

Village of Lombard

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



Minutes

Thursday, October 6, 2022

6:00 PM

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Liz Brezinski

***Trustees: Brian LaVaque, District One; Anthony Puccio, District Two;
Bernie Dudek, District Three; Andrew Honig, District Four;
Dan Militello, District Five; and Bob Bachner, 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, October 6, 2022 in the Board Room of the Lombard Village Hall was called to order at 6:00 pm by Village President Keith Giagnorio. Scouts from the Arrow of the Light Pack 40 Posted the Colors and led the Pledge of Allegiance.

II. Roll Call

8 - Keith Giagnorio, Elizabeth Brezinski, Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

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 Rick Sander
HR Director Kathy Dunne
Assistant Village Manager Nicole Aranas
Village Attorney Jason Guisinger
Assistant Village Attorney Jonathan Priest
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Dan Militello, seconded by Trustee Andrew Honig, that the minutes of the regular meeting of September 15, 2022 be approved. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

VI. Committee Reports

Community Promotion & Tourism - Trustee Bernie Dudek, Chairperson

No Report

Community Relations Committee - Trustee Dan Militello, Chairperson

No report

Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson

No report

Finance & Administration Committee, Trustee Andrew Honig, Chairperson

No report

Public Safety & Transportation Committee - Trustee Brian LaVaque Chairperson

No report

Public Works & Environmental Concerns Committee - Trustee Bob Bachner, Chairperson

No report

Board of Local Improvements - Trustee Bob Bachner, President

No report

Lombard Historic Preservation Commission - Village Clerk Liz Brezinski

No report

VII. Village Manager/Village Board/Village Clerk Comments

Village Clerk Liz Brezinski read the following announcements:

The Lombard Fire Department and Lombard Firefighters Union 3009 are once again hosting a pink t-shirt fundraiser to raise funds for Bhorade Cancer Center at Good Samaritan Hospital. Shirts will be available for purchase on Saturday, October 8th from 12:00 pm until 3:00 pm at Rock Bottom, 94 Yorktown Center. Stop and enjoy a delicious meal, purchase a pink t-shirt and help support the fight against breast cancer.

The Lombard Park District is hosting Fall Fest this Saturday from 1:00 pm to 4:00 pm at Lombard Common Park west of Paradise Bay. This free family event will offer many activities for children including games, crafts, a candy hunt, and Boo bingo. Children will also have the opportunity pick out their own pumpkin to take home from the pumpkin patch. Donations of canned goods, non-perishable goods or cash will be given to the Outreach House to help Lombard families in need.

Be a hero, donate blood at the next blood drive scheduled on

Wednesday, October 12th at Yorktown lower level by Von Maur from 9:00 am to 2:00 pm. Donating blood saves lives!

In conjunction with National Fire Prevention Week, the Lombard Fire Department invites residents to attend the Open House Wednesday, October 12th from 6:00 pm to 8:00 pm at Fire Station 45, 50 E. St. Charles Road. This fun and free event will include demonstrations, provide information on developing a fire escape plan for your family and give residents an opportunity to meet our Firefighters and Paramedics. The Lombard Farmer's Market continues through October 18th and is held on Tuesdays from 2:00 pm until 7:00 pm on St. Charles Road just east of Main Street.

Mark your calendars for Spooktacular, a free family event, to be held on Sunday, October 23 from noon until 5:00 pm on St. Charles Road in downtown Lombard. There will be trick-or-treating, bounce houses, scavenger hunts, entertainment, a craft fair and so much more this year. Come out and enjoy some Halloween festivities.

For additional information on events in the community as well as information on all Village services, please check the Village website at www.villageoflombard.org.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [220296](#) **Approval of Village Payroll**
For the period ending September 10, 2022 in the amount of \$957,652.41.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [220297](#) **Approval of Accounts Payable**
For the period ending September 16, 2022 in the amount of \$1,898,759.28.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [220313](#) **Approval of Accounts Payable**
For the period ending September 23, 2022 in the amount of \$552,732.31.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [220314](#) **Approval of Village Payroll**
For the period ending September 24, 2022 in the amount of \$869,558.54.
This Payroll/Accounts Payable was approved on the Consent Agenda

- E. [220315](#) **Approval of Accounts Payable**
For the period ending September 30, 2022 in the amount of \$1,314,718.45.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- E-2. [220323](#) **Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code (Alcoholic Beverages)**
Ordinance amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code decreasing the number of entries in the Class "A/B-III" liquor license category by one due to the licensee Claim Jumper Acquisition Company LLC d/b/a Claim Jumper Restaurant no longer conducting business at 92 Yorktown Center, for the July 1, 2022 through December 31, 2022 liquor licensing term. (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 8087
- E-3 [220326](#) **Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code (Alcoholic Beverages)**
Ordinance amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code decreasing the number of entries in the Class "C" liquor license category by one due to Tereneo 3634 LLC d/b/a Bat 17 not completing the renewal process and no longer conducting business at 2770 S. Highland Ave., 102, for the July 1, 2022 through December 31, 2022 liquor licensing term. (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 8088

Other Ordinances on First Reading

- F. [220277](#) **PC 22-22: 2300 S. Highland Avenue**
The Plan Commission submits its recommendation to approve an Ordinance granting the petitioner's request of a conditional use pursuant to Section 155.412(C)(17) of the Lombard Village Code to allow for a restaurant, not including entertainment, dancing and/or amusement devices to operate on the subject property located within the OPD Office District Planned Development. (DISTRICT #3)
This Ordinance was passed on first reading on the Consent Agenda
Enactment No: Ordinance 8093

- G. [220291](#) **PC 22-24: 450 E. 22nd Street**
The Plan Commission submits its recommendation to approve an Ordinance granting the petitioner's request that the Village take the following action on the subject property located within the B3PD Planned Development (St. Regis Planned Development):
1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the St. Regis Planned Development, as established by Ordinance No. 2249 and amended by Ordinance Nos. 4409, 4470, 4596 ,7472, and 7587, in order to provide for the placement of a new (replacement) freestanding sign on the subject property, with a deviation from Village Code Section 153.210(H) to allow an automatic changeable copy panel on a freestanding sign that is not perpendicular to a minor arterial road.
(DISTRICT #3)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 8094

- H. [220300](#) **An Ordinance Providing for the Levy and Assessment of Taxes for the Village of Lombard Special Service Area Number Three (SSA #3)**
An ordinance levying and assessing taxes for Special Service Area Number Three established for the property owners served by the traffic signal at 800 E. Roosevelt Road in the amount of \$10,600.00 for the Fiscal Year Beginning January 1, 2022 and ending December 31, 2022.
(DISTRICT #6)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 8095

Ordinances on Second Reading

Resolutions

- I. [220316](#) **641 N Main Street Stormwater Basin Final Design Engineering**
Approving a contract with Robinson Engineering, Ltd. in the amount of \$93,711.00. This contract is to provide final design engineering services for a proposed stormwater detention basin at 641 N. Main Street.
(DISTRICTS - #1 & #4)

This Resolution was adopted on the Consent Agenda

Enactment No: R 42-22

Other Matters

- J. [220298](#) **FY2022 Bituminous Asphalt Purchase**

Request for a waiver of bids and award of a contract to Dunteman Asphalt Company in the amount not to exceed \$206,000.00. This asphalt is for our in-house paving program. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

J-2. [220318](#)

Fairview Avenue Storm Sewer Junction Chamber Installation

Request for a waiver of bids and award of contract to Martam Construction, Inc., the lowest, responsible proposal, in the amount not to exceed \$54,000.00. To expedite construction, Public Works Department directly solicited proposals from four pre-selected qualified contractors who have successfully worked on previous Village projects. The scope of the work will be to install a junction chamber to the storm sewer outfall pipe that is made from corrugated metal pipe. (DISTRICT #6)

This Bid was approved on the Consent Agenda

K. [220308](#)

Plat of Easement: 302 S. Lodge Lane (Broadway Apartments)

Staff recommends acceptance of a Plat of Easement providing the Village of Lombard the right to access the domestic water service boxes for inspection and operation on the property located at 302 S. Lodge Lane (Broadway Apartments). (DISTRICT #5)

This Request was approved on the Consent Agenda

L. [220317](#)

Appointment of Charles Hervas as PSEBA Hearing Officer

Request for concurrence in the appointment of Charles Hervas of Condon & Bersani, PC to the position of PSEBA Hearing Officer for the Village of Lombard at the rate of \$230 per hour for work performed by partners and \$195.00 per hour for work performed by associates.

This Request was approved on the Consent Agenda

M. [220292](#)

Local Tourism Grant Application 2022 - Spooktacular

Recommendation from the Community Promotion & Tourism Committee to approve a grant request from the Lombard Area Chamber of Commerce in the amount of \$7,500 from Hotel/Motel funds for the 2022 Spooktacular event. The grant funds will be used to support the costs of overtime for Public Works, barricades, Police and Fire, and Waste Management expenses. The event will be held on October 23, 2022 from 12-5 p.m.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bob Bachner, seconded by Trustee Andrew Honig, to Approve the Consent Agenda The motion carried by the following vote

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

M-2. [220268](#)

Village Equipment to be Declared Surplus - Police Dog Thor

Approving an ordinance declaring police dog Thor and related equipment surplus property and authorizing a transfer of ownership of the police dog and related equipment to Patriot K9 Rescue, Inc., a not-for-profit corporation specializing in the care of retired police dogs, as authorized under the Police Dog Retirement Act.

Chief of Police Roy Newton noted that in his 33 years in Lombard, he has been involved with 8 police dogs, and noted how the K'9s become part of the Police Department personnel, just like every officer. He thanked the K9 handler, as well as his family for their time and dedication. Thor, along with previous K9 officers, have been a great asset to the department. When a dog reaches its useful service, it is a difficult and emotional time. While this is a difficult decision, it is in the best interest of Thor to be somewhere he can live out the rest of his years in comfort.

A motion was made by Trustee Anthony Puccio, seconded by Trustee Dan Militello, that the Ordinance declaring Police canine Thor as surplus property and authorizing a transfer of ownership of Thor and related equipment to Patriot K9 Rescue, Inc., a not-for-profit corporation specializing in the care of retired police dogs, as authorized under the Police Dog Retirement Act, be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Enactment No: Ordinance 8089

M-3. [220322](#)

800 E. Roosevelt Road - Noon Whistle Brewing Special Event

Amending Title XI, Chapter 112, Section 112.18(B) of the Lombard Village Code with regard to alcoholic beverages, providing for the sale and consumption of beer in connection with a temporary event (Oktoberfest) on October 15, 2022 located at 800 E. Roosevelt Road. Staff requests a waiver of first reading. (DISTRICT #6)

Trustee Brian LaVaque indicated that he would be abstaining from the vote relative to this matter due to a previous employment relationship.

A motion was made by Trustee Bob Bachner, seconded by Trustee Anthony Puccio, that the Ordinance approving a special event permit for Noon Whistle Brewing to be held on October 15, 2022 be waived of first reading and passed

on second reading with suspension of the rules. The motion carried by the following vote:

Aye: 5 - Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Abstain: 1 - Brian LaVaque

Enactment No: Ordinance 8090

Other Ordinances on First Reading

A. [220236](#)

PC 22-20: 4-44 Yorktown Center, Yorktown Commons Parcel 4 - D.R. Horton Townhomes

The Plan Commission submits its recommendation to approve an Ordinance granting the following actions on the subject property located within the B3PD Community Shopping District Planned Development: Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Yorktown Commons Planned Development Form Based Code, as stated in Section IV(E) and established by Ordinance No. 7177, as follows:

1. Amend the build-to lines for the proposed attached single-family (townhouse) residential development to be located on Lot 4 of the Yorktown Commons Phase I Subdivision in the following respects:
 - a. To account for required separation distances between buildings and public utilities, provide for a major change to the southern build-to line to allow for the exterior building elevation to be located more than 12 feet behind the south property line, where a 12-foot build-to line was established for townhouses;
 - b. To account for required separation distances between buildings and public utilities, provide for a major change to the eastern build-to line to allow for the exterior building elevation to be located more than 30 feet behind the east property line, where a 12-foot build-to line was established for townhouses;
2. Approve an attached single-family residential development based upon the submitted plans, pursuant to Ordinance 7177 and through Section 155.511 of the Lombard Zoning Ordinance (Site Plan Approvals) and as deemed appropriate; and
3. Approve a preliminary plat of subdivision. (DISTRICT #3)

Director of Community Development Bill Heniff provided an overview of a power point relative to D.R. Horton Townhome proposed development as well as the Economic Incentive Agreement listed on the agenda as X-A.

A motion was made by Trustee Brian LaVaque, seconded by Trustee Bernie Dudek, that the Ordinance relative to PC 22-20: 4-44 Yorktown Center, Yorktown Commons Parcel 4 - D.R. Horton Townhomes be passed on first reading. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Enactment No: Ordinance 8092

Ordinances on Second Reading

B. [220029](#)

**PC 22-02: 400 E St. Charles Road - New Directions Housing
(Request of Petitioner to Continue to October 6, 2022/ Motion to
Further Continue to the December 1, 2022 Village Board
Meeting.**

The Plan Commission submits its recommendation that the Village take the following actions on the subject property located within the R4PD Planned Development (Oakview Estates Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, approve an Ordinance amending the Oakview Estates Planned Development, as established by Ordinance No. 5488 and amended by Ordinance No. 7342. For the subject property, the amendment would change the land use from attached single-family (townhomes) to multiple-family dwellings. (DISTRICT #4)

A motion was made by Trustee Bob Bachner, seconded by Trustee Bernie Dudek, that the ordinance relative to PC 22-02, 400 E. St. Charles Road for New Directions Housing be continued to December 1, 2022. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Resolutions

Other Matters

X. Agenda Items for Discussion

A. [220281](#)

**D.R. Horton, Inc. Midwest (Summit at Yorktown) Economic
Incentive Agreement**

Introduction, and discussion of an Economic Incentive request in an amount of up to \$1,900,000 in Butterfield Road/Yorktown Tax Increment Financing (TIF) funds to cover eligible costs and associated with the redevelopment of the property at 4-44 Yorktown Convenience Center. The ECDC offered its recommendation to direct staff and Village Counsel to draft an incentive agreement for Village Board consideration. Staff is presenting this item to the Village Board for informational purposes only and will place this item on a future Village Board agenda once the agreement is completed.

Director of Community Development Bill Heniff had given an overview of a power point presentation along with item IX-A.

Enactment No: Ordinance 8091

XI. Executive Session

A motion was made by Trustee Anthony Puccio, seconded by Trustee Andrew Honig, the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, October 6, 2022 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 6:35 p.m. for the purpose of discussion of Collective Negotiating Matters. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:13 p.m. Upon roll call the following were:

8 - Keith Giagnorio, Elizabeth Brezinski, Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

XIII Adjournment

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A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Militello, that the regular meeting of the President and Board of Trustees held Thursday, October 6, 2022 in the Board Room of the Lombard Village Hall be adjourned at 7:14 p.m. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner