

Village of Lombard

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



Minutes

Thursday, May 18, 2017

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, May 18, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 pm. The Lombard Police Honor Guard posted the colors and led the Pledge of Allegiance.

II. Roll Call

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

Trustee Johnston had an excused absence.

Staff Present:
Village Manager Scot Niehaus
Assistant Director of Finance Jamie Cunningham
Director of Community Development Bill Heniff
Director of Public Works Carl Goldsmith
Chief of Police Ray Byrne
Fire Chief Richard Sander
Assistant Village Manager Nicole Aranas
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

[170231](#)

Recognition - School District #44 Westlake Music Department

Village President Keith Giagnorio called Nick Martin, Glenn Westlake Middle School Band Director, to the front. Mr. Martin talked of the band being selected to perform at the University of Illinois Superstate Concert Band Festival. The band members were called to the front. Mr. Martin thanked the Village for the recognition and the continued support.

[170226](#)

Proclamation - Public Works Week

Village Clerk Sharon Kuderna read the proclamation for Public Works

Week.

Director of Public Works Carl Goldsmith talked about the Public Works employees being in every home and business 365 days each year with the services the staff provides. He spoke of the operational and the capital side of Public Works. He thanked the Village Board for their continued support.

[170227](#)

Proclamation - DuPage River Sweep

Village Clerk Sharon Kuderna read the proclamation for DuPage River Sweep.

Director of Public Works Carl Goldsmith thanked the Village for their support. He noted the Village has been involved with the DuPage River Sweep program for twenty years helping to keep waterways free and clear. He asked any residents wanting to assist to contact the Public Works Department. DuPage River Sweep is scheduled to begin at 9 am on Saturday at Churchill Woods.

[170240](#)

Proclamation - National Police Week

Village Clerk Sharon Kuderna read the proclamation for National Police Week.

Chief of Police Ray Byrne thanked the Village for their support. He noted that three fallen Lombard Police Officers' names are on the wall located in Washington. He spoke of the outpouring of support the Police Department has been receiving from residents and thanked the residents.

V. Approval of Minutes

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that the minutes of the Special Meeting of May 3, 2017 and the minutes of the Regular Meeting of May 4, 2017 be approved. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, 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**

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

No report

**Public Safety & Transportation Committee - Trustee Dan Whittington,
Chairperson**

Trustee Dan Whittington, Chairperson of the Transportation and Safety Committee, reported that the Fire Department had received a FEMA grant in the amount of \$318,000 for the purchase of self-contained breathing apparatus replacing outdated twelve-year-old equipment.

Fire Chief Richard Sander stated the Fire Department will now have the most current self-contained breathing apparatus and spoke of the cost savings to the Village due to the grant.

**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

Trustee Mike Fugiel commended the Police Department for their enforcement of cell phone use by motorists and noted he observed the Police Department issuing three citations on Roosevelt Road to motorists.

President Giagnorio wished Trustee Ware a happy early birthday.

Village Clerk Sharon Kuderna read the following announcements:

As we come to a close on 2017's Lilac Time in Lombard, be sure to attend the grand finale event, the annual Lilac Parade, this Sunday,

May 21st at 1:30 p.m. The parade will step off at the corner of Main & Wilson and continue north to Maple Avenue. The theme for the 63rd Lilac Parade is "Who is YOUR Hero?". Come view your favorite parade floats and listen to the talented marching bands! There are still a few more Lilac Time events scheduled, this week, so visit [lombardlilactime.com](http://www.lombardlilactime.com) <<http://www.lombardlilactime.com>> for details. The Village Board meeting scheduled for June 1st has been cancelled. The next Village Board meeting will be held on Thursday, June 15th.

VIII Consent Agenda

.

Payroll/Accounts Payable

- A. [170213](#) **Approval of Village Payroll**
For the period ending April 29, 2017 in the amount of \$813,500.32.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [170214](#) **Approval of Accounts Payable**
For the period ending May 5, 2017 in the amount of \$1,240,212.89.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [170232](#) **Approval of Accounts Payable**
For the period ending May 12, 2017 in the amount of \$894,050.44.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

- D. [170164](#) **PC 17-10: 815 S. Main Street**
Recommendation from the Plan Commission that the Village approve a conditional use (per Section 155.413(C)(1) of the Zoning Ordinance) to allow for a cultural facility/institution (museum) for the subject property, located within the B1 Limited Neighborhood Shopping District. (DISTRICT #6)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7374

Resolutions

- E. [170215](#) **FY 2017 Concrete Rehabilitation and Utility Cuts Patching**
Change order reflecting an increase in the contract amount with Schroeder & Schroeder, Inc. in the amount of \$19,550.00 resulting in a revised contract amount of \$544,500.00. The change is necessary to pay for additional asphalt pavement in driveways adjacent to concrete rehabilitation work. (DISTRICTS - All)

This Resolution was adopted on the Consent Agenda

Enactment No: R 36-17

- F. [170223](#) **Elevator Plan Review and Inspection Activities Contract**
Resolution authorizing signatures of the President and Clerk on a contract to Thompson Elevator Inspection Services, Inc., effective through December 31, 2018 with extension options.
Consistent with Village Board direction and actions of April 16, 2017, which rejected all bids and directed staff to proceed with a solicitation of proposals for the aforementioned services, staff requests a waiver of bids and approval of the contract.

This Resolution was adopted on the Consent Agenda

Enactment No: R 37-17

- G. [170229](#) **Second Amendment to the Village Manager's Employment Contract**
Resolution approving a Second Amendment to the Village Manager's employment contract.

This Resolution was adopted on the Consent Agenda

Enactment No: R 38-17

Other Matters

- H. [170210](#) **Fire Department Desktop PC Replacement**
Request for a waiver of bids and award of a contract to Dell in an amount not to exceed \$41,176.00 for the purchase of forty (40) desktop computer systems for the Fire Department buildings. Public Act 85-1295 does not apply.

This Bid was approved on the Consent Agenda

- I. [170220](#) **HVAC Village Hall Rooftop Unit Replacement FM18-03**
Request for a waiver of bids and award of a contract to Season

Comfort Corp. in an amount not to exceed \$37,885.00. Public Act 85-1295 does not apply. (DISTRICT #6)

This Bid was approved on the Consent Agenda

J. [170224](#)

Village Hall Skylight Re-Roof FM17-03

Request for a waiver of bids and award of a contract to Garland/DBS Company in an amount not to exceed \$42,960. Bid not in compliance with Public Act 85-1295. (DISTRICT #6)

This Bid was approved on the Consent Agenda

K. [170234](#)

Village Banner Program

Award of a contract to Liberty Flag and Banner, the lowest responsible bid of three bidders, in the amount of \$15,950 for the annual installation and storage of the Village of Lombard seasonal banners. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

L. [170169](#)

Administrative Policy - Changeable Message Sign

Recommendation from the Community Relations Committee relative to a proposed policy for the Village of Lombard changeable message sign to be located at Main and Wilson.

This Request was approved on the Consent Agenda

M. [170208](#)

Local Tourism Grant Application 2017 - Firebirds Soccer Club

Grant request from the Firebirds Soccer Club in the amount of \$10,440.00 from Hotel/Motel funds for expenses related to hosting a U8-U15 soccer tournament August 8-20, 2017.

This Request was approved on the Consent Agenda

N. [170222](#)

Letter of Credit Time Extension - Beacon Hill Expansion Project

Motion to allow a three month time extension for the Letter of Credit posted as a Construction Guarantee for the Beacon Hill Expansion Project. (DISTRICT #3)

This Request was approved on the Consent Agenda

O. [170225](#)

Appointment - Fire Pension Board of Trustees

Appointment of Ron Rakosnik to the Fire Pension Board of Trustees to April 30, 2019 filling a vacancy created by the resignation of Paul DiRienzo.

This Appointment was approved on the Consent Agenda

Approval of the Consent Agenda

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

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

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

A. [170203](#) Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code

Revising the Class "A/B-I" liquor license category and terminating the Class "A/B-I" liquor license issued to Los Cuates Corporation d/b/a El Anzuelo De Oro and issuing a Class "A/B-I" liquor license to Mi Zacatecas Restaurant, Inc. d/b/a El Anzuelo De Oro located at 621 E. Roosevelt Road due to new ownership. (DISTRICT #6)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Robyn Pike, seconded by Trustee Bill Ware, that the Ordinance amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code relative to a liquor license for Mi Zacatecas Restaurant, inc. d/b/a El Anzuelo De Oro be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7375

B. [170217](#) 800 E. Roosevelt Road - Noon Whistle Brewing Special Event
Amending Title 11, 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 (Summerfest) on June 17, 2017 located at 800 E. Roosevelt Road. (DISTRICT #6)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Bill Ware, seconded by Trustee Robyn Pike, that the Ordinance amending Title 11, Chapter 112 of the Lombard Village Code relative to a special event (Summerfest) for Noon Whistle be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7376

- C. [170219](#) **Ordinance Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code with regard to Alcoholic Beverages**
Reducing the number of entries in the Class "C" liquor license category by one, effective June 1, 2017, due to the voluntary non-renewal of the liquor license for Omega Lombard By Gail LLC d/b/a Gail's Carriage Cafe located at 2300 S. Highland Avenue. (DISTRICT #3)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the Ordinance amending Title 11, Chapter 112 of the Lombard Village Code relative to a decrease in the Class C liquor licenses due to the voluntary non-renewal of a liquor license for Gail's Carriage Cafe be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7377

- D. [170228](#) **Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
Revising the Class "C" liquor license category, effective June 1, 2017, and issuing a liquor license to Lombard BBQ Inc. d/b/a Firewater BBQ N Brew located at 440 E. Roosevelt Road. (DISTRICT #6)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the Ordinance amending Title 11, Chapter 112 of the Lombard Village Code relative to a liquor license for Firewater BBQ N Brew be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7378

- E. [170230](#) **Ordinance Amending Title 11, Chapter 112, Section 112.18 (Alcoholic Beverages)**
Ordinance amending Title 11, Chapter 112.18 of the village Board relative to the sale and consumption of alcoholic beverages associated with the Craft Beer Event (Ale Fest) scheduled for June 10, 2017 to be held on Parkside Avenue. (DISTRICT #1)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Mike Fugiel, seconded by Trustee Robyn Pike, that the Ordinance amending Title 11, Chapter 112 of the Village Code relative to a Craft Beer Event (Ale Fest) be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7379

F. [170218](#)

Amending Title 11, Chapter 112 Section 112.13(A) of the Lombard Village Code

Revising the number of entries in the Class "A/B-I", "A/B-II" and "A/B-III" liquor license categories, effective June 1, 2017, to reflect the 2016 Class "A/B" sales certifications for Topaz RG LLC d/b/a Babcock's Grove House located at 101 W. St. Charles Road from a Class "A/B-I" to a Class "A/B-II" and Platinum Bar and Grill Inc. d/b/a Overtime Bar and Grill, located at 801 E. Roosevelt Road from a Class "A/B-II" to a Class "A/B-III". (DISTRICTS #1 and #6)

Pursuant to Section 112.18(A)(13) of the Lombard Village Code, as an owner of a business which has been issued a Lombard liquor license, Trustee Whittington recused himself relative to this agenda item.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Ordinance amending Title 11, Chapter 112 of the Village Code relative to liquor license classification changes for Babcock's Grove House and Overtime Bar and Grill be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:

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

Enactment No: Ordinance 7380

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

G. [170233](#)

Factum LLC - 115 W. St. Charles Road ADA Easement Agreement (2/3 vote of Corporate Authorities required)

Resolution approving an ADA Easement Agreement between the Village of Lombard and Factum LLC for the property located at 109-115 West St. Charles Road. The agreement will provide the ability of Factum LLC, as the owner of a commercial condominium tenant space at 105 W. St. Charles Road, the ability to construct an accessible ramp and related improvements on real estate owned by

the Village. (DISTRICT #1)

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that the Resolution approving an ADA Easement Agreement between the Village of Lombard and Factum LLC for the property located at 109-115 West St. Charles be adopted. The motion carried by the following vote:

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

Enactment No: R 39-17

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Dan Whittington, seconded by Trustee Robyn Pike, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 18, 2017 in the Board Room of the Lombard Village Hall be recessed to Executive Session at 7:30 p.m. for the purpose of discussion of Probable or Imminent Litigation and Pending Litigation. The motion carried by the following vote:

Aye: 5 - Dan Whittington, Mike Fugiel, Reid Foltyniewicz, 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, May 18, 2017 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:59 pm.

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

1 - Bill Johnston

XIII Adjournment

.

A motion was made by Trustee Dan Whittington, seconded by Trustee Reid Foltyniewicz, that the Regular Meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, May 18, 2017 in the Board Room of the Lombard Village Hall be adjourned at 8:00 p.m. The motion carried by the following vote:

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