.407(F)(2) to reduce the corner side yard setback from twenty feet (20') to eleven and one half feet (11.5') to allow for the construction of an addition in the R2 Single Family Residential District. (DISTRICT #5)

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

Enactment No: Ordinance 6563

G. [100679](#)

PC 10-23: 660 Western Ave

Requests a Minor Plat of Resubdivision to include a variation from Section 155.420 (D) of the Zoning Ordinance to reduce the minimum lot area for the subject property in the I-Limited Industrial District from twenty thousand (20,000) square feet to fifteen thousand two hundred forty-six (15,246) square feet. (DISTRICT #4)

This Matter was passed on first reading on the Consent Agenda.

Enactment No: Ordinance 5668

H. [100681](#)

PC 10-24: Text Amendments to the Zoning Ordinance

The Village requests a text amendment to Section 155.205(A)(1) of the Lombard Zoning Ordinance (and other sections where needed for clarity) to prohibit chain link and privacy fences to be installed in the front yard of properties in single-family residential districts. (DISTRICTS - ALL)

This Matter was passed on first reading on the Consent Agenda.

Enactment No: Ordinance 6569

I. [100683](#)

Alley Vacation and Granting of Public Utility Easement - Main/Graham/Wilson (3/4 Vote of the Trustees Required - 5 of 6)

Vacating a portion of the unnamed public alley west of Main Street between Graham and Wilson Avenues and granting a Public Utility Easement. (DISTRICT #2)

This Matter was passed on first reading on the Consent Agenda.

Enactment No: Ordinance 6570

J. [100684](#)

Village Board Policy Manual (tabled January 6, 2011)

Approving an updated Village Board Policy Manual.

Deferred to the January 20, 2011 meeting

This Matter was approved on the Consent Agenda.

Ordinances on Second Reading

K. [100674](#)

Declaration of Surplus Property

Declaring unused water meters as surplus property and authorizing their sale to Global Meters of Texas.

This Matter was passed on second reading on the Consent Agenda.

Enactment No: Ordinance 6564

Resolutions

Other Matters

- L. [100691](#) **Water and Sewer Pump Station Arc Flash Project**
Request for a waiver of bids and award of a contract to Littlefuse, Inc. in an amount not to exceed \$29,773.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
- This Matter was approved on the Consent Agenda.**
- M. [100692](#) **Water Meters & Accessories**
Request for a waiver of bids and award of a contract to HD Supply Waterworks for water meters and accessories in an amount not to exceed \$22,400.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
- This Matter was approved on the Consent Agenda.**
- N. [100694](#) **Water Meter Reading Services**
Request for a waiver of bids and extension of the contract to Rickman Contract Service, Inc. in an amount not to exceed \$57,150.00 for water meter reading services. Public Act 85-1295 does not apply. (DISTRICTS - ALL)
- This Matter was approved on the Consent Agenda.**
- O. [100676](#) **Street Lighting Policy**
Recommendation of the Public Works Committee to add Light Emitting Diode (LED) technology to the current Village Board Policy.
- This Matter was approved on the Consent Agenda.**
- *P. [100677](#) **Appointment - Community Relations Committee**
Request for concurrence in the appointment of Michael Ledonne to the Community Relations Committee to fill a vacancy created by the resignation of Barbara Jo Johnson.
- This Matter was approved on the Consent Agenda.**
- *Q. [100686](#) **Re-appointments - Historical Commission**
Request for concurrence in the re-appointment of Tom Feters, Eileen Mueller, Rita Schneider, Jack Jones, Marcy Novak and Tami Urish to the Historical Commission for four-year terms.
- This Matter was approved on the Consent Agenda.**

Passed The Consent Agenda

It was moved by Trustee Moreau, seconded by Trustee Gron, to approve the Consent Agenda. This approval includes suspension of the rules, waive first reading and pass on second reading, waive competitive bidding and award contracts, approve and adopt resolutions as needed for the preceding items as read by the Clerk on the Consent Agenda.

The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

*A.

[100678](#)

Term Limitations

Resolution providing for a term limitation for elected officials to be placed on the April 5, 2011 ballot.

[Play Video](#)

Village Manager Hulseberg noted the documents had been drafted by the Village Attorney pursuant to Village Board direction.

Trustee Ware stated that he had been weighing the pros and cons of term limits and is still in favor of term limits. He felt this will create a better government by providing a change in ideas. He felt this would encourage more participation and bring in future leaders. He weighed the idea of waiting or placing this item on the next election ballot. He did not feel the Board should wait. He indicated that less than 30% of the voters came out in the Village election for president. He stated at the last Economic and Community Development Committee, he took an informal poll of the members. The results were the members felt term limits were a good idea. He felt that ideas may be stagnant if term limitations were not enacted and felt term limits would create new ideas from new people. He stated he was willing to discuss this further.

Trustee Fitzpatrick stated she supports term limits. She also concurs with Trustee Moreau regarding the fact that there have been only three occurrences where people have served longer than three terms. She did feel that by limiting terms, you are taking away the right of a person who has served the community well. She felt that residents have the right to make change, but she felt also that residents should look at the pros and cons and realize the ramifications of the choices. She wanted to make sure that residents were given enough information so they can make the correct decision. She spoke of the risks and benefits of term limits. She asked that the committees each review this and that public forums be held for residents. She felt this should be placed on the ballot at the election which has the largest turnout of residents voting and did not feel waiting for the election in 2012 was a problem. She stated this is changing the rules of the Village and felt this should be on the ballot for the maximum amount of voters to vote on it.

Trustee Fitzpatrick moved that the Board reconsider the motion, that the information be sent to the committees in a timely fashion, that public forums be held, and that the referendum question be placed on the 2012 ballot. Seconded by Trustee Moreau Trustee Giagnorio stated he received a lot of e-mails and phone calls on this matter. He stated he is not supporting this for any personal reasons and has been shocked by the controversy. He stated he did not think the residents were understanding the reasons for term limits. He stated the Village Board is just looking to put the question on the ballot and give the people the right to decide. He stated the Village Board is not deciding, the residents are. He spoke about qualified candidates. He said he thought more about this and that the people decide who gets elected. He stated he still supports term limits and did not feel this should be thrown back to the committees. He said he was amazed at the controversy this has caused.

Trustee Gron felt putting this question on the April ballot will not get the most response. He talked about an individual holding office and if he or she was not doing a good job, they would know. He wanted to see a greater amount of people be given the chance to vote on this.

Trustee Wilson questioned if any polls will be closed for the next election. He felt if the polls were all open, this matter should be placed on the next ballot.

President Mueller stated that all of the polls will be open.

Trustee Moreau indicated she had not heard any controversy regarding this matter. She spoke of the article in the Herald. She did not feel this was a huge issue. She did not feel the Village had a problem and that the data provided confirmed the Village did not have a problem. She did not see the residents beating down the door to make this change. She felt the residents should be given a voice. She questioned the cost involved with staff time and ballots. She felt a referendum should be for something important and felt there were other options to get the opinion of the residents without a referendum.

Trustee Ware indicated residents can vote for the Village Board, School Board and Library Board in April and felt this was a good enough gauge regarding this matter. Trustee Fitzpatrick felt the only reason this was being pushed through was to meet the deadline for the April ballot and felt there was no reason to rush this forward. She felt that the committees each had a lot on their plates currently with budgeting and downtown and these items were paramount and felt the term limits should wait. She felt staff and the committees had other pressing matters.

President Mueller stated that one thing that had not been discussed by the Board was if the referendum was going to be a binding referendum or an advisory referendum. He stated three trustee seats were up for election and two are contested and one is not. He spoke of new trustees coming on the Board and felt these individuals should be given a say in the matter and that they may have some ideas or suggestions. He felt the Board should be careful and cover all of the possibilities and options.

Trustee Ware moved for reconsideration of the motion, to send this to the committees and to place this on the ballot as an advisory referendum.

Attorney Bayer stated the Village has no authority to change Village Code following an advisory referendum and that it is just advisory. The Village would have to place this on a subsequent ballot as a binding referendum to impose the term limits.

Trustee Ware indicated he was in agreement with placing the item on the April 5 ballot as an advisory referendum.

Trustee Gron questioned if this would go on the ballot now and again in two years.

Attorney Bayer indicated the Village is not forced to place this on the ballot in two years as this is an advisory referendum. He reported if the voters said yes, a future Board will determine if they want to put the referendum on a ballot, but this is not mandated.

President Mueller stated this answered some questions and brought up other questions. He spoke of transparency.

It was moved by Trustee Fitzpatrick, seconded by Trustee Moreau, that this matter be adopted reconsider the motion, send to committees, to have on ballot of presidential primary The motion failed by the following vote:

Aye: 3 - Mueller, Gron and Fitzpatrick

Nay: 3 - Giagnorio, Wilson and Ware

Abstain: 1 - Moreau

Enactment No: R 57-11

Trustee Ware moved reconsideration of the motion and placing the item on the April 5th ballot as an advisory referendum.

It was moved by Trustee Ware, seconded by Trustee Giagnorio, to approve. The motion carried by the following vote:

Aye: 5 - Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

Nay: 1 - Gron

Other Matters

- *B. [100699](#) **Purchase on Weekly Accounts Payable for December 24, 2010**
Request to approve a purchase in the amount of \$326.00 to Giagnorio's Pizza.

[Play Video](#)

It was moved by Trustee Ware, seconded by Trustee Fitzpatrick, that this matter be approved. The motion carried by the following vote:

Aye: 5 - Gron, Wilson, Moreau, Fitzpatrick and Ware

Abstain: 1 - Giagnorio

X. Agenda Items for Discussion

XI. Executive Session

[Play Video](#)

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 6, 2011 in the Board Room of the Lombard Village Hall was recessed to Executive Session for the purpose of discussion of Probable or Imminent Litigation and Information Regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee or Employees of the Village at 8:18 pm.

It was moved by Trustee Moreau, seconded by Trustee Wilson, to recess to Executive Session. The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 6, 2011 in the Board Room of the Lombard Village Hall was called to order at 8:53 pm.

Present: Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Keith Giagnorio, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee Bill Ware

XIII. Adjournment

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, January 6, 2011 in the Board Room of the Lombard Village Hall was adjourned at 8:54 pm.

It was moved by Trustee Giagnorio, seconded by Trustee Gron, adjourn. The motion carried by the following vote:

Aye: 6 - Gron, Giagnorio, Wilson, Moreau, Fitzpatrick and Ware