

# Village of Lombard

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



## Minutes

**Thursday, November 19, 2015**

**7:30 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

*Village President Keith Giagnorio*

*Village Clerk Sharon Kuderna*

*Trustees: Dan Whittington, District One; Mike Fugiel, District Two;*

*Reid Foltyniewicz, District Three; Bill Johnston, District Four;*

*Robyn Pike, District Five; and Bill Ware, District Six*

## I. Call to Order and Pledge of Allegiance

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 19, 2015 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:30 p.m. Village Clerk Sharon Kuderna led the Pledge of Allegiance.

Village President wished all of the residents a very happy Thanksgiving.

## II. Roll Call

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

Staff Present:  
Village Manager Scott Niehaus  
Director of Finance Tim Sexton  
Director of Community Development Bill Heniff  
Director of Public Works Carl Goldsmith  
Chief of Police Ray Byrne  
Fire Chief Paul DiRienzo  
Assistant Village Manager Nicole Aranas  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

## V. Approval of Minutes

**A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Johnston, that the minutes of the regular meeting of the President and Board of Trustees of the Village of Lombard held on November 5, 2015 be approved. The motion carried by the following vote:**

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

## VI. Committee Reports

### **Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson**

No report

**Community Relations Committee - Trustee Robyn Pike, Chairperson**

No report

**Economic/Community Development Committee - Trustee Bill Johnston, Chairperson**

Trustee Bill Johnston, Chairperson of the Economic & Community Development Committee, reported the ECDC heard a presentation from the Lombard Town Centre organization regarding their accomplishments in 2015 and their 2016 Action Plan which includes a funding request for 2016 activities. The ECDC was supportive of their efforts in the downtown over the past year and recognized the various new establishments and business activity. The ECDC then discussed the 2016 funding request in the amount of \$60,000 for the upcoming year. The ECDC voted to table this matter pending completion of the annual audit. It is anticipated that the ECDC will resume discussion on the funding request at the next regularly scheduled meeting in December. The ECDC also considered a text amendment to the nuisance provisions in Village Code to address storage of materials in vehicles and trailers. This item is in response to concerns raised at a previous Village Board meeting as well as observations by Code Administration staff. The culmination of this effort is a draft ordinance to further regulate such trailers and vehicles and the ECDC unanimously approved this request, which will be considered by the Village Board at the December 3 meeting.

**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 Historical Commission

No report

## VII. Village Manager/Village Board Comments

Village Clerk Sharon Kuderna reported:

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A.     [150512](#)           **Approval of Village Payroll**  
For the period ending October 31, 2015 in the amount of \$802,686.73.
- B.     [150513](#)           **Approval of Accounts Payable**  
For the period ending November 6, 2015 in the amount of  
\$1,258,779.13.  
  
      This Payroll/Accounts Payable was approved on the Consent Agenda
- C.     [150526](#)           **Approval of Accounts Payable**  
For the period ending November 13, 2015 in the amount of  
\$1,997,038.49.  
  
      This Payroll/Accounts Payable was approved on the Consent Agenda

### Ordinances on First Reading (Waiver of First Requested)

- D.     [150253](#)           **Wilson Avenue Parking Restriction**  
Recommendation of the Public Safety & Transportation Committee to  
install "No Parking, 9 AM - 3 PM" signage on the south side of Wilson  
Avenue west of Finley Road to the Village limits. Waiver of first reading  
is requested by staff. (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 7145
- E.     [150520](#)           **Repealing Ordinance No. 7101 and Amending Title 11, Chapter  
112, Section 112.13(A) of the Lombard Village Code - Alcoholic  
Beverages**  
Repealing Ordinance No. 7101 adopted July 16, 2015 and Amending  
Title 11, Chapter 112, Section 112.13(A) relative to a 100% change in

ownership interest of J. Richard Oltmann Enterprises, Inc. d/b/a Enchanted Castle located at 1103 S. Main Street. (DISTRICT #6)

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

Enactment No: Ordinance 7146

E-2      [150527](#)

**Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code in regard to Alcoholic Beverages**

Revising the Class "A/B III" liquor license category reflecting a change of ownership in Capital Grille located at 87 Yorktown and issuing a new liquor license to Capital Grille Holdings, Inc. d/b/a The Capital Grille #8026. (DISTRICT #3)

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

Enactment No: Ordinance 7147

### Other Ordinances on First Reading

### Ordinances on Second Reading

F.      [150378](#)

**Lombard Economic Incentive Policy**

Ordinance further amending Ordinance 6574 relative to updating the Village Board Policy Manual. (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7148

G.      [150380](#)

**PC 15-21: 611 E. Butterfield Road - Sam's Club (Request for 2nd continuance to the January 21, 2016 meeting)**

Requests that the Village take the following actions on the subject property located within the OPD Office Planned Development District:

1. Approve a Major Plat of Resubdivision;
2. Approve a Map Amendment rezoning the entire property to the B3 Community Shopping District; and
3. Approve a conditional use for a planned development with the following companion conditional uses, deviations, and variations, as follows:
  - a. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance to increase the maximum number of principal structures on a lot-of-record from one (1) to two (2) to allow for a gasoline sales facility;
  - b. A conditional use pursuant to Section 155.415 (C)(9) of the Lombard Zoning Ordinance for gasoline sales;
  - c. A conditional use pursuant to Section 155.415 (C)(17) of the Lombard Zoning Ordinance for motor vehicle service;
  - d. A conditional use pursuant to Section 155.415 (C)(18) of

- the Lombard Zoning Ordinance for off-site parking;
- e. A conditional use pursuant to Section 155.415 (C)(19) of the Lombard Zoning Ordinance for outside display and sales of products the sale of which is a permitted or conditional use in this district;
  - f. A variation from Section 155.205 (A)(c)(i) of the Lombard Zoning Ordinance to increase the maximum fence height in a business district from eight feet (8') to ten feet (10') for a loading dock screening wall;
  - g. A variation from Section 155.210 (D)(1) of the Lombard Zoning Ordinance to allow for garbage dumpsters and recycling bins to be located within a corner side yard;
  - h. A variation from Section 15.508 (C)(6)(a) and a deviation from Section 155.415 (F)(2) of the Lombard Zoning Ordinance to reduce the minimum corner side yard setback from thirty feet (30') to twenty-five feet (25');
  - i. A variation from Section 155.706 (B)(1) of the Lombard Zoning Ordinance to reduce the minimum required landscaping of the interior of a parking lot from five percent (5%) to four percent (4%);
  - j. A variation from Section 155.706 (B)(2)(c)(ii) of the Lombard Zoning Ordinance to reduce the required number of shade trees within the parking lot from 125 shade trees to fifty-five (55) shade trees;
  - k. A variation from Section 155.706 (C)(1) of the Lombard Zoning Ordinance to reduce the minimum required perimeter parking lot landscape area width from five feet (5') to zero feet (0');
  - l. A variation from Section 155.708 (A) of the Lombard Zoning Ordinance to reduce the minimum required building foundation landscape area width from ten feet (10') to zero feet (0');
  - m. A variation from Section 155.710 of the Lombard Zoning Ordinance to increase the maximum height of refuse disposal and recycling bin fence screening from eight feet (8') to ten feet (10') and to allow for masonry screening where solid wood or an equivalent material is required;
  - n. A deviation from Section 155.415 (G) of the Lombard Zoning Ordinance to increase the maximum building height from thirty feet (30') to thirty-five feet and four inches (35'4");
  - o. A deviation from Section 155.508 (C)(7) of the Lombard Zoning Ordinance to reduce the minimum required open space in a planned development with deviations from twelve and one-half percent (12.5%) to eight percent

- (8%);
- p. A deviation from Section 155.602 (A)(5) of the Lombard Zoning Ordinance to reduce the required length of a parallel parking space from twenty-four feet (24') to twenty feet (20'); (Request withdrawn by the petitioner)
  - q. A deviation from Section 155.602 (A)(10)(d)(ii) of the Lombard Zoning Ordinance to decrease the minimum parking lot lighting average intensity from 2.0 foot-candles to 1.0 foot-candles;
  - r. A deviation from Section 155.602 (A)(10)(d)(iv) of the Lombard Zoning Ordinance to increase the maximum height for light poles used for a parking lot from forty feet (40') to forty-two feet (42');
  - s. A deviation from Section 155.602 (C)(Table 6.3) of the Lombard Zoning Ordinance to reduce the minimum required parking spaces for freestanding stores and neighborhood and community centers (up to 200,000 square feet) from four (4) parking spaces per 1,000 square feet of gross floor area to 3.93 parking spaces per 1,000 square feet of gross floor area;
  - t. A deviation from Section 155.603 (A)(1) of the Lombard Zoning Ordinance to not fully screen loading berths from adjacent property in an O Office District;
  - u. A deviation from Section 153.208 (H) of the Lombard Sign Ordinance to allow for a freestanding sign within a clear line of sight area; (Request withdrawn by the petitioner)
  - v. A deviation from Section 153.505 (B)(6)(c)(ii) of the Lombard Sign Ordinance to reduce the setback from the property line for the leading edge of a freestanding sign from five feet (5') to one foot (1'); (Request withdrawn by the petitioner) and
  - w. A deviation from Section 153.505 (B)(19)(a)(i)(a) of the Lombard Sign Ordinance to allow for a sixty-four (64) square foot wall sign on a façade without a street front exposure (south façade). (DISTRICT # 3)

The request to continue this matter to to the January 21, 2016 Village Board meeting was approved on the Consent Agenda

H. [150493](#)

**PC 15-26: 777 E. Butterfield Road**

Requests that the Village take the following actions on the subject property located within the O Office District:

1. Approve a Map Amendment rezoning the entire property from the O Office District to the B3 Community Shopping District;
2. A conditional use pursuant to Section 155.415 (C)(20) of the Lombard Zoning Ordinance for outside service areas (outdoor dining) for other permitted or conditional use in this district;

- 3. A conditional use pursuant to Section 155.415 (C)(6) of the Lombard Zoning Ordinance for drive-through and drive-in establishments/services; and
- 4. A conditional use pursuant to Section 155.208 (C) of the Lombard Zoning Ordinance for more than one principal structure on one lot-of-record. (DISTRICT #3)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinances 7149 and 7150

### Resolutions

#### I. Auditing Services Contract (Moved to Other Matters N-2)

- J. [150510](#) **FY2015 Concrete Rehabilitation and Utility Cuts Patching, Final Balancing Change Order No. 2**  
Reflecting an increase to the contract with G&M Cement Construction in the amount of \$23,647.94. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 78-15

- K. [150518](#) **2015 Parkway Restoration Program, Change Order No. 1**  
Reflecting an increase to the contract with TNT Landscape Construction, Inc. in the amount of \$15,500.00. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 79-15

- L. [150519](#) **Motor Fuel Tax Debt Resolutions**  
Motor Fuel Tax expenditures for Series 2007 General Limited Tax Debt Certificates for calendar years 2012-2014.

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 80-15, 81-15 and 82-15

### Other Matters

- M. [150514](#) **Fire Pension Fund Municipal Compliance Report**  
Accept and file and the Lombard Fire Pension Fund Municipal Compliance Report for the year ending December 31, 2014.

**This Request was approved on the Consent Agenda**

- N. [150515](#) **Police Pension Fund Municipal Compliance Report**  
Accept and file the Lombard Police Pension Fund Municipal Compliance Report for the year ending December 31, 2014.



This Request was approved on the Consent Agenda

N-2. [150506](#)

**Auditing Services Contract**

Execution of an Engagement Letter with Lauterbach & Amen, LLP for auditing services for FYE 2015-2017 with the option to renew for three (3) additional years.

This Request was approved on the Consent Agenda

**Approval of the Consent Agenda**

A motion was made by Trustee Bill Ware, seconded by Trustee Mike Fugiel, to Approve the Consent Agenda The motion carried by the following vote

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

**IX. Items for Separate Action**

**Ordinances on First Reading (Waiver of First Requested)**

**Other Ordinances on First Reading**

**Ordinances on Second Reading**

A. [150474](#)

**Budget Ordinance for Fiscal Year 2016**

Approval of the FY 2016 Annual Budget (January 1, 2016 through December 31, 2016) in the amount of \$91,516,051.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Whittington, that the Ordinance relative to the Village of Lombard FY 2016 Annual Budget for the period January 1, 2016 through December 31, 2016 be passed on second reading. The motion carried by the following vote:

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

Enactment No: Ordinance 7151

**Resolutions**

**Other Matters**

**X. Agenda Items for Discussion**

**XI. Executive Session**

A motion was made by Trustee Bill Ware, seconded by Robyn Pike, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 19, 2015 in the Board Room of the

**Lombard Village Hall be recessed to Executive Session at 7:40 p.m. for the purpose of discussion of Collective Negotiating Matters. The motion carried by the following vote:**

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

## **XII. Reconvene**

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 19, 2015 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 8:00 p.m. Upon roll call by Village Clerk Sharon Kuderna the following were:

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

## **XIII Adjournment**

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**A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, November 19, 2015 in the Board Room of the Lombard Village hall be adjourned at 8:01 pm. The motion carried by the following vote:**

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