

Village of Lombard

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



Minutes

Thursday, March 1, 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, March 1, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio 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
Human Resources Director Kathy Dunne
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, that the minutes of the regular meeting February 15, 2018 of the President and Board of Trustees of the Village of Lombard 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

No report

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

No report

Board of Local Improvements - Trustee Bill Ware, President

No report

Lombard Historic Preservation Commission - Village Clerk Sharon Kuderna**VII. Village Manager/Village Board Comments**

Trustee Ware thanked the members of the Lombard Fire Department Union for again sponsoring the bowling event raising money for various charities. This year the members decided to donate all of the proceeds from the 50/50 raffles to the family of Lombard Police Detective Michael Harris who passed away suddenly a few weeks ago. He congratulated the Fire Union members on a successful event helping so many people and for their recognition of Detective Harris with a tribute to his family. President Keith Giagnorio welcomed back Trustee Robyn Pike. He also recognized Boy Scouts in the audience working on their scouting requirements and badges.

Village Clerk Sharon Kuderna read the following announcements:

A Special Meeting of the Lombard Village Board will be held on Thursday, March 8 beginning at 4:30 p.m. relative to the Lombard Public Facilities Corporation Restructuring Support Agreement.

The State of the Village address has been posted to the Village's website.

Daylight Savings Time begins on March 11th. Remember to “spring forward” and push your clocks ahead one hour and to change your smoke detector batteries.

VIII Consent Agenda

Payroll/Accounts Payable

- A. [180095](#) **Approval of Accounts Payable**
For the period ending February 16, 2018 in the amount of \$1,103,899.99.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [180107](#) **Approval of Village Payroll**
For the period ending February 17, 2018 in the amount of \$878,537.14.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [180108](#) **Approval of Accounts Payable**
For the period ending February 23, 2018 in the amount of \$1,321,975.68.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- D. [180070](#) **Technology Drive Parking Restriction**
Recommendation from the Public Safety & Transportation Committee to approve a no parking restriction on Technology Drive in the cul-de-sac. Staff requests a waiver of first reading. (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 7475
- E. [180073](#) **Purchase of a Skid-Steer Loader with Trailer & Attachment and Approval of an Ordinance Declaring Village Equipment as Surplus Property (this matter was continued from February 15, 2018)**
Request for a waiver of bids and award of contracts to Atlas Bobcat in the amount of \$40,680.00 and West Side Tractor in the amount of \$7,300.00; and approval of an ordinance declaring Village units SM481 and SM914 as surplus property and authorizing their trade-in. 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 7476

- F. [180087](#) **Purchase of Self-Contained Breathing Apparatuses (SCBA) and Approval of an Ordinance Declaring Village Equipment as Surplus Property (this matter was continued from February 15, 2018)**
Request for a waiver of bids; award of a contract through FEMA for the purchase of forty-four self-contained breathing apparatus (SCBA) in the amount of \$349,875 with the Village's portion in the amount of \$31,806; approval of an ordinance declaring Village-owned SCBA units as surplus and authorizing their trade-in.
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7477
- G. [180097](#) **Ordinance Declaring Village Property as Surplus and Authorizing its Sale**
Ordinance declaring Village-owned property (K-9 dog Chico) as surplus and authorizing the sale of Chico to Officer Greg Sohr in the amount of \$1.00.
This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda
Enactment No: Ordinance 7478
- H. [180102](#) **Ordinance Amending Title 11, Chapter 112, Section 112.13 of the Lombard Village Code in regard to Alcoholic Beverages**
Revising the Class "O" liquor license category and issuing a new liquor license to Summit Hotel TRS 008, LLC d/b/a Hyatt Place Chicago Lombard Oak Brook located at 2340 S. Fountain Square Drive due to a hotel management change. (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 7479
- H-2. [180110](#) **Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
Decreasing the number of entries in the Class "F" liquor license category by one to reflect the closing of Westmore Liquors located at 243 S. Westmore/Meyers Road. (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 7480

Other Ordinances on First Reading

I. 180101 - Amending Title 11, Chapter 118 of the Lombard Village Code - Peddlers and Solicitors (Moved to Separate Action)

I-2. [180109](#) Solid Waste Collection and Disposal Ordinance for Annual Fee Rates

Recommendation from staff to amend the Village Code to reflect the fee rates that are adjusted each April 1st as authorized in the Solid Waste Contract.

This Ordinance was passed on first reading on the Consent Agenda

Ordinances on Second Reading

J. [180082](#) Title 11, Chapter 113, Section 113.04 - Burglar Alarms

Amending Title 11, Chapter 113, Section 113.04 of the Lombard Village Code, to clarify that those individuals who install alarm systems must comply with State law when doing so, including, but not limited to, being licensed by the State if operating as a "private alarm contractor", as such term is defined in 225 ILCS 447/5-10.

This Ordinance was passed on second reading on the Consent Agenda

Enactment No: Ordinance 7481

Resolutions

K. [180094](#) Resolution Authorizing the Village President to execute an Intergovernmental Police Service Assistance Agreement

Staff recommendation that the current FIAT IPSA with the Village be amended to include strengthened indemnification language that will protect not only FIAT but also the member agencies.

This Resolution was adopted on the Consent Agenda

Enactment No: R 13-18

L. [180100](#) Resolution Accepting the Public Improvements at 2264 S. Grace Street (Yorktown Pump Station)

The Department of Community Development transmits for your consideration a proposed resolution to accept the sanitary pump station and associated forcemain at 2264 S. Grace Street (Yorktown Pump Station). All public improvements were designed, constructed and tested in conformance with Village requirements. Per the Yorktown Commons Utility Service and Economic Development Agreement, the Bill of Sale is attached. (DISTRICT #3)

This Resolution was adopted on the Consent Agenda

Enactment No: R 14-18

Other Matters

- M.** [180065](#) **Coarse Aggregate Material**
Award of a contract to Vulcan Materials, the lowest responsible bidder of three (3) bids received, in an amount not to exceed \$44,500.00. Bid in compliance with Public Act 85-1295. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- N.** [180066](#) **Water & Sewer System Supplies Bid, Categories 2, 4, 6, and 7**
Award of a contract to Core & Main, the lowest responsible bidder of three (3) bids received, in an amount not to exceed \$35,000.00. Bid in compliance with Public Act 85-1295.
This Bid was approved on the Consent Agenda
- O.** [180083](#) **Catch Basin Cleaning Project (this matter was continued from February 15, 2018)**
Request for a waiver of bids and extension of a contract with National Power Rodding Corp., in an amount not to exceed \$59,950.00. Public Act 85-1295 does not apply. (DISTRICTS #1 & #4)
This Bid was approved on the Consent Agenda
- P.** [180105](#) **Water & Sewer System Supplies Bid, Categories 3, 5, 8, 9, and 12**
Award of a contract to Ziebell Water Service Products, the lowest responsible bidder of three (3) bids received, in an amount not to exceed \$35,000.00. Bid in compliance with Public Act 85-1295.
This Bid was approved on the Consent Agenda
- Q.** [180106](#) **Telephone Services**
Request for a waiver of bids and authorization for CallOne to provide Low Baud and POTS lines on a month-to-month basis, in an amount not to exceed \$11,000 monthly. Public Act 85-1295 does not apply.
This Bid was approved on the Consent Agenda
- R.** [170208](#) **Firebird Soccer Club 2017 Local Tourism Grant Reimbursement**
Recommendation from the Community Promotion and Tourism Committee to approve a request for a revision of the 2017 Local Tourism Grant request for reimbursement from Hotel Motel Funds from \$10,440 to \$6,631 for the 2017 Firebirds Soccer Club Tournament.
This Request was approved on the Consent Agenda

- S. [170478](#) **Proposed Amendment to Lombard Traffic Code - Speed Limit on Grace Street**
Concur with the revised recommendation of the Public Safety & Transportation Committee following review of this request at their February 5, 2018 meeting, that no change be made to reduce the speed limit from 30 mph to 25 mph on Grace Street from Madison to Maple. (DISTRICT #5)
This Request was approved on the Consent Agenda
- T. [180019](#) **Local Tourism Grant Application 2018 - DuPage County Preseason Invitational Soccer Tournament**
Recommendation from the Community Promotion and Tourism Committee to approve a grant request from the Firebirds Soccer Club in the amount of \$7,950 from Hotel Motel funds for expenses supporting the overall soccer tournament to include marketing, trainers, referees, trophies, facility use and insurance for the August 17-19, 2018 event.
This Request was approved on the Consent Agenda
- U. [180096](#) **Agreement with Teamsters Local 700**
Approval of an Agreement between the Village of Lombard and Teamsters 700 representing the Police Records Clerks, Police Front Desk Clerks, Community Service Officers and Property Clerks for the period January 1, 2018 through December 31, 2020.
This Request was approved on the Consent Agenda
- V. [180099](#) **Appointment - Police Pension Board of Trustees**
Request for concurrence in the re-appointment of Daniel Brink to the Police Pension Board of Trustees with a term to April 2019.
This Appointment was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Bill Johnston, seconded by Trustee Mike Fugiel, 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-1. [180112](#) **Budget Ordinance Amendment**
An Ordinance amending the Village's Fiscal Year 2018 Budget

Ordinance to provide for an appropriation and budgeted line item relative to the Village Effective Date Contribution of \$3,000,000 (a return of the \$3,000,000 provided to the Village by the Lombard Public Facilities Corporation (the "LPFC") from the original bond issuance by the LPFC for the Conference Center and Hotel, for Village watermain and water system improvements), as provided for in Section 3 of the Plan Term Sheet attached as Exhibit A to the Restructuring Support Agreement, relative to the Conference Center and Hotel owned by the LPFC, approved by the Village Board on July 25, 2017, subject to the Effective Date, as such term is defined in Section 2(dd) of the aforementioned Restructuring Support Agreement, occurring during the Village's 2018 Fiscal Year. (2/3rds vote of the Corporate Authorities required) (waiver of first reading is requested).

Village Manager Scott Niehaus provided a brief overview of items A-1 (Budget Ordinance Amendment) and B (Consent to Additional Released Parties and Releasing Parties Under the Lombard Public Facilities Corporation's Chapter 11 Bankruptcy Plan of Reorganization, and Consent to Certain Revisions to the Release Provisions of Said Plan of Reorganization). He noted the Village Board had approved these matters in July of 2017, but that those approvals were specific to 2017, and so the items needed to be amended reflecting the 2018 calendar year. The Chapter 11 restructuring of the Lombard Public Facilities Corporation is scheduled for March 6 and certain documents need to be passed for the restructuring to move forward. A Special Meeting of the Lombard Village Board is being called to March 8, 2018 beginning at 4:30 pm to review additional items required for the restructuring. The Village continues to be open and transparent relative to this matter.

A motion was made by Trustee Bill Ware, seconded by Trustee Reid Foltyniewicz, that the Budget Ordinance Amendment 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 7482

Other Ordinances on First Reading

A-2. [180101](#) **Amending Title 11, Chapter 118 of the Lombard Village Code - Peddlers and Solicitors**

Effective April 1, 2018 amending the following Sections of Village Code Title 11, Chapter 118:

1. Section 118.03(B) - requiring that a photo ID be taken by the Village;
2. Section 118.05 - revising the cost of the license to \$50.00;
3. Section 118.08(B) - revising the hours of soliciting or peddling; and
4. Section 118.08(C) - clarifying that the Village issued photo ID badge must be displayed on the solicitor's outer garment.

Trustee Bill Johnston requested that the proposed ordinance amendment reflect a change in the times for solicitation to 9:00 am to 6:00 pm.

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the Ordinance be passed on first reading Amending Title 11, Chapter 118 of the Lombard Village Code relative to Peddlers and Solicitors as amended to include a change in the hours to 9:00 am to 6:00 pm. The motion carried by the following vote:

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

Absent: 1 - Dan Whittington

Ordinances on Second Reading

Resolutions

- A. [180086](#) **First Amendment to an Intergovernmental Agreement Between the Village and the Lombard Park District, and the Authorization to Convey Real Property to the Lombard Park District in Relation Thereto (Two Resolutions Attached, with a Separate Vote to be Taken in Regard to Each Resolution, as the Resolution Authorizing the Conveyance (2 Below) Requires a 2/3rds Vote of the Corporate Authorities (This matter was Continued from February 15, 2018))**
1. Resolution Approving First Amendment to an Intergovernmental Agreement with the Lombard Park District Regarding Modifications to Terrace View Pond. This document amends the legal description of the West Crystal Property and no other changes are proposed.
 2. Resolution Authorizing the Conveyance of the Property Commonly Known As 115 W. Crystal to the Lombard Park District Pursuant to the Local Property Transfer Act. This document authorizes the real estate transfer of the resubdivided land noted in the IGA. (DISTRICT #1)

A motion was made by Trustee Robyn Pike, seconded by Trustee Mike Fugiel, that the Resolution Approving the First Amendment to an Intergovernmental Agreement between the Village of Lombard and the Lombard Park District regarding modifications to Terrace View Pond be adopted. 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: R 15-18, 16-18

A motion was made by Trustee Reid Foltyniewicz, seconded by Trustee Bill Johnston, that the Resolution Authorizing the Conveyance of the Property Commonly Known as 115 W. Crystal to the Lombard Park District pursuant to the Local Property Transfer Act be adopted. 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: R 15-18, 16-18

B. [180111](#)

Consent to Additional Released Parties and Releasing Parties Under the Lombard Public Facilities Corporation's Chapter 11 Bankruptcy Plan of Reorganization, and Consent to Certain Revisions to the Release Provisions of said Plan of Reorganization

A Resolution consenting to the addition of Mid-America Hotel Partners, L.L.C. and Subordinated Securities, L.L.C. to the Released Parties and Releasing Parties under the Lombard Public Facilities Corporation's Chapter 11 Bankruptcy Plan of Reorganization, and consenting to certain revisions to the Release provisions of said Plan of Reorganization.

A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, that the Resolution Consenting to the addition of Mid-American Hotel Partners, L.L.C. to the Released Parties and Releasing Parties under the Lombard Public Facilities Corporation's Chapter 11 Bankruptcy Plan of Reorganization, and consenting to certain revisions to the Release provisions of said Plan of Reorganization be adopted. 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: R 17-18

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

A motion was made by Trustee Bill Johnston, seconded by Trustee Robyn Pike, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 1, 2018 in the Board Room of the Lombard Village Hall be recessed at 7:19 p.m. for the purpose of discussion of

Information Regarding the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee or Specific Employees of the Village and Pending Litigation. The motion carried by the following vote:

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

Absent: 1 - Dan Whittington

XII. Reconvene

The recessed regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 1, 2018 in the Board Room of the Lombard Village Hall was called to order by Village President Keith Giagnorio at 7:53 p.m.

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

1 - Dan Whittington

XIII Adjournment

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A motion was made by Trustee Bill Johnston, seconded by Trustee Bill Ware, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, March 1, 2018 in the Board Room of the Lombard Village hall be adjourned at 7:54 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