

# Village of Lombard

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



## Minutes

**Thursday, July 20, 2023**

**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, July 20, 2023 in the Board Room of the Lombard Village Hall was called to order at 6:00 p.m. by Village President Keith Giagnorio. Director of Public Works Carl Goldsmith led the Pledge of Allegiance.

## II. Roll Call

8 - Keith Giagnorio, 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 Tom Wirsing

Fire Chief Rick Sander

Village Attorney Jason Guisinger

Executive Coordinator Carol Bauer

## III. Public Hearings

## IV. Public Participation

[230239](#)

### **DuPage Convention & Visitors Bureau - Beth Marchetti**

Beth Marchetti, Executive Director of the DuPage Convention & Visitors Bureau, provided an overview of the upcoming Intelligentsia Bike Race coming to Lombard on Tuesday, July 25th.

## V. Approval of Minutes

**A motion was made by Trustee Dan Militello, seconded by Trustee Anthony Puccio, that the minutes of the regular meeting of June 15, 2023 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**

No report

**Public Safety & Transportation Committee - Trustee Brian LaVaque Chairperson**

Trustee Brian LaVaque, Chairperson of the Public Safety & Transportation Committee, reported the following:  
The Committee met on July 12th and reviewed special event permits and the policy. The Police and Fire Departments also provided updates on their respective departments.

**Public Works & Environmental Concerns Committee - Trustee Bob Bachner, Chairperson**

Trustee Bob Bachner, Chairperson of the Public Works & Environmental Concerns Committee, reported the following:  
The Public Works and Environmental Concerns Committee met on Tuesday, June 13th.  
The committee covered one item that evening which was discussing and going over the first draft of the 2024 to 2033 Capital Improvement Program  
This document plans, prioritizes and budgets for upcoming Village projects, working on infrastructure and maintaining of Village assets. As always, Village staff has done an awesome job in utilizing local funds as well as non-local funds for planning, prioritizing, and budgeting. for our upcoming capital improvement program for 2024 through 2033, which the committee unanimously approved.

**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:

Come join us this Saturday as Cruise Nights and Summer Concerts continues in downtown Lombard. This event is held each Saturday through the end of August from 6:00 p.m. to 10:00 p.m. This is a free family event with lots of cool cars, a kid's corner and weekly entertainment.

The Lombard Cycling Classic will take place downtown Lombard on Tuesday, July 26th from 10:00 am until 8:15 pm. Road closures will be in place beginning at 5:00 am through 10:00 pm. Residents and visitors are invited to witness these thrilling, high-speed bicycle racers while also enjoying our downtown businesses and restaurants. The Kids & Family Community Ride begins at 6:15 pm.

The Village, in collaboration with the Lombard Park District, the Helen Plum Library and the Lombard Historical Society, is hosting a canned food drive with a Warhol-inspired twist to benefit the Outreach House Food Pantry in Lombard. Donations can be dropped off at the Village Hall, Fire Station 45, the Lombard Historical Society Museum, the Madison Meadows Recreation Center and the Helen Plum Library. The drive continues to September 1st. There will also be Warhol-themed special events, public art, and giveaways. Visit [villageoflombard.org/Warhol](http://villageoflombard.org/Warhol) for additional information.

As millions of travelers hit the road for summer vacations, the Lombard Police Department is joining the Illinois Department of Transportation and the Illinois State Police urging motorists to be mindful of speed limits and to keep their eyes on the road to help ensure everyone reaches their destination safely. Extra enforcement will continue through July 23rd. July 26 is designated as Speed Awareness Day. As a reminder, speed limits are not a suggestion, they are the law. A targeted Distracted Driving enforcement campaign will also be conducted from July 27th through August 18th.

The Lombard Farmers Market located at 20 E. St. Charles Road is held every Tuesday from 2:00 pm until 7:00 pm. Fresh locally grown produce and hand-crafted items are featured each week.

The August 3rd Village Board meeting has been cancelled. The next regularly scheduled Village Board meeting will be August 17th at 6:00 p.m.

For additional information on events in the community as well as information on all Village services, please check the Village website at [www.villageoflombard.org](http://www.villageoflombard.org).

## VIII Consent Agenda

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**Payroll/Accounts Payable**

- A. [230223](#)      **Approval of Accounts Payable**  
For the period ending June 16, 2023 in the amount of \$1,286,712.64.  
approved on the consent agenda
- B. [230228](#)      **Approval of Village Payroll**  
For the period ending June 17, 2023 in the amount of \$925,714.19.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [230229](#)      **Approval of Accounts Payable**  
For the period ending June 23, 2023 in the amount of \$1,217,327.30.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [230234](#)      **Approval of Accounts Payable**  
For the period ending June 30, 2023 in the amount of \$1,299,419.04.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [230237](#)      **Approval of Village Payroll**  
For the period ending July 1, 2023 in the amount of \$921,852.88.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [230238](#)      **Approval of Accounts Payable**  
For the period ending July 7, 2023 in the amount of \$812,343.45.  
This Payroll/Accounts Payable was approved on the Consent Agenda
- G. [230249](#)      **Approval of Accounts Payable**  
For the period ending July 14, 2023 in the amount of \$649,526.60.  
This Payroll/Accounts Payable was approved on the Consent Agenda

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

- H. [230164](#)      **Proposed Amendments to Title 15, Chapter 150 of the Lombard Village Code - Building Code**  
The Board of Building Appeals recommends approval of the following code amendments:  
a. Section 150.035 to require sprinklers for residences or townhomes in which the structure exceeds 4,000 square feet in area;  
b. Section 150.005 addressing title change references and responsibilities;  
c. Section 150.035 adding gutter requirements for accessory structures over 200 square feet in area;

- d. Section 150.143 modifying the language pertaining to single-family owner requirements if the construction work is to be done by the owner;
- e. Section 150.150 eliminating the need for multiple paper plan sets, referencing the IRC submittal language for submittals, changing the cost requirements for needing an architect or structural engineer with waiver provision by the Building Director, and ADA/IAC architect/engineer sealing requirements. (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 8171

I. [230215](#)

**An Ordinance Amending Title 9, Chapter 99, Sections 99.01, 99.02, 99.05, 99.10, 99.22, 99.23 of the Lombard Village Code in Regard to Trees and Shrubs**

A recommendation of the Public Works and Environmental Concerns Committee to amend Lombard Village Code Title 9, Chapter 99, Sections 99.01, 99.02, 99.05, 99.10, 99.22, 99.23. Staff determined that changing the language from "shall" to "may" in regard to Chapter 99.22, planting of trees after tree removal, would allow us to enroll in a carbon crediting program through the Chicago Region Trees Initiative. Staff also took this opportunity to perform a more thorough examination of the Ordinance and made additional changes, eliminating the definition of and references to Emerald Ash Borer, changed language to reflect current methods and practices for determining tree replacement costs, pruning and planting practices and permitting future planted trees to be enrolled in a carbon crediting program. Waiver of first requested.

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

Enactment No: Ordinance 8172

J. [230217](#)

**PC 23-14: 1005 N. Rohlwing Road - Crash Champions Signage**

The Plan Commission submits its recommendation to approve a variation from Section 153.505(B)(6)(e) of the Lombard Sign Ordinance to allow two freestanding signs on the subject property, where a maximum of one freestanding sign is permitted. (DISTRICT #4)

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

Enactment No: Ordinance 8173

K. [230218](#)

**PC 23-15: 530 E. North Ave. - Shahi Banquets**

The Plan Commission submits its recommendation of approval of the following actions on the subject property located within the B4 Corridor Commercial District, to provide for additions to the existing building:

1. A variance for the east corner side yard setback pursuant to Section

155.416(F)(2) of Village Code to 14 feet, where 30 feet is required for the proposed porte-cochere addition;

2. A variance for a rear yard setback pursuant to Section 155.416(F)(4) of Village Code to 18 feet, where 30 feet is required for the west storeroom/office addition and increased height of the building.

(DISTRICT #4)

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

Enactment No: Ordinance 8174

**L.**        [230219](#)

**PC 23-16: Text Amendments to Attached Garage Provisions**

The Plan Commission submits its recommendation to approve text amendments to Section 155.222 of the Village Code to amend the maximum garage width provisions for attached garages. (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 8175

**M.**        [230226](#)

**Village Equipment to be Declared Surplus**

Ordinance approving the requests of the Police and Community Development Departments to sell and/or dispose of surplus equipment as more specifically detailed in Exhibit "A" attached to the ordinance, as these items have extended beyond their useful life or are obsolete.

Police Department: three (3) wooden Neucraft 4x4 tables for disposed as damaged;

Community Development: one blue model 55 office chair with caster wheels (inventory 000525207) for disposal as damaged;

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

Enactment No: Ordinance 8176

**N.**        [230243](#)

**Amending Title XI, Chapter 112, Section 112.18(B) of the Lombard Village Code (Alcoholic Beverages)**

Ordinance amending Title XI, Chapter 112, Section 112.18(B) of the Lombard Village Code relative to the service and consumption of alcoholic liquor in connection with a temporary event at The Carlisle, 435 E. Butterfield Road, on July 15, 2023. This action is to ratify the issuance of a Class J liquor license for the temporary special event by the Liquor Commissioner. (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 8177

- O. [230245](#) **Purchase of a New John Deere Front-End Loader and Approval of Ordinance Declaring 2014 John Deere Front-End Loader as Surplus Property**  
Request for a waiver of bids and award of a contract to West Side Tractor Sales of Naperville, IL in the amount of \$127,268.70. The new loader Model 524P is available for purchase through the Sourcewell Cooperative Contract #032119-JDC. The contract price is \$209,269.70 with trade-in allowance for the current loader of \$85,000.00. Approval of an Ordinance declaring Village unit ST363, 2014 John Deere front-end loader, surplus and authorizing its sale and/or disposal. Waiver of first requested.
- This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda**
- Enactment No: Ordinance 8178

- O-2. [230252](#) **Purchase of One (1) Honda Accord and an Ordinance Declaring 2016 Honda Accord as Surplus Property, and Authorizing the Sale Thereof**  
Request for a waiver of bids and award of a contract to Honda on Grand of Elmhurst, IL in the amount of \$28,187.26 for the purchase of one (1) Honda Accord. Staff solicited quotes for this vehicle from surrounding dealerships. The cost is \$28,187.26 with a trade-in of \$13,000. Approval of an Ordinance declaring unit PI192, a 2016 Honda Accord, as surplus and authorizing the 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 8179

### Other Ordinances on First Reading

### Ordinances on Second Reading

- P. [230162](#) **PC 23-10: 938 E. St. Charles Road**  
The Plan Commission submits its recommendation of approval of the following actions on the subject property, located within the B4 Corridor Commercial District:
1. Approval of a conditional use pursuant to Section 155.416(C)(11) of the Village of Lombard Code of Ordinances for an expansion to an existing gas station/convenience store building, with the following variations,
  2. Variance to the minimum lot area of 21,286 square feet, where 40,000 square feet is required pursuant to Section 155.416(D), and
  3. For the proposed canopy expansion, a variance to the front yard



setback to 3 feet 3 inches, where 30 feet is required pursuant to Section 155.416(F)(1). (DISTRICT #4)

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

Enactment No: Ordinance 8180

## Resolutions

- Q.**     [230180](#)     **First Review of Executive Session Minutes - 2023**  
Resolution authorizing the Village Clerk to make certain Closed Session Meeting Minutes available for public inspection First Review 2023.  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 31-23
- R.**     [230227](#)     **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 for the Village to provide paramedic services during football games held at the Glenbard East High School for the fall of 2023. (DISTRICT #2)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R32-33
- S.**     [230230](#)     **22nd Street Shared-Use Path Improvements Design Engineering Contract Amendment #1**  
Reflecting an increase to the contract with Christopher B. Burke Engineering in the amount of \$10,895.48. This amendment is for the additional design engineering services in obtaining Phase One design approval from Illinois Department of Transportation (IDOT), advanced construction of Americans with Disabilities Act (ADA) accommodations and the requirement of securing a DuPage County Stormwater Permit. (DISTRICT #3)  
**This Resolution was adopted on the Consent Agenda**  
Enactment No: R 33-23
- T.**     [230231](#)     **St. Charles Road Resurfacing Improvements Design Engineering Contract Amendment #1**  
Reflecting an increase to the contract with Christopher B. Burke in the amount of \$134,828.23. This amendment is for a CIP project that includes roadway reconfiguration, expanded parkways, streetscape beautification, and pedestrian improvements on Park Avenue from St. Charles Road to Michael McGuire Drive. In the original design contract, the scope included potential improvements enhancing Park Avenue

between St. Charles Road and Michael McGuire Dreive/Metra Station. Contract Amendment #1 will provide the design engineering necessary to create final plans and construction documents for the proposed streetscape work on Park Avenue. (DISTRICTS #1 & #4)

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

Enactment No: R 34-23

**U.**      [230235](#)

**OpenGov Cartegraph Asset Management Contract**

Request for a waiver of bids and adoption of a resolution approving a contract with OpenGov in the amount of \$126,390.33. This is for a two-year contract for FY2023 and FY2024. This is to obtain unlimited users for our current Cartegraph asset management system.

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

Enactment No: R 35-23

**V.**      [230246](#)

**Finley Road Shared-Use Path Improvement Design Engineering Contract**

Approving a contract with Strand Associates of Joliet in the amount of \$487,118.05 for a shared-use path on Finley Road from 22nd Street to Wilson Avenue. This path will connect to the 22nd Street Path (from 22nd Street to Meyers Road). This project is consistent with the recommended projects proposed in the Village's Bicycle and Pedestrian Master Plan. (DISTRICTS #2 & #3)

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

Enactment No: R36-23

**W.**      [230247](#)

**Arterial Sidewalk Gap Improvements Design Engineering Contract**

Approving a contract with Strand Associates of Joliet in the amount of \$441,878.01 for construction of new sidewalks along arterial roadways in the Village. This project is consistent with the goals and mission of the Village's Bicycle and Pedestrian Master Plan. (DISTRICTS #2, #3, #5 & #6)

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

Enactment No: R 37-23

**X.**      [230250](#)

**Resolution Authorizing an Agreement for Occupational Health Services - Edwards Elmhurst Health**

Resolution authorizing the extension of an existing Agreement with Edwards Elmhurst Health to continue to provide occupational health services for the Village.

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

Enactment No: R 38-23

**Other Matters**

- Y.**      [230195](#)      **Catch Basin Cleaning Project PWU-23**  
Award of a contract to Veterans Vac Services of McHenry, IL, the lowest responsible bidder of four (4) bids received, in an amount not to exceed \$93,900.00. This project is designed to supplement the annual catch basin cleaning program performed by Village crews. (DISTRICTS #1, #4 & #5)  
**This Bid was approved on the Consent Agenda**
- Z.**      [230224](#)      **Victorian Cottage, 23 W. Maple Street, Roof Replacement**  
Request for a waiver of bids and award of a contract to Davis Roofing in the amount of \$46,000.00 for the removal and installation of the Victorian Cotage roof. Staff sought proposals from contractors with high quality ratings and reviews for replacement of the cedar shake roof. (DISTRICT #4)  
**This Bid was approved on the Consent Agenda**
- AA.**     [230225](#)      **Downtown Lombard Sidewalk Project - Site Furnishings**  
Request for a waiver of bids and award of a contract to NuToys Leisure Products in the amount of \$73,140.00. These items will match the items authorized for purchase by the Village Board at the May 18, 2023 meeting. Staff is recommending that the Village accept a proposal from NuToys Leisure Products for fifteen (15) steel planters, sixteen (16) bollards, eight (8) backless benches and six (6) steel trash receptacles. This purchase will be made with Downtown TIF Funds. (DISTRICT #1)  
**This Bid was approved on the Consent Agenda**
- BB.**     [230240](#)      **Village Hall Community Room and Meeting Areas Seating**  
Request for a waiver of bids and award of a contract to KI Furniture in the amount of \$25,398.00. Staff is recommending purchasing 200 chairs from KI Furniture to replace chairs from the Community Room, North Landing meeting area and Village Hall employee break room. Bid specifications were sent to the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Sourcewell. KI Furniture submitted the winning bid to Sourcewell for Office and School Furniture (OT53837BZ1). (DISTRICT #6)  
**This Bid was approved on the Consent Agenda**
- CC.**     [230241](#)      **FY2023 Bituminous Asphalt Purchase**  
Request for a waiver of bids and award of a contract to Arrow/Healy Asphalt Company, in an amount not to exceed \$206,000.00. Arrow Asphalt has submitted the lowest cost per ton for surface material. This

asphalt is for our in-house paving program. (DISTRICTS - ALL)

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

**DD.**     [230244](#)

**Fire Station 44 Emergency Generator Equipment Purchase**

Request for a waiver of bids and award of a contract to Cummins Corporation, in the amount of \$33,965.00. Bid specifications were sent to the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Sourcewell. Cummins Corporation submitted the winning bid to Sourcewell for Electrical Energy Power Generation Equipment contract #120617-CMM. (DISTRICT #6)

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

**EE.**     [230248](#)

**Acoustic Sanitary Sewer Pipe Inspection and Assessment**

Award of a contract to InfoSense, Inc. of Charlotte, NC, the lowest responsible bidder of two (2) bids received, in an amount not to exceed \$63,922.32. The project is divided into three areas and will be in three phases over budget years 2023, 2024 and 2025. The data that is collected in this program has guided other sewer maintenance activities such as focused sewer cleaning and televising along with spot repairs and sewer lining. This data has made sanitary sewer maintenance activities more efficient and cost effective. (DISTRICTS #1, #4 & #5)

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

**FF.**     [220405](#)

**PC 22-31: 244 - 376 E. St. Charles Road - Lombard Veterinary Hospital - Plat of Consolidation & Right-of-Way Dedications**

Staff request to approve a Plat of Consolidation and Right-of-Way for the Lombard Vet Hospital located at 244 - 376 E. St. Charles Road. (DISTRICT #2)

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

Enactment No: Ordinance 8126 and 8144

**GG.**     [230236](#)

**One Year Agreement with Tyler Technologies**

Request for approval of a one-year Agreement with Tyler Technologies in the amount of \$141,327.33 for application hosting services.

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

**HH.**     [230251](#)

**General Release and Settlement Agreement - Goodale v. Village of Lombard**

Approval of a General Release and Settlement Agreement in the amount of \$20,000 in the matter of Goodale v. the Village of Lombard.

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

**II.**     [230254](#)

**Intergovernmental Agreement Between the Villages of Lombard**

**and Glen Ellyn - Fire Inspection Services**

Motion to authorize the signature of the Village President and Village Clerk on an Intergovernmental Agreement (IGA) by and between the Villages of Lombard and Glen Ellyn for selected fire service activities. The IGA addresses various and enumerated coverage responsibilities for a defined area located within the Corporate Limits of Glen Ellyn, but is also within the jurisdiction of the Glenbard Fire District.

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

**Approval of the Consent Agenda**

**A motion was made 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)****A. [220185](#)****Yorktown Reserve Economic Incentive Agreement**

The Economic and Community Development Committee recommends approval of a performance based Economic Incentive Agreement (EIA) between the Village and Lombard Development Manager LLC, as developer, to provide for the redevelopment of the existing former Carson's anchor store and perimeter parking lot areas generally located at 230 Yorktown Shopping Center, and comprising a 15.75-acre tract of land. The estimated developer project costs are anticipated to exceed \$200,000,000. Key components of the agreement are as follows:

1. The developer will raze the existing Carson's retail building to construct two multiple-family residential buildings in a phased approach. The Village will provide for Butterfield Yorktown Tax Increment Financing (TIF) funds for up to 17 years, subject to compliance with the Agreement terms and in the following manner:
  - a. For Phase 1, up to \$16,000,000, plus interest, shall be available for reimbursement from increased equalized assessed valuations (EAV) and corresponding property tax revenues generated from and specifically attributable to Phase 1 of the development. The eligible incremental property taxes available for Phase 1 shall be up to 95% for the first four years and up to 75%, until the incentive figure is met or the incentive period ends.
  - b. For Phase 2, up to \$9,639,372, plus interest, shall be available for reimbursement from increased equalized assessed valuations (EAV) and corresponding property tax

- revenues generated from and specifically attributable to Phase 2 of the development. The eligible incremental property taxes available for Phase 2 shall be up to 50%, until the incentive figure is met or the incentive period ends.
2. A center greenspace commercial courtyard will also be constructed along with companion infrastructure improvements and exterior building façade modifications. The Village will provide for performance-based funding solely utilizing the existing Butterfield Yorktown Business District #2 funds in an amount of up to \$9,198,010, plus interest, for the project component. (DISTRICT #3)

Village Manager Scott Niehaus gave an overview of the project and the Incentive Agreement.

Trustee Anthony Puccio, Chairperson of the Economic & Community Development Committee, reported the following:

This item is to consider the incentive agreement for Synergy Development and the project by Yorktown. As you know this has been in the works for the better part of a year; has been in front of the ECDC at least 4 separate times since May 22, and was initially presented to our Board in May of this year. I think all of us know what the project is but to restate there are 3 different parts - 2 separate apartment buildings to be built in 2 different phases with the incentive coming from the Butterfield Yorktown TIF District and then the center green space funded from the Business Improvement District.

For the purpose of tonight's meeting, I think it is important to highlight the changes to the incentive since we last saw the presentation in May to reflect the latest property tax projections and market conditions.

Phase 1 increase in incentive from \$12.1 million to \$16 million to partially offset the additional property tax increases generated over time.

Phase 2 the developer agreed to a reduction in the cap of the projected increment to 50% which is consistent with Village policy.

Under the new agreement the developer would receive approximately 66.2% of the increment distribution for Phase One compared to the earlier agreement projected at 79.2%.

Consistent with our policy, it is important to note that no money is guaranteed and there is no advanced funding by the Village. This is all still performance-based. It is also important to note that the funds are not tied to our General Fund and are funding from the TIF and the Building Improvement District.

This project continues the efforts of both the Village and Pacific Retail to continue the Yorktown Area. With success at Elan and Overture, to the new townhome project you can see the work going on in our mall area. These successes have also helped Pacific sign commercial lease extensions and attract new tenants so that it can retain its prominence as a strong economic center in our Village. When you look at other malls in

our area like Hawthorne or Charlestown this is certainly not the case. I would like to thank and recognize the members of the ECDC for their hard work and dedication through long meetings and special meetings to help make this incentive agreement come to life. With that I will open this up for any questions.

**A motion was made by Trustee Anthony Puccio, seconded by Trustee Dan Militello, that the Ordinance regarding the Yorktown Reserve Economic Incentive Agreement be waived of first reading and passed on second reading with suspension of the rules. The motion carried by the following vote:**

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

Enactment No: Ordinance 8181

## Other Ordinances on First Reading

## Ordinances on Second Reading

**B. [230051](#) **ZBA 23-01: 327 S. Lombard Avenue (Continued from May 4, 2023 to June 15, 2023 at Request of Petitioner)****

The Zoning Board of Appeals (ZBA) submits its recommendation to approve the petitioner's request to grant a variation from Section 155.407(H) of the Lombard Code of Ordinances to allow for forty-five percent (45%) of the lot area to be preserved in open space, where a minimum of fifty percent (50%) lot area preserved in open space is required in the R2 Single-Family Residence District. (DISTRICT #5)

**A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Militello, that the Ordinance regarding ZBA 23-01 for 327 S. Lombard Avenue be passed on second reading. The motion carried by the following vote:**

**Aye:** 5 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, and Dan Militello

**Nay:** 1 - Bob Bachner

Enactment No: Ordinance 8182

## Resolutions

## Other Matters

**C. [230220](#) **PC 23-17: 999 N . Garfield and 1051 N. Garfield Street - IMG Trucking INC Off-site Parking****

On June 19, 2023 the Plan Commission recommended approval of construction of a new parking lot located at 1051 N. Garfield Street. The petitioners, 999 Garfield LLC and IMG Trucking, INC., request the Village

Board remand the petition back to the Plan Commission to consider revised plans at a public hearing scheduled for August 21, 2023.  
(DISTRICT #4)

**A motion was made by Trustee Bob Bachner, seconded by Trustee Bernie Dudek, that the request of the petitioner to remand the petition back to the Plan Commission to consider revised plans at a public hearing on August 21, 2023 be approved. The motion carried by the following vote:**

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

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

## **XI. Executive Session**

None

## **XII. Reconvene**

## **XIII Adjournment**

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**A motion was made by Trustee Andrew Honig, seconded by Trustee Anthony Puccio, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, July 20, 2023 in the Board Room of the Lombard Village Hall be adjourned at 6:37 p.m. The motion carried by the following vote:**

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