

Village of Lombard

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



Minutes

Thursday, December 6, 2018

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, December 6, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 p.m. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

II. Roll Call

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

Village 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 Richard Sander

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 Robyn Pike, that the minutes of the regular meeting of November 15, 2018 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**

No report

Finance & Administration Committee, Trustee Reid Foltyniewicz, Chairperson

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, reported the committee reviewed the Village's 2019 Insurance Program and also reviewed the Village's raffle ordinance relative to a proposed amendment for a time extension.

**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 Historic Preservation Commission - Village Clerk Sharon Kuderna

No report

VII. Village Manager/Village Board Comments

Trustee Reid Foltyniewicz reminded residents that December 7th is Pearl Harbor Day and noted that his grandfather served at Pearl Harbor. Trustee Ware wished President Giagnorio a happy early December 27th birthday.

President Giagnorio wished Clerk Sharon Kuderna a happy early December 22nd birthday; Trustee Robyn Pike a happy New Year's Eve birthday; and Carol Bauer a happy early December 15th birthday.

Village Clerk Sharon Kuderna read the following announcements: The free leaf pick-up for Lombard residents runs through December 14th (the second full week in December). An unlimited number of paper bags containing only leaves, may be placed curbside on the normal waste collection day, without need of stickers. However, yard waste stickers are required on any cans and also, for nonresidential properties. For more information, visit villageoflombard.org/fall.

The Village Board will be acting on a request (Consent item Z on the agenda tonight) to cancel the December 20th Village Board Meeting. The 2019 Village Board schedule continues with Village Board meetings to be held on the first and third Thursdays of each month. While the Village Board will look at cancelling the first meetings in June, July and August 2019 (June 6, July 4 and August 1) these three (3) meetings will remain on the Village Board's meeting schedule. Unless something comes up that requires Village Board action, the Village Board intends on cancelling the June 6, July 4 and August 1, 2019 meetings.

Village Offices will be closed on Monday and Tuesday, December 24th and 25th in observance of the Christmas holiday, as well as Tuesday, January 1 in observance of the New Year holiday.

The 18th annual Fire Department Toy Drive collection culminates Saturday, December 8 with the Toy Parade beginning at 10:15 am from Fire Station 45, 50 E. St. Charles Road, heading south on Main Street and ending at Glenbard East High School. Residents can donate toys along the Parade route. The toys will then be taken to the Yorktown Shopping Center where they will be sorted and distributed to benefit local families in need.

With the busy shopping season ahead, we want to remind everyone to shop local.

On behalf of the Village Board and staff, we want to wish each and every one a very happy and healthy holiday season and all the best in the New Year. We also want to remind motorists that extra Police patrol will be focused on impaired drivers - do not drink and drive. Patrols will also focus on seat belt and cell phone violations. Make this a safe holiday!! President Giagnorio thanked the Fire Department for again hosting the annual Toy Drive and Parade. He stated it is always a great event to participate in and for a super cause.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [180485](#) **Approval of Village Payroll**
For the period ending November 10, 2018 in the amount of \$810,092.82.
- B. [180486](#) **Approval of Accounts Payable**
For the period ending Novembet 16, 2018 in the amount of \$2,177,116.08.
- This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [180492](#) **Approval of Accounts Payable**

For the period ending November 23, 2018 in the amount of \$71,645.69.

This Payroll/Accounts Payable was approved on the Consent Agenda

D. [180505](#)

Approval of Accounts Payable

For the period ending November 24, 2018 in the amount of \$935,155.21.

This Payroll/Accounts Payable was approved on the Consent Agenda

E. [180506](#)

Approval of Accounts Payable

For the period ending November 30, 2018 in the amount of \$1,199,341.55.

This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

F. [170086](#)

PC 17-01: Oakview Estates Phase II, 400 E. St. Charles Road - Third Time Extension Request

Requesting approval of an Ordinance extending the time period to start construction of the proposed project for an additional six month period until June 17, 2019. (DISTRICT #4)

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

Enactment No: Ordinance 7609, 7529, 7484, 7342

G. [180330](#)

Proposed New Butterfield Yorktown Business District (BD2)

Ordinance authorizing the preparation of a Business District Plan (BD2) within the Butterfield Yorktown Area. The Economic & Community Development Committee recommended that the Village proceed with the plan creation. (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 7610

H. PC 18-31: 115 W. Maple Street - Calvary Episcopal Church - Conditional Use for Tri Town YMCA Day Care Center (moved to Separate Action IX-A)

I. [180462](#)

PC 18-35: 207 Eisenhower Lane South - Chicago Auto Pros Detailing, Inc.

The petitioner requests that the Village grant approval of a conditional use pursuant to Section 155.420(C)(23) to allow for motor vehicle service in the IPD Limited Industrial District Planned Development on the subject property. (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 7611

- J. [180474](#) **Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
Revising the Class "C" liquor license category and issuing a liquor license to Balkan Bakery and Cafe' Inc. d/b/a Balkan Bakery and Cafe' located at 14 W. St. Charles Road. (DISTRICT #1)

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

Enactment No: Ordinance 7612

- K. [180488](#) **Village Equipment To Be Declared Surplus**
Village departments are requesting to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the Ordinance to be sold at auction, sold for scrap, or recycled as these items have extended beyond their useful life or are obsolete to include one (1) 2003 GMC Envoy (seized vehicle), one (1) 2008 Chevy Impala, one (1) radar trailer dolly, two (2) two-drawer file cabinets and one (1) four shelf unit. Staff requests a waiver of first reading.

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

Enactment No: Ordinance 7613

- L. [180500](#) **Amending Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code - Alcoholic Beverages**
Amending Title 11, Chapter 112, Section 112.12(A) clarifying that the Class "I" liquor license description allows for alcoholic beverages to be served for consumption on the premises of a not-for profit club, not-for-profit entity or governmental entity with no package sales allowed. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7614

- M. [180501](#) **Amending Title IX, Chapter 98, Section 98.111(D)(3) of the Lombard Village Code - Places for Eating Tax**
Amending Title IX, Chapter 98, Section 98.111(D)(3) adding language that the 1% collection commission can only be claimed if the tax return and the tax payment are timely filed. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7615

- N. [180502](#) **Amending Title IX, Chapter 98, Section 98.114(D)(3) of the**

Lombard Village Code - Amusement Tax

Amending Title IX, Chapter 98, Section 98.114(D)(3) adding language that the 1% collection commission can only be claimed if the tax return and the tax payment are timely filed. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7616

N-2. [180511](#)

Amending Title XI, Chapter 123, Section 123.04(A)(4) of the Lombard Village Code - Raffles

Amending Title XI, Chapter 123, Section 123.04(A)(4) of the Lombard Village Code clarifying "renting a premises" for selecting the winning chance(s) of a raffle. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7617

N-3. [180513](#)

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

Amending Title 11, Chapter 112, Section 112.13(A) decreasing the number of entries in the Class "V" liquor license classification relative to Appease, Inc. d/b/a DRYtini located at 8 S. Park Avenue voluntarily not renewing their liquor license for the December 1, 2018 licensing term. (DISTRICT #1)

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

Enactment No: Ordinance 7618

Other Ordinances on First Reading

O. [180489](#)

Fire Department Residency Requirements

Amending Title 3, Chapter 31, Section 31.65 of the Lombard Village Code expanding the Fire Department residency requirements for other than the Fire Chief and Deputy Fire Chief to include Lake County Indiana and Kenosha County Wisconsin.

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7620

Ordinances on Second Reading**Resolutions**

P. [180484](#)

2018 Traffic Signal Modernization Program, Final Balancing

Change Order No. 1

Reflecting an increase to the contract with Meade Electric in the amount of \$13,703.77. (DISTRICTS #2 & #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 69-18

Q. [180495](#)

Intergovernmental Agreement with the Village of Villa Park

Approval of a three-year Intergovernmental Agreement with the Village of Villa Park for traffic signal maintenance at the intersection of St. Charles Road and Westmore/Meyers Road at an annual cost of \$1,875.00. (DISTRICTS #4 & #5)

This Resolution was adopted on the Consent Agenda

Enactment No: R 70-18

R. [180496](#)

Resolution Accepting the Public Improvements at 400 S. Finley Road - Finley Park Subdivision

Staff recommends that the Board of Trustees accept the watermain, fire hydrants, sanitary sewer, storm sewer in the public right-of-way, and street lights at 400 S. Finley Road (Finley Park Subdivision). (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 71-18

S. [180497](#)

Construction on State Maintained Rights-of-Way

Approval of a resolution enabling Village employees to perform maintenance work within State owned rights-of-way. (DISTRICTS - ALL)

This Resolution was adopted on the Consent Agenda

Enactment No: R 72-18

T. [180503](#)

Human Resources Manual Amendment

Resolution authorizing amendments to the Village of Lombard Human Resources Manual in regard to Personnel Policies-Sexual Harassment, Requirements for Employment-Citizenship and Residency as well as Building Access and Control Policy, Employee Benefits-Vacation Leave and Leaves of Absence and Family & Medical Leave-Special Leaves.

This Resolution was adopted on the Consent Agenda

Enactment No: R 73-18

U. [180508](#)

Review of Executive Session Minutes

Resolution authorizing the Village Clerk to make certain Closed Session Meeting Minutes available for public inspection (Second Review 2018).

This Resolution was adopted on the Consent Agenda

Enactment No: R 74-18

Other Matters

- V. [180487](#) 2018/2019 Maintenance of Traffic Signal Equipment**
Award of a contract to Meade, Inc. in the amount of \$81,765.94 for the 2nd year of a two-year bcontract. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- W. [180498](#) ESRI Enterprise License Agreement**
Request for a waiver of bids and approval of a 3-year Enterprise License Agreement (ELA) with ESRI, the Village's GIS software vendor and sole source, in an amount not to exceed \$45,000.00 (\$15,000 per year) . Public Act 85-1295 does not apply.
This Bid was approved on the Consent Agenda
- X. [180490](#) 2019 Insurance Program**
Request for approval of the 2019 Insurance Program with Safety National with no changes to terms and an increase of \$8,682 (2%) compared to the 2018 premium as recommended unanimously by the Finance and Administration Committee.
This Request was approved on the Consent Agenda
- Y. [180494](#) Memorandum of Agreement**
Ratify a Memorandum Of Agreement between the Village of Lombard and Service Employees Internation Union Local 73 (SEIU) for the wage reopeners 2019 and 2020.
This Request was approved on the Consent Agenda
- Z. [180493](#) Cancellation of the December 20, 2018 Village Board Meeting**
Approval of the cancellation of the December 20, 2018 Village Board meeting.
This Request was approved on the Consent Agenda
- AA. [180514](#) Appointment - Community Relations Committee**
Request for the concurrence in the appointment of Dan Militello to the Community Relations Committee to fill a vacancy created by the resignation of Jenelle Hardtke with a term to May 2019.
This Appointment was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, 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)

- A. [180413](#) **PC 18-31: 105 - 115 W. Maple Street - Calvary Episcopal Church - Conditional Use for Tri Town YMCA Day Care Center**
The petitioner requests that the Village grant approval of a conditional use for a planned development with a use exception for a day care center on the subject property located within the R2 Single-Family Residence District. (DISTRICT #1)

Village Manager Scott Niehaus reviewed the memo from staff relative to the request of Calvary Episcopal Church for a Conditional Use to allow for the Tri Town YMCA Day Care Center at that location. The memo recommends this matter be continued to January 3, 2019 to allow staff to further review the request. The Plan Commission did recommend approval, but the Village has learned there are on-going discussions with the Library relative to parking and there is a question relative to the number of spaces available at the church lot.

Trustee Fugiel noted that the church is already 24 spaces short of the required parking and this added day care would impact parking significantly. He felt the Board needed clarification on the parking prior to voting on the matter.

A motion was made by Trustee Dan Whittington, seconded by Trustee Mike Fugiel, that this Request be continued to January 3, 2019. 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 7621

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, December 6, 2018 in the Board Room of the Lombard Village Hall be adjourned at 7:17 p.m. The motion carried by the following vote:

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