

# Village of Lombard

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



## Minutes

**Thursday, July 19, 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, July 19, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:00 pm. 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

### Staff Present:

Village Manager Scott Niehaus  
Director of Finance Tim Sexton  
Director of Community Development Bill Heniff  
Director of Public Works Carl Goldsmith  
Deputy Chief of Police Cyndy Velazquez  
Fire Chief Richard Sander  
Assistant Village Manager Nicole Aranas  
Executive Coordinator Carol Bauer

## III. Public Hearings

[180284](#)

### **General Obligation Alternate Revenue Source Bonds**

Public Hearing concerning the intent of the President and Board of Trustees to sell not to exceed \$3,900,000 in general obligation alternate revenue source bonds for the purpose of paying the costs of improving the waterworks and sewerage systems of the Village.

The Village Attorney, Tom Bayer, called the Public Hearing to order at 7:01 p.m. and stated that the Public Hearing was being held pursuant to the Bond Issue Notification Act of the State of Illinois, as amended, to receive public comments on the Village's proposal to sell not-to-exceed \$3,900,000 in general obligation alternate bonds to pay the costs of improving the Village's waterworks and sewerage system, including: (1) the repurposing of the existing Central Station Reservoir; and (2) the rehabilitation of three sections of watermains on Elizabeth Street, Lynne Lane and Grace Street. Village Attorney Bayer stated that notice of the Public Hearing was published in the *Daily Herald* on June 28, 2018, and had been posted at the Village Hall since the approval of the Ordinance

Authorizing the Bonds on June 21, 2018. Village Attorney Bayer stated that all persons desiring to be heard will have an opportunity to present written or oral testimony with respect to this matter. Village Attorney Bayer then recognized Public Works Director Carl Goldsmith and Finance Director Tim Sexton, who, with a Power Point presentation, presented the details of the proposed Bonds and the projects that will be financed by the Bonds. After the Power Point presentation was finished, Village Attorney Bayer indicated that no written testimony concerning the proposed issuance of the Bonds had been received by the Village prior to the Public Hearing. Village Attorney Bayer then opened the discussion to any comments from the Village Board concerning the proposed issuance of the Bonds. There were none. Village Attorney Bayer then opened the discussion to any oral testimony or any comments from the public concerning the proposed issuance of the Bonds. There were none. Village Attorney Bayer then announced that all persons desiring to be heard had been given an opportunity to present oral and written testimony with respect to the proposed issuance of the Bonds. Trustee Ware made a motion for final adjournment of the public hearing at 7:11 p.m., seconded by Trustee Whittington. There being no discussion relative to the motion, President Giagnorio directed that a roll call vote be taken on the motion. Upon the roll being called, the vote on the motion was as follows:

Ayes: Trustees Ware, Whittington, Foltyniewicz, Pike, Fugiel and Johnston.

Nays: None

President Giagnorio declared the motion carried, and Village Attorney Bayer announced that the Public Hearing was adjourned.

**A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the Public Hearing held on Thursday, July 19, 2018 in the Board Room of the Lombard Village Hall relative to General Obligation Alternate Revenue Source Bonds be adjourned at 7:11 p.m. The motion carried by the following vote:**

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

#### **IV. Public Participation**

#### **V. Approval of Minutes**

**A motion was made by Trustee Mike Fugiel, seconded by Trustee Dan Whittington, that the minutes of the regular meeting of the President and Board of Trustees of June 21, 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

### **No 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**

Trustee Bill Ware, Chairperson of the Public Works & Environmental Concerns Committee, reported the committee met and reviewed the first draft of the Village's proposed FY2019-2028 Capital Improvement Program.

### **Board of Local Improvements - Trustee Bill Ware, President**

No report

### **Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna**

Village Clerk Sharon Kuderna noted the following:  
The Historic Preservation Commission met on July 17th. The Commission received the initial grant application for Lilacia Park to be placed on the National Register. The members discussed the plaque for 134 St. Charles that was approved at the last Village Board Meeting and

getting the Local Landmark Plaque returned from the 305 Morningside House. Upcoming Events - 2018 Cash Raffle going on with drawing to be held Sunday, July 29th; Civil War Encampment is July 28th & 29th, the Peck Garden is now accessible; a new exhibit is coming to the Carriage House August-September called "Vinyl Warning" a record collection. It was noted that the McKee House located in the Churchill Woods is no longer in Lombard, but has been officially annexed into Glen Ellyn.

## VII. Village Manager/Village Board Comments

Trustee Reid Foltyniewicz noted that the Lombard Police Department had been recognized as first in the state with DUI arrests and 6th in the nation and he congratulated the officers for the efforts in making Lombard a safer town. He also noted that there has been a lot of activity with the opening of several new restaurants at the south end of town and encouraged residents to visit the new restaurants.

Trustee Mike Fugiel also thanked the Police Department for enforcing distracted driving by issuing citations for cell phone use.

Village Clerk Sharon Kuderna read the following announcements:

This week's Cruise Nights event will feature an outdoor movie viewing of Disney/Pixar's Coco, in lieu of a summer concert, and will be hosted by Lombard Town Centre.

On July 28, Cruise Nights returns with a concert from Heartache Tonight, an Eagle's tribute band, and will feature a theme night of 70's muscle cars and a Kids' Corner from the Lombard Police Department!

The 51st Annual Sacred Heart German Fest begins today and runs through Sunday. Check [www.sacredheartgermanfest.com](http://www.sacredheartgermanfest.com) for additional details on this great event in downtown Lombard.

The August 2nd Board of Trustees meeting has been cancelled. The next regular meeting will be Thursday, August 16th at 7 p.m. in the Village Hall.

## VIII Consent Agenda

.

### Payroll/Accounts Payable

- A. [180288](#) **Approval of Accounts Payable**  
For the period ending June 22, 2018 in the amount of \$578,743.45.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**
- B. [180299](#) **Approval of Village Payroll**  
For the period ending June 23, 2018 in the amount of \$829,327.29.

This Payroll/Accounts Payable was approved on the Consent Agenda

- C. [180300](#)      **Approval of Accounts Payable**  
For the period ending June 29, 2018 in the amount of \$1,557,661.87.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [180303](#)      **Approval of Accounts Payable**  
For the period ending July 6, 2018 in the amount of \$364,899.64.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [180317](#)      **Approval of Village Payroll**  
For the period ending July 7, 2018 in the amount of \$875,410.73.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [180318](#)      **Approval of Accounts Payable**  
For the period ending July 13, 2018 in the amount of \$1,105,030.08.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- G. [170116](#)      **PC 17-08: 1005-1027 E. Division Street -Time Extension Request**  
Requesting approval of an Ordinance extending the time period to start construction of the proposed project for an additional three-month period until October 19, 2018.  
(DISTRICT #5)  
  
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda  
  
Enactment No: Ordinances 7544, 7510, 7357, 7356
- H. [170307](#)      **ZBA 17-01: 54 S. Highland Avenue - Time Extension Request**  
Requesting approval of an Ordinance extending the time period to start construction of the proposed project for an additional twelve month period until August 17, 2019. (DISTRICT #5)  
  
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda  
  
Enactment No: Ordinance 7545, 7406
- I. [180291](#)      **Purchase of Cardiac Monitor Defibrillators and an Ordinance Declaring Seven (7) Cardiac Monitor Defibrillators as Surplus Property**  
Request for a waiver of bids and award of a contract to Zoll Medical Corporation in the amount of \$192,534.60 for the purchase of seven Zoll X-Series Cardiac Monitor/Defibrillators, accessories and supplies; and

approval of an ordinance declaring seven outdated Philips MRX Cardiac Monitor/Defibrillators surplus and authorizing their trade-in in the amount of \$14,000. Public Act 85-1295 does not apply.

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

Enactment No: Ordinance 7546

J. [180312](#)

**Purchase of Sign Truck and an Ordinance Declaring Village Unit TS355 as Surplus Property**

Request for a waiver of bids and award of a contract to Landmark Ford in the amount of \$100,385.00 for the purchase of a sign truck; and approval of an ordinance declaring Village unit TS335 as surplus property and authorizing its sale. Staff requests a waiver of first reading. Public Act 85-1295 does not apply.

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

Enactment No: Ordinance 7547

K. [180313](#)

**Purchase of Two One-Ton Dump Trucks and an Ordinance Declaring Village Unit FO388 and WT450 as Surplus Property**

Request for a waiver of bids and award of a contract to Landmark Ford in the amount of \$170,857.00 for the purchase of two (2) one-ton dump trucks; and approval of an ordinance declaring Village units FO388 and WT450 as surplus property and authorizing their sale. Staff requests a waiver of first reading. Public Act 85-1295 does not apply.

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

Enactment No: Ordinance 7548

L. [180315](#)

**Service of Alcoholic Beverages in an Outdoor Seating/Service Area on Private Property**

Amending Title XI, Chapter 112, Section 112.24(B) of the Lombard Village Code clarifying that a liquor license holder's approved outdoor seating and service area located on private property is considered part of the licensed premises and allows for the consumption of alcoholic beverages in that area if a conditional use is granted or if the area is considered an outdoor cafe and located in the B5 or B5A Zoning District.

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

Enactment No: Ordinance 7549

M. [180316](#)

**Revised Salary Ordinance**

Ordinance setting rates of pay and salary increases for Village employees effective July 19, 2018 due to restructuring of positions,

including staffing structure to improve efficiencies, strategic planning and set the path for succession planning at no additional costs to the Village. Staff recommends 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 7550

**M-2.**     [180328](#)

**Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code in regard to Alcoholic Beverages**

Decreasing the number of entries in the Class "V" liquor license by one to account for the voluntary non-renewal of the liquor license for AB Salon Services, LLC d/b/a Asha Salon & Spa located at 352 Yorktown Shopping Center. (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 7551

### **Other Ordinances on First Reading**

### **Ordinances on Second Reading**

**N.**     [180056](#)

**Text Amendments to the Village Code of Ordinances, Chapter 150.141: Plan Re-review Fee Amendments**

The ECDC and BOBA recommend approval of code amendments to Chapter 150.141: Plan Re-review Fee Amendments. The amendments would replace the existing plan-re-review fee provisions and would tie the re-review fee to the type and nature of the specific plan re-review itself. This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process. (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7552

**O.**     [180057](#)

**Text Amendments to the Village Code of Ordinances, Chapter 150.141: Inspection Fee Amendments**

The ECDC and BOBA recommend approval of the code amendments to Chapter 150.141: Inspection Fee Amendments. The amendments would establish an additional inspection fee to account for construction projects that are subject to excessive re-inspections, as set forth within the draft Ordinance. This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process. (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7553

**P. [180058](#) Text Amendments to Section 150.141 of the Building Code (Fee Schedule)**

Ordinance amending Village Code Chapter 150.141(AA) relative to establishing Plan Review Fee Deposits for Major Developments. The amendments would establish a building permit plan review deposit requirement for "Major Developments". This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process. (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7554

**Q. [180059](#) Text Amendments to the Village Code of Ordinances, Chapter 14 and Section 150.141: Fee Waiver for Local Governments and School Districts**

The ECDC and BOBA recommend approval of the code amendments to Chapter 14 and Section 150.141 relative to a fee waiver for local governments and school districts. The amendments would remove the existing public hearing and building permit fee waiver provisions for Units of Local Government and School Districts and would make the entities subject to the permit fee requirements already established within Village Code. This item was previously discussed at the April 19, 2018 Special Meeting of the Lombard Village Board as part of the overall 2019 Village Budget review process (DISTRICTS - ALL)

**This Ordinance was passed on second reading on the Consent Agenda**

Enactment No: Ordinance 7583, 7555

**R. [180199](#) 305 East Morningside Avenue: Removal of Landmark Site Designation**

At the April 17, 2018 Historic Preservation Commission (HPC) meeting, the HPC refused to issue the necessary certificate of appropriateness to allow the replacement windows, that were installed by the current owner without a Village permit, to remain in the building. As a result, the current owner filed an appeal of the HPC's decision to the Village Board, and requested that the Village Board allow the replacement windows to remain, subject to the acquisition of the appropriate "after the fact" permit and the payment of the appropriate permit fees, and remove the Landmark Site designation relative to the property, as previously established via Ordinance 6698. The Ordinance grants the relief sought by the current property owner, thereby removing the Landmark Site designation relative to the property. (DISTRICT #5)

Enactment No: Ordinance 7556

- S. [180287](#) **Title 11, Chapter 118, Section 118.06 of the Lombard Village Code - Regulation of Solicitors for Funds**  
Amending Title 11, Chapter 118, Section 118.06 to cite the proper short title of "The Solicitation for Charity Act" as well as the proper citation of the statute pursuant to the Illinois Compiled Statutes 225 ILCS 460/0/01 et seq.  
**This Ordinance was passed on second reading on the Consent Agenda**  
Enactment No: Ordinance 7557

## Resolutions

- T. [180301](#) **Westmore-Meyers Road Resurfacing & Patch Crossing Improvements, Resident Engineering**  
Resolution authorizing a contract with Thomas Engineering Group in the amount of \$158,644.67 for construction observation/resident engineering services. (DISTRICTS #5 & #6)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 45-18
- U. [180302](#) **Agreement with Lombard Firefighters Union**  
Approval of a four-year Agreement between the Village of Lombard and IAFF Local 3009 Firefighter's Union beginning January 1, 2019 and ending December 31, 2022.  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 46-18
- V. [180304](#) **Gatz Pond Outfall Project, Final Balancing Change Order No. 2**  
Reflecting a decrease in the amount of \$11,335.61 and a time extension of 224 calendar days to the contract with Martam Construction. (DISTRICT #5)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 47-18
- W. [180308](#) **Intergovernmental Agreement Between Village of Lombard and Glenbard Township HS District No. 87**  
Resolution authorizing an Agreement between the Village of Lombard and Glenbard Township High School District No. 87 to provide paramedic services during football games held at the Glenbard East High School. (DISTRICT #2)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 48-18

- X-2     [170299](#)     **Downtown Restaurant Forgivable Loan, 101 W. St. Charles Rd. (Babcock's Grove House) - Time Extension**  
Requesting a time extension to the Forgivable Loan for a restaurant expansion until October 20, 2018. (DISTRICT #1)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 50-18, 47-17
- X.       [180319](#)     **Resolution to Approve a Recapture Agreement for the Yorktown Commons Area Public Improvements (New Lift Station and Force Main)**  
The Department of Community Development transmits a resolution to approve a Recapture Agreement relative to the Yorktown Commons area Public Improvements. The Recapture Agreement provides for a pro-rate reimbursement to the developer of the cost of the new lift station and force main improvements and would be applied to any of the benefitting properties identified within the Recapture Agreement. (DISTRICT #3)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 49-18
- X-3.     [180320](#)     **Voluntary Separation and Release Agreement**  
Approval of a Voluntary Separation and Release Agreement with Ying Miao.  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 51-18

### Other Matters

- Y.       [180292](#)     **Street Lighting LED Replacement Project**  
Request for a waiver of bids and award of a contract to Graybar Electric in the amount of \$215,100.00 for the purchase of 478 LED light fixtures through the US Communities contract. Public Act 85-1295 does not apply. (DISTRICTS #1, #4 & #5)  
**This Bid was approved on the Consent Agenda**
- Z.       [180298](#)     **Central Reservoir Demolition**  
Request for a waiver of bids and award of a contract to Omega III LLC, the lowest submitted proposal of four (4) proposals received, in the amount of \$107,750.00. Public Works 85-1295 does not apply. (DISTRICT #4)  
**This Bid was approved on the Consent Agenda**
- AA.      [180306](#)     **FY2018 Sewer Lateral Lining Project - Contract Extension**

Request for a waiver of bids and award of a contract to Performance Pipelining, Inc. in the amount of \$43,700.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

**This Bid was approved on the Consent Agenda**

**BB.**     [180307](#)

**Sewer Root Control**

Request for a waiver of bids and award of a contract to Duke's Root Control, Inc. in an amount not to exceed \$40,000.00. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

**This Bid was approved on the Consent Agenda**

**CC.**     [180309](#)

**Asset Management Software Contract, Cartegraph Purchase**

Request for a waiver of bids and approval to purchase a three year subscription to Cartegraph Operations Management System (OMS) at an annual fee of \$43,057.25 which includes the OMS Enterprise Platform (software), cloud based hosting (50G of storage), fifty (50) user licenses and advanced analytical features. Public Act 85-1295 does not apply.

**This Bid was approved on the Consent Agenda**

**DD.**     [180310](#)

**SL-RAT Acoustic Pipeline Assessment Project, Phase II**

Request for a waiver of bids and approval of an agreement with Midwest Water Group, Inc. in an amount not to exceed \$67,735.50. Public Act 85-1295 does not apply. (DISTRICTS #1, #4 & #5)

**This Bid was approved on the Consent Agenda**

**EE.**     [180311](#)

**Cambria Lift Station Rehabilitation Project, Phase 1 - Manhole Modification**

Request for a waiver of bids and award of a contract to John Neri Construction Company in an amount not to exceed \$89,660.00. Public Act 85-1295 does not apply. (DISTRICT #6)

**This Bid was approved on the Consent Agenda**

**FF.**     [170343](#)

**Two Rivers Nation Family Fun Night - Public Signage Request**

Request from Two Rivers Nation to allow the use of public rights-of-way and public property for the display of signage associated with the Family Fun Night event through August 25, 2018. (DISTRICTS - ALL)

**This Request was approved on the Consent Agenda**

### **Approval of the Consent Agenda**

**A motion was made by Trustee Bill Johnston, 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

##### [180191](#)

##### **PC 18-08: 550 E. 22nd Street (Hilton Tru)**

The petitioner requests that the Village take the following actions on the subject property located within the R4PD Planned Development District:

1. Repeal Ordinance 7243 in its entirety, which established a conditional use for a planned development, a conditional use for more than one building on a lot of record, and a deviation to reduce the rear yard setback (as this approval will automatically lapse on July 20, 2018, pursuant to Section 155.103(F)(11)(a) of the Lombard Zoning Ordinance, no further action is needed by the Village Board on this item);
2. Approve a Map Amendment rezoning the property to the O Office District;
3. Approve a conditional use pursuant to Section 155.412(C)(8) of the Lombard Zoning Ordinance for hotels and motels; and
4. Approve a variance pursuant to Section 155.412(H) of the Lombard Zoning Ordinance for the floor area ratio (FAR) to exceed 0.35 FAR. (DISTRICT #3)

Village Manager Scott Niehaus indicated that the item relative to the proposed Hilton Tru development at 550 E. 22nd Street was listed on Separate Action and was on first reading, which meant there would be no final action taken at the meeting tonight on this matter. If the Village Board decides to take action and vote on this matter on first reading tonight, it will be required to come back to the Village Board for second reading at the next Village Board meeting which is August 16th. He also noted that Board members can review the information they have been provided and can decide to change their vote prior to the second reading of the matter at the next meeting. He stated the meeting is taped and will be posted on the website for anyone to view and/or for those people who may have not been able to attend the meeting. Once the overview is given, the Village Board members may ask questions which will be followed by a public comment period where anyone may speak relative to the proposed project. All e-mails and letters received by the Village have been included in packets provided to the Village Board and all of those have been tracked on a map. He thanked those people in the audience for attending the meeting and participating in democracy. He asked Director of Community Development Bill Heniff to provide an overview of the actions taken to date on this proposed development. Director of Community Development Bill Heniff reported:  
Zoning entitlements requested are (1) repeal the ordinance of approval

for the 2016 townhouse project; (2) approve a rezoning of the property from R4 General Residence District to the O Office District; (3) approve a conditional use for a hotel; and (4) approve a variance for the floor area ratio (FAR).

Hotel Project Overview: 2.16 acre site; hotel is 44,681 square feet in gross floor area; 4 stories in height (45 feet), 96 rooms and 96 parking spaces. The building exterior is primarily Exterior Insulation Finish System (EIFS) similar to stucco with a multi-colored pattern and aluminium features similar to existing Hilton Tru hotels throughout the country.

The 2014 Comprehensive Plan designated the property Office (current Comprehensive Plan guiding the Village). The 1998 Comprehensive Plan designated the property as Community Commercial. Both documents were approved by the Village Board and reviewed by the Plan Commission.

Surrounding Zoning and land uses include: north - townhomes; east single-family residences; south and west - office and commercial development; 22nd Street contains other hotel uses as well as higher density residential west and south of the subject property; near Yorktown Center Mall and offices along 22nd Street, Butterfield Road and Highland Avenue.

Director of Community Development Bill Heniff provided information on compatibility, proposed building distance from perimeter properties, floor area ratio variance, Plan Commission Public Hearing considerations, lighting (which included a condition of approval that a photometric plan for review and approval after the proposed light standards are installed and fully operational that demonstrates compliance with the Village's photometric requirements), thirty (30) foot transitional landscape yard to the north and east including maples, elms, evergreen trees, shrubs, ornamental grasses and perennial groundcover; eight (8) foot fence will be placed along the north and east side with the fencing being closer to the hotel to give the landscaping benefits to the adjacent properties to the north and east; thirty-eight percent (38%) of the site will remain as open space, exceeding the thirty-five percent (35%) required by Code. The trash dumpsters will be enclosed and screened per the Code and will be moved to the northwest portion of the property (away from the single-family residential to enhance neighborhood compatibility, but still be accessible for trash pick-up. Traffic study conducted due to public comment received and shows an estimated fifty-six (56) trips during the weekday morning hours and sixty (60) during the weekday evening hours; capacity analysis shows the area will continue to operate at an overall acceptable level of service should the hotel be approved and built; KLOA finds that the proposed development traffic can be accommodated by the adjacent roadway system. The building will be solely accessed by 22nd Street; the east drive is proposed to be a right-in and the western drive

shall be designated as a full-in, right-out facility with the left-turn lane constructed within the existing 22nd Street parkway; outbound left turns would be prohibited from both driveways. Trip comparisons were made with varying types of use for the parcel. Engineering and current grading were reviewed. Stormwater management - will meet stormwater detention and Best Management Practices (BMP) per the DuPage County Stormwater Ordinance; approximately 0.95 acre feet (309,559 gallons) of detention volume will be provided (none now); stormwater drainage will be directed away from the abutting properties to the north and east and toward 22nd Street via a new storm sewer and vault detention on the property. Proposed grading reviewed. Police service calls reviewed. It was noted that with the small room sizes and business traveler market this should yield fewer calls than other hotels; petitioner noted that police calls are infrequent based on their previous experience; police calls tend to be associated with the nature of the hotel business versus adverse impact on other properties. Communication - pre-application neighborhood meeting (voluntary) held; meeting notifications and public hearing notices to 205 property owners within seven-hundred-fifty (750) feet of development (two-hundred-fifty (250) feet set in Code yielded thirty-five (35) property owners); Village website documents; FAQ sheet developed. Past actions to date included: Plan Commission Workshop (Concept) held September 18, 2017; Neighborhood Meeting (voluntary) held February 20, 2018; Plan Commission Public Hearings April 16, May 21, and June 11, 2018; Plan Commission Meeting June 11, 2018 (unanimously recommended approval with conditions). Plan Commission Conditions of Approval: (1) develop the site in accordance with the plans submitted and as modified by the conditions of approval; (2) the floor area ratio (FRA) for the subject property shall not exceed 0.48; (3) the petitioner shall satisfactorily address all other development comments identified within the IDRC staff report as part of any future permits; (4) apply for and receive building permits for any demolition activity and/or improvements; (5) the proposed Weathermaker 48TC rooftop mechanical unit (or approved equal) and/or any rooftop mechanical unit(s) shall be screened per Code and provide sound attenuation panels; (6) the trash/recycling area shall be screened per Village Code and shall be moved to the northwest portion of the site; the fence and landscaping shall be maintained in good condition at all times; (8) landscaping on the east side of the property shall be increased to thirty (30) feet from twenty-eight-point-five (28.5) feet; (9) provide the Village with a final photometric plan for review and approval after the proposed light standards are installed and fully operational that demonstrates compliance with the Village's photometric requirements; (10) project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension has been granted by the Village Board. Village Board meeting - all information

from the Plan Commission public hearing process has been provided to the Village Board; public comment period for individuals wishing to speak granted; Village Board will consider petition, comments from development team and public; option - Village Board can vote on first reading of ordinance; if first reading passes, a final reading/approval will be scheduled for August 16, 2018; Village Board can also table the matter to a specified future meeting date; if applicable, remand the item back to the Plan Commission for consideration of specified item(s) and possibly a new recommendation.

Trustee Foltyniewicz inquired about the history of the land.

Director Heniff noted the King family has owned the property for years and the zoning of the property has changed over the years.

Trustee Foltyniewicz asked what could be built there without going through the Plan Commission and Village Board.

Director Heniff noted that a 33-unit apartment building could be built at that location.

Trustee Whittington inquired about the demand for hotel space.

Director Heniff noted the economy is improving and there are inquiries for more hotels. He also noted the Hilton Tru addresses a different market niche.

Trustee Whittington asked about a restaurant or bar.

Director Heniff noted there would be no restaurant or bar other than possibly a small breakfast nook for patrons to have a light breakfast.

Trustee Fugiel asked about property value reduction.

Director Heniff noted there is no formal analysis that shows a reduction in property values.

Trustee Johnston asked if this is geared more at one-night stays or multiple-night stays.

Director Heniff noted that a business traveler will come in for a few days and then leave.

Trustee Foltyniewicz inquired about off-site issues and bleed-over from the hotel.

Response - not common to see anything bleed-over and incidents would be more often contained to the hotel.

Trustee Foltyniewicz asked if surrounding businesses had been notified.

Director of Finance Tim Sexton provided an overview of the economic impact as follows:

Village-estimated hotel/motel tax is \$137,967; reviewed estimated property tax to the Village and other agencies as follows to be approximately \$94,000 split among the taxing bodies with the school districts receiving the most estimated as follows: Village \$1,864; District #44 \$42,630; District #87 \$25,622; Park District \$4,346; Library \$5,305; and other taxing districts \$15,015.

Village Manager Niehaus indicated that was part of the public notice process. He noted The Westin had no objection nor did Yorktown.

Village Attorney Tom Bayer indicated Public Participation would now be allowed and would include anyone wanting to make any comments relative to the proposed development, but that the Public Hearing process as part of the Plan Commission review had been completed and the recommendation to the Village Board has been submitted, so there would not be any cross examination or questions to the Village Board and/or staff.

President Giagnorio reminded everyone of the three (3) minute time limit for public participation. He also noted if someone wanted to get up and indicate that they concurred with the previous speaker, that would be permitted and would reduce redundancy.

Duane Steiner spoke in opposition of the proposed development stating he had lived here for forty years, raised his four children here, referred to the new housing development at the mall, spoke of the homes that back up to the proposed development and felt this was an injustice to this area in unincorporated Lombard.

George Bedard spoke in opposition of the proposed development noting that he had lived here 40 years, he was in the real estate business, spoke of the Code of Ethics, noted his property value would be reduced by 40%, the 24-7 use of the property, referred to the traffic studies not being well done, the Holiday Inn Express not being included in the study, a thirty-foot setback, a 40-50 feet tall building abutting his property, an agreement with Oakbrook Terrace and suggested that the Village and Congress Knoll should have an agreement.

Jean Pagorek spoke in opposition of the proposed development, questioned the viability of the hotel, what would happen if the hotel was not successful, referred to the traffic report and that the report was rescinded, noted the increase in traffic in Congress Knolls, the impact on the country environment that Congress Knolls now has, questioned resident's yards and the lack of sunlight for trees and plants, and spoke of a four-story hotel behind her home.

David Pardue spoke in opposition of the proposed development noting that he and his wife had lived here for 23 years, hotel was not in the best interests of the neighbors, noted there are no other buildings that tall within several blocks, spoke of additional traffic and felt there was no benefit to the community.

Suzan Kramer spoke in opposition of the proposed development stating that she lives in Abbey Woods, that she loves Lombard, is proud to be a Lombardian; 24-hour nature of the proposed development, detriment to the neighboring properties, spoke of the wall and the forty foot building; how some homes were impacted worse than others, the building blocking sunlight, impact on privacy of the neighbors, flooding concerns and storm water control, the variance for the floor ratio, density, increased traffic and safety issues, the proximity of Montini High School and the increased safety due to additional traffic and student drivers, felt

the development was decent, but just not the right location, asked the Board to look hard and long.

Loran Eatmen spoke in opposition of the proposed development speaking of the impact on property values.

Brian O'Connor spoke in opposition of the proposed development indicating this is the the first of eleven hotels that is immediately adjacent to a residential development, noted the 24-7 operation of the hotel 365 days a year, increase in Police activity for hotels, requested the Village Board review the FOIA request, spoke of Congress Knolls being one of the safest communities in DuPage County, talked of procedural and administrative errors at the Plan Commission meetings, questioned if the Plan Commission followed procedures, spoke of the impact on the quality of life of the homeowners, the impact of property values, public safety, felt this was the wrong thing in the wrong place, stated he knew this was a done deal, and has started up a Go Fund Me Page to challenge the proposed development if approved by the Village. President Giagnorio noted that this proposed development is not a done deal and he has not made any statements relative to the project. Trustee Ware thanked the citizens who came out to attend the meeting and voice their opinions.

**A motion was made by Trustee Bill Ware, seconded by Trustee Robyn Pike, that the Ordinance relative to PC 18-08, 550 E. 22nd Street (Hilton Tru) be passed on first 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 7565, 7566

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

**B. [180327](#) Ordinance Regarding the Sale and Consumption of Alcoholic Beverages in the Public Right-of-Way in Connection with Cruise Nights & Summer Concerts Season Finale**

Ordinance approving a Class J liquor license for four downtown businesses in connection with the season finale of the Cruise Nights & Summer Concerts Series to be held on August 25, 2018. (DISTRICT #1)

Assistant Village Manager Nicole Aranas provided an overview the event details.

Trustee Bill Ware noted the following: The Season Finale of the Cruise Nights and Summer Concerts series is scheduled for Saturday, August

25th and will feature a concert by American English. The Village will be closing portions of St. Charles Road and South Park Avenue to create a concert venue large enough to safely accommodate attendees. This year, we will also allow businesses with liquor licenses immediately adjacent to the concert viewing area, to sell alcohol for consumption outdoors within the concert event space. This Ordinance would allow for issuance of special event Class "J" liquor licenses to applicant businesses upon successful completion of an application and all necessary requirements. Once approved, staff will move forward to work with businesses on issuance of proper licenses and share information publicly about the season finale event. He thanked staff for all of their efforts.

Trustee Bill Johnston felt this was a great opportunity allowing attendees to move around in a designated area, and be able to enjoy the concert. He thanked staff.

Trustee Mike Fugiel inquired if the downtown business owners will be updated on the event.

Assistant Village Manager Nicole Aranas indicated staff will reachout to the the business community, as well as prepare a communication for residents and visitors.

Trustee Dan Whittington inquired if alcohol could be brought into the event.

Assistant Village Manager Nicole Aranas indicated no alcohol can be brought into the area, but can be purchased from the four participating liquor establishments.

Trustee Robyn Pike inquired if the area will be gated.

Assistant Village Manager Nicole Aranas stated the area will be delineated, but not totally enclosed, but staff will be monitoring the area.

**A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, that this Ordinance be waived of first reading and passed on second reading with suspension of the rules. 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 7558

## **Ordinances on Second Reading**

## **Resolutions**

## **Other Matters**

**X. Agenda Items for Discussion**

**XI. Executive Session**

**XII. Reconvene**

**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, July 19, 2018 be adjourned at 8:29 p.m. The motion carried by the following vote:**

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