

# Village of Lombard

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



## Minutes

**Thursday, July 18, 2019**

**7:00 PM**

**Village Hall Board Room**

## **Village Board of Trustees**

*Village President Keith Giagnorio*

*Village Clerk Sharon Kuderna*

*Trustees: Dan Whittington, District One; Anthony Puccio District Two;  
Reid Foltyniewicz, District Three; Andrew Honig, District Four;  
Dan Militello, 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 18, 2019 in the Board Room of the Lombard Village Hall was called to order at 7:00 p.m. by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Staff Present:

Village Manager Scott Niehaus  
Assistant Director of Finance Jamie Cunningham  
Director of Community Development Bill Heniff  
Director of Public Works Carl Goldsmith  
Chief of Police Roy Newton  
Fire Chief Richard Sander  
Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

Beth Marchetti, Executive Director of DCVB, introduced Justin Roach, DCVB Director of Development. She also spoke about the DCVB being the arm of the Village when it comes to marketing events and how they have focused on sporting events.

Justin Roach gave a power point presentation regarding the July 23 Intelligentsia Bike Race (Lombard Cycling Classic). He asked that the community embrace the event, take advantage of a great opportunity having so many cyclists and families here, and to participate or help cheer on the cyclists. He noted the cycling event was a ten-day event and each day the cyclists were in a different town. He spoke of the 2020 Weight Lifting Championship coming to Lombard next year

Beth Marchetti spoke of the proactive approach of the DCVB and how they are looking forward to working with the Village on more events.

## V. Approval of Minutes

**A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Militello, that the minutes of the reegular meeting of June 20, 2019 be approved. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

## VI. Committee Reports

### **Community Promotion & Tourism - Trustee Andrew Honig, Chairperson**

Trustee Andrew Honig, Chairperson of the Community Promotion and Tourism Committee, reported the committee met on July 2nd. He spoke about the Intelligentsia Bike Race (Lombard Cycling Classic) scheduled for July 23rd in downtown Lombard and what a great event for the community. The committee also reviewed terms of a Senate Bill that would provide 25% of hotel/motel tax back to non-home rule communities that could be used for infrastructure. Next meeting is August 6th.

### **Community Relations Committee - Trustee Dan Militello, Chairperson**

No report

### **Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson**

Trustee Anthony Puccio, Chairperson of the ECDC, reported the ECDC continued its review of amendments to Section 110.20 of the Village Code as it pertains to coin operated amusement devices commonly associated with arcade establishments. The ECDC recommended that the Village Board reduce the device fees for all applicable gaming devices to \$75 per machine. This item will be forwarded to the Board of Trustees for consideration at their August 15, 2019 meeting.

The committee also reviewed the first draft of a proposed Butterfield Road Yorktown Business District grant program and policy discussion. Should the proposed business district be approved, the ECDC will determine the parameters for future inventive requests. The draft was intended to provide such a framework and should the business district be approved, the draft policy and program will be formalized to incorporate comments received by the affected businesses. A review of the Board, Committee & Commission Handbook was provided to members. The

next meeting of the ECDC will be on August 12 at 7:00 p.m. at the Village Hall.

**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 a presentation of the Boards, Commissions and Committees Handbook was provided to the members. The committee reviewed the proposed Ten Year CIP.

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

No report

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

Village Clerk Sharon Kuderna, liaison to the Lombard Historic Preservation Commission, reported the following:

The Lombard Historical Preservation Commission met on Tuesday, July 16th. The commission reviewed the new Board, Committee and Commission Manual.

The propriety of 515 N West Road has been approved for local landmark status. The public hearing is on August 6th.

The Peck Exhibit has gotten a lot of attention from local news including WTTW. The commission would love to have the Village Board take time and visit the exceptional exhibit "Sheldon Peck: Footsteps of His Life". It is a presentation of more than 15 of Peck's paintings. It is open until Aug. 31st at the Sheldon Peck Homestead. The LHS Finance

Committee and the Board is determining whether to buy a Peck painting that is coming to auction soon - the LHS has the right of first refusal. It would cost about \$12,000.

Lots of kids are coming Tuesday afternoons for crafts for kids at the Peck. This summer, every Wednesday night at 7pm is a concert at the William Mueller gazebo at the Cottage. Come early to get one of 30 dilly bar coupons for DQ, then come back and enjoy the music.

Do not forget The Big Boy steam engine Watch from the Peck homestead. It will be passing by on Friday July 26th sometime between 1:00pm and 3:00pm. Remember to bring a chair. Check out [Lombardhistory.org](http://Lombardhistory.org) for more events.

The Heritage Award committee reviewed nominations and selected the recipients for this year's award. The Commissioners voted to approve that the selection process to be a community recognition process based on a more simplified nomination process for 2020 and future endeavors.

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

Village Manager Scott Niehaus spoke relative to the excessive heat forecast and reminded residents to be mindful of the dangerous conditions; take precaution and keep hydrated; check on family and neighbors; cooling centers at Library, York Township Offices and COD. He congratulated the four Trustees who won first prize at the Chamber Golf Outing. The Village Board will hold a special workshop session to review recreational cannabis to be held at 7:00 pm on Wednesday, July 31, 2019 in the Board Room.

Trustee Andrew Honig encouraged residents to come to the July 31st Workshop to share their views relative to recreational cannabis just as they had when the Village Board held a workshop on video gaming. President Giagnorio again reminded everyone to check on family and neighbors with the extreme heat predicted for the next several days. Village Clerk Sharon Kuderna read the following announcements: As per direction taken by the Village Board at the regular meeting of November 28th, the first regular Village Board meetings in June, July and August have been cancelled. The next Village Board meeting will be August 15th.

A Special Village Board Workshop is scheduled Wednesday, July 31st beginning at 7:00 pm in the Board Room for the purpose of review and discussion relative to newly-passed State legislation on the sale of recreational cannabis.

A special commemorative Village Board meeting in recognition of the Village's 150th birthday is scheduled August 1st beginning at 6:00 pm and to be held at the Maple Street Chapel. This will be followed by an ice

cream social at the gazebo located on the Museum property, 23 W. Maple.

The ever popular Cruise Nights continues Saturdays from 6-10 pm in downtown Lombard. There will be lots of cool cars, entertainment, a Kid's Corner and all free. Please join us for this weekly family-friendly event.

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [190274](#)      **Approval of Accounts Payable**  
For the period ending June 21, 2019 in the amount of \$782,542.96.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [190277](#)      **Approval of Village Payroll**  
For the period ending June 22, 2019 in the amount of \$843,415.20.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [190278](#)      **Approval of Accounts Payable**  
For the period ending June 28, 2019 in the amount of \$2,018,095.44.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [190285](#)      **Approval of Accounts Payable**  
For the period ending July 5, 2019 in the amount of \$322,644.01.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [190301](#)      **Approval of Village Payroll**  
For the period ending July 12, 2019 in the amount of \$946,344.77.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [190302](#)      **Approval of Accounts Payable**  
For the period ending July 12, 2019 in the amount of \$1,668,750.74.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- G. [180191](#)      **PC 18-08: 550 E. 22nd Street (Hilton Tru) - 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 16, 2020. (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 7688, 7565, 7566

H. [180330](#)

**An Ordinance proposing the designation of a Business District in the Village of Lombard, DuPage County, Illinois, the approval of a Business District Plan in relation thereto, and the scheduling of a public hearing in connection therewith (Butterfield Road/Yorktown Business District No. 2)**

The Ordinance provides for a public hearing, as required by State Statute, on August 15, 2019, at 7:00 p.m., as part of the regular Village Board meeting, in regard to designating a new business district, to be known as the Butterfield Road/Yorktown Business District No. 2 and approving a Business District Plan in regard to said proposed Butterfield Road/Yorktown Business District No. 2. (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 7702, 7689, 7610

I. [190273](#)

**Village Equipment To Be Declared Surplus**

Ordinance approving the Village departments' request 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 thirty (30) out-of-date and or damaged Fire Department technical rescue equipment, two (2) Weber Summit gas grills, three (3) file cabinets, two (2) office cubicles, five (5) Dell PowerEdge servers and one (1) server rack. Staff requests 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 7690

J. [190276](#)

**Tax Levy Ordinance - Special Service Area Number Three**

Ordinance providing for the levy and assessment of taxes for the Village of Lombard Special Service Area Number Three (SSA #3) in the amount of \$9,275.00 for the Fiscal Year beginning January 1, 2019 and ending December 31, 2019. (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 7691

K. [190288](#)

**Ordinance Declaring One Village Vehicle as Surplus and**

**Authorizing Its Trade-in; and Authorizing the purchase of One Vactor Sewer Truck**

Request for a waiver of bids and award of a contract to Standard Equipment in the amount of \$377,685.00. This item was competitively bid through the Suburban Purchasing Cooperative (SPC contract #161), a joint purchasing program in which the Village participates. Staff requests approval of an Ordinance declaring Village unit SM455 as surplus and authorizing its trade-in to Standard Equipment, as well as 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 7692

**L. [190293](#)****Ordinance Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code (Alcoholic Beverages)**

Ordinance amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code decreasing the number of entries in the Class "A/B-I" and "C" liquor license categories by one in each category relative to Tasty Foods Inc. d/b/a Maxfield's Pancake House located at 352 E. Roosevelt Road and Balkan Bakery & Cafe Inc. d/b/a Balkan Bakery & Cafe Inc. located at 14 W. St. Charles Road as a result of the voluntary non-renewal of their liquor licenses for the July 1, 2019 to December 31, 2019 liquor licensing term. (DISTRICTS #1 and #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 7693

**M. [190294](#)****Amending Title XI, Chapter 112, Section 112.13 (A) of the Lombard Village Code (Alcoholic Beverages)**

An Ordinance amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code revising the Class "Z" liquor license category to reflect a change of more than fifty percent (50%) of the ownership interest of Walnut Brewery, Inc. d/b/a Rock Bottom Restaurant & Brewery located at 94 Yorktown. (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 7694

**M-2 [190306](#)****Amendment to Village of Lombard Traffic Code - Prosecution of Child Safety Seat Violations Under Local Ordinance**

Ordinance amending Village of Lombard Traffic Code (Ordinance 1186) Section 10-19-1 to include allowing Police Officers to issue citations for child safety seat violations under local ordinance.

**This Ordinance was waived of first reading and passed on second reading with**

**suspension of the rules on the Consent Agenda**

Enactment No: Ordinance 7695

M-3. [190307](#)**Ordinance Amending Title 11, Chapter 112, Section 112.18(B) - Alcoholic Beverages**

Ordinance amending Title 11, Chapter 112, Section 112.18(B) of the Lombard Village Code in regard to alcoholic beverages, providing for the sale and consumption of alcohol in connection with a temporary event within the St. Charles Road (from Main Street to Lincoln Avenue) and Park Avenue (from Orchard Terrace to Michael McGuire Drive) public rights-of-way on August 24, 2019 relative to Cruise Nights and the Summer Concert Season Finale. (DISTRICT #1)

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

Enactment No: Ordinance 7696

**Other Ordinances on First Reading****Ordinances on Second Reading****Resolutions**N. [190284](#)**Lombard Meadows - Phase III, Design Engineering**

Approving a contract with Civiltech Engineering, Inc. in an amount not to exceed \$193,157.00 for design engineering services. (DISTRICT #6)

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

Enactment No: R 39-19

N-2. [190305](#)**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 40-19

**Other Matters**O. [190270](#)**Purchase of Generators for Charles Lane Storm Water Station and Police Department**

Request for a waiver of bids and award of a contract to Cummins NPower in the amount of \$115,265.00 for the purchase of two (2)

generators. The waiver of bids is requested as Cummins NPower generators are the Village standard. (DISTRICTS #1 & #6)

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

P. [190271](#)

**Surveillance and Access Control System for Central Water Station**

Request for a waiver of bids and award of a contract to Imperial Surveillance in an amount not to exceed \$27,918.00. A proposal was solicited from Imperial Surveillance as they are the vendor that installed the video surveillance and access control systems in all other Village buildings, which is a proprietary system. (DISTRICT #4)

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

Q. [190272](#)

**FY2019 Bituminous Asphalt Purchase**

Request for a waiver of bids and award of a contract to DuPage Materials Company, the lowest quote of three (3) quotes received, in an amount not to exceed \$228,000.00.

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

R. [190303](#)

**Purchase of Dell Computers, Laptops and Monitors**

Request to waive bids and approve a proposal from Dell in the amount of \$52,898.32 for the replacement of thirty one (31) desktop computers, twenty one (21) laptops, and sixty two (62) monitors that have reached the end of their lifecycle.

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

S. [190286](#)

**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 17, 2019 (DISTRICTS - ALL)

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

T. [190290](#)

**Contract with Constellation NewEnergy**

Request to approve a three (3) year contract with Constellation NewEnergy, Inc. for the provision of electrical energy for street lighting. Staff is requesting ratification of this contract.

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

U. [190292](#)

**Lead Water Service Line Replacement Reimbursement Program**

Recommendation of the Public Works & Environmental Concerns Committee to increase the reimbursement level to 75% of costs up to a maximum of \$5,000.00. (DISTRICTS - ALL)

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

V. [190297](#)**SUB 19-01: 98 Yorktown**

Recommendation from the Plan Commission to approve a plat of resubdivision for a tract of land located at Yorktown Center Lombard to be entitled Yorktown Mall Resubdivision of Lot 2 in Yorktown Center. The plat resubdivides two (2) existing lots of record into two (2) new lots of record. (DISTRICT #3)

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

**Approval of the Consent Agenda**

**A motion was made by Trustee Anthony Puccio, seconded by Trustee Dan Whittington, to Approve the Consent Agenda The motion carried by the following vote**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

**IX. Items for Separate Action****Ordinances on First Reading (Waiver of First Requested)**A. [190275](#)**Budget Amendment Ordinance**

Ordinance approving the final FYE 2018 Budget, as amended. (2/3 vote of Corporate Authorities required.) Waiver of first reading is requested.

**A motion was made by Trustee Bill Ware, seconded by Trustee Andrew Honig , that th Budget Amendment Ordinance be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

**Aye:** 7 - Keith Giagnorio, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Enactment No: Ordinance 7697

**Other Ordinances on First Reading**B. [190260](#)**PC 19-14: 101-109 S. Main Street - Lilac Station**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following actions on the subject property, located within the B5PD Central Business District Planned Development:

1. Repeal Ordinances 4646 and 4654 in their entirety, which established a planned development with companion zoning variations and zoning deviations;
2. Approve a zoning conditional use for a new planned development with the following companion conditional use, use exception, variations, and

deviations from the Village Code:

Building:

- a. A zoning conditional use pursuant to Section 155.418(C) of the Village Code to allow for outside display and sales of products (outdoor dining);
- b. A zoning deviation from Section 155.418(G) of the Village Code to allow for an increase in the maximum building height from forty-five feet (45') to fifty feet (50');
- c. A zoning variation from Section 155.418(J) of the Village Code to eliminate the transitional building setback for the mixed-use/residential building;
- d. A use exception pursuant to Section 155.508(B) of the Village Code to allow for dwelling units on the first floor;
- e. A zoning variation from Section 155.508(C)(6)(a) of the Village Code to allow for a reduction of the required front yard along Parkside Avenue to one foot (1') from thirty feet (30') for a planned development abutting the R2 Single-Family Residence District;

Parking:

- f. A zoning deviation from Section 155.602, Table 6.3 of the Village Code to allow for a reduction of the required number of off-street parking spaces from 1.5 spaces per dwelling unit to 1.2 spaces per dwelling unit, for the residential portion of the development;
- g. A zoning deviation from Section 155.602(A)(5)(a) of the Village Code to allow the option for compact space width of 8'3" for the residential portion of development, where 9' width is required;

Landscaping/Fencing:

- h. A zoning variation from Section 155.205(A)(2)(f)(iii) of the Village Code for a fence or wall in the B5 District exceeding six feet (6") in height;
- i. A zoning variation from Section 155.418(K), Section 155.508(C)(6)(b), Section 155.707(B)(3), Section 155.707(A)(3), and Section 155.709(B) of the Village Code to allow for the elimination of the transitional landscape yard improvements (on the east side), including fencing, and perimeter lot landscaping;
- j. A zoning variation from Section 155.706 of the Village Code to eliminate the interior and perimeter parking lot landscaping requirement;
- k. A zoning variation from Section 155.709(B) of the Village Code to eliminate the requirement to provide one (1) shade tree for every seventy-five (75) lineal feet of required perimeter lot landscaping;

3. Grant site plan approval authority to the Lombard Plan Commission.  
(DISTRICT #4)

Bill Heniff provided a power point presentation regarding the 101-109 S.

Main property.

Jessica Buttimer, representing Prairie Food Coop, spoke of working with the developer of the property for a change in the plans to allow for semi-truck accessibility to the site. She noted that Plan B does allow for that change. She also noted that Prairie Food Coop's financial status has not changed.

Andrea Dierich, a Charlotte Street resident, spoke relative to the variances required for the development; the landscape buffer between the development and the residences; open space; setbacks, additional trees; and offered to help with the landscape design. She asked the Village Board to reject the variances.

**A motion was made by Trustee Bill Ware, seconded by Trustee Anthony Puccio, that the Ordinance regarding PC 19-14, 101-109 S. Main Street - Lilac Station be passed on first reading. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

Enactment No: Ordinance 7704

## **Ordinances on Second Reading**

## **Resolutions**

## **Other Matters**

## **X. Agenda Items for Discussion**

## **XI. Executive Session**

**A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Dan Militello, that the Lombard Village Board recess to Executive Session at 7:53 p.m. for the purpose of discussion of Collective Negotiating Matters and The Acquisition of Real Property. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

## **XII. Reconvene**

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, July 18, 2019 in the Board Room of the Lombard Village Hall was called to order at 8:06 p.m. by Village President Keith Giagnorio.

- 8 - Keith Giagnorio, Sharon Kuderna, Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware

### **XIII Adjournment**

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**A motion was made by Trustee Bill Ware, seconded by Trustee Dan Whittington, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on July 18, 2019 in the Board Room of the Lombard Village Hall be adjourned at 8:07 p.m. The motion carried by the following vote:**

**Aye:** 6 - Dan Whittington, Anthony Puccio, Reid Foltyniewicz, Andrew Honig, Dan Militello, and Bill Ware