

Village of Lombard

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



Minutes

Thursday, March 3, 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, March 3, 2022 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 6:00 p.m. Director of Public Works Carl Goldsmith 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 Richard Sander
Assistant Village Manager Nicole Aranas
Village Attorney Jason Guisinger
Assistant Village Attorney Jonathan Priest
Executive Coordinator Carol Bauer

III. Public Hearings

[220071](#)

BOT 22-01; Annexation Agreement Public Hearing - Norbury Crossings Subdivision

Pursuant to State Statutes (65 ILCS 5/11-15.1-1 through 5/11-15.1-5), the Village is required to hold a public hearing prior to entering into an annexation agreement related to real property to be annexed to the Village. The petitioner Robert H. Mueller/United Home Builders, Inc. requests consideration and approval of an annexation agreement with the Village of Lombard for the currently unincorporated properties at 14, 101, 104 and 112 East 20th Street. Upon approval of the annexation agreement and annexation, the petitioner intends to demolish existing structures on the properties and construct a 19-lot single-family residential subdivision, per the submitted plans.

Village Attorney Jason Guisinger called the Public Hearing to order at 6:02p.m. He noted the following:

State law requires that a public hearing be held prior to the Village taking action on an annexation agreement. Tonight's public hearing is in regard

to a proposed annexation agreement between the Village of Lombard and United Home Builders, Inc. The proposed annexation agreement pertains to the real property located 14, 101, 104 and 112 E. 20th Street in unincorporated DuPage County. If and when the property is annexed to the Village, United Home Builders intends to demolish the existing structures on the property and construct a 19-lot single-family residential subdivision.

As required by State law, notice of the public hearing was published in the Daily Herald on February 16, 2022.

To begin the public hearing, Trustee Dudek will provide information on the property and proposed annexation and then staff will give a presentation on this matter. Thereafter, members of the public who have filled out a public participation form who wish to speak on the annexation agreement will have an opportunity to do so.

Director of Community Development Bill Heniff provided a Power Point presentation relative to Norbury Crossings.

Trustee Bernie Dudek read the following statement:

I hope everyone is not getting nervous now when I start reading a prepared remark. I will try my best to keep this short and will probably fail miserably.

As my wife helpfully pointed out last night when I first ran this past her, this is not a statement of position. I think this is more a quick historical overview of our recent talks with the neighbors in the Yorkshire Woods subdivision. These discussions are still ongoing so I will reserve sharing my opinion - or their contents - until after we learn how the continued good faith discussions play out.

I also don't want to rehash or repeat the near 20-year construction history of Yorkshire Woods or Norbury Crossings other than to say the plan for a Norbury Avenue extension from 17th to 20th street has been part of the Village's Comprehensive Plan and Recorded Annexation Agreement predating the construction of the first home in Yorkshire Woods back in the early 2000's. I say this not to minimize our Yorkshire Woods neighbors' safety concerns or to in any way invalidate their arguments. I say it merely to clarify the timeline.

What is important is that our Yorkshire Woods neighbors do have many valid questions and concerns regarding the extension of Norbury Avenue and tonight is an opportunity for them to express those worries and to answer any questions we may have.

One thing I am very happy with is the amount of transparency we've had with this discussion to this point. It started back in January with an open house at the Log Cabin in Four Seasons Park. Village representatives including Bill Heniff, Anna Papke, and myself - as well as Norbury Crossings' developer Robert Mueller - were on hand to answer preliminary questions and concerns. Since then, I have met with Yorkshire Woods neighbors on multiple occasions and I encouraged

them to attend the January 24th Plan Commission meeting to express their concerns. Earlier this week our Village Manager and several department heads from Public Works, Community Development and our Fire Department met in person and via Zoom with Yorkshire Woods neighbors to brainstorm options to find mutually satisfactory common ground. As I said, these discussions are ongoing.

I also want to say I have been very impressed with the efforts and actions of the Yorkshire Woods neighbors and HOA. They have called. They have written letters. They have been engaged and passionate regarding this issue and have treated me with courtesy and respect at every step of this process.

In short, I think the level of conversation, engagement, and interaction between the Village and our neighbors has been exemplary throughout and regardless of our final decisions, I hope that this *esprit de corps* is recognized. To me, this is how local government is supposed to work. Finally, I hope we all can acknowledge that this is not as simple a conversation as it might seem on the surface. There are many factors beyond the extension of Norbury Avenue complicating this discussion including wetland conservation, lot development, and how to incorporate 19 new homes into an existing neighborhood to name but a few. I've told our Village Manager, Scott Niehaus, that I wish there was a simple way to separate the extension of Norbury Avenue from the larger overall Norbury Crossings development actions so that we could consider and vote on both issues separately. Unfortunately, that does not seem legally feasible given how entwined and complicated all of the development concerns in that area are.

Therefore, my sincere hope is that in the next few weeks Yorkshire Woods neighbors and our Village will be able to agree on a mutually satisfactory compromise regarding the extension of Norbury Avenue, because I do believe this doesn't not have to be an all or nothing discussion. We are all concerned about safety, particularly that of children, and it seems to me there are several options that can, should, and will be considered.

What I find most encouraging so far is what we do agree on. Because my Yorkshire Woods neighbors have repeatedly told me they support the development and creation of Norbury Crossings - as do I. It will be an important and welcome addition to Lombard and to District 3 and I look forward to amicably resolving our current debates so that we can move forward.

So I guess I did put a little opinion in here after all. Thank you.

The following residents spoke relative to the proposed Norbury Crossings development and shared their comments and concerns: Jameel Hussain, Shakeel Rahman, Zeshan Ahmed, Kusut Rehman, Zahir Iqbal, Faizeen Khanaker, Humza Khandaker, Novrah Khandaker, and Anis Kassim. Attorney Andy Draus spoke on behalf of the builder

Bob Mueller.

Trustee Bernie Dudek stated the following:

In lieu of the comments received (or to be received tonight) as well as out of respect for our ongoing conversations with all stakeholders, I will be making a motion to formally table the vote on agenda items 9A, 9B and 9C until our next meeting on March 17, 2021. However, I do encourage my fellow colleagues on the Village Board to be curious, ask questions and educate themselves on all of the issues so they can make an informed decision at the appropriate time. In addition, I do want to thank the residents of Yorkshire Woods for their continued communication as well as the developer of the proposed Norbury Crossings, Bob Mueller, who is also supportive of our decision to table the vote tonight to allow for further discussion and exchange of ideas.

There being no further comments, the Public Hearing was closed at 7:14 p.m.

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Militello, that the minutes of the Regular Meeting of February 17, 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

Trustee Andrew Honig, Chairperson of the Finance & Administration Committee, reported the following:

The committee met on Monday. The members reviewed the proposed amendment to the Business Retention Economic Incentive Policy and

received an updated from staff on the 2022 year-end revenues over expenditures.

Public Safety & Transportation Committee - Trustee Brian LaVaque Chairperson

Trustee Brian LaVaque, Chairperson of the Public Safety & Transportation Committee, reported:

The committee met on Tuesday and received an overview of the shared public safety facility improvement RFQ; and the smoke detector installation program. The committee also toured the Police facility; Updated reports for the fire and police departments were reviewed.

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 Public Works Department is seeking applicants for its 4th annual Public Works Citizens Academy which begins in April. Residents will receive information on activities performed by Public Works staff and participate in hands-on training activities, tours of Village facilities and presentations by staff. Visit www.villageoflombard.org/PWCA.

The next blood drive is Friday, March 4th from 9am until 2pm at Glenn Westlake Middle School. Donating blood is safe, simple and saves lives.

Daylight Savings Time is Sunday, March 13th. Remember to turn your clocks ahead one hour. And don't forget to change batteries in your smoke and carbon monoxide detectors.

If you will be celebrating the wearing of the green and St. Patrick's Day, please remember to have a designated driver. The Lombard Police Department in cooperation with other police agencies, will have added patrols out enforcing impaired and distracted driving as well as other violations.

For additional information on community events 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. [220061](#) **Approval of Village Payroll**
For the period ending February 12, 2022 in the amount of \$897,652.95.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [220062](#) **Approval of Accounts Payable**
For the period ending February 18, 2022 in the amount of \$872,141.67.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [220077](#) **Approval of Accounts Payable**
For the period ending February 25, 2022 in the amount of \$1,059,796.96.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [220065](#) **An Ordinance Amending Title IX, Chapter 92, Section 92.17 of the Lombard Village Code in Regard to Waste Collection and Disposal**
Request to amend the Village Code to reflect the fee rates that are adjusted each April 1st. Staff is requesting a waiver of First Reading. (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 8031
- E. [220066](#) **Ordinance Vacating a Portion of Public Right of Way North of Madison Street, 20 West Madison Street (3/4 Vote of the Trustees Required, 5 of 6)**
Request for vacation of the Right-of-Way adjacent to 20 W. Madison Street. Staff is requesting a Waiver of First Reading. (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 8032
- F. [220067](#) **Ordinance Vacating a Portion of Public Right of Way North of Madison Street, 591 South Park Road (3/4 Vote of the Trustees Required, 5 of 6)**
Request for vacation of the Right-of-Way adjacent to 591 S. Park Avenue. Staff is requesting a Waiver of First Reading. (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 8033

G. [220069](#) Purchase of (1) One New Ford F-150 4X4 and an Ordinance Declaring Village Unit ST-300 as Surplus, and Authorizing the Sale Thereof

Request for a waiver of bids and award a contract to Roesch Ford in the amount of \$28,558.00. The vehicle will be purchased through the Suburban Purchasing Cooperative (SPC Contract #187), of which the Village is a member. Approval of an Ordinance declaring Unit ST-300, a 2006 Ford F-150, as surplus and authorizing its sale and/or disposal. 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 8034

Other Ordinances on First Reading

Ordinances on Second Reading

H. [210361](#) PC 22-03: Keeping Chickens as an Accessory Use

The Plan Commission submits its recommendation to approve the above-referenced petition. The petitioner, the Village of Lombard, is requesting an ordinance approving text amendments to the following Sections of the Village Code, and other relevant sections for clarity regarding the keeping of chickens as an accessory use:

1. Amend Section 155.212 to add chicken coops to the list of permitted obstructions, in the rear yard;
2. Create a new Section 155.227: Keeping Chickens as an Accessory Use to establish regulations on bulk requirements such as setbacks and height; and
3. Amend Section 155.802 to add definitions related to chickens.
4. Per the recommendation of the Economic and Community Development Committee, amend Section 90.04 (nuisance provisions) of the Village Code to strike prohibitions pertaining to chickens, and
5. Amend Section 150.141 of the Village Code setting the fee schedule for chicken coops. (DISTRICTS - ALL)

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinances 8035, 8036, 8037

Resolutions

- I. [220059](#) **Charles Lane Basin Improvements, Professional Engineering Services**
Approving a contract with Engineering Resource Associates of Warrenville in an amount not to exceed \$67,942.00 for improvements to the Charles Lane storm water basin. (DISTRICT #1)
This Resolution was adopted on the Consent Agenda
Enactment No: R 14-22

- J. [220063](#) **Sanitary Sewer Investigation Program, North Grace Street Area**
Approving a contract with Baxter and Woodman in the amount not to exceed \$123,665.00 for Sanitary Sewer Investigations. (DISTRICT #4)
This Resolution was adopted on the Consent Agenda
Enactment No: R 15-22

Other Matters

- K. [220060](#) **Finley Sanitary Lift Station Pump Purchase**
Request for a waiver of bids and award of contract to Xylem Water Solutions, Inc. in the amount not to exceed \$27,550.00. (DISTRICT #1)
This Bid was approved on the Consent Agenda
- L. [220068](#) **HVAC Maintenance Contract PWO 2106**
Request for waiver of bids and award of contract to Season Comfort in an amount not to exceed \$29,578.00. This is for year two of a two year contract. (DISTRICTS #3, #4, #6)
This Bid was approved on the Consent Agenda
- M-2. [220078](#) **Civic Center Valve Replacement Project 2022**
Request a waiver of bids and award of a contract to Dahme Mechanical Industries, Inc., the lowest responsible proposal of three (3) proposals received, in an amount not to exceed \$31,888.00. To expedite construction and to minimize construction observation time, proposals were directly solicited from three (3) pre-selected contractors. (DISTRICT #6)
This Bid was approved on the Consent Agenda
- M. [220070](#) **Parkway, Turf and Landscape Restoration**
Award of a contract to Uno Mas Landscaping in the amount not to exceed \$50,000.00. This is the first of two possible one-year extensions. The initial contract was approved at the October 23, 2020 Board of Trustees meeting. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda

- N. [220058](#) **Historic Preservation Commission - Annual Report**
Request from the Lombard Historic Preservation Commission that the Village Board acknowledge receipt of the LHPC 2021 Annual Report.
This Request was approved on the Consent Agenda
- O. [220064](#) **Granicus One year Agreement**
Request to approve a one-year agreement with Granicus in the amount of \$33,738.74 for Legistar agenda management and supporting broadcast services.
This Request was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Andrew Honig , seconded by Trustee Bob Bachner, 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)

Other Ordinances on First Reading

- A. [220072](#) **BOT 22-01: 14, 101, 104 and 112 E. 20th Street - Norbury Crossings Subdivision, Annexation Agreement.**
The Petitioner Robert H. Mueller/United Home Builders, Inc. requests that the Village grant approval of an ordinance authorizing the execution of an annexation agreement in regard to the subject property (two-thirds of Corporate Authorities vote required for Corporate Authorities vote required for approval (5 of 7) per 65 ILCS 5/11-15.1-3) (DISTRICT #3)
A motion was made by Trustee Bernie Dudek, seconded by Trustee Anthony Puccio, that the Ordinance relative to BOT 22-01: 14, 101, 104 and 112 E. 20th Street for Norbury Crossings Subdivision Annexation Agreement be continued to March 17, 2022. The motion carried by the following vote:
Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner
- B. [220073](#) **BOT 22-01: 14, 101, 104 and 112 E. 20th Street - Norbury Crossings Subdivision, Annexation.**
The Petitioner requests that the Village approve an ordinance annexing the subject property. (DISTRICT #3)
A motion was made by Trustee Bernie Dudek, seconded by Trustee Anthony Puccio, that the Ordinance relative to BOT 22-01: 14, 101, 104 and 112 E. 20th

Street Norbury Crossings Subdivision Annexation be continued to March 17, 2022. The motion carried by the following vote:

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

C. [220028](#)

PC 22-01: Norbury Crossings Subdivision - 14, 101, 104 and 112 E. 20th Street

The Plan Commission transmits its recommendation regarding the above-referenced petition. The petitioner request that the Village take the following actions by ordinance on the subject property, located within the DuPage County R-4 Single Family Residence District:

1. Upon annexation approve a map amendment from the R0 Single Family Residence District to the R2 Single-Family Residence District (Lombard);
2. Pursuant to Section 155.407(C) of Village Code, establish a new planned development for the property, including relief from the following standards, as set forth more fully as follows:
 - a. Pursuant to Section 154.507(D) of Village Code, approve variations for stormwater outlots as follows:
 - i. For Outlot A, a variation to allow an outlet with a frontage width of zero feet abutting an improved public street, where 20 feet is required;
 - ii. For Outlot C, a variation to allow an outlet with a frontage width of 10 feet abutting an improved public street, where 20 feet is required; and
 - iii. For Outlot D, a variation to allow an outlet with a frontage width of 12 feet abutting an improved public street, where 20 feet is required.
 - b. Pursuant to Section 155.407(D) of Village Code, approve deviations for lot area as follows:
 - i. For Lot 1, allow a lot area of 6,766 square feet, where 7,500 square feet is required;
 - ii. For Lot 2, allow a lot area of 6,906 square feet where 7,500 square feet is required;
 - iii. For Lot 7, allow a lot area of 6,644 square feet where 7,500 square feet is required;
 - iv. For Lot 9, allow a lot area of 7,444 square feet where 7,500 square feet is required;
 - v. For Lot 15, allow a lot area of 6,824 square feet where 7,500 square feet is required;
 - vi. For Lot 16, allow a lot area of 6,477 square feet where 7,500 square feet is required;
 - c. Pursuant to Section 155.407(E) of Village Code, approve deviations for lot width as follows:
 - i. For Lot 1, allow a lot width of 58 feet where 60 feet is required;

- ii. For Lot 9, allow a lot width of 51.3 feet where 60 feet is required;
- d. Pursuant to Section 155.407(F)(1) of Village Code, approve a deviation to allow a minimum front yard setback of 30 feet for Lots 1 through 19, irrespective of the front yard setback of existing single-family dwellings on abutting lots;
- e. Pursuant to Section 155.407(H) of Village Code, approve deviations for open space as follows:
 - i. For Lots 1, 2, 7, 9, 15 and 16, approve deviations for minimum open space in order to allow 3,750 SF of lot coverage, with the remaining lot area being provided as open space; and
3. Approve a preliminary plat of subdivision.
(DISTRICT #3)

A motion was made by Trustee Bernie Dudek, seconded by Trustee Anthony Puccio, that the Ordinance relative to PC 22-01: Norbury Crossings Subdivision-14, 101 and 112 E. 20th Street be continued to March 17, 2022. The motion carried by the following vote:

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

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 Dan Militello, seconded by Trustee Andrew Honig, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 3, 2022 in the Board Room of the Lombard Village Hall be adjourned at 7:27 p.m. The motion carried by the following vote:

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