

Village of Lombard

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



Meeting Agenda

Thursday, August 15, 2019

7:00 PM

Revised August 13, 2019

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Sharon Kuderna

Trustees: Dan Whittington, District One; Anthony Puccio District Two;

Reid Foltyniewicz, District Three; Andrew Honig, District Four;

Dan Militello, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

II. Roll Call

III. Public Hearings

[190345](#)

Public Hearing Butterfield Road Yorktown Business District No. 2

A public hearing in regard to the designation of a business district to be known as the Butterfield Road/Yorktown Business District No. 2, the approval of a business district plan in relation thereto, and the making of a blighted area finding in relation thereto.

IV. Public Participation

[190354](#)

Presentation - Beth Marchetti, Executive Director, DuPage Convention & Visitors Bureau

V. Approval of Minutes

Minutes of the Regular Meeting of July 18, 2019

Minutes of the Special Meeting of July 31, 2019

Minutes of the Special Meeting of March 7, 2019

Minutes of the Special Meeting of April 25, 2019

VI. Committee Reports

Community Promotion & Tourism - Trustee Andrew Honig, Chairperson

Community Relations Committee - Trustee Dan Militello, Chairperson

Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

Public Safety & Transportation Committee - Trustee Dan Whittington, Chairperson

Public Works & Environmental Concerns Committee - Trustee Bill Ware, Chairperson

Board of Local Improvements - Trustee Bill Ware, President

Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna

VII. Village Manager/Village Board/Village Clerk Comments

VIII. Consent Agenda

Payroll/Accounts Payable

- A. [190308](#) **Approval of Accounts Payable**
For the period ending July 19, 2019 in the amount of \$258,452.39.
- B. [190312](#) **Approval of Village Payroll**
For the period ending July 20, 2019 in the amount of \$834,362.51.
- C. [190313](#) **Approval of Accounts Payable**
For the period ending July 26, 2019 in the amount of \$1,368,831.13.
- D. [190321](#) **Approval of Accounts Payable**
For the period ending August 2, 2019 in the amount of \$2,403,202.53.
- E. [190347](#) **Approval of Village Payroll**
For the period ending August 3, 2019 in the amount of \$841,222.51.
- F. [190348](#) **Approval of Accounts Payable**
For the period ending August 9, 2019 in the amount of \$846,745.65.

Ordinances on First Reading (Waiver of First Requested)

- G. [190231](#) **Coin-Operations and Amusement Tax - Amendments to Section 110.20 of the Village Code**
Recommendation from the Economic & Community Development Committee (ECDC) to approve text amendments to Chapter 110 of the Village Code, (Sections 110.21(B), 110.21(C), 110.22(E), 110.25, 110.28(C), 110.28(D) and 110.30) thus altering the fee structure to be an annual fee of \$75 per machine, regardless of the number of machines at a business. In addition to revising the fee, the Ordinance also corrects the approved number of Class A and Class B licenses, deletes references to the Bureau of Inspectional Services, and deletes references to the Class C license. (DISTRICTS - ALL)

Legislative History

6/10/19	Economic & Community Development Committee	tabled
7/8/19	Economic & Community Development Committee	approved by the committee

- H. [190296](#) **PC 19-17: 1047-1109 E. St. Charles Road - Sign Variance**
Recommendation from the Plan Commission to approve the petitioner's request that the Village take the following actions on the subject property located within the B4 Corridor Commercial District:
1. Approve a variation from Section 153.208(B) of Village Code to allow a shopping center identification sign to be located within the clear line of sight area; and
 2. Approve a variation from Section 153.235(F) of Village Code to allow a shopping center identification sign that is set back less than five feet from an interior property line within a shopping center.
(DISTRICT #4)

Legislative History

7/15/19	Plan Commission	Recommend for approval to the Corporate Authorities
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- I. [190311](#) **Amendments to Sections 151.03 (A) and 151.03 (B)(2) of the Village Code - Stormwater and Flood Plain Regulations**

The Department of Community Development transmits for your consideration a proposed Ordinance to revise Sections 151.03 (A) and 151.03 (B)(2) of the Village Code. The Ordinance updates the FEMA Flood Insurance Study and the effective date of the DuPage County Stormwater and Flood Plain Ordinance. (DISTRICTS - ALL)

- J. [190340](#) **Scrivener's Error to the Lombard Code of Ordinances - Section 155.602 of the Village Code, Accessible Parking Requirements**
Ordinance correcting certain scrivener's errors relative to Section 155.602 Accessible parking requirements. The amendment reflects the actions of the Plan Commission at their December 12, 2016 meeting and deletes all other local references to accessible parking requirements and exclusively references the provisions of the Illinois Accessibility Code (IAC)
(DISTRICTS - ALL)

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- K. [190280](#) **Support for the DuPage Coalition for Tourism and County Authority to Enact a County Hotel Tax**
Recommendation from the Community Promotion & Tourism Committee regarding support of the DuPage Convention & Visitors Bureau as well as The DuPage Coalition for Tourism granting authority to DuPage County to enact a County hotel tax not to exceed 2.5%.

Legislative History

7/2/19 Community Promotion & approved
Tourism

L. [190314](#) **Central Pressure Adjusting Station Improvements, Change Order No. 6**

Reflecting an increase to the contract with JJ Henderson & Son in the amount of \$20,393.20. (DISTRICT #4)

Legislative History

8/13/19 Public Works & recommended to the Board of Trustees for
Environmental Concerns approval

M. [190352](#) **Cruise Nights License Agreement AT&T**

Resolution authorizing approval of the License Agreement with AT&T, and authorizing the Village President's signature, authorizing the Village of Lombard to use a portion of the parking lot at 20 N.Main Street for the Cruise Nights Summer Concert Series finale on August 24, 2019. (DISTRICT #1)

Other Matters

N. [190332](#) **Landscape and Parkway Restoration**

Recommendation to terminate a contract with TNT Landscape and Construction, Inc., and award a contract to Uno Mas Landscaping, the second lowest bid of three bidders, in the amount of \$49,950.00. (DISTRICTS - ALL)

O. [190295](#) **PC 19-16: 591 S. Main Street - Request for a conditional use for motor vehicle sales (Rental of Penske Trucks)**

Concur with the recommendation from the Plan Commission to deny a zoning conditional use pursuant to Section 155.414(C)(16) of the Lombard Village Code to allow for motor vehicle sales in the B2 General Neighborhood Shopping District on the subject property. (DISTRICT #5)

Legislative History

7/15/19 Plan Commission recommended to the Corporate Authorities for denial

P. [190334](#) **Agreement with Comcast Business for Ethernet Dedicated Internet Services**

Request for approval of a three (3) year agreement with Comcast Business in the total amount of \$27,000, (\$9,000 per year for three (3) years), for Ethernet Dedicated Internet Services.

Q. [190346](#) **Regular Village Board Meeting - Time Change**

Request for concurrence of the Village Board to approve a change in the start time of the September 5, 2019 regular scheduled Village Board meeting from 7:00 pm to 6:00 pm.

R. [190349](#) **DuPage Convention & Visitors Bureau - Financial Commitment**

Request from the DuPage Convention & Visitors Bureau affirming the Village's commitment of 25% of one of the occupancy tax points of the annual collected hotel/motel tax for Fiscal Year 2020.

S. [190328](#) Re-appointments - Board of Fire & Police Commissioners, Board of Building Appeals, Board of Local Improvements, Historic Preservation Commission, Fire Pension Fund Board of Trustees, Police Pension Fund Board of Trustees, and Zoning Board of Appeals

Request for concurrence in the following re-appointments: Ken Florey to the Board of Fire & Police Commissioners for a three year term to May 2022; Bob Mueller, Maurice Bernardi, Marty Igoe, Steven Flint and John Cullen to the Board of Building Appeals for three year terms to May 2022; Bill Ware and Cory Gapstur to the Board of Local Improvements for two year terms to May 2021; Rita Schneider, Tom Feters, Eileen Mueller, Marcy Novak, Lynn O'Donnell and Stephanie Zabela to the Historic Preservation Commission for four year terms to January 2023; Ron Rakosnik to the Fire Pension Board of Trustees for a three year term to April 2022; Daniel Brink to the Police Pension Fund Board of Trustees for a two year term to April 2021; and Mary Newman to the Zoning Board of Appeals for a five year term to May 2024.

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

A. [180330](#) Proposed Butterfield Yorktown Business District No. 2 Designating the District, Approving the Plan and Making a Blighted Finding
 Ordinance which designates a business district to be known as the Butterfield Road/Yorktown Business District No. 2 which will encompass identified properties along the Butterfield Road Corridor. The Ordinance includes approving a companion Business District Plan and a requisite finding of blight within the designated Business District area. The Plan identifies how the proposed District meets the qualifications for establishing a Business District and identifies potential public and private improvements that may be undertaken in furtherance of the District Plan. (DISTRICT #3)

Legislative History

7/23/18	Economic & Community Development Committee	approved by the committee
12/6/18	Village Board of Trustees	waived of first reading and passed on second reading with suspension of the rules
7/18/19	Village Board of Trustees	waived of first reading and passed on second reading with suspension of the rules

**B. [190279](#) Proposed Butterfield Road/Yorktown Business District No. 2
Imposing a Business District Retailers Occupation Tax and
Business District Service Occupation Tax of Up to One Percent -
Public Hearing**

Ordinance setting forth a Public Hearing Date of September 19, 2019 to consider the creation of a One Percent Business District Retailers Occupation Tax and Business District Service Occupation Tax in furtherance of the proposed Butterfield Road/Yorktown Business District No. 2. (DISTRICT #3)

Other Ordinances on First Reading

C. [190289](#) ZBA 19-05: 244 E St. Charles Road

The petitioner requests that the Village approve zoning variations from Section 155.205(A)(2)(c)(ii) of the Lombard Village Code for a fence of up to eight (8) feet, where a maximum of four (4) feet in height is permitted in the rear front yard of a through lot in the B2 General Neighborhood Shopping District. As this item received no recommendation from the Zoning Board of Appeals (ZBA) an Ordinance approving the variation requires a two-thirds vote of the Trustees (4 of the 6 Trustees). (DISTRICT #4)

Legislative History

7/24/19 Zoning Board of Appeals motion

Ordinances on Second Reading

D. [190260](#) PC 19-14: 101-109 S. Main Street - Lilac Station

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following actions on the subject property, located within the B5PD Central Business District Planned Development:

1. Repeal Ordinances 4646 and 4654 in their entirety, which established a planned development with companion zoning variations and zoning deviations;
2. Approve a zoning conditional use for a new planned development with the following companion conditional use, use exception, variations, and deviations from the Village Code:

Building:

- a. A zoning conditional use pursuant to Section 155.418(C) of the Village Code to allow for outside display and sales of products (outdoor dining);
- b. A zoning deviation from Section 155.418(G) of the Village Code to allow for an increase in the maximum building height from forty-five feet (45') to fifty feet (50');
- c. A zoning variation from Section 155.418(J) of the Village Code to

eliminate the transitional building setback for the mixed-use/residential building;

d. A use exception pursuant to Section 155.508(B) of the Village Code to allow for dwelling units on the first floor;

e. A zoning variation from Section 155.508(C)(6)(a) of the Village Code to allow for a reduction of the required front yard along Parkside Avenue to one foot (1') from thirty feet (30') for a planned development abutting the R2 Single-Family Residence District;

Parking:

f. A zoning deviation from Section 155.602, Table 6.3 of the Village Code to allow for a reduction of the required number of off-street parking spaces from 1.5 spaces per dwelling unit to 1.2 spaces per dwelling unit, for the residential portion of the development;

g. A zoning deviation from Section 155.602(A)(5)(a) of the Village Code to allow the option for compact space width of 8'3" for the residential portion of development, where 9' width is required;

Landscaping/Fencing:

h. A zoning variation from Section 155.205(A)(2)(f)(iii) of the Village Code for a fence or wall in the B5 District exceeding six feet (6") in height;

i. A zoning variation from Section 155.418(K), Section 155.508(C)(6)(b), Section 155.707(B)(3), Section 155.707(A)(3), and Section 155.709(B) of the Village Code to allow for the elimination of the transitional landscape yard improvements (on the east side), including fencing, and perimeter lot landscaping;

j. A zoning variation from Section 155.706 of the Village Code to eliminate the interior and perimeter parking lot landscaping requirement;

k. A zoning variation from Section 155.709(B) of the Village Code to eliminate the requirement to provide one (1) shade tree for every seventy-five (75) lineal feet of required perimeter lot landscaping;

3. Grant site plan approval authority to the Lombard Plan Commission. (DISTRICT #4)

Legislative History

6/17/19	Plan Commission	recommend to the Corporate Authorities for approval with conditions
7/18/19	Village Board of Trustees	passed on first reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII. Adjournment