

Village of Lombard

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



Minutes

Thursday, March 21, 2019

7:00 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, March 21, 2019 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 p.m. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

- 7 - Keith Giagnorio, Sharon Kuderna, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- 1 - Dan Whittington

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 Roy Newton
Fire Chief Richard Sander
Human Resources Director Kathy Dunne
HR/Payroll Specialist Stojana Ivancevic
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

Sania Irwin stated she is a resident of Glen Ellyn, but wanted to thank the Village Board and staff for their pro-active approach to the racist signs that had been posted in communities.

Jeri Shaw also thanked the Village Board for taking prompt action to remove the signs that had been posted and for sharing the action that had been taken on social media. A letter will be forthcoming from the parish council.

Peter Cangelosi, Arcade Fireworks, spoke of his organization and that he would be submitting a bid for the July 4th Fireworks display.

Village Manager Scott Niehaus noted that the three year contract with the fireworks company had expired and the Village published a Request for Proposal for the fireworks display. He spoke of the competitive bidding process. Once any bids submitted are reviewed, a recommendation will

come to the Village Board for approval.

[190132](#)

Proclamation - Village's 150th Birthday

Proclamation was read at the Village Reception prior to the Village Board meeting.

V. Approval of Minutes

A motion was made by Trustee Mike Fugiel, seconded by Trustee Bill Ware, that the minutes of the regular meeting of March 7, 2019 be approved. The motion carried by the following vote:

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

Absent: 1 - Dan Whittington

VI. Committee Reports

Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson

No report

Community Relations Committee - Trustee Robyn Pike, Chairperson

No report

Economic/Community Development Committee - Trustee Bill Johnston, Chairperson

Trustee Bill Johnston, Chairperson of the Economic & Community Development Committee, reported at the March 11 ECDC meeting, staff provided members with an update on the negotiations with Holladay Properties and the draft talking points associated with the potential sale of the 101-109 S. Main Street property. The ECDC concurred with the representations identified within the talking points to date and offered a few additional recommendations for possible inclusion in the final draft agreement. This matter will be brought to the Village Board at the conclusion of the negotiations. Should the agreement be approved, Holladay Properties will then proceed to a formal filing before the Plan Commission for zoning approval and to the ECDC for consideration of the incentive component of the project.

Staff also presented a Leakage Analysis Report to the ECDC, which identified business sectors in which there is an influx of consumer spending from adjacent communities as well as a leakage of spending

that would be typically be made within the community but are being spent elsewhere.

The next meeting of the ECDC will be on April 8 at 7:00 p.m. at the Village Hall.

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

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna

No report

VII. Village Manager/Village Board/Village Clerk Comments

Village Clerk Sharon Kuderna read the following announcements: Happy Birthday Lombard! A proclamation was read and a cake reception was held this evening, in recognition of the Village's 150th birthday. The Village was founded on March 29, 1869. Special events and themes are planned throughout the year for Lombard's Sesquicentennial Celebration. Please check out the Village website for more details at www.villageoflombard.org/150th.

The Lombard Public Works Department is seeking residents to participate in its 2nd Annual Public Works Citizens Academy (PWCA), beginning Monday, April 15. The free Academy is open to residents 18 and older and will offer hands-on training activities, tours of Village facilities and presentations by Public Works staff. For additional information or to register, visit the Village of Lombard's website at www.villageoflombard.org/PWCA. The registration deadline is Friday, April 5 and class size is limited.

The Village's yard waste collection program begins April 1st. New this

year, bundled brush, as well as paper bags and cans of leaves and grass must have a yard waste sticker attached. Stickers are \$2.37 each and are available at Jewel Food Stores in Lombard and Villa Park, Johnson's Lighthouse BP Gas Station in Villa Park, Schroeder's Ace Hardware, and West Suburban Bank. Stickers are no longer available at the Village Hall.

VIII Consent Agenda

Payroll/Accounts Payable

- A. [190127](#) **Approval of Village Payroll**
For the period ending March 2, 2019 in the amount of \$835,349.42.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [190128](#) **Approval of Accounts Payable**
For the period ending March 8, 2019 in the amount of \$777,420.13.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [190136](#) **Approval of Accounts Payable**
For the period ending March 15, 2019 in the amount of \$1,533,785.13.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [190080](#) **ZBA 19-01: 740 N Elizabeth Street**
Recommendation from the Zoning Board of Appeals to approve a variation from Section 155.407(F)(3) of the Lombard Village Code to reduce the required interior side yard setback from six feet (6') to four and one-half feet (4.5') for the subject property located within the R2 Single-Family Residence Zoning District. The requested relief is for an addition to an existing single family residence located on the subject property. (DISTRICT #1)
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7638
- D-2. [190081](#) **ZBA 19-02: 201 S. Brewster Avenue**
Recommendation from the Zoning Board of Appeals to approve a

variation from Section 155.210(A)(2)(a) of the Lombard Village Code to allow a detached garage to be constructed in the corner side yard for the subject property located within the R2 Single-Family Residence District. (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 7639

E. [190133](#)

Village Equipment To Be Declared Surplus

Village departments are requesting to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the Ordinance to be sold at auction, sold for scrap, or recycled as these items have extended beyond their useful life or are obsolete to include One (1) 2014 Ford Transit Connect, thirteen (13) Dell Optiplex 990 desktop computers, three (3) laptops, five (5) projectors, two (2) I-pads, one (1) tablet and one (1) server rack . 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 7640

Other Ordinances on First Reading

E-2. [190115](#)

ZBA 19-03: 103 N. Chase Avenue

Recommendation from the Zoning Board of Appeals to approve a variation from Section 155.212 of the Lombard Village Code to allow an unenclosed roofed-over porch to be set back twenty-two feet (22') from the front property line where twenty-five feet (25') is required for the front yard located in the R2 Single-Family Residence District. (DISTRICT #4)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7645

Ordinances on Second Reading

Resolutions

F. [190117](#)

Resolution Approving an Amended and Restated Intergovernmental Agreement In Regard to Claims Adjuster and Safety Consultant Services (MCSA)

Resolution approving an Amended and Restated Intergovernmental Agreement in Regard to Claims Adjuster and Safety Consultant Services (MCSA) to supersede and replace the Agreement approved at the March 7, 2019 Village Board meeting.

This Resolution was adopted on the Consent Agenda

Enactment No: R 21-19, 19-19

- G.** [190135](#) **Supplemental MFT Maintenance Resolution for Fiscal Year 2019**
Authorizing the use of MFT funds for the general local streets resurfacing and appropriation of \$606,000.00 from the Village's MFT account.
(DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 22-19

- H.** [190141](#) **Agreement for Occupational Health Services**
Request for a waiver of bids and approval of a resolution authorizing a three-year agreement with Edwards Elmhurst, the Village's current provider, for occupational health services, following review of two responses to Requests for Proposals.

This Resolution was adopted on the Consent Agenda

Enactment No: R 23-19

Other Matters

- I.** [190122](#) **Approval of Building Inspection Consultant Services Agreement - B&F Construction Code Services**
Request for a waiver of bids and award of a contract to B&F Construction Code Services to perform building inspection activities on behalf of the Village at a rate not to exceed \$80.00 per hour for the remainder of the 2019 calendar year.

This Bid was approved on the Consent Agenda

- J.** [190134](#) **Pipe Gallery and Concrete Rehabilitation Project**
Request for a waiver of bids and award of a contract to Alternative Repairs Systems, the lowest proposal of two (2) proposals received, in an amount not to exceed \$29,640.00. Work includes specialty pump station and flooring rehab at the Civic Center Reservoir Facility. The proposal was sent to two (2) firms capable of installing the specified product. (DISTRICT #6)

This Bid was approved on the Consent Agenda

- K.** [190140](#) **Gasoline and Diesel Fuel Purchase**
Request for a waiver of bids and award of a contract to Gas Depot. Pricing is secured through participation in the joint purchase fuel contract with DuPage County. The current DuPage County contract (#19-011-DOT) reflects pricing as follows: low rack average daily OPIS price plus -0.015 for gasoline and low rack average daily OPIS price plus

0.0541 for diesel fuel.

This Bid was approved on the Consent Agenda

L. [190142](#)

Renewal of a Contract with Granicus

Renewal of a one year contract with Granicus in the amount of \$28,461.74 providing for Legistar agenda management and supporting broadcast services for the Village.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, to Approve the Consent Agenda The motion carried by the following vote

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

Absent: 1 - Dan Whittington

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

A. [190137](#)

Ordinance Concerning Licensing Periods for Liquor Licenses

Ordinance amending Section 112.16 of the Lombard Village Code to provide for new liquor license periods beginning and ending one month later to run from January 1 through June 30 and from July 1 through December 31.

A motion was made by Trustee Bill Ware, seconded by Trustee Robyn Pike, that the Ordinance concerning licensing periods for liquor licenses 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

Absent: 1 - Dan Whittington

Enactment No: Ordinance 7641

Other Ordinances on First Reading

B. [190138](#)

An Ordinance Providing For And Requiring The Submission Of An Advisory Public Question Concerning Whether To Permit Video Gaming In The Village of Lombard, DuPage County, Illinois, To Appear On The Ballot Of The Electors Of The Village Of Lombard At The General Primary Election To Be Held On March 17, 2020

Ordinance to provide for an non-binding advisory public question concerning video gaming to be placed on the ballot for the general primary election to be held on March 17, 2020.

Trustee Bill Johnston stated he was in favor of holding a referendum. Trustee Bill Ware indicated he was not in favor of the referendum, but felt it was part of a compromise.

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, that the Ordinance Providing for and Requiring the Submission of an Advisory Public Question Concerning Whether to Permit Video Gaming in the Village of Lombard, DuPage County, Illinois, to Appear on the Ballot of the Electors of the Village of Lombard at the General Primary Election to be Held on March 17, 2010, be passed on first reading. The motion carried by the following vote:

Aye: 4 - Mike Fugiel, Bill Johnston, Robyn Pike, and Bill Ware

Nay: 1 - Reid Foltyniewicz

Absent: 1 - Dan Whittington

Enactment No: Ordinance 7646

C. [190139](#)

An Ordinance Amending Title XI, Chapter 110, Section 110.11; Title XI, Chapter 112; And Title XI, Chapter 115 Of The Lombard Village Code In Regard to Video Gaming and Liquor Licenses For Establishments With Video Gaming

Ordinance providing for video gaming and liquor licenses associated with video gaming with certain conditions and restrictions.

Trustee Reid Foltyniewicz stated allowing video gaming is not going to lower taxes in the Village. He stated that revenue from video gaming does go to establishments with video games.

President Keith Giagnorio noted that a portion of the revenue from video gaming would come to the Village.

Trustee Reid Foltyniewicz noted video gaming was different than the Lottery, and the State regulates Lottery sales - not the Village. He talked about different regulations relative to Lottery and video gaming. He stated he is not completely against gaming, but is not sure this is the right time to change the Code and allow video gaming. He stated staff and the Village Board have talked about this since 2010. He stated he was born and raised here; is proud of the downtown and spoke about keeping the momentum going to continue to improve the community. He noted that video gaming would not be in his backyard, but would be focused at downtown. He spoke of younger people looking at craft beers and suggested some of the local restaurants and bars look at a different market such as offering craft beers. He talked about a different market and did not want to destroy the positive momentum right now.

Trustee Bill Johnston stated the Board has been talking about video gaming for a long time and is sensitive to both sides. Questioned if video gaming was good for the community; spoke of the character of Lombard; felt more residents were opposed to video gaming; and talked about the Village Board making a decision and either say yes or say no.

He talked about the length of time a bar or restaurant would need to get a license to allow video gaming.

Village President Keith Giagnorio spoke of the compromise that had been reached by the Village Board since the Board was split on the video gaming issue. He spoke of those businesses wanting video gaming to be able to move forward with licensing in hopes of being allowed to keep video gaming after the referendum. He stated he supported the compromise. April 4th will be the second reading of the two ordinances relative to video gaming.

A motion was made by Trustee Bill Ware, seconded by Trustee Robyn Pike, that the Ordinance Amending Title XI, Chapter 110, Section 110.11; Title XI, Chapter 112; and Title XI, Chapter 115 of the Lombard Village Code in Regard to Video Gaming and Liquor Licenses for Establishments with Video Gaming be passed on first reading. The motion carried by the following vote:

Aye: 4 - Keith Giagnorio, Mike Fugiel, Robyn Pike, and Bill Ware

Nay: 2 - Reid Foltyniewicz, and Bill Johnston

Absent: 1 - Dan Whittington

Enactment No: Ordinance 7647

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Robyn Pike, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustee of the Village of Lombard held on Thursday, March 21, 2019 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:27 p.m. for the purpose of discussion of Collective Negotiating Matters and Approval of Executive Session Minutes and the Review of Executive Session Minutes to Determine Whether the Need for Confidentiality Still Exists as to Those Executive Session Minutes Which Have Not Previously Been Made Available for Public Inspection. The motion carried by the following vote:

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

Absent: 1 - Dan Whittington

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 21, 2019 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:05 p.m.

- 7 - Keith Giagnorio, Sharon Kuderna, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware
- 1 - Dan Whittington

XIII Adjournment

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Robyn Pike, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 21, 2019 in the Board Room of the Lombard Village Hall be adjourned at 8:06 p.m. The motion carried by the following vote:

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

Absent: 1 - Dan Whittington