

# **Village of Lombard**

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



## **Minutes**

**Thursday, September 20, 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, September 20, 2018 in the Board Room of the Lombard Village Hall was called to order at 7:01 p.m. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

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

Staff Present:  
Village Manager Scott Niehaus  
Director of Finance Tim Sexton  
Director of Community Development Bill Heniff  
Director of Public Works Carl Goldsmith  
Chief of Police Roy Newton  
Fire Chief Richard Sander  
Assistant Village Manager Nicole Aranas  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

[180409](#)

### **Presentation - Police Recognition Awards**

Chief of Police Roy Newton reported that the Police Department received the following awards:  
Impaired Driving Award;  
Second place for Illinois Traffic Safety Challenge;  
Beyond the Belt Award to Officer Andy Stern;  
FACES4 award for Illinois Speed Awareness Day  
Deanne Brandt presented the Speed Awareness Award to Chief Newton and spoke of losing her son to a motorist who was traveling at a high rate of speed.  
Scott Christenson, on behalf of the Illinois Department of Transportation and the Illinois Chiefs of Police, presented two awards to Chief Newton - the second place award for the Illinois Traffic Safety Challenge and the Impaired Driving Award.  
Scott Christenson then presented Officer Andrew Stern with the Beyond the Belt Award as a result of a traffic stop of a motorist for not wearing a

seat belt which then led to the driver being arrested for a multitude of other changes including impaired driving, possession of drugs, and of possession of firearms. The traffic stop removed an impaired and potentially dangerous subject from the streets. He noted that Lombard was one of the finest police agencies in the State of Illinois.

## V. Approval of Minutes

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Mike Fugiel, that the minutes of the Regular Meeting of September 6, 2018 and the minutes of the Special Meeting of August 27, 2018 be approved. The motion carried by the following vote:**

**Aye:** 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

**Absent:** 1 - Dan Whittington

## VI. Committee Reports

### **Community Promotion & Tourism - Trustee Mike Fugiel, Chairperson**

No report

### **Community Relations Committee - Trustee Robyn Pike, Chairperson**

Trustee Robyn Pike, Chairperson of the Community Relations Committee, reminded residents of the Senior Fair scheduled on October 3 at the Lombard Commons building.

### **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 proposed text amendments to the Village Code relative to snow clearing regulations.

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

Trustee Bill Ware, President of the Board of Local Improvements, reported the committee met prior to the Village Board meeting and approved a rebate for Special Assessment 215 in the amount of \$223,307.89.

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

No report

**VII. Village Manager/Village Board Comments**

Trustee Mike Fugiel reminded residents of the Recycling Extravaganza scheduled on Saturday, September 22 at the Village complex. He also asked residents to remove red ribbons that had been placed on trees earlier in the year in support of the Glenbard East students who were injured, as the ribbons can cause damage to the tree.

Trustee Bill Ware stated

Congratulations to the Public Works Department on winning the Innovation Award at the DuPage Mayors and Managers Conference. The award was for the department's first ever Public Works Citizens Academy. The program was held over consecutive weeks throughout April and May and allowed residents to experience interactive hands-on training activities, tours of Village facilities and presentations by Public Works staff.

Congratulations again to the Public Works Department and thank you to everyone who was involved.

beat 5 other towns

Trustee Bill Ware stated that at the August 16th Village Board meeting, business owners requested the Village Board to take another look at allowing video gaming in Lombard and submitted a petition with 140 signatures asking the Village to reconsider video gaming. Everyone already knows my feelings of support for this issue and how we should be

looking into all revenue options including video gaming. At this point, I would recommend that we send the matter of video gaming to the standing advisory committees most closely related to this matter for review and their recommendation including the Finance & Administration Committee, the Public Safety & Transportation Committee, the Economic & Community Development Committee, and the Community Relations Committee. In the interest of transparency, I would ask that information regarding this matter and the schedule for these meetings be posted on the Village website tomorrow.

President Keith Giagnorio also noted that the meetings are open to the public and the dates are published on the Village website.

Village Clerk Sharon Kuderna read the following:

The Village's Annual Recycling Extravaganza is being held this Saturday, September 22, from 9 a.m. to 12 p.m. at the Village Hall, 255 E. Wilson Avenue. The Recycling Extravaganza will once again allow a one-stop-drop for many hard to recycle items. New this year will be musical instruments, sheet music and school/office/art supplies. To learn more, visit [villageoflombard.org/recyclingevents](http://villageoflombard.org/recyclingevents).

Free child safety seat inspection will be conducted at the Lombard Police Department Saturday, September 22 from 10 a.m. to 2 p.m., 235 E. Wilson Avenue.

The Village of Lombard will be hosting their 13th annual Senior Fair on Wednesday, October 3rd from 9 a.m. to 1 p.m. at the Lombard Community Building in Commons Park. With free admission, area senior citizens can learn about programs, events and local residence options. Seniors can have their blood pressure checked by the Lombard Fire Department, get a flu shot or take advantage of free massages, snacks, giveaways and the Illinois Department of Motor Vehicles will be on hand for inquiries and license renewal services. The event is hosted by the Community Relations Committee. Lombard's Seniors of the Year will also be announced at approximately 10 a.m. More information can be found at [villageoflombard.org/seniorfair](http://villageoflombard.org/seniorfair)

The Westmore-Meyers Resurfacing and Path Crossing Improvements Project between Roosevelt and St. Charles Road is scheduled to begin mid-September. The improvements will include roadway resurfacing and path crossing improvements at both the Great Western Trail and the Illinois Prairie Path. Motorists should expect lane closures and travel delays throughout the duration of the project. For more information visit [www.villageoflombard.org/westmore](http://www.villageoflombard.org/westmore).

President Keith Giagnorio asked Director of Public Works Carl

Goldsmith to provide an update on the IDOT construction on Roosevelt Road.  
Director of Public Works Carl Goldsmith noted the construction should be completed by the end of October.

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [180397](#)      **Approval of Village Payroll**  
For the period ending September 1, 2018 in the amount of \$815,334.51.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**
  
- B. [180398](#)      **Approval of Accounts Payable**  
For the period ending September 7, 2018 in the amount of \$1,232,787.75.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**
  
- C. [180410](#)      **Approval of Accounts Payable**  
For the period ending September 14, 2018 in the amount of \$1,911,097.19.  
**This Payroll/Accounts Payable was approved on the Consent Agenda**

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

- D. [180383](#)      **Village Equipment To Be Declared Surplus**  
Village Departments are requesting to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the Ordinance to be sold at auction, sold for scrap, or recycled as these items have extended beyond their useful life or are obsolete to include four (4) seized vehicles, forty-four (44) items of Fire Department bunker gear, (all past useful life of ten years). 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 7575
  
- E. [180403](#)      **800 E. Roosevelt Road - Noon Whistle Brewing Special Event**  
Amending Title 11, Chapter 112, Section 112.18(B) of the Lombard Village Code with regard to alcoholic beverages, providing for the sale

and consumption of beer in connection with a temporary event (Oktoberfest) on October 6, 2018 located at 800 E Roosevelt Road. (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 7576

F. [180408](#)

**Ordinance Approving an Amended Mutual Aid Agreement and Plan for the Northern Illinois Police Alarm System**

Ordinance approving an amended Mutual Aid Agreement between the Village of Lombard and NIPAS which provides essential mutual aid support to the Village during times when a police emergency exceeds Village capacity.

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

Enactment No: Ordinance 7577

**Other Ordinances on First Reading**

G. [180404](#)

**Title XI, Chapter 112, Section 112.18 - Alcoholic Beverages**

Amending Title XI, Chapter 112, Section 112.18 in regard to Liquor Licensee location prohibition exemptions. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7584

H. [180406](#)

**Title XI, Chapter 119 - Restaurants and Food**

Amending Title XI, Chapter 119, Section 119.01 updating the Food Handler Definition and Sections 119.02(B) and 119.12 updating incorrect references relative thereto in order to coincide with the DuPage County Code. (DISTRICTS - ALL)

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

Enactment No: Ordinance 7585

**Ordinances on Second Reading**

I. [180339](#)

**PC 18-25: Text Amendment to the Sign Ordinance**

Recommendation from the Plan Commission to approve comprehensive text amendments to Chapter 153 of the Village Code (the Sign Ordinance), and any other relevant sections for clarity, to remove discrepancies between the Sign Ordinance and Chapter 150 (the Building Code). Specifically, the Sign Ordinance amendments are primarily intended to remove language that conflicts with existing provisions established within the Building Code.

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

Enactment No: Ordinance 7578

J. [180340](#)

**PC 18-26: Text Amendment to the Zoning Ordinance**

Recommendation from the Plan Commission to approve comprehensive text amendments to Chapter 155 of the Village Code (the Zoning Ordinance), and any other relevant sections for clarity, to remove discrepancies between the Zoning Ordinance and Chapter 150 (the Building Code). Specifically, the Zoning Ordinance amendments are primarily intended to remove language that conflicts with existing provisions established within the Building Code.

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

Enactment No: Ordinance 7579

K. [180341](#)

**ZBA 18-04: 49 North Garfield Street**

Recommendation from the Zoning Board of Appeals to approve a variation from Section 155.407(F)(3) of the Lombard Zoning Ordinance to reduce the required interior side yard setback from six feet (6') to three and one-half feet (3.5') for the subject property located within the R2 Single-Family Residence Zoning District. The requested relief is for an addition to an existing single family residence located on the subject property (DISTRICT #1)

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

Enactment No: Ordinance 7580

**Resolutions**

L. [180399](#)

**Tree Trimming, Change Order No. 1**

Resolution reflecting a decrease to the contract with Steve Piper & Sons, Inc. in the amount of \$10,000.00. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 60-18

M. [180400](#)

**Tree Removal, Change Order No. 1**

Resolution reflecting an increase to the contract with Homer Tree Care, Inc. in the amount of \$10,000.00. (DISTRICTS - ALL)

**This Resolution was adopted on the Consent Agenda**

Enactment No: R 61-18

**Other Matters**

N. [180402](#)

**Backyard Drainage Grant Funding**

A staff request to reallocate \$30,000.00 in the Water Capital Reserve Fund from the Clear Water Disconnect Program to the Backyard Drainage Grant Program to accommodate increased resident participation in the Backyard Drainage Grant Program. (DISTRICTS - ALL)

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

**O. [180407](#)**

**Auditing Services Contract**

Motion authorizing the execution of an Engagement Letter with Lauterbach & Amen, LLP for Auditing Services FYE 2018 through FYE 2020 in the total amount of \$103,475. This is a three (3) year extension of an original contract approved by the Board of Trustees on November 19, 2015.

**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:** 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

**Absent:** 1 - Dan Whittington

**IX. Items for Separate Action**

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

**A. [180405](#)**

**Plat of Easement Abrogation - 2301 S. Fountain Square Drive - Yard House**

Request for approval of a Plat of Easement abrogating existing easements and providing new easements for sanitary sewer and water service lines that were relocated on the property located at 2301 S. Fountain Square Drive and known as the Yard House Restaurant. Three-fourths (3/4ths) vote of the Corporate Authorities (6 of 7) (DISTRICT #3)

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the ordinance approving a Plat of Easement for 2301 S. Fountain Square Drive (Yard House) be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

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

**Absent:** 1 - Dan Whittington

Enactment No: Ordinance 7581

**B. [180333](#) An Ordinance Authorizing and Providing for the Issuance of General Obligation Bonds**

An Ordinance authorizing and providing for the issuance of approximately \$3,900,000 General Obligation Bonds (Alternate Revenue Source) for the purpose of paying the costs of improving the waterworks and sewerage system of said Village, prescribing the details of said bonds and the revenues pledged to the payment thereof and the levy of taxes sufficient to pay said bonds if such revenues are insufficient for such payment, providing for the sale of said bonds to Robert W. Baird & Co., Incorporated, Naperville, Illinois, and authorizing the execution and delivery of an escrow agreement for the collection and disposition of the revenues and taxes pledged to the payment thereof.

Trustee Reid Foltyniewicz, Chairperson of the Finance & Administration Committee, spoke relative to one of the goals of the Village Board being to work on improving the Village's bond rating. The sale of these bonds was a step toward improving the Village bond rating. The Village secured four buyers at an interest rate of 4.72%.

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the Ordinance authorizing and providing for the issuance of approximately \$3,900,000 General Obligation Bonds (Alternate Revenue Source) for the purpose of paying the costs of improving the waterworks and sewerage system of said Village, prescribing the details of said bonds and the revenues pledged to the payment thereof and the levy of taxes sufficient to pay said bonds if such revenues are insufficient for such payment, providing for the sale of said bonds to Robert W. Baird & Company, Incorporated, Naperville, IL, and authorizing the execution and delivery of an escrow agreement for the collection and disposition of the revenues and taxes pledged to the payment thereof, be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

**Absent:** 1 - Dan Whittington

Enactment No: Ordinance 7582

## **Other Ordinances on First Reading**

## **Ordinances on Second Reading**

## **Resolutions**

## **Other Matters**

**X. Agenda Items for Discussion****XI. Executive Session****XII. Reconvene****XIII Adjournment**

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A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Ware, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, September 20, 2018 in the Board Room of the Lombard Village Hall be adjourn at 7:26 p.m. The motion carried by the following vote:

**Aye:** 5 - Mike Fugiel, Reid Foltyniewicz, Bill Johnston, Robyn Pike, and Bill Ware

**Absent:** 1 - Dan Whittington