

Village of Lombard

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



Minutes

Thursday, April 4, 2019

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, April 4, 2019 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 p.m. Boy Scout Troop 202 First United Methodist Church Posted the Colors and 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

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

Cary Weisgram requested the Village Board table the items relative to video gaming to the next Village Board meeting, as he was opposed to having the newly-elected Village Board not have a decision in the matter.

[190151](#)

Presentation - Lilac Parade Committee

Nicole Sivak, Lombard Lilac Parade Committee Chairperson, read a statement relative to the 2019 Lilac Parade Grand Marshal and announced the Grand Marshal to be Warren Petrie.

V. Approval of Minutes

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the minutes of the regular meeting of March 21, 2019 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

No report

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/Village Clerk Comments

Village Clerk Sharon Kuderna read the following announcements:

Calling all baseball fans! The Lombard's Spring Blood Drive is Wednesday, April 17th. Beacon Hill Retirement Center has partnered with the Village and Heartland so there are now three locations available to donors. Yorktown Center Entrance 5 by Von Maur and The Eatery from 8:00 am until 1:00 pm; Beacon Hill, 2400 S. Finley Road from 1:00 pm until 5:30 pm and the Village Hall from 1:30 to 7 p.m. All donors receive a coupon for a free pint of Culver's frozen custard and a \$10 Colonial Café certificate. Donors are entered into a drawing for a Yorktown gift card as well as the grand prize of FOUR tickets to the April 27th White Sox vs. Tigers game, FOUR Stadium Club passes and a parking pass. Become a hero, save a life, donate blood! Visit www.villageoflombard.org/blooddrives for more information.

April is Distracted Driving Awareness Month and the Lombard Police Department is out in full force, cracking down on distracted and impaired drivers. Police are reminding residents to drop it and drive, to help keep our roads safe.

The Village's yard waste collection program began April 1st. New this year, bundled brush, as well as paper bags and cans of leaves and grass must have a yard waste sticker attached. Stickers are \$2.37 each and are available at Jewel Food Stores in Lombard and Villa Park, Johnson's Lighthouse BP Gas Station in Villa Park, Schroeder's Ace Hardware, and West Suburban Bank. Stickers are no longer available at the Village Hall.

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [190144](#) **Approval of Village Payroll**
For the period ending March 16, 2019 in the amount of \$833,377.54.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [190145](#) **Approval of Accounts Payable**
For the period ending March 22, 2019 in the amount of \$1,041,955.58.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [190152](#) **Approval of Accounts Payable**

For the period ending Mach 29, 2019 in the amount of \$718,045.34.

This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [190097](#) **PC 19-04: Text Amendment to the Zoning Ordinance, Craft Alcohol Production Facility**
Recommendation from the Plan Commission to approve the following text amendments to the Lombard Village Code:
1. An amendment to Section 155.802 (and any other relevant sections for clarity) of the Lombard Village Code regarding the addition for a definition of "Craft Alcohol Production Facility" and the modification of the definitions of "tavern" and "liquor store, package";
 2. Remove "microbrewery" as a conditional use from Section 155.417(G)(2)(a)(iii) of the Lombard Village Code; and
 3. An amendment to Sections 155.414(C), 155.417 (G)(2)(a), 155.418(C), 155.419(C), and 155.420(C) of the Lombard Village Code to allow "Craft Alcohol Production Facility" to be listed as a conditional use (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 7642
- E. [190121](#) **PC 19-05: Expansion of a conditional use, 800 E. Roosevelt Road**
Recommendation from the Plan Commission to grant approval of an expansion of existing conditional uses per Ordinances 6951 and 7069, pursuant to Section 155.417 (G)(2)(a) of the Village Code for a microbrewery/craft alcohol production facility and outside service area (outdoor seating) within the B4APD Roosevelt Road Corridor District, Planned Development. (DISTRICT #6)
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 7643
- F. [190149](#) **Amending Title 11, Chapter 112, of the Lombard Village Code - Alcoholic Beverages**
Amending Title 11, Chapter 112, Section 112.12(A) and Section 112.14(A) of the Lombard Village Code, Section 112.12(A) amends the Class "S" liquor license category description by allowing the sale and consumption of beer manufactured by the licensee off of the licensed premises; allowing spirits to be sold on the licensed premises for consumption on the licensed premises at special events, not open to the general public, or as a single "spirits drink of the day" to the general public; a kitchen offering food service to the public while the licensed

premises is open for business (except the last hour) and allowing catered food to be brought in for special events not open to the public, Section 112.14(A) amends the license fee from \$750 to \$1,000.

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

Enactment No: Ordinance 7644

Other Ordinances on First Reading

G. [190119](#) **PC 19-03: 830 Foxworth Boulevard - Clover Creek Apartment Trash Compactor Building**

Recommendation from the Plan Commission to approve the above-referenced petition. The petitioner requests that the Village take the following zoning actions on the subject property located within the R5PD Planned Development District: Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Village Code, amend the Oak Creek Planned Development to approve a deviation from Section 155.210(A)(3)(b) of the Lombard Village Code to allow an accessory structure (trash compactor building) with a vertical distance from grade to the highest point of the roof of twenty and a half (20.5) feet where a maximum of seventeen (17) feet is permitted. (DISTRICT #2)

This Ordinance was passed on first reading on the Consent Agenda

Enactment No: Ordinance 7650

Ordinances on Second Reading

H. [190115](#) **ZBA 19-03: 103 N. Chase Avenue**

Recommendation from the Zoning Board of Appeals to approve a variation from Section 155.212 of the Lombard Village Code to allow an unenclosed roofed-over porch to be set back twenty-two feet (22') from the front property line where twenty-five feet (25') is required for the front yard located in the R2 Single-Family Residence District. (DISTRICT #4)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7645

Resolutions

Other Matters

I. [190131](#) **Street Lighting LED Replacement Project**

Request for a waiver of bids and award of a contract to Graybar Electric in the amount of \$61,400.15. Graybar Electric is the contractor that submitted the winning bid to U.S. Communities Government Purchasing

Alliance for electrical supplies and fixtures. Public Act 85-1295 does not apply. (DISTRICTS #2 & #3)

This Bid was approved on the Consent Agenda

J. [190150](#)

Tree Planting

Request for a waiver of bids and award of a contract to the Suburban Tree Consortium in an amount not to exceed \$76,750.00 to purchase trees for the 2019 Spring and Fall tree planting program. (DISTRICTS - ALL)

This Bid was approved on the Consent Agenda

K. [190037](#)

Local Tourism Grant Application 2019 - DuPage Preseason Invitational

The Community Promotion and Tourism Committee recommends approval of a grant request from Firebirds Soccer Club in the amount of \$7,500 from Hotel/Motel funds for the DuPage Preseason Invitational Soccer Tournament. The funds will be used for tournament production expenses and marketing. The event will take place August 30 to September 1, 2019.

This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, 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)

Other Ordinances on First Reading

A-1. [190153](#)

Ordinance Amending the Village's Fiscal Year 2019 Budget Ordinance

Ordinance amending the Fiscal Year 2019 budget. Staff requests that the Village Board approve the ordinance amending the Village's Fiscal Year 2019 Budget Ordinance, to provide for an appropriation in regard to the payment required by the Contingent TIF Payment Agreement between the Village and the Lombard Public Facilities Corporation, approved on March 8, 2018 pursuant to Resolution No. 19-18, in the event that the Village and the Lombard Public Facilities Corporation have not entered into a TIF Redevelopment Agreement on or before

September 15, 2019. (2/3 Vote Required)

A motion was made by Trustee Mike Fugiel, seconded by Trustee Robyn Pike, that the Ordinance Amending the Village's Fiscal Year 2019 Budget Ordinance be passed on first reading. The motion carried by the following vote:

Aye: 7 - Keith Giagnorio, Dan Whittington, Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

Enactment No: Ordinance 7651

Ordinances on Second Reading

- A. [190138](#) **An Ordinance Providing For And Requiring The Submission Of An Advisory Public Question Concerning Whether To Permit Video Gaming In The Village of Lombard, DuPage County, Illinois, To Appear On The Ballot Of The Electors Of The Village Of Lombard At The General Primary Election To Be Held On March 17, 2020**

Ordinance to provide for an non-binding advisory public question concerning video gaming to be placed on the ballot for the general primary election to be held on March 17, 2020.

A motion was made by Trustee Dan Whittington, seconded by Trustee Bill Ware, that the Ordinance Providing For and Requiring the Submission of an Advisory Public Question Concerning Whether to Permit Video Gaming in the Village of Lombard, DuPage County, Illinois, to Appear on the Ballot of the Electors of the Village of Lombard at the General Primary Election to be Held on March 17, 2020 be passed on second reading. The motion carried by the following vote:

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

Nay: 1 - Reid Foltyniewicz

Enactment No: Ordinance 7646

- B. [190139](#) **An Ordinance Amending Title XI, Chapter 110, Section 110.11; Title XI, Chapter 112; And Title XI, Chapter 115 Of The Lombard Village Code In Regard to Video Gaming and Liquor Licenses For Establishments With Video Gaming**

Ordinance providing for video gaming and liquor licenses associated with video gaming with certain conditions and restrictions.

Village Manager Scott Niehaus noted that a technical revision had been made to this ordinance. He stated the only change pertains to amended language to the Class "S-VG" liquor license category. Consent agenda item F that had just been approved references the same class and this ordinance needed to include the amended language.

A motion was made by Trustee Bill Ware, seconded by Trustee Robyn Pike, that the Ordinance Amending Title XI, Chapter 110, Section 110.11, Title XI,

Chapter 112; and Title XI, Chapter 115 of the Lombard Village Code in Regard to Video Gaming and Liquor Licenses for Establishments with Video Gaming be passed on second reading. The motion carried by the following vote:

Aye: 4 - Keith Giagnorio, Mike Fugiel, Robyn Pike, and Bill Ware

Nay: 3 - Dan Whittington, Reid Foltyniewicz, and Bill Johnston

Enactment No: Ordinance 7647

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 Bill Ware, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, April 4, 2019 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