

Village of Lombard

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



Minutes

Thursday, September 6, 2012

7:30 PM

Village Hall Board Room

Village Board of Trustees

Acting Village President Peter Breen

Village Clerk: Brigitte O'Brien

*Trustees: Greg Gron, District One; Keith Giagnorio, District Two;
Zachary Wilson, District Three; Peter Breen, District Four;
Laura Fitzpatrick, 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 was called to order by Village Clerk Brigitte O'Brien at 7:33 pm Thursday, September 6, 2012 in the Board Room of the Lombard Village Hall. The Fire Department Honor Guard Presented the Colors. Village Clerk O'Brien led the Pledge of Allegiance.

II. Roll Call

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Staff Present:

Village Manager David Hulseberg
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Chief of Police Ray Byrne
Interim Fire Chief Pat Gericke
Executive Coordinator Carol Bauer

[120462](#)

Appointment of a Temporary Chairperson

Village Manager David Hulseberg asked that a motion be made to appoint a Temporary Chairperson for the meeting.

It was moved by Trustee Giagnorio, seconded by Trustee Ware, that Trustee Greg Gron be appointed as Temporary Chairperson. The motion failed.

Trustee Breen suggested that the names of the Trustees be placed in a hat and a name be drawn to name the Temporary Chairperson.

Trustee Giagnorio suggested having rotating chairpersons. He spoke of the upcoming election and felt that if a Trustee was appointed as Temporary Chairperson, that it might cause an unfair advantage for that person with regard to the election. He stated that by each Trustee taking a turn as Temporary Chairperson, each would receive experience and there would not be an advantage in the upcoming election.

Trustee Breen spoke with regard to no provision with regard to filling the vacancy of the Village President with the death of Bill Mueller.

It was moved by Trustee Breen, seconded by Trustee Wilson that the names of the Trustees be placed in a hat and that a name be drawn to appoint a Trustee as Temporary Chairperson for the meeting.

Trustee Ware asked for clarification.

Trustee Giagnorio spoke with regard to the rotation of Trustees for the

Temporary Chairperson position.
Trustee Ware asked if this was monthly.
Trustee Fitzpatrick felt the Board was required to appoint a Temporary Chairperson. She stated that if a Trustee was not interested in serving as Temporary Chairperson, to have their name not placed in the hat.
Trustee Ware asked that his name be removed.
Village Manager Hulseberg removed Trustee Ware's name.
Village Attorney Bayer confirmed the names of the Trustees. The Village Clerk selected a card from the hat naming Trustee Gron as Temporary Chairperson.

A motion was made by Trustee Keith Giagnorio, seconded by Trustee Bill Ware, that Trustee Greg Gron be appointed as Chairperson. The motion failed by the following vote:

Aye: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Nay: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

A motion was made by Trustee Peter Breen, seconded by Trustee Zachary Wilson, that the names of the Trustees be placed in a hat and a name be drawn to appoint the chairperson for the meeting. This Request be approved.

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

III. Public Hearings

IV. Public Participation

[120362](#)

Swearing in - Fire Department Promotions

Village Manager David Hulseberg spoke with regard to Paul DiRienzo. Paul DiRienzo was called to the front. Village Clerk Brigitte O'Brien issued the Oath of Office to Paul DiRienzo swearing him in as Fire Chief.

Fire Chief DiRienzo called Marty Coomes, Art Peters and Ray Kickert to the front and gave bios on each.

Village Clerk Brigitte O'Brien issued the Oath of Office to Marty Coomes, Art Peters and Ray Kickert swearing them in as Battalion Chiefs.

Paul DiRienzo called Anthony Sally, Make Sepe and Michael Ringa to the front and gave bios.

Village Clerk Brigitte O'Brien issued the Oath of Office to Anthony Sally, Mark Sepe and Michael Ringa swearing them in as Lieutenants.

[120449](#)**Proclamation - Always Remember 9-11**

Village Clerk Brigitte O'Brien read the proclamation for Always Remember 9-11.

Acting Chairperson Greg Gron presented the proclamation to the Fire Chief and Chief of Police.

[120450](#)**Proclamation - Get Pinked Day**

Village Clerk Brigitte O'Brien read the proclamation for Get Pinked Day.

Acting Chairperson Greg Gron presented the proclamation to Rose Roth.

[120451](#)**Proclamation - Prairie Days**

Village Clerk Brigitte O'Brien read the proclamation for Prairie Days.
Acting Chairperson Greg Gron presented the proclamation to members of the Garden Club.

[120452](#)**Proclamation - No Text on Board Pledge Day**

Village Clerk Brigitte O'Brien read the proclamation for No Text on Board Pledge Day.

Acting Chairperson Greg Gron presented the proclamation to Chief of Police Ray Byrne.

[120453](#)**Proclamation - Knights of Columbus**

Village Clerk Brigitte O'Brien read the proclamation for the Knights of Columbus.

Acting Chairperson Greg Gron presented the proclamation to members of the Knights of Columbus.

V. Approval of Minutes

Minutes of the Regular Meeting of June 21, 2012 and Minutes of the Special Meeting of July 12, 2012

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

VI. Committee Reports

Community Relations Committee - Trustee Keith Giagnorio, Chairperson

Trustee Keith Giagnorio, Chairperson of the Community Relations Committee, spoke with regard to expanding the eligibility for students to serve on committees. He stated this was on the agenda and requested concurrence. The committee put the final touches on the Senior Fair scheduled for October 3rd from 9:30 am to 2 pm at the Community Building. He stated the committee received an update on the Social Services Program and that it has been very well received. The next meeting is scheduled for September 10th at 7 pm.

Economic/Community Development Committee - Trustee Peter Breen, Chairperson

Trustee Peter Breen, Chairperson of the Economic & Community Development Committee, indicated the committee will review cabs versus livery vehicles at the September 10th meeting. He talked about expanding the student membership on committees and asked residents to encourage any students to participate. He welcomed Vino Cellar to downtown Lombard.

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

Trustee Laura Fitzpatrick, Chairperson of the Environmental Concerns Committee, reported that the committee reviewed the dog tag ordinance at the last meeting. The \$5 fee for dog registration has been eliminated. The committee will look to encourage pet owners to have their pets chipped for identification purposes. The committee will try and encourage the County to assist with a reduced fee for chipping pets. This will be promoted in May for National Pet Month along with the Mutt Strut.

Trustee Fitzpatrick spoke of mosquito abatement and noted the Village's Mosquito Abatement Program was very aggressive. She noted that Clarke does drop pellets over wetland areas to help with mosquito abatement. She suggested residents contact Clarke if they felt a certain wetland area had not been treated.

Trustee Fitzpatrick stated that due to electric aggregation, residents are saving 45% over ComEd rates. She noted this is a \$45 million savings for the community and that 97% of residents are participating. Trustee Fitzpatrick noted the Recycling Extravaganza is scheduled for

September 29th.

Finance Committee - Trustee Greg Gron, Chairperson

Trustee Greg Gron, Chairperson of the Finance Committee, reported the committee had recommended a change with regard to residents being required to provide a deposit for water service. He stated refunds will be mailed to those residents who have made deposits. Trustee Gron indicated the committee reviewed the suggestion regarding a satellite Village office in downtown and felt the costs associated with the satellite office could be better utilized in other areas, thus recommended not moving forward with that proposal. This is being referred to another committee for their review and their recommendation.

Public Works Committee - Trustee Bill Ware, Chairperson

Trustee Bill Ware, Chairperson of Public Works Committee, reported the committee was reviewing flooding issues at the alley at Charlotte and Martha. He noted the September meeting has been cancelled.

Transportation & Safety Committee - Trustee Zachary Wilson, Chairperson

Trustee Zach Wilson, Chairperson of the Transportation & Safety Committee, reported the committee will meet on September 10th. The committee will be reviewing the noise ordinance and pedestrian stop signs at a future meeting.

Board of Local Improvements - Trustee Greg Gron, President

Trustee Greg Gron, President of the Board of Local Improvements, reported the board had not met.

Community Promotion & Tourism - Chairperson

Acting Chairperson Gron indicated the Community Promotion & Tourism Committee had not met.

Lombard Historical Commission - Clerk Brigitte O'Brien

Village Clerk Brigitte O'Brien, member of the Historical Commission, reported the Commission was waiting for nominations for the Lombard

Heritage Award. The award will be presented at an October Village Board meeting as part of Lombard History Month. A special meeting will be held next Thursday to determine the recipients of the awards. The Commission and Historical Society came in under budget for the fiscal year ending May 31, 2012, using only 87% of budgeted funds. The Local Landmark Committee is working on amendments to the Historical Commission ordinance, and they are also awaiting additional information from the property owner on two pending Local Landmark applications.

Jeanne Angel, Executive Director of the Lombard Historical Society, and her staff were applauded for surpassing their 2012 goal of 10,000 visitors.

The Lombard Cemetery was hit hard by the thunderstorms in early July, which required repairs to the fence and headstones in addition to numerous downed branches.

A review team from Springfield made a thorough inspection of the Sheldon Peck Homestead as part of the pending National Register of Historic Places application. The application will be re-introduced at an upcoming Illinois Historic Sites Advisory Council meeting.

The next meeting will be held on Tuesday, October 16th at 7:30 p.m.

VII. Village Manager/Village Board Comments

Trustee Giagnorio spoke with regard to the crosswalk at Main Street and the Prairie Path, and how confusing it was for motorists and pedestrians. He asked that this be reviewed by the Transportation and Safety Committee.

Chief of Police Ray Byrne noted that the crosswalk is confusing, but that both pedestrians as well as motorists need to exercise caution and yield.

Trustee Fitzpatrick recognized Josh Jendrich on his work toward his Eagle Scout badge.

Trustee Breen thanked Trustee Ware for looking at the flooding issues on Martha and spoke about unpaved alleys. He thanked Trustee Fitzpatrick with regard to the dog registration matter. He indicated on the agenda was the Electricity Reliability Task Force, and hoped the committee would be able to work to minimize outages.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [120365](#) **Approval of Village Payroll**
For the period ending June 16, 2012 in the amount of \$845,790.39.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [120366](#) **Approval of Accounts Payable**
For the period ending June 22, 2012 in the amount of \$1,093,054.52.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [120367](#) **Approval of Accounts Payable**
For the period ending June 29, 2012 in the amount of \$570,249.52.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [120369](#) **Approval of Village Payroll**
For the period ending June 30, 2012 in the amount of \$813,014.51.
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [120370](#) **Approval of Accounts Payable**
For the period ending July 6, 2012 in the amount of \$827,901.85.
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [120378](#) **Approval of Accounts Payable**
For the period ending July 13, 2012 in the amount of \$1,227,524.10.
This Payroll/Accounts Payable was approved on the Consent Agenda
- G. [120381](#) **Approval of Village Payroll**
For the period ending July 14, 2012 in the amount of \$967,291.96.
This Payroll/Accounts Payable was approved on the Consent Agenda
- H. [120382](#) **Approval of Accounts Payable**
For the period ending July 20, 2012 in the amount of \$996,117.19.
This Payroll/Accounts Payable was approved on the Consent Agenda
- I. [120387](#) **Approval of Accounts Payable**
For the period ending July 27, 2012 in the amount of \$1,530,579.41.
This Payroll/Accounts Payable was approved on the Consent Agenda
- J. [120399](#) **Approval of Village Payroll**
For the period ending July 28, 2012 in the amount of \$811,201.58.
This Payroll/Accounts Payable was approved on the Consent Agenda
- K. [120400](#) **Approval of Accounts Payable**
For the period ending August 3, 2012 in the amount of \$458,860.08.

This Payroll/Accounts Payable was approved on the Consent Agenda

- L. [120409](#) **Approval of Accounts Payable**
For the period ending August 10, 2012 in the amount of \$184,240.15.
This Payroll/Accounts Payable was approved on the Consent Agenda
- L2. [120433](#) **Approval of Village Payroll**
For the period ending August 11, 2012 in the amount of \$835,236.12.
This Payroll/Accounts Payable was approved on the Consent Agenda
- L3. [120434](#) **Approval of Accounts Payable**
For the period ending August 17, 2012 in the amount of \$923,647.93.
This Payroll/Accounts Payable was approved on the Consent Agenda
- L4. [120435](#) **Approval of Accounts Payable**
For the period ending August 24, 2012 in the amount of
\$1,172,491.54.
This Payroll/Accounts Payable was approved on the Consent Agenda
- L5. [120446](#) **Approval of Village Payroll**
For the period ending August 25, 2012 in the amount of \$788,600.55.
This Payroll/Accounts Payable was approved on the Consent Agenda
- L6. [120447](#) **Approval of Accounts Payable**
For the period ending August 31, 2012 in the amount of \$368,783.46.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- M. [120388](#) **Amending Title 11, Chapter 112 of the Lombard Village Code**
Revising the Class "L" liquor license category and issuing a Class "L"
liquor license to Uncork It LLC d/b/a The Vino Cellars, 141 W. St.
Charles Road. (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 6741
- N. [120391](#) **Amending Title 11, Chapter 112 of the Lombard Village Code**
Revising the classifications and fees through elimination of the unused
license categories.

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

Enactment No: Ordinance 6742

- O.** [120398](#) **Acquisition of Property at 115 W. Crystal Avenue**
Ordinance authorizing the acquisition of the property commonly known as 115 West Crystal Avenue. Waiver of first reading is requested by staff. (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 6743
- P.** [120403](#) **Amending Title 11, Chapter 121 of the Lombard Village Code**
Increasing the number of Public Passenger Licenses and assigning a license to People Cab Company Inc.

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

Enactment No: Ordinance 6744
- Q.** [120216](#) **Dog Registration Text Amendment**
Recommendation from the Environmental Concerns Committee proposing amendments to the Village Code with regard to the registration of dogs in the Village.

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

Enactment No: Ordinance 6745
- R.** [120355](#) **PC 12-13: 401 E. North Ave.**
Requests that the Village take the following actions for the subject property located in the B4 - Corridor Commercial District:
1. A conditional use for a drive-through establishment;
 2. A conditional use for an outside service area;
 3. A variation from Section 153.208(H) to allow signage within clear line of sight areas;
 4. A variation from Section 153.505(B)(19)(b)(1)(a) to allow a property with a multi-tenant building setback less than 120 feet from the property line to display wall signs that are two times the lineal front footage of the tenant space;
 5. Variations from Sections 155.416(J) & 155.707(A)(4) to reduce the required 30' transitional landscape yard;
 6. A variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access; and
 7. A Minor Plat of Subdivision with a variation from Section 155.416 (D) to allow a lot area of 35,382 sq. ft. where a minimum of 40,000 sq. ft.
 8. Resolution Authorizing Signature of Village President and Clerk on a Cross-Access Connection Reimbursement Agreement.

(This item was not considered by the Plan Commission as it falls under the purview of the Board of Trustees) (DISTRICT #4)

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

Enactment No: Ordinance 6746 and R 23-13

S. [120375](#)

PC 12-14: 1150 S. Main Street (Speedway)

Requests that the Village take the following actions on the subject property located in the B3 - Community Shopping District:

1. An amendment to Ordinance 4026, granting approval of conditional use for a gasoline service station and canopy on the subject property; and
2. A conditional use for outside display and sales of products the sale of which is a permitted or conditional use in this district; and
3. A variation from Section 155.415(F)(2) to reduce the required 30' corner side yard setback of an accessory structure (fuel canopy); and
4. A variation from Section 155.415(F)(4) to reduce the required 30' rear yard setback of the principal structure; and
5. A variation from Section 155.415(J) to reduce the required 40' transitional building setback; and
6. Variations from Sections 155.415(K) & 155.707(A)(4) to reduce the required 30' transitional landscape yard; and
7. A major plat of resubdivision; and
8. A variation from Section 153.505(B)(19)(a)(2)(a) of the Sign Ordinance to allow more than one wall sign per street exposure. (DISTRICT #2)

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

Enactment No: Ordinance 6747

T. [120376](#)

PC 12-15: 1 E. Progress Road (Adjustable Forms)

Requests that the Village approve the following actions for the subject property located in the I Limited Industrial District:

1. A conditional use per Section 155.420(C)(30) of the Zoning Ordinance to establish the subject property as a Planned Development;
2. A conditional use per Section 155.420(C)(13) of the Zoning Ordinance to allow for a Contractors, architects, and engineers equipment and materials storage yard;
3. A variation from Sections 155.706(C), 155.709(B) and 155.508(C)(6)(b) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0');
4. A variation from Sections 155.420(F)(1)&(2) and 155.508(C)(6)

- (a) to reduce the required twenty-five (25) foot front and corner side yard; and
- 5. A major plat of subdivision. (DISTRICT #4)

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

Enactment No: Ordinance 6748

- T2. [120419](#) **Dump Truck Purchase (Continued from September 6, 2012)**
Request for a waiver of bids and award of a contract to Prairie International for the purchase of two dump trucks in the amount of \$244,168.00; and approval of an ordinance declaring Village Units ST342 and WT437 as surplus and authorizing their trade-in. Public Act 85-1295 does not apply.

Enactment No: Ordinance 6758

- T3. [120440](#) **Sale of Surplus Equipment**
Declaring four Village vehicles as surplus property and authorizing their sale at auction. Staff requests 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 6749

- T4. [120444](#) **Amending Title 3, Chapters 33 & 34 of the Lombard Village Code**
Revising the residential dwelling proximity requirement for certain members of the Fire and Police Departments.
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 6750

- T5. [120460](#) **Ordinance Amending The Lombard Traffic Code**
Authorizing the conversion of the St. Charles Road lot into Lombard resident-only parking and 20 easternmost spaces in the Parkside East lot into a regular parking permit zone. (DISTRICT #4)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 6751

Other Ordinances on First Reading

- U. [120407](#) **Standing Advisory Committees and the Designation of a Temporary Chairperson**

Amending Title 3, Chapter 30, Section 30.23 of the Lombard Village Code with regard to Standing Advisory Committees and the Designation of a Temporary Chairperson.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 6755

V. [120410](#)

Student Members on Advisory Committees

Amending Title 3, Chapter 30, Section 30.23(C) of the Lombard Village Code with regard to Student Membership on Standing Advisory Committees.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 6756

***V2 PC 12-15: 661 N. Charlotte Street (This item has been moved to Separate Action**

V3. [120420](#)

ZBA 12-03: 330 N. Park Avenue

Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:

1. A variation from Section 155.212 of the Lombard Zoning Ordinance to allow an unenclosed roofed-over porch as a permitted encroachment in the corner side yard. (DISTRICT #1)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 6757

Ordinances on Second Reading

Resolutions

W. [120344](#)

2012B Asphalt Paving and Patching Program, Change Order No. 1

Reflecting an increase to the contract with Brothers Asphalt Paving, Inc. in the amount of \$120,266.50.

This Resolution was adopted on the Consent Agenda

Enactment No: R 24-13

X. [120368](#)

Terrace View Pond Improvements, Design Engineering Amendment No. 1

Approving an amendment to the contract with Christopher B. Burke Engineering Ltd. reflecting an increase in the amount of \$20,774.42. (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 25-13

- Y.** [120372](#) **2011 North Ave Standpipe Exterior Painting Project, Final Balancing Change Order No. 1**
Reflecting a decrease to the contract with Tecorp, Inc. in the amount of \$20,578.23. (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 26-13

- Z.** [120383](#) **Route 53 Storm Water Pump Station, Contract Amendment No. 2**
Approving an amendment to the contract with Baxter & Woodman reflecting an increase of \$6,995.00. (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 27-13

- AA.** [120395](#) **Interim Fire Chief Agreement**
Resolution authorizing an Agreement between the Village of Lombard and Patrick Gericke to serve as Interim Fire Chief.

This Resolution was adopted on the Consent Agenda

Enactment No: R 28-13

- BB.** [120405](#) **Yorktown Watermain at Buca Di Beppo - Design Engineering**
Design Engineering services for a project that will assist in alleviating watermain breaks at a high traffic area within the Yorktown Mall complex that effects traffic in the northbound lanes of Highland Avenue. (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 29-13

- BB2.** [120424](#) **717 E. Butterfield Road**
Accepting public water value vault for the project known as Chick-fil-A located at 717 E. Butterfield Road. (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 30-13

- BB3.** [120425](#) **85 Yorktown Center**
Accepting public watermain and fire hydrant for the project known as Chase Bank located at 85 Yorktown Center. (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 31-13

- BB4.** [120426](#) **437 E. St. Charles Rd.**
Accepting public watermain and fire hydrant for the project known as Paradise Cove Water Park located at 437 E. St. Charles Road.
(DISTRICT #5)

This Resolution was adopted on the Consent Agenda

Enactment No: R 32-13
- BB5.** [120427](#) **27 W. Grove Street**
Accepting public watermain, sanitary sewer and storm sewer for the project known as Grove Park Condos located at 27 W. Grove Street.
(DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 33-13
- BB6.** [120428](#) **1501 S. Main Street**
Accepting public watermain and fire hydrant for the project known as Christ the King Church building addition located at 1501 S. Main Street. (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 34-13
- BB7.** [120429](#) **1100 Block of S. Stewart Avenue**
Accepting public sidewalk on the 1100 block of S. Stewart Avenue by the National University of Health Sciences. (DISTRICT #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 35-13
- BB8.** [120430](#) **1300 S. Finley Road**
Accepting public watermain and fire hydrant for the International Village Fire Suppression project at 1300 S. Finley Road. (DISTRICT #2)

This Resolution was adopted on the Consent Agenda

Enactment No: R 36-13
- BB9.** [120431](#) **1005 N. Rohlwing Rd.**
Accepting public water sanitary sewer for the DuPage Auto Body Sanitary Connection project located at 1005 N. Rohlwing Road.
(DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 37-13

- BB10.** [120442](#) **Hill Avenue Bridge, Design Engineering Amendment No. 1**
Reflecting an increase to the contract with Bollinger, Lach & Associates, Inc. in the amount of \$20,024.84. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 38-13
- BB11.** [120445](#) **Stormwater Ordinance Administrator**
Amending Resolution 71-08 designating the Village of Lombard Stormwater Ordinance Administrator.
This Resolution was adopted on the Consent Agenda
Enactment No: R 39-13
- BB12.** [120448](#) **Pin Oak Community Center - Utility Connection Agreement**
Authorizing signatures of the Village President and Clerk on a Utility Connection Agreement for the property located at the southwest corner of Roosevelt Road and Lawler Avenue. (UNINCORPORATED)
This Resolution was adopted on the Consent Agenda
- BB13.** [120459](#) **Electric Reliability Committee**
Resolution establishing an Ad Hoc Committee to investigate, analyze and make recommendations with regard to ways to attain electric service reliability within the Village.
This Resolution was adopted on the Consent Agenda
Enactment No: R 41-13 and R 46-13

Other Matters

- CC.** [120379](#) **FY2012B Sewer Lining**
Award of a contract to Visu-Sewer of Illinois LLC, the lowest responsible bid of three bidders, in the amount of \$57,800.00. Bid in compliance with Public Act 85-1295.
This Bid was approved on the Consent Agenda
- DD.** [120380](#) **Tree & Stump Removal**
Award of a contract to Steve Piper & Sons Tree Service, the lowest responsible bid of six bidders, in the amount of \$139,500.00. Bid in compliance with Public Act 85-1295.
This Bid was approved on the Consent Agenda
- EE.** [120384](#) **FY2012B Sewer Cleaning and Televising**
Award of a contract to Chicagoland Trenchless Rehabilitation Systems, Inc., the lowest responsible bid of four bidders, in the amount of \$75,644.50. Bid in compliance with Public Act 85-1295.

This Bid was approved on the Consent Agenda

- FF. [120393](#) **FY2012B Crack Sealing Program**
Award of a contract to Denler, Inc., the lowest responsible bid of three bidders, in the amount of \$100,040.94. Bid in compliance with Public Act 85-1295.

This Bid was approved on the Consent Agenda

- GG. [120401](#) **Water & Sewer System Supplies**
Award of a contract to Ziebell Water Service Products, the lowest responsible bid of two bidders, in the amount of \$25,000 for FY2012B and \$59,000 for FY2013. Bid in compliance with Public Act 85-1295.

This Bid was approved on the Consent Agenda

- HH. [120411](#) **Cummins NPower Water and Sewer Pump Station Generators**
Request for a waiver of bids and award of a contract to Cummins NPower for the purchase of generators for two water and sewer pump stations in an amount not to exceed \$41,005.00. Public Act 85-1295 does not apply. (DISTRICT #1)

This Bid was approved on the Consent Agenda

- HH2. [120414](#) **Carriage House Addition, Fire Suppression System**
Request for a waiver of bids and award of a contract to CYBOR Fire Protection Company in the amount of \$25,800.00. Public Act 85-1295 does not apply. (DISTRICT #1)

This Bid was approved on the Consent Agenda

- HH3. [120422](#) **Kelly Court Sewer Separation**
Award of a contract to John Neri Construction Company, the lowest responsible bidder of four bids, in the amount of \$136,150.25. (DISTRICT #5)

This Bid was approved on the Consent Agenda

- HH4. [120437](#) **Pinebrook Asphalt Paving & Patching**
Award of a contract to Brothers Asphalt Paving, Inc., the lowest responsible bidder of five bids, in the amount of \$518,988.50. Bid in compliance with Public Act 85-1295. (DISTRICT #2)

This Bid was approved on the Consent Agenda

- HH5. [120454](#) **Water & Sewer Pump Station Generator Installation**
Requesting a waiver of bids and award of a contract to Okeh Electric Company in an amount not to exceed \$58,400.00. Public Act 85-1295 does not apply. (DISTRICTS #1 & #2)

This Bid was approved on the Consent Agenda

- II.** [120406](#) **Lighting Efficiency Upgrades**
Award of a contract to All Tech Energy in an amount not to exceed \$35,940 relative to upgrading to energy-efficient electrical and lighting solutions for selected Village-owned buildings. Public Act 85-1295 does not apply.

 This Contract/Request was approved on the Consent Agenda
- JJ.** [120413](#) **FY2012B Main Street Pavement Markings**
Award of a contract to Marking Specialists Corporation, the lowest responsible bid of two bidders, in the amount of \$24,694.40. Bid in compliance with Public Act 85-1295. (DISTRICTS #1 & #4)

 This Bid was approved on the Consent Agenda
- KK.** [120332](#) **Downtown Tax Increment Financing (TIF) District Funds**
Concurrence of the Economic & Community Development Committee on the Carriage House project and their recommendation to utilize Downtown TIF funds as a funding source for the project. (DISTRICT #1)

 This Request was approved on the Consent Agenda
- LL.** [120402](#) **Tri-Town YMCA Event Signage**
Request from the Tri-Town YMCA to place temporary banners on Village-owned properties for the promotion of their Tri-Town Toast event from August 24, 2012 through September 8, 2012. (DISTRICTS #1 & #6)

 This Request was approved on the Consent Agenda
- LL2.** [120455](#) **Glenbard East Boosters Event Signage**
Request from the Glenbard East Boosters to place temporary banners on Village-owned properties for the promotion of their fundraiser from September 13, 2012 through October 13, 2012. (DISTRICTS #1 & #6)

 This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Peter Breen, seconded by Trustee Keith Giagnorio, to Approve the Consent Agenda The motion carried by the following vote

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading**LL2B.** [120416](#)**PC 12-16: 661 N. Charlotte Street**

Requests that the Village take the following actions for the subject property located in the R2PD Single-Family Residence District, Planned Development:

1. An amendment to Ordinance No. 4566, as amended by Ordinance No. 4772, for the Providence Glen Planned Development, to amend Exhibit "A" to said Ordinances to show a rear yard setback, for no more than the north three-quarters (3/4) of lot 6 within said Planned Development, of fifteen (15) feet, instead of thirty (30) feet, for the sole purpose of constructing an attached one-story screen porch (three season room). (DISTRICT #4)

Director of Community Development Bill Heniff provided an overview of this item including the requests submitted to the Plan Commission and Zoning Board of Appeals.

Jennifer Jendras, 664 N. Charlotte, spoke with regard to the conditional use request as submitted by the petitioner. She felt that this was an improvement to the property, was not a detriment in any way and felt the Board should grant approval. She spoke about all of the positives, and felt the neighbors were supportive.

Dave Kundrot, 640 N. Charlotte, stated this was the third time this had been in front of the Village Board and had been at seven public hearings. He stated the addition was not approved by the Homeowners' Association, and that there was no new evidence that this was a hardship. He stated the resident knew he needed a permit and his request had been denied, but he proceeded to build the porch. He felt ordinances were adopted for a reason, and residents should abide by the ordinances. He felt this was setting a precedent. He urged the Village Board to deny the request.

Trustee Breen stated he supported the request and urged the Board to approve the request. He spoke of the petitioner's child with special needs and asked the Board to look at the merits to the improvement. He indicated the petitioner had already paid double and triple the amount in fees. He also indicated that the petitioner may incur additional costs associated with the inspections of the addition. He noted there is no additional flooding concern or any other detriment to the neighborhood. He spoke about not imposing the death penalty and urged the Board to approve the request. Trustee Breen suggested this be approved with a waiver of first reading.

Trustee Ware presented questions to Director Heniff.

Director Heniff indicated there are four conditions included in the staff report and that staff had recommended these be included if this request is approved.

Trustee Breen asked that the provisions in the staff report be added to the approval.

Trustee Giagnorio spoke about the petitioner proceeding with the addition when he had already been told by the Village that his request had not been approved. He asked about the message this was sending to residents.

Trustee Breen spoke of the painful lesson that the resident has been taught. He talked about Trustees evaluating each request on its own. Trustee Giagnorio indicated he could not support the request.

Trustee Wilson reminded the Board of what Trustee Tross would say about never meeting a variance that he didn't like. He indicated the homeowner has been penalized. He felt most residents were honest. He indicated he did not like the way the resident handled this matter. Trustee Gron indicated that he had been in the construction business for 42 years. He spoke of the Village ordinances being adopted for a reason and felt residents should abide by the ordinances. He spoke of the various denials that this project has received to date from committees. He stated he would not support the request.

Trustee Fitzpatrick asked what happened if this was denied.

Director Heniff stated the petitioner would be given a reasonable amount of item to remove the addition and if that did not occur, then the Village could take the resident to court.

Trustee Fitzpatrick questioned the Trustees who were not supporting the request and asked if their intention was to take this resident to court.

Trustee Wilson asked the homeowner if the addition was in compliance with the Homeowners' Association rules.

Matt Berberich, 661 N. Charlotte, was called to the podium. He indicated that the Homeowners' Association is comprised of three people, and that if one of the Board members is requesting an improvement, that person is not allowed to vote on the request. He noted that all of his improvements have been approved by the Board. He spoke of a grey area in the rules and regulations. He stated for the first ten years, only improvements that could be seen from the street, required approval from the Homeowners' Association.

Trustee Ware stated that residents need to follow the ordinances, but that the Board needed to look at each project. He stated he would support the request.

A motion was made by Trustee Peter Breen, seconded by Trustee Laura Fitzpatrick, 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: 4 - Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Nay: 2 - Greg Gron, and Keith Giagnorio

Enactment No: Ordinance 6752

Ordinances on Second Reading

Resolutions

Other Matters

A. 120199

Trustee Redistricting

1. Motion to Reconsider the approval of revised Trustee District Boundaries and a map depicting same.
2. (If the Motion in #1 fails, no action is necessary in regard to #2. If the Motion in #1 is approved, the Original Motion from the July 12, 2012 Village Board meeting is subject to a new vote.) Motion to approve the revised Trustee District boundaries and a map depicting same, relative to the boundaries and map approved at the July 12, 2012 Village Board meeting.
3. Motion to reconsider the approval of an amendment to Title 3, Chapter 30, Sections 30.07 (B), (C), (D) and (E), in Ordinance form with waiver of first reading, to cause said Sections to reference the 2010 census, and to describe Trustee District boundaries consistent with the approved Trustee District boundaries map.
4. (If the Motion in #3 fails, no action is necessary in regard to #4. If the Motion in #3 is approved, the Original Motion from the July 12, 2012 Village Board meeting is subject to a new vote.) - Motion to approve an amendment to Title 3, Chapter 30, Sections 30.07 (B), (C), (D) and (E), in Ordinance form with waiver of first reading, to cause said Sections to reference the 2010 census, and to describe Trustee District boundaries consistent with the approved Trustee District boundaries map, relative to the amendment approved at the July 12, 2012 Village Board meeting.
5. (If Motion #1 fails, or Motion #2 is approved, no action is necessary in regard to #5.) - Review and approval of revised Trustee District boundaries and a map depicting same.
6. (If Motion #3 fails, or Motion #4 is approved, no action is necessary in regard to #6.) - Approval of an amendment to Title 3, Chapter 30, Sections 30.07 (B), (C), (D) and (E), in Ordinance form with waiver of first reading, to cause said Sections to reference the 2010 census, and to describe Trustee District boundaries consistent with the approved Trustee District boundaries map.

Trustee Wilson indicated that he had voted in favor of the current district map. He spoke of the three Trustees and the Village President considering the residences of the current Village Board members. He talked about a number of the maps not being considered. He felt on a

matter of this importance that the Village Board should all concur. He stated he was more in favor of the maps that did not include each Trustee remaining in his or her district, and spoke of the irregular boundaries and gerrymandering for Districts #2 and #6. He felt the Board should adopt a map that was better suited to the community with rectangular districts that were easier to understand. He stated he sat down with Dan Price in the Community Development Department and came up with a revised district map that he distributed to the Village Board. He felt this did not resolve all of the issues, but felt this was a better alternative. He stated this map does not keep all of the current Village Board members in their districts. He asked for consensus from the Village Board.

Trustee Wilson moved for reconsideration of the redistricting map.

Trustee Ware spoke of the Board reviewing all of the options and did not feel this map was a good representation for District #6.

Trustee Giagnorio stated he was comfortable with the map the Village Board voted on and that this new map just showed up.

Trustee Breen stated that he voted against the old map and felt the redistricting should occur without regard to Trustee residences. He felt the new map better represented the districts. He stated he supported the reconsideration of the district map that had been adopted.

Trustee Fitzpatrick felt the revised map was more fair and easier for the residents to understand. She spoke of representing the residents, and that redistricting is only considered every ten years.

Trustee Gron spoke with regard to the Industrial Park being included in District #4. He felt it was the responsibility of each Trustee to make their residents aware of the boundaries of the districts. He stated he did not support the revised map.

A motion was made by Trustee Zachary Wilson, seconded by Trustee Peter Breen, that this Request be to reconsider. The motion failed by the following vote:

Aye: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

Nay: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Enactment No: Ordinance 6740

***B. [120463](#)**

Designation of a Person Authorized to Sign Documents Approved by the Village Board, Authorized by the Village Code or Required by State Statute Until Such Time as an Acting Village President is Appointed

A motion was made by Trustee Peter Breen, seconded by Trustee Bill Ware, that the Village Manager be designated as the person authorized to sign documents approved by the Village Board, authorized by the Village Code or

required by State Statute until such time as an Acting Village President is appointed. This matter was approved by the following vote:

Aye: 4 - Greg Gron, Keith Giagnorio, Peter Breen, and Bill Ware

Nay: 2 - Zachary Wilson, and Laura Fitzpatrick

A motion was made by Trustee Bill Ware, seconded by Trustee Keith Giagnorio, that the mater of filling the vacancy of the Village President be discussed in Executive Session. Motion was withdrawn.

X. Agenda Items for Discussion

XI. Executive Session

Trustee Breen was opposed to the Board going into Executive Session with regard to the Village President vacancy. Attorney Bayer reminded the Board that any motions would need to be made in open session. Trustee Ware preferred discussing this in Executive session. Trustee Wilson spoke about transparency. Trustee Breen indicated the board could begin the discussion in the open session and could recess to Executive Session.

XII. Reconvene

XIII Other Matters

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A. 120458 The Selection of a Person to Fill the Vacancy of the Office of Village President

Trustee Gron spoke of the Mueller family and the Village going on with business. He asked the Village Board to leave the arguing to the election and to honor the memory of Bill Mueller by coming to a consensus for the appointment of an Acting Village President until Bill's term is up in April.

Trustee Fitzpatrick inquired about the State Statute with regard to this

matter.

Attorney Bayer indicated that one of the 6 Trustees can serve as the Acting Village President and would serve until the first meeting in May when the officials will be sworn in.

Trustee Fitzpatrick questioned if the Acting Village President be selected from the membership.

Attorney Bayer indicated that the Acting Village President needs to be selected from the membership. He further noted that the President has 60 days to bring forth the name of a person for appointment to replace a Trustee and that the Board needs to act on that recommendation within 30 days, but there is no timeframe for the appointment of an Acting Village President. He noted that if an Acting Village President is not chosen, that a Temporary Chairperson would need to be chosen at each meeting.

Trustee Fitzpatrick stated she was concerned about running the Village and the Village President duties that would not be accomplished without this appointment. She noted there was more than just running the Village Board meeting.

Attorney Bayer indicated those roles would go unfilled. He spoke of typically the Village President and Clerk signing documents. He indicated the Board has the authority to designate a person to sign documents so that Village business can continue. He stated the person selected would sign documents based on the Village Board's approval of the documents.

Trustee Fitzpatrick moved that Trustee Wilson be appointed as Acting President, seconded by Trustee Breen.

Trustee Ware questioned the time period of an Acting President versus a Temporary Chairperson.

Attorney Bayer indicated that a Temporary Chairperson can be on a rotating basis. He stated if a Trustee is appointed as Acting President, that person can step down from their Trustee position.

Trustee Ware questioned the Temporary Chairperson and Acting President.

Trustee Breen spoke about Acting President, Temporary Chairperson and President Pro-Tem.

Attorney Bayer indicated that the President Pro-Tem serves during the temporary incapacity of the Village President. In this case with the passing of Village President Mueller, the vacancy is permanent.

Trustee Breen questioned if anyone has the title of President Pro-Tem.

Attorney Bayer indicated that no one has the title.

Trustee Fitzpatrick asked the Village Board to think about the Village, and did not agree with having a Temporary Chairperson and no one appointed to fill the vacancy of Village President.

Trustee Giagnorio moved that Trustee Gron be appointed Acting President and to keep politics out of this.

Trustee Fitzpatrick asked if Trustee Gron was going to be running for

office.

Trustee Gron indicated that he was not running for Village President. Trustee Wilson moved that Trustee Fitzpatrick be appointed as Acting President and indicated she was the hardest working Trustee on the Board. He noted that she was not running for any office.

Trustee Breen indicated that Trustee Fitzpatrick was the epitome of a perfect Trustee and has been a hard working Trustee with the ability to network with community groups. He felt she had hands-on expertise and had experience working with the State. He felt someone needed to be appointed to fill the vacancy and that she is not running for any political office.

Trustee Gron spoke about Trustee Fitzpatrick not attending any of the DuPage Mayors and Managers Conference meetings. He indicated that she did not attend the workshops at the Illinois Municipal League. Trustee Breen disagreed and indicated that Trustee Fitzpatrick attended the Cruise Nights events and all of the various balls.

Trustee Ware indicated that Trustee Fitzpatrick is hardworking, but that he could throw his hat into the ring. He indicated he liked Trustee Giagnorio's suggestion about rotating the Temporary Chairperson so that all of the Trustees would gain from the experience. He felt this would make them all better Trustees.

Trustee Giagnorio indicated that it appeared that the Board would continue to have a 3 to 3 vote on each nominee. He stated he felt Trustee Gron was better suited at this time.

Trustee Fitzpatrick indicated this was problematic and felt the residents needed to see the thought process.

Trustee Wilson indicated that each vote has been a 3 to 3.

Trustee Breen suggested that each Trustee say why they think they are a better candidate for the Acting President position.

Trustee Fitzpatrick felt the Village needed a leader and legal guardian. She felt there were legal aspects that needed to be addressed. She spoke of running the Office of the Village President.

Attorney Bayer indicated that the business of the Village was continuing, but suggested that the Board appoint a designee to sign documents.

Trustee Gron indicated that he has the knowledge and the best interests of the Village in mind. He spoke of doing all that he can do to the best of his ability for the Village.

Attorney Bayer spoke about the signing of documents and appointing an Acting President.

Trustee Gron indicated he has no high aspirations to go on to run for a State position, but wanted to make sure the residents are taken care of and business continues. He stated he had been a trustee for 8 years.

Trustee Wilson suggested that the Trustees fill out a piece of paper ranking the Trustees as their second choice in hopes that would help make a selection.

Trustee Ware moved that each Trustee take a turn as Acting Chairperson for thirty days and then rotate to the next Trustee.

Attorney Bayer asked for clarification with regard to the rotation and the time period.

Trustee Ware moved that the Acting Chairperson hold the position for thirty days and that the rotation start with District 1 and rotate through to District 6 for the next six months and then back to District 1 and District 2 for the remaining two months of the Village President's term. Trustee Wilson questioned Trustee Ware opting out.

Trustee Ware stated including himself and that anyone can opt out.

Trustee Breen spoke of residents and other agencies not knowing who they are supposed to talk to from month to month. He felt running the meetings was not the problem, and that he personally had 20 years experience running meetings, but questioned the leadership of the Village. He felt the Village Board was shirking its duties if an Acting President was not appointed.

Trustee Fitzpatrick questioned the duties of the Village President.

Attorney Bayer stated the Village President serves as the Liquor Commissioner, serves on the Glenbard Wastewater Committee, signs documents with the direction of the Village Board and makes appointments to committees such as the Plan Commission and Zoning Board of Appeals.

Trustee Fitzpatrick indicated without an appointment, the Village will have no Village President for 8 months.

Trustee Wilson called for the question.

Trustee Giagnorio stated that the board is split and they need to step back and think.

Attorney Bayer indicated that until an Acting President is appointed, the item would need to stay on each subsequent agenda. He noted the Board would not have to take action on the item, but that at each meeting a Temporary Chairperson would need to be selected.

Trustee Giagnorio stated that it was late and felt this item should be revisited at the next meeting after the Trustees had had time to talk to each other.

Trustee Fitzpatrick felt there was a leadership vacuum, that the Board needed to make a decision and that it was not the Village Manager's job to act as the Village President.

Trustee Fitzpatrick moved that Trustee Breen be appointed as Acting President.

Trustee Ware felt that the Board was not making sound decisions and spoke of the members having fulltime jobs. He spoke of the Trustees working hard, and felt that after three hours at the meeting, that they should not move forward on a crucial decision without clearing their heads.

Trustee Fitzpatrick withdrew her motion.

Trustee Breen suggested that the Village Board members turn in their salaries to the Village, and that they continue to work without pay until

a decision is made.

Trustee Giagnorio felt this was a symbolic gesture.

Trustee Wilson suggested moving forward with the second choice of each Trustee.

At 10:20 pm, Temporary Chairperson Gron announced a five minute break.

The recessed regular Meeting of the President and Board of Trustees was called to order by Temporary Chairperson Greg Gron. Upon roll call by Village Clerk O'Brien, all members were present.

Trustee Ware questioned if Trustee Giagnorio was running for election. Trustee Ware stated that he was not running for Village President, but would be seeking a re-election to Trustee, while Trustee Giagnorio would be running for Village President.

Trustee Fitzpatrick spoke about her nomination of Trustee Wilson and that he would be running for Village President. She felt he was the best qualified. She said the same rules should apply for one and all. Trustee Ware suggested this remain on the agenda and discussed at the next meeting.

Attorney Bayer suggested that the Board appoint someone to have temporary authority to sign the documents. He stated this can be the Village Manager and that he would then be authorized to sign any documents the Village President would have signed.

A motion was made by Trustee Laura Fitzpatrick, seconded by Trustee Peter Breen, that Trustee Wilson be appointed as Acting Village President. Request be to approve. The motion failed by the following vote:

Aye: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

Nay: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

A motion was made by Trustee Keith Giagnorio, seconded by Trustee Bill Ware, to appoint Trustee Gron as Acting Village President. Request be to approve. The motion failed by the following vote:

Aye: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Nay: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

A motion was made by Trustee Zachary Wilson, seconded by Trustee Peter Breen, that Trustee Fitzpatrick be appointed Acting Village President. Request be to approve. The motion failed by the following vote:

Aye: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

Nay: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

A motion was made by Trustee Bill Ware, seconded by Trustee Keith Giagnorio, that each Trustee take a turn as Acting Chairperson for thirty days and that the rotation begin with District 1 and proceed through to District 6 for the first six months, and then return to District 1 and District 2 for the remaining two months of the Village President's remaining term. Request be to approve. The motion failed by the following vote:

Aye: 3 - Greg Gron, Keith Giagnorio, and Bill Ware

Nay: 3 - Zachary Wilson, Peter Breen, and Laura Fitzpatrick

A motion was made by Trustee Wilson Calling for the Question. There was no second.

A motion was made by Trustee Fitzpatrick to appointment Trustee Breen as Acting Village President. This motion was Withdrawn.

A motion was made by Trustee Zachary Wilson, seconded by Trustee Bill Ware, that Trustee Ware be appointed as Acting Village President. Request be to approve. The motion failed by the following vote:

Aye: 2 - Keith Giagnorio, and Bill Ware

Nay: 4 - Greg Gron, Zachary Wilson, Peter Breen, and Laura Fitzpatrick

A motion was made by Trustee Bill Ware, seconded by Trustee Keith Giagnorio, who both accepted the amendment requested by Trustee Fitzpatrick that Trustee Ware meet with Trustee Fitzpatrick to discuss this matter before the next meeting, that this matter be continued to the next regular meeting for further consideration, or to a Special Meeting with 48 hour notice, with Trustee Ware to meet with Trustee Fitzpatrick prior to the next meeting. Request be to approve. The motion carried by the following vote:

Aye: 4 - Greg Gron, Keith Giagnorio, Laura Fitzpatrick, and Bill Ware

Nay: 2 - Zachary Wilson, and Peter Breen

Executive Session

The Regular Meeting of the President and Board of Trustees of the Village of Lombard held n Thursday, September 6, 2012 in the Board Room of the Lombard Village Hall was recessed to Executive Session at 10:43 pm for the purpose of discussion of the Acquisition of Real Property.

A motion was made by Trustee Peter Breen, seconded by Trustee Keith

Giagnorio, that this be to recess. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

Reconvene

The recessed Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 6, 2012 in the Board Room of the Lombard Village Hall was called to order by Acting Chairperson Greg Gron at 10:53 pm. Upon roll call by Village Clerk Brigitte O'Brien, the following were:

7 - Brigitte O'Brien, Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware

XI Adjournment V.

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 6, 2012 in the Board Room of the Lombard Village Hall was adjourned at 10:54 p.m.

A motion was made by Trustee Peter Breen, seconded by Trustee Keith Giagnorio, that this be adjourn. The motion carried by the following vote:

Aye: 6 - Greg Gron, Keith Giagnorio, Zachary Wilson, Peter Breen, Laura Fitzpatrick, and Bill Ware