



Village of Lombard

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

Minutes

Economic & Community Development Committee

Bill Johnston, Chairperson
Reid Foltyniewicz, Alternate Chairperson
Dennis McNicholas, Garrick Nielsen, Matthew Pike,
Brian LaVaque, Markus Pitchford, Paula Dillon,
Laine Vant Hoff and Gregory Ladle
Advisory Member: Alan Bennett
Staff Liaison: William Heniff

Monday, February 12, 2018

7:00 PM

Community Room

1.0 Call to Order and Pledge of Allegiance

The meeting was called to order by Trustee Johnston at 7:00 p.m.

The Pledge of Allegiance was recited.

2.0 Roll Call

Present 7 - Bill Johnston, Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, Gregory Ladle, and Alan Bennett
Absent 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

*Also present: William Heniff, Director of Community Development;
Keith Steiskal, Building Commissioner; Tim Sexton, Finance Director*

3.0 Public Participation

None.

4.0 Approval of Minutes

On a motion by Mr. Pike, and seconded by Mr. LaVaque, the minutes of the December 11, 2017 meeting were approved by the members

5.0 New Business

[180079](#)

Presentation by John Rossi Yorktown Center

John Rossi of Pacific Coast Retail, representing Yorktown Center, gave

an update and overview regarding their activities undertaken to date, the future of retail and asset related matters that would be of interest to the ECDC. He supplemented his presentation with a PowerPoint presentation stating market trends which show that retail sales trends decreasing through the retail sector nationally. The challenge is to reinvent the wheel for some existing brands while positioning the center for future tenants. In 2018, the center saw a six percent drop in retail sales. To address this issue, pending and future tenancies have been more service oriented businesses. He noted the Self-Care Precinct in the mall as an example of this trend. He referenced the additional residential activity (Yorktown Commons) around the perimeter of the center which will create an additional market for businesses. He also noted the strength of the restaurant sector, notably within the food court.

Responding to a question by Alan Bennett, Mr. Rossi noted that they are addressing market pressures from Amazon by adjusting lease rates and other negotiated concessions. Brian LaVaque also noted the fitness trend of new establishments.

2019 Budget Discussion

Tim Sexton, Lombard Finance Director, offered the ECDC a PowerPoint presentation regarding the existing budget challenges and the matters facing the Village as the 2019 Budget process gets underway. The 2019 budget has an estimated \$373,000 budget gap that needs to be addressed either through revenue enhancements or through service reductions. Mr. Bennett recognized some of the external challenges to the Village's budget, noting the structural deficit matters pertaining to increases in Police/Fire pensions as well as limitations with Lombard being a Non-Home Rule community. He also noted the service tax considerations being discussed in the Illinois state legislature.

Mr. Heniff, Community Development Director noted that staff is bringing forward a number of policy changes and code amendments before the ECDC that help address this deficit. He also noted that many of the changes may not necessarily increase the costs of construction as some of the fees may only be incurred in selected cases or could otherwise be avoided through the development planning and management processes

[180056](#)

Text Amendments to Section 150.141 of the Building Code (Fee Schedule)

Proposed Village Code amendment relative to plan re-review fees.
(DISTRICTS - ALL)

Keith Steiskal, Building Commissioner, started a presentation regarding a series of modifications to processes and fees. One area staff identified was plan review fees as it relates to plans that need to be reviewed more than once. Current Village code states that after the initial review has been completed, revised or corrected plans shall be charged a fee equal to one half of the initial plan review fee. That 50% could be considered arbitrary and not right sized. Staff could be charging much more or much less than the actual time used to review the plan a second or third time. Staff has been reluctant to charge this re-review fee as the fee in no way reflected the actual time used to re-review plans in most cases.

Staff surveyed other communities and found that some communities charged and some did not, several responded that they would like the results of our survey as they may also look into this further. Some charge higher plan review fees than others in an effort to cover costs associated with additional reviews, but staff is recommending charging people for the time and costs associated with their particular project. This time and material method is similar to other plan review charges already in place for other divisions within the Village.

Staff brought this matter to the Board of Building Appeals (BOBA) and they unanimously proposed an alternate recommendation to the ones offered by staff. BOBA recommended approval of a code amendment to apply the existing re-review fees to all non-residential projects as well as all residential projects with a construction valuation of \$150,000 or more. This approach addresses the primary concern that re-review of larger projects can create a greater cost in staff review and that the re-review fee should reflect this cost.

On a motion by Mr. Nielsen, with a second by Mr. Pike, the ECDC recommended approval 5-0 of the text amendment. The motion carried by the following vote:

Aye: 5 - Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, and Gregory Ladle

Absent: 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

[180057](#)

Text Amendments to Section 150.141 of the Building Code (Fee Schedule)

Proposed Village Code amendment relative to re-inspection fees.

(DISTRICTS - ALL)

Mr. Steiskal then discussed re-inspection fee policies. While there is current code text to require a \$55.00 fee for residential re-inspections and \$68.00 for commercial inspections, Village policy has been for many years to allow the first failure with no re-inspection and only charge any re-inspection fees after the second inspection has failed.

Staff has identified this as a possible source to charge for actual time used. If a scheduled inspection could not be undertaken due to delays on the contractor's end, it could result in the need for an additional inspection to be undertaken. This adds additional costs to the Village, either in the form of additional staff time and resources or by the Village's private inspection services entity undertake the additional inspection (currently at a cost of \$80.00/hour).

Staff surveyed other communities and found that while some communities charged and some did not, most did reply that they charge re-inspection fees for most failed inspections with no allowance for one failed inspection. BOBA supported the code amendment.

On a motion by Ms. Nielsen, with a second by Mr. Ladle, the ECDC recommended approval 5-0 of the text amendment. The motion carried by the following vote:

Aye: 5 - Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, and Gregory Ladle

Absent: 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

[180058](#)

Text Amendments to Section 150.141 of the Building Code (Fee Schedule)

Proposed Village Code amendment establishing an application filing fee for selected building permits. (DISTRICTS - ALL)

Mr. Steiskal then discussed up-front permit fees that would be collected before a review is undertaken. The focus was to be on charging right sized fees for work being done, and making sure costs are recovered for work that is requested by the prospective owner or developer. One area staff identified was plan reviews for large projects that would meet the definition of a "Major Development" as defined in the Subdivision and Development Ordinance. These very large projects would be projects such as the Mariano's that was recently built, the new Thornton's Gas station on North Avenue, or the Sam's Club that was to be built on Butterfield Road. These large projects can have plan review fees in the tens of thousands. Currently there is no requirement for the

applicant to pre-pay any initial plan review fee. If the project does not go through, the tax payers can be left with the bill.

Staff surveyed other communities and found that some communities charged a full plan review fee upfront, some charged a set deposit amount, and some did not charge anything upfront. Staff is proposing a deposit (\$10,000) be required that will work as a retainer to be drawn from as the project progresses. Any surplus would be applied as a credit to the final permit is issued to the applicant. This again would only be for very large projects that meet the definition of a Major Development (i.e., subdivision over 1 acre, new commercial developments and commercial expansion of 10,000 square feet in area). This would not apply to small or medium sized projects such as individual single family homes, garages, decks and the like. This policy and code change would act more as an insurance policy to meet the overall Village goal of development paying its own way as opposed to creating a new revenue source. BOBA supported the approach.

On a motion by Mr. LaVaque, with a second by Mr. Ladle, the ECDC recommended approval 5-0 of the text amendment. The motion carried by the following vote:

Aye: 5 - Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, and Gregory Ladle

Absent: 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

180059

Text Amendments to Chapter 14 of the Village Code

Proposed Village Code amendments relative to waiving public hearing fees for units of local government and school districts.
(DISTRICTS - ALL)

Mr. Heniff offered a narrative regarding fee public hearing waivers for units of local government and identified this provision for additional review and consideration. Staff also surveyed surrounding municipalities to determine the practices of other jurisdictions. Of the 15 communities that responded, 7 jurisdictions waived fees, 3 had a hybrid approach, 4 did not waive fees, and DuPage County reduces fees by 10% for public agencies. He stated that many of these projects do require significant staff time and the processing of such petitions is not markedly different than those projects within the private sector. The number of projects also vary in scope and magnitude. Past recent cases by governmental entities included sign petitions to expansion projects to new construction. Costs to cover such petitions can range between \$1,500-\$5,000 per project and are highly variable and are project dependent. As such staff, along with BOBA are recommending that the fee waiver provision be eliminated.

Mr. Bennett expressed serious concerns regarding this approach as it could negatively impact the relationships between governmental entities. Mr. Heniff noted that when the matter was brought before BOBA, Steve Flint, who is a BOBA member, recused himself from participating in the discussion and vote, as he is a District 44 Board member. Greg Ladle noted that since the Village incurs out-of-pocket costs associated with processing all petitions, there should be a mechanism to re-coup those costs.

On a motion by Mr. Nielsen, with a second by Mr. LaVaque, the ECDC recommended approval 5-0 of the text amendment. The motion carried by the following vote:

Aye: 5 - Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, and Gregory Ladle

Absent: 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

[180060](#)

Text Amendments to Chapter 14 of the Village Code

Proposed Village Code amendments relative to waiving building permit fees for units of local government and schools districts.
(DISTRICTS - ALL)

Mr. Heniff stated that the Village Code waives building permit fees for units of local government. Staff surveyed surrounding municipalities and of the 13 communities that responded, 10 fully waive fees. Building permit fees are variable by project and year. As an example, Glenbard Wastewater permits would have exceeded \$100,000, the Park District Paradise Bay and Recreation Center each would have exceeded \$100,000, and the recently submitted DuPage County Health Department would be approximately \$15,000.

The waiver has burdened the Village with covering costs to process these requests and review the permit submittals. Permit fees also cover time spent at inspections. If the Village hires an outside contractual inspection service the Village is charged \$80/hour, regardless of the project applicant. As such, the waiver process actually becomes an incurred cost of the Village. Both BOBA and staff recommend that government entities pay permit fees.

On a motion by Ms. Vant Hoff, with a second by Mr. Pike, the ECDC recommended approval 5-0 of the text amendment. The motion carried by the following vote:

Aye: 5 - Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, and Gregory Ladle

Absent: 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

[180061](#)

Software Vendor Contract

Presentation and Recommendation for a building permit submittal, plan review, and code administration software program. (DISTRICTS - ALL)

Mr. Steiskal offered a PowerPoint and video presentation regarding a proposed software purchase. As part of past ECDC discussions and the Village Board's annual budget process, the Community Development Department staff has undertaken a review of software programs that can meet the desired goals expressed by the public and the development community. The purpose of this effort is to identify, purchase and implement a new software permit and code enforcement system within the next calendar year. A departmental goal is to provide on-line permit submittal, electronic plan review an on-line permit issuance. As such staff undertook a review of several software programs to find a program that can best meet our needs in a cost-effective manner.

The Village's software review was based upon several internal and external factors - the existing software program was being discontinued, the software program did not have full processing enhancements and it does not provide for on-line permit submittal and tracking.

Staff brought this matter to BOBA and they unanimously recommended that the Village proceed with the purchase of the CitizenServe software. Their recommendation was based upon the input of the members about the desirability of the package from a contractor standpoint.

On a motion by Mr. Pike, with a second by Mr. LaVaque, the ECDC recommended approval 5-0 to proceed with the procurement of the Software program. The motion carried by the following vote:

Aye: 5 - Brian LaVaque, Garrick Nielsen, Matthew Pike, Laine Vant Hoff, and Gregory Ladle

Absent: 3 - Dennis McNicholas, Markus Pitchford, and Paula Dillon

6.0 Unfinished Business

[170188](#)

101 -109 S. Main Street

Status update regarding the Request for Proposals (RFP) to the potential sale and redevelopment of the 101-109 S. Main Street property, which is owned by the Village of Lombard. (DISTRICT #4)

Staff provided an update regarding the release of the Request for Proposals (RFP), noting that it has been released, an Open House is scheduled for February 28 and the RFP submittals are due April 16.

7.0 Other Business

8.0 Information Only

9.0 Adjournment

On a motion by Mr. Pike and a second by Mr. Ladle, the meeting adjourned at 8:15 p.m.