

# **Village of Lombard**

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



## **Meeting Minutes**

**Thursday, February 4, 2010**

**7:30 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

*Village President: William J. Mueller*

*Village Clerk: Brigitte O'Brien*

*Trustees: Greg Gron, District One, Richard J. Tross, District Two,  
Zachary Wilson, District Three, Dana Moreau, District Four, Laura Fitzpatrick, District  
Five and Bill Ware, District Six*

## I. Call to Order and Pledge of Allegiance

[Play Video](#)

*The regular meeting of the President and Board of Trustees of the Village of Lombard was called to order by Village President William J. Mueller at 7:38 pm in the Board Room of the Lombard Village Hall. Members of the Faith United Methodist Church Cub Scout Pack 202, Boy Scout Troop 202 and Venturing Crew 202 Posted the Colors and led the Pledge of Allegiance.*

## II. Roll Call

[Play Video](#)

**Present:** Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Richard J. Tross, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee Bill Ware

*Staff Present:*

*Village Manager David Hulseberg*

*Director of Finance Tim Sexton*

*Director of Community Development Bill Heniff*

*Director of Public Works Carl Goldsmith*

*Chief of Police Ray Byrne*

*Fire Chief Ed Seagraves*

*Executive Coordinator Carol Bauer*

## III. Public Hearings

[100033](#)

**BOT 10-01: 1214 S. School Street**

A Public Hearing regarding a proposed Annexation Agreement for the property located at 1214 S. School Street. (UNINCORPORATED/DISTRICT #6)

[Play Video](#)

*Village Attorney Tom Bayer called the Public Hearing to order at 7:41 pm. He stated the Public Hearing was to hear testimony for or against the proposed annexation agreement for the property located at 1214 S. School Street. Having no one speak for or against, the Public Hearing was closed at 7:42 pm.*

## IV. Public Participation

[Play Video](#)

*Paula Zonder, 143 Majestic Drive spoke regarding the possible elimination of the fire prevention safety programs at the schools. She asked the Village Board to consider not eliminating these programs and stated she was passionate about this. She felt this was important to the children.*

*Margaret DePhillips, 52 W. Graham, stated she was the parent of small children. She noted that budget cuts are not easy, but realized that cuts need to be made. She said she was speaking for quite a few parents and felt the fire safety programs at schools should not be cut.*

*President Mueller stated that within the last 8-10 hours, the Village Board members and staff had received a lot of calls regarding this matter.*

*Village Manager Hulseberg stated that misinformation had been given out and that numerous calls, faxes and e-mails had been received. He indicated this was the result of off-duty firefighters stating that the public education program for the pre-school and*

kindergarten children was being eliminated. Teachers apparently sent letters out to the parents without seeking direction from the principals or superintendent and without checking the validity of the information. He stated he called and spoke with representatives from School District #44 and School District #45 regarding this matter. He stated that the Village Board had discussed this at budget sessions and felt this program was very important. He stated this program is being retained and that \$25,000 had been set aside to continue the program. He noted that some services may have to be delivered in a different way without the use of overtime. He noted that the Village can not do everything that it has been doing. President Mueller stated he hoped this addressed the questions and concerns regarding this matter.

**100004****Medal of Character Excellence Award**

1. Presentation of the Medal of Character Excellence Award to Jackson Middle School's 7th & 8th Grade Girls Basketball Teams.
2. Presentation of the Medal of Character Excellence Award to Olivia Domin.

**Play Video**

*President Mueller called Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, to the front.*

*Trustee Fitzpatrick called the Jackson Middle School's 7th and 8th grade basketball teams up to the front along with the coaches and other representatives. Trustee Fitzpatrick stated this was only the second group award that she had given out. She introduced Athletic Director Eric Willis.*

*Director Willis stated Olivia Domin, a student at Jackson, had approached him about a fundraising event. He stated Olivia was the inspiration and guiding force and that an event was scheduled one evening and two basketball games were held. He indicated the school received donations and also raffled off items. \$2,200 was raised and the money given to the Kay Yow/WBCA Cancer Fund.*

*Dr. Rosales, Superintendent of School District #45, indicated she was proud of the girls and that they all worked hard and gave from their hearts. She indicated they try to teach the students to be better citizens and quite often the students teach the adults. She stated she admired their accomplishments. She introduced the coaches.*

*Trustee Fitzpatrick asked Olivia's parents to come to the front. The Medal of Character Excellence was presented to Olivia and the Medal of Character Excellence was also presented to Athletic Director Willis for the basketball teams.*

*President Mueller congratulated everyone and thanked them all for their hard work.*

**100037****Presentation - Excellence in Cardiac Care Award****Play Video**

*President Mueller called up to the front Fire Chief Ed Seagraves and Chief of Police Ray Byrne.*

*Fire Chief Seagraves introduced Lt. Paul DiRienzo from the Lombard Fire Department. Lt. DiRienzo spoke of the team work that occurred on November 21, 2009 beginning with the wife of Glenn Nichols recognizing her husband's condition, proceeding to call 9-1-1 and beginning CPR, the police officers arriving and continuing CPR and the fire department medics continuing CPR and administering defibrillation. He called Glenn Nichols to the front. Lt. DiRienzo stated Glenn Nichols stopped at the fire station the following week to thank everyone for saving his life and he asked him if he would be willing to present the Cardiac Care pins at a Village Board meeting. Paul introduced Police Officers James Kohl and Thomas McElroy and stated Officer Bruce Bradford was not able to be at the meeting but would also receive a pin, and Fire Department Lt. Marty Coomes, Paramedics Michael Heimbecker, Daniel Ekhardt, Gabriel Suto, Christopher Wilmot and Michael Ringa.*

Glenn Nichols presented each of them with a Cardiac Care pin and thanked them. He stated he was fortunate to be alive and be at the meeting. He also thanked his wife, the nurses and doctors at the hospital.

President Mueller congratulated the police and fire department personnel and Glenn Nichols.

**100051****[Play Video](#)****Proclamation - Boy Scouts of America 100 Year Anniversary**

Village Clerk Brigitte O'Brien read the proclamation for the 100th anniversary of the Boy Scouts of America.

President Mueller presented the proclamation to the Scouts. He called members of the Faith United Methodist Church Cub Scout Pack 202, Boy Scout Troop 202 and Venturing Crew 202 and presented them with certificates.

The Executive Director of the Scouts thanked the Village Board and residents of Lombard for all of their support and commented about how many groups were in Lombard. She stated there will be a birthday event held at Cantigny on May 15 and expected more than 20,000 people to attend.

President Mueller reminded everyone how important it was to support the scouts. He indicated this was a really enjoyable part of the meeting recognizing the fire and police departments for saving a life, recognizing the Jackson Middle School for their fundraising and recognizing the scouts on their 100th anniversary.

**V. Approval of Minutes****[Play Video](#)**

It was moved by Trustee Wilson, seconded by Trustee Moreau, to approve minutes of the Special Meeting of January 5, 2010 and the regular meeting of January 21, 2010 The motion carried by the following vote:

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

**VI. Committee Reports****Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson****[Play Video](#)**

Trustee Laura Fitzpatrick, Chairperson of the Community Relations Committee, reported the committee had not met. The next meeting is scheduled for February 8.

**Economic/Community Development Committee Trustee Bill Ware, Chairperson****[Play Video](#)**

Trustee Bill Ware, Chairperson of the Economic and Community Development Committee, reported the committee met on February 3. The committee discussed the Maple Street Chapel request for a grant in the amount of \$3,190 for steeple lighting. The committee approved the request and it will come to the Board at the next meeting. The committee discussed the future of the Lombard Town Centre and funding. This item was discussed at the workshop prior to tonight's meeting. The committee recommended funding in an amount not to exceed \$35,000 for a part-time director who would report to the Director of Community Development. The next meeting is scheduled for March 3.

**Environmental Concerns Committee - Trustee Dana Moreau, Chairperson**

[Play Video](#)

Trustee Dana Moreau, Chairperson of the Environmental Concerns Committee reported the committee met on January 26. She stated she was not able to be at the meeting so Trustee Gron, alternate chairperson, chaired the meeting. She asked Trustee Gron to give the report.

Trustee Gron indicated the Village had received information that changes had been made in the Clean Air Counts Program regulations. He felt this helped with improving the air quality. The committee also began review of the Village's Solid Waste Contract. They discussed some tweaking to the contract. September 18 had been selected as the date for the Village's Recycling Extravaganza. He indicated the Village's Rain Barrel and Compost Bin programs will continue. The next meeting is scheduled for February 23.

**Finance Committee - Trustee Zachary Wilson, Chairperson**[Play Video](#)

Trustee Zach Wilson, Chairperson of the Finance Committee, reported the committee had not met. He stated the Joint Meeting of the Village Board and Finance Committee will be held on February 16 at 7 pm. The next meeting is scheduled for March 2.

**Public Works Committee - Trustee Greg Gron, Chairperson**[Play Video](#)

Trustee Greg Gron, Chairperson of the Public Works Committee, reported the committee met on January 28. The committee approved decreasing change orders. He stated the Public Works Committee had met with the Village Board regarding the Capital Improvement Program. The next meeting is scheduled for March 9.

**Transportation & Safety Committee - Trustee Dick Tross, Chairperson**[Play Video](#)

Trustee Dick Tross, Chairperson of the Transportation & Safety Committee, reported the committee met on February 1. He stated the committee reviewed a request for a speed reduction for the area of Foxworth and Valley. He indicated the committee reviewed the traffic analysis and the request was not warranted based on Statute. He noted this request was denied and will be listed in the minutes as rejected. It can still be reviewed at a later time. The committee reviewed a request for a 4-way stop sign at Wilson and Cherry. This item was tabled to the March meeting as the committee did not have necessary data to review to make a decision. The committee also reviewed a request from staff prohibiting parking on the north side of Oak Creek Drive east of Springer. He indicated there was insufficient parking and that employees were parking on the street. This request was approved and will be on the February 18th Village Board agenda. Also reviewed was the report from the Police Department regarding Red Light Photo Enforcement. He indicated Trustees Ware and Wilson attended the meeting strictly to receive information. He stated this item will be reviewed by the Village Board in April. He noted that the committee was surprised by the information and the reference to Red Light Photo Enforcement as a "Cash Cow". He felt this was not true in Lombard as an analysis of 2,500 photos taken, issued less than 200 tickets. The Red Light Photo safety issue will also be addressed. The next meeting is scheduled for March 1.

**Board of Local Improvements - Trustee Richard J. Tross, President**[Play Video](#)

Trustee Dick Tross, President of the Board of Local Improvements, reported the board had not met. The next meeting is scheduled for February 11.

**Community Promotion & Tourism - President William J. Mueller, Chairperson**[Play Video](#)

*President William Mueller, Chairperson of the Community Promotion & Tourism Committee, reported the committee had not met.*

**Lombard Historical Commission - Clerk Brigitte O'Brien**[Play Video](#)

*Village Clerk Brigitte O'Brien, member of the Historical Commission, reported the commission had not met. The next meeting is scheduled for April 20.*

**US Census Complete Count Ad Hoc Committee-Trustee Laura Fitzpatrick, Chairperson**[Play Video](#)

*Trustee Laura Fitzpatrick, Chairperson of the Complete Count Census Committee, reported the committee met on January 26. She stated the committee reviewed the delivery of census information and posters to large groups such as schools and churches. They wanted to make sure the word got out to heavily populated locations in an effort to reach those people. They also wanted to find ways of informing those individuals who have typically not responded. The next meeting is March 23. President Mueller indicated residents will hear a lot about the Complete Count Census. He stressed how important this was to the Village and to the residents. The census counts dictate the amount of money allotted from the federal government to the Village. He stated there will also be redistricting in the state and this is done based on the census counts so the census is two-fold. He reported the counts are used for funding and for proper representation. He indicated it was important for not only homeowners to be included, but also those residents in condos and apartments. He advised that Joelyn Kott had already been in touch with homeowners associations regarding the census. He encouraged everyone to support the census and take the time to respond. He also noted they are still looking for part-time employees and encouraged residents to check the Village website for further information. He thought the pay was between \$13 and \$18 per hour. Trustee Fitzpatrick noted the Census people are still accepting applications and looking for 1,500 people. Jobs include office work as well as those people who go door-to-door.*

**VII. Village Manager/Village Board Comments**[Play Video](#)

*Village Manager Hulseberg reported that there would be a dedication of the South Booster Station held on February 9th. He indicated that the high pressure and low pressure lines will be connected and resolve an imbalance. He congratulated the Public Works Department on this project and the fact that it was completed on time and within the budget.*

*Trustee Fitzpatrick spoke about a resident who was also a friend of hers. She stated he contacted her with a flooding problem. She referred him to the Public Works Department. He subsequently wrote a letter to the Village complimenting the employees who came out and thanked the Village for the program to assist residents. Trustee Moreau wanted to advise residents that the Rain Barrel and Compost Bin programs will continue. Even though the Village is looking at cutting events, these two programs will be offered to residents. She also spoke about the use of specific funding such as Hotel Motel Tax Funds that can be used in various ways.*

*Trustee Ware congratulated the Lombard Park District on receiving four more awards.*

He stated that Director Paul Friedrichs received the Professional of the Year Award, Jason Meyers received the Young Professional of the Year Award, Paradise Bay received the Facility of the Year Award and the Park District had received a \$400,000 matching-funds grant and that grant will be used to do work at Sunset Knolls Park. Park District President Keith Giagnorio was called to the front. He spoke regarding the awards that the Lombard Park District had received. He stated it has been a tremendous year and a half for the Park District. He stated there will be a few more improvements made at Paradise Bay. He indicated he was proud of the Park District. He commented about the great relationship the Park District has with the Village Board and thanked them.

President Mueller noted the Park District awards were like them receiving four Oscars. He hoped to see this in the headlines of the newspapers.

President Mueller noted that two businesses were celebrating anniversaries. He stated Dunkin Donuts was celebrating its 60th anniversary in business and TGI Friday's was celebrating 30 years in business. He congratulated them both. He spoke of the Lombard Fire Department hosting the State of Illinois Honor Guard Convention at the Westin this past weekend. He indicated he was delighted to have been invited to attend the Friday and Saturday events. He reported 275 Honor Guard representatives from the State had attended the event and including spouses and other guests, there were 600 people at the Westin. He talked about all of the services the Honor Guard provides including memorial services and various community events. Ninety new Honor Guard members were inducted into various Honor Guard units throughout the State. He congratulated the Lombard Fire Department for hosting the event in Lombard. He noted that they hoped to hold the 2012 event in Lombard and that would include more than 1,000 attendees.

## VIII. Consent Agenda

[Play Video](#)

Trustee Tross inquired if the ordinance for the sale of unit FA1 was a waiver of first reading. It was noted that it was.

### Payroll/Accounts Payable

- A. [100025](#) **Approval of Village Payroll**  
For the period ending January 16, 2010 in the amount of \$809,670.14.
- This Matter was approved on the Consent Agenda.**
- B. [100026](#) **Approval of Accounts Payable**  
For the period ending January 22, 2010 in the amount of \$610,740.85.
- This Matter was approved on the Consent Agenda.**
- C. [100050](#) **Approval of Accounts Payable**  
For the period ending January 29, 2010 in the amount of \$760,192.84.
- This Matter was approved on the Consent Agenda.**

**Ordinances on First Reading (Waiver of First Requested)**

- D. [100019](#) **PC 10-01: 555 E. Butterfield Road**  
Requests the following actions on the property located within the 555 E. Butterfield Road O (Office) Planned Development:  
1. Approval of a conditional use for a university (non-boarding); and  
***The following requests were approved by the Plan Commission and require no action***  
2. Site Plan Approval for minor changes to an approved planned development with the following deviations:  
a. Pursuant to Section 155.502(C), a deviation from Section 153.503(B)(12)(a) of the Sign Ordinance to increase the maximum allowable area of a wall sign from one hundred (100) square feet to two hundred four (204) square feet;  
b. Pursuant to Section 155.502(C), a deviation from Section 153.503(B)(12)(b) of the Sign Ordinance to increase the maximum number of allowable wall signs from two (2) to three (3). (DISTRICT #3)
- This Matter was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda.**
- Enactment No:** Ordinance 6435

**Other Ordinances on First Reading**

- E. [100032](#) **Liquor License Amendment - RockinBurger, 1000 N. Rohlwing Road**  
Amending Title 11, Chapter 112 of the Alcoholic Liquor Code reflecting an increase in the Class A/B-II liquor license category granting a liquor license to SBBL, LLC.  
(DISTRICT #1)
- This Matter was passed on first reading on the Consent Agenda.**

**Ordinances on Second Reading**

- F. [090794](#) **Residential Energy Code**  
Approving text amendments to the Lombard Building Code Title 15, Chapter 150 of the Code of Lombard. (DISTRICTS - ALL)
- This Matter was passed on second reading on the Consent Agenda.**
- Enactment No:** Ordinance 6436
- G. [090796](#) **PC 09-30: Text Amendments to the Lombard Zoning Ordinance**  
The Village of Lombard requests text amendments to Section 155.421 of the Lombard Zoning Ordinance amending the performance standards within the I Limited Industrial District. (DISTRICTS ALL)
- This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6437

- H. [100013](#) **Organizational Lawn Cutting Program**  
Amending Title 9, Chapter 92 of the Lombard Code with regard to Health and Sanitation Regulations for the purpose of establishing an Organizational Lawn Cutting Program. (DISTRICTS - ALL)

**This Matter was passed on second reading on the Consent Agenda.**

**Enactment No:** Ordinance 6438

## Resolutions

- I. [090802](#) **FY 2010 Asphalt Patching and Paving Change Order No. 2**  
Authorizing a decrease to the contract with R.W. Dunteman Company in the amount of \$38,272.98. (DISTRICTS - ALL)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 59-10

- J. [090812](#) **South Booster Station, Final Balancing Change Order No. 3**  
Reflecting a time extension of 74 days and a decrease of \$5,799.43 to the contract with Genco Industries, Inc. (DISTRICT #6)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 60-10

- K. [100035](#) **207-223 E. Roosevelt Road (V-land)**  
Accepting public watermain and fire hydrants at 207-223 E. Roosevelt Road and known as the V-land project. (DISTRICT #6)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 61-10

- L. [Resolution](#)  
[100036](#) **400-500 E. St. Charles Road (Oakview Estates)**  
Accepting public watermain and fire hydrants for the property located at 400-500 E. St. Charles Road and known as Oakview Estates. (DISTRICT #4)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 63-10

- M. [100053](#) **Northern Illinois Municipal Electric Cooperative (NIMEC)**  
Authorizing the Northern Illinois Municipal Electric Cooperative (NIMEC) to serve as the broker for the Village with regard to obtaining bids from electricity providers and

authorizing the Village Manager to approve a contract with the lowest cost electricity provider. (DISTRICT #6)

**This Matter was adopted on the Consent Agenda.**

**Enactment No:** Resolution 63-10

### Other Matters

- N. [100016](#) **New Vehicle Purchase, Ford Explorer**  
Request for a waiver of bids and award of a contract to Currie Motors in the amount of \$21,822 and approving an ordinance authorizing the sale of Village unit FA1. Staff is requesting a waiver of first. Public Act 85-1295 does not apply.

**This Matter was approved on the Consent Agenda.**

**Enactment No:** Ordinance 6439

- O. [100020](#) **2009 Comprehensive Annual Financial Report, Management Letter and Recommendations**  
Motion to accept and file with the Village Clerk the 2009 Comprehensive Annual Financial Report, Management Letter and Recommendations regarding the Management Letter Comments.

**This Matter was approved on the Consent Agenda.**

### Passed The Consent Agenda

**It was moved by Trustee Moreau, seconded by Trustee Ware, to approve the Consent Agenda. This approval includes suspension of the rules, waive first reading and pass on second reading, waive competitive bidding and award contracts, approve and adopt resolutions as needed for the preceding items as read by the Clerk on the Consent Agenda**

**The motion carried by the following vote:**

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

### IX. Items for Separate Action

#### Ordinances on First Reading (Waiver of First Requested)

#### Other Ordinances on First Reading

**A. [100034](#)****BOT 10-01: 1214 S. School Street**

1. Ordinance Authorizing the Execution of an Annexation Agreement (2/3 of Corporate Authorities Vote required)
2. Ordinance Annexing Certain Territory to the Village of Lombard.  
(UNINCORPORATED/DISTRICT #6)

[Play Video](#)

*Manager Hulseberg indicated this item was on Separate Action because of the extra-ordinary vote required on the Annexation Agreement.*

**It was moved by Trustee Ware, seconded by Trustee Tross, that this matter be waived of first reading and passed on second reading with suspension of the rules authorizing the execution of an Annexation Agreement The motion carried by the following vote:**

**Aye:** 7 - Mueller, Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

**Enactment No:** Ordinance 6440, 6441

**It was moved by Trustee Ware, seconded by Trustee Tross, suspend the rules, waive first reading and pass on second reading, waive competitive bidding and award contracts approve and adopt resolutions as needed for the following items and as read by the Clerk ordinance annexing certain territory (1214 S. School Street) to the Village of Lombard The motion carried by the following vote:**

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

**Ordinances on Second Reading****B. [090649](#)****Video Gaming Ordinance**

Ordinance banning video gaming in the Village of Lombard.

[Play Video](#)

*Manager Hulseberg indicated this item was listed on Separate Action as some of the Trustees had voted against the ordinance.*

*Trustee Tross stated that in the past two weeks certain information has come to light regarding video gaming. He stated he checked and there is a motion in Springfield that municipalities who adopt an ordinance opposing video gaming may be penalized from receiving State funding through the capital bill. He felt they had the power to give and take. He indicated the Village was premature in passing this ordinance and felt there was no reason for the Village to take action to permanently ban video gaming in the community.*

**It was moved by Trustee Fitzpatrick, seconded by Trustee Moreau, that this matter be passed on second reading. The motion carried by the following vote:**

**Aye:** 4 - Mueller, Gron, Moreau and Fitzpatrick

**Nay:** 3 - Tross, Wilson and Ware

**Enactment No:** Ordinance 6442

**Resolutions**

## Other Matters

### X. Agenda Items for Discussion

### XI. Executive Session

#### [Play Video](#)

*The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, February 4, 2010 in the Board Room of the Lombard Village Hall was recessed to Executive Session at 8:43 pm for the purpose of discussion of setting the price for the sale of property owned by the Village, acquisition of real property, pending litigation and information regarding the appointment, employment, compensation, discipline, performance or dismissal of a specific employee of employees of the Village.*

### XII. Reconvene

*The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on February 4, 2010 was called to order by Village President William J. Mueller at 10:01 pm in the Board Room of the Lombard Village Hall.*

**Present:** Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Richard J. Tross, Trustee Zachary Wilson, Trustee Dana Moreau, Trustee Laura Fitzpatrick and Trustee Bill Ware

### XIII. Adjournment

*The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, February 4, 2010 in the Board Room of the Lombard Village Hall was adjourned at 10:02 pm.*

**It was moved by Trustee Ware, seconded by Trustee Wilson, adjourn. The motion carried by the following vote:**

**Aye:** 6 - Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware