



ADMINISTRATION
31 West Quincy Street, Westmont, Illinois 60559

Tel: 630-981-6210 Fax: 630-604-1250
westmont.il.gov | administration@westmont.il.gov

COMMITTEE OF THE WHOLE

June 28, 2012 Agenda

7:00 p.m.

Call to Order

Roll Call

Pledge of Allegiance

Open Forum

(1) REPORTS:

- Mayor
- Clerk
- Attorney
- Manager
- Trustee Items

(2) PUBLIC HEARING

FY 2012-13 APPROPRIATION ORDINANCE : Board to take the following actions:

- a. Conduct a public hearing on Monday, July 2, 2012 regarding Fiscal Year 2012-2013 Appropriation Ordinance.
- b. Consider approving an ordinance adopting the Fiscal Year 2012-2013 Appropriation Ordinance.

(3) ITEMS TO BE REMOVED FROM CONSENT AGENDA

(4) CONSENT AGENDA [Omnibus Vote]

(A) VILLAGE BOARD MINUTES: Minutes of the Committee of the Whole Meeting held on June 14, 2012 and the Village Board Meeting held on June 18, 2012.

(B) FINANCE ORDINANCE #5

(C) PURCHASE ORDERS

11028754	Meade Electric Company Street Light locates & repairs for 2013	\$ 60,000.00
11028835	Westmont Park District Annual Landscape Services	\$ 50,000.00
11028768	Baxter & Woodman, Inc. Fire HQ Roof/HVAC Repairs	\$ 25,700.00
11028808	Braniff Communications, Inc. Warning Siren	\$ 18,013.60
11028814	Standard Equipment Company Emergency Repair - 2004 Elgin Pelican Sweeper	\$ 7,181.75
11028810	Global Emergency Products Fire Engine Repair	\$ 6,333.09
TOTAL		\$ 167,228.44

NEW BUSINESS

(5) VARIANCE REQUEST - 823 SOUTH WILMETTE AVENUE: Board to consider an ordinance granting a Zoning Code variance request from Mark Provost to allow lot coverage greater than the 35% maximum allowed.

(6) FINAL PLAT REQUEST- GREENSCAPE HOMES: Board to consider an ordinance approving a Final Plat of Subdivision request from Greenscape Homes for Kothari Subdivision at 215 West 59th Street.

(7) MAINTENANCE BOND - GREENLEAF SUBDIVISION: Board to consider an ordinance approving a request from Steven Gregory of Gregory Property & Development Group, Inc. to decrease the Maintenance Bond for the Greenleaf Subdivision at 443 Greenleaf Court.

(8) CLASS 2 LIQUOR LICENSE - YU'S MANDARIN RESTAURANT: Board to consider an ordinance increasing the number of available Class 2 liquor licenses by one to accommodate a liquor license request from 5000 Silver, LLC., D/B/A Yu's Mandarin Restaurant, located at 665A Pasquinelli Drive, Westmont.

(9) CLASS 15 LIQUOR LICENSE RESTRICTED TO B-1 DISTRICT: Board to consider an ordinance amending Chapter 10 (Alcoholic Beverages), Article II (Retail Licenses), of the Village Code of Ordinances to restrict the issuance of a Class 15 liquor license to the B-1 business district only.

(10) UTILITY TAXES TEXT AMENDMENT: Board to consider an ordinance approving a text amendment to the Municipal Code to allow the Village Board to designate the disposition of public utility taxes in the budget.

EXECUTIVE SESSION

This Board may adjourn to closed session to discuss matters so permitted and may act upon such matters upon returning to open session.

(11) ADJOURN

REQUEST FOR BOARD ACTION

ORIGINATOR:
Finance Department
Spencer Parker

COMMITTEE OF THE WHOLE MEETING: June 28, 2012

REGULAR BOARD MEETING: July 2, 2012

TITLE/DESCRIPTION: **FY 2012-13 APPROPRIATION ORDINANCE**: Board to take the following actions:

- a. Conduct a public hearing on the Fiscal Year 2012-2013 Appropriations Ordinance.
- b. Consider an ordinance adopting the Fiscal Year 2012-2013 Appropriation Ordinance.

BACKGROUND OF SUBJECT MATTER: In accordance with state statute, the village must adopt an appropriation ordinance during the first quarter of the fiscal year. The appropriation ordinance is the legal limit of the maximum amount that can be spent if sufficient funds are available. Because of this, the appropriation should exceed the amount that will actually be received and spent.

DOCUMENTS ATTACHED:

- Public Hearing Notice
- Certificate of Estimated Revenues
- 2012-13 Appropriation Ordinance

RECOMMENDATION:

- Staff Recommends Adoption

PUBLIC NOTICE

The Village of Westmont will hold a public hearing on Monday, July 2, 2012 for the purpose of allowing written or oral comments or questions pertaining to the fiscal year 2012-13 Appropriation. The entire proposed Appropriation Ordinance is available for public inspection at the Village Clerk's Office, Village Hall 31 W. Quincy St. from 8:30 AM to 4:00 PM on weekdays. The hearing will be held at 7:00 PM in the Village Hall Board Room, 31 W. Quincy St., Westmont, Illinois 60559.

Spencer Parker
Finance Director

**CHIEF FISCAL OFFICER'S CERTIFICATE OF ESTIMATED
REVENUE FOR THE VILLAGE OF WESTMONT,
DUPAGE COUNTY, ILLINOIS**

I, Spencer Parker, do hereby certify that I am the Chief Fiscal Officer of the Village of Westmont, DuPage County, Illinois, and I estimate the revenue, by source, of said Village for the fiscal year beginning May 1, 2012 & ending April 30, 2013 to be as follows:

<u>SOURCE</u>	<u>AMOUNT</u>
Property Tax	\$5,957,170
Retail Sales Tax	\$7,989,820
Foreign Fire Insurance Tax	\$25,000
Gasoline Tax	\$435,000
Other Taxes	\$13,000
Replacement Tax	\$57,800
Utility Tax	\$2,671,990
Hotel/Motel Tax	\$552,000
State Income Tax	\$1,950,000
Licenses, Permits, & Service Charges	\$2,073,685
Sanitation Service Charges	\$810,010
Grants & Contributions	\$338,100
Fines & Forfeitures	\$380,730
Miscellaneous/Cost Recoverable Revenue	\$123,885
Investment Income	\$16,300
Sale of Fixed Assets	\$233,100
Water Sales & Services	\$6,536,450
Water Permits & Fees	\$37,100
Miscellaneous Water	\$5,000
Motor Fuel Tax Allotments	\$592,440
	\$30,798,580

Chief Fiscal Officer

ORDINANCE NO.**An Ordinance Making Appropriations for Corporate Purposes for the Fiscal Year Beginning May 1, 2012 and Ending April 30, 2013**

Be it ordained by the President and Board of Trustees of the Village of Westmont, DuPage County, Illinois as follows:

SECTION 1: That the following sums, or so much thereof as hereby may be authorized by law, and the same are hereby appropriated to pay all necessary expenses and liabilities of the Village of Westmont, DuPage County, Illinois, for the fiscal year beginning May 1, 2012; such appropriations are hereby made for the following objects and purposes:

GENERAL CORPORATE FUND	FY 2013 APPROPRIATED
General Government	
Legislation	
Wages - Part Time	44,500
Professional Services	376,000
Telephone	2,500
Liability Insurance	336,500
Misc. Supplies	2,000
Postage	1,500
Expense Allowance	3,500
Advertising	1,000
Printing	1,500
Training	3,000
Conferences	5,000
Dues & Subscriptions	101,000
Misc. Services	45,000
Health & Wellness	3,500
Grants	2,000
Contingency	1,000
Total Legislation	929,500
Clerk's Office	
Wages - Regular	85,500
Wages - Overtime	1,500
Wages - Part Time	22,000
Employee Benefit Sick Time	2,000
Health Insurance	71,000
Maint. Services Equip.	1,500
Office Supplies	2,000
Office Equipment	2,000
Printing	13,500
Recording Fees	4,500
Training	2,500
Conferences	2,000
Dues & Subscriptions	1,500
Misc. Services	1,500
Total Clerk's Office	213,000
Information Technology	
Wages - Regular	236,500
Wages - Overtime	1,500
Employee Benefit Sick Time	1,000

Health Insurance	71,000
Professional Services	96,500
Insurance	1,500
Telephone	150,000
Maint. Services Equip.	45,000
Municipal Garage	1,000
Office Supplies	2,000
Maintenance Supplies - Equipment	12,000
Misc. Supplies	7,500
Office Equipment	15,000
Other Equipment	2,000
Computer Equipment	40,000
Postage	1,500
Expense Allowance	3,000
Training	4,500
Conferences	2,000
Dues & Subscriptions	38,500
Computer Software	2,000
Computer Licensing	143,500
Total Information Technology	877,500
Economic Development	
Wages - Regular	487,000
Wages - Part-time	70,000
Employee Benefit Sick Time	2,000
Health Insurance	111,500
Professional Services	320,000
Telephone	5,000
Municipal Garage	12,000
Office Supplies	4,000
Misc. Supplies	1,500
Other Equipment	1,000
Postage	1,500
Expense Allowance	1,500
Advertising	1,500
Printing	4,000
Training	2,500
Conference	2,000
Dues & Subscriptions	3,000
Misc. Services	1,500
	200,000
Total Economic Development	1,231,500
Fire & Police Commission	
Professional Services	30,000
Misc. Supplies	1,500
Postage	1,500
Advertising	3,000
Expense Allowance	2,000
Printing	1,000
Conferences	4,000
Dues & Subscriptions	1,500
Misc. Services	1,000
Total Fire & Police Commission	45,500
Planning & Zoning Commission	
Professional Services	4,000
Misc.. Supplies	1,500

Advertising	18,000
Printing	1,500
Misc. Services	1,000
Total Planning & Zoning Comm.	26,000
Administration	
Wages - Regular	342,500
Wages - Part Time	0
Employee Benefit Sick Time	1,000
Health Insurance	61,500
Professional Services	35,000
Telephone	1,000
Equipment Rental	2,500
Maint. Services Equip.	2,500
Office Supplies	5,500
Misc. Supplies	2,000
Postage	15,000
Expense Allowance	1,000
Advertising	2,000
Printing	20,000
Training	3,000
Conferences	2,500
Dues & Subscriptions	4,000
Misc. Services	1,000
Total Administration	502,000
Transfers	
Transfers to Other Funds	466,000
Total Transfers	466,000
Finance	
Wages - Regular	322,500
Wages - Overtime	1,000
Wages - Part-time	28,500
Employee Benefit Sick Time	1,000
Health Insurance	94,000
Professional Services	124,000
Maint. Services Equip.	1,000
Office Supplies	2,000
Misc. Supplies	1,000
Postage	1,500
Expense Allowance	1,500
Advertising	4,500
Printing	2,500
Training	3,000
Conferences	5,000
Dues & Subscriptions	1,500
Misc. Services	2,000
Bank Service Charges	8,000
Total Finance	604,500
Total General Government	4,895,500

Law Enforcement	
<u>Police Administration</u>	
Wages - Regular	631,000
Wages - Overtime	3,000
Employee Benefit Sick Time	1,000
Health Insurance	140,000
NUCPS Training	24,000
Professional Services	70,000
Telephone	12,000
Insurance	2,500
Utilities	16,000
Equipment Rental	3,000
Maint. Services Equip.	37,000
Maint. Services Bldg.	46,000
Office Supplies	5,500
Maint. Supplies Bldg.	1,500
Maint. Supplies Equip.	3,000
Janitorial Supplies	5,500
Bldg. Improvements	15,000
Office Equipment	1,000
Other Equipment	20,000
Grant Expenses	150,000
Expense Allowance	3,000
Advertising	1,500
Printing	4,500
Training	42,000
Conferences	7,000
Dues & Subscriptions	28,000
Misc. Services	10,000
Dispatch Consolidation	545,000
Total Police Administration	1,828,000
<u>Police Patrol</u>	
Wages - Regular	3,479,000
Wages - Overtime	575,000
Wages - Part Time	1,000
Wages Extra Duty Work	50,000
Employee Benefit Sick Time	2,000
Health Insurance	620,000
Insurance	12,000
Maint. Services Vehicles	5,500
Municipal Garage	168,000
Uniforms	43,500
Operating Supplies	26,000
Maint. Supplies Vehicles	2,500
Misc. Supplies	1,500
Postage	1,500
DUI TEC Expenses	2,000
Grant Expenses	20,000
Total Police Patrol	5,009,500
<u>Police Investigations</u>	
Wages - Regular	939,000
Wages - Overtime	153,000
Employee Benefit Sick Time	1,000
Health Insurance	193,500
Printing and Binding	14,500
Training	2,500

Dues & Subscriptions	1,500
Title 36 & Article 15	42,500
Total Police Investigations	1,347,500
Police Communications	
Wages - Regular	
Wages - Overtime	
Wages - Part Time	
Employee Benefit Sick Time	
Health Insurance	
Dispatch Consolidation	
Total Police Communications	0
Police Pension	
Reduction of Actuarial Deficiency	2,400,000
Total Police Pension	2,400,000
Total Law Enforcement	10,585,000
Fire Control	
Fire Protection & Suppression	
2% Foreign Fire Tax Transfer	40,000
Wages - Regular	475,000
Wages - Overtime	45,000
Wages - Part Time	1,361,000
Employee Benefit Sick Time	1,000
Health Insurance	100,000
Professional Services	25,000
Telephone	25,500
Insurance	5,000
Public Utilities	10,000
Equipment Rental	1,000
Maint. Services Equip.	55,000
Maint. Services Vehicles	45,000
Maint. Services Bldg.	10,000
Municipal Garage	49,500
Uniforms	14,000
Office Supplies	4,000
Operating Supplies	2,500
Maint. Supplies Bldg.	6,000
Maint. Supplies Equip.	6,000
Maint. Supplies Vehicles	18,000
Janitorial Supplies	6,500
Misc. Supplies	5,000
Bldg. Purchase Improvements	5,000
Other Equipment	20,000
Grant Expenses	255,000
Postage	1,500
Expense Allowance	1,500
Printing	2,500
Training	10,000
Conferences	6,500
Dues & Subscriptions	14,500
Dispatch Consolidation	134,500
Contingency	1,000
Total Fire Suppression	2,762,000

	Ambulance & Paramedics	
	Wages - Regular	109,500
	Wages - Overtime	29,000
	Wages - Part Time	1,361,000
	Health Insurance	18,000
	Professional Services	1,119,000
	Telephone	2,000
	Billing Services	48,500
	Maint. Services Equip.	4,000
	Maint. Services Vehicles	3,000
	Municipal Garage	20,500
	Uniforms	1,500
	Operating Supplies	12,000
	Maint. Supplies Equip.	6,000
	Maint. Supplies Vehicles	4,000
	Misc. Supplies	4,500
	Other Equipment	1,000
	Printing	1,000
	Training	1,500
	Dues & Subscriptions	1,500
	Misc. Services	1,000
	Total Ambulance & Paramedics	2,748,500
	Emergency Management	
	Part-time Wages	10,000
	Telephone	1,000
	Equipment Rental	1,500
	Maint. Services Equip.	11,000
	Maint. Services Vehicles	1,500
	Municipal Garage	1,500
	Uniforms	2,000
	Office Supplies	1,500
	Maint. Supplies Equip.	1,500
	Maint. Supplies Other	1,500
	Misc. Supplies	1,500
	Other Equipment	7,000
	Dues & Subscriptions	1,500
	Conference & Training	2,000
	Total Emer. Medical Services	45,000
	Total Fire Control	5,555,500
	Public Works	
	Public Works Administration	
	Wages - Regular	223,500
	Wages - Overtime	1,000
	Employee Benefit Sick Time	1,000
	Health Insurance	56,500
	Professional Services	15,500
	Telephone	11,000
	Insurance	3,500
	Public Utilities	8,000
	Rental Equipment	1,000
	Maint. Services Equip.	1,000
	Municipal Garage	3,000

Uniforms	3,000
Office Supplies	2,000
Postage	1,500
Expense Allowance	1,000
Printing	1,000
Training	4,000
Conferences	3,500
Dues & Subscriptions	5,500
Misc. Services	1,000
Total Streets Administration	347,500
<u>Facilities Maintenance</u>	
Wages - Regular	308,000
Wages - Overtime	19,500
Wages - Part-time	1,000
Health Insurance	102,000
Professional Services	80,000
Telephone	4,000
Public Utilities	14,500
Equipment Rental	2,000
Maint. Services Equip.	26,500
Maint. Services Bldgs.	15,500
Municipal Garage	8,500
Uniforms	3,000
Maint. Supplies Bldg	6,500
Maint Supplies Equipment	2,500
Maint Supplies Other	9,500
Janitorial Supplies	4,500
Misc. Supplies	1,500
Bldg. Improvements	50,000
Other Equipment	3,500
Training	2,500
Dues & Subscriptions	1,500
Safety Program Expenses	2,000
Total Facilities Maint.	668,500
<u>Streets Operations</u>	
Wages - Regular	852,500
Wages - Overtime	122,500
Wages - Part Time	157,000
Wages - Part Time O/T	2,500
Employee Benefit Sick Time	1,000
Health Insurance	214,500
Professional Services	85,000
Insurance	3,500
Public Utilities	102,000
Equipment Rental	9,000
Maint. Services Equip.	104,000
Maint. Services Building	6,000
Disposal Expense	10,000
Municipal Garage	120,000
Uniforms	3,500
Operating Supplies	140,500
Maint. Supplies Building	2,000
Maint. Supplies Equip.	1,000
Maint. Supplies Vehicles	1,000
Maint. Supplies Other	95,000
Janitorial Supplies	3,000

Misc. Supplies	6,000
Land Improvements	67,500
Bldg Purch Improvements	6,500
Street Improvements	1,000
Other Equipment	35,500
Street Signs, Posts & Paint	42,500
Training	9,500
Dues & Subscriptions	2,500
Misc. Services	5,500
Total Streets Operations	2,212,000
<u>Fleet Maintenance</u>	
Wages - Regular	238,500
Wages - Overtime	2,000
Employee Benefit Sick Time	1,000
Health Insurance	65,000
Professional Services	3,000
Insurance	9,000
Maint. Services Equip.	12,000
Maint. Services Vehicles	17,000
Uniforms	1,500
Operating Supplies	475,500
Maint. Supplies Building	1,000
Maint. Supplies Equip.	23,000
Maint. Supplies Vehicles	75,000
Maint. Materials Other	1,000
Janitorial Supplies	1,500
Other Equipment	1,000
Training	4,000
Misc. Services	9,000
Total Fleet Maintenance	940,000
<u>Health & Sanitation</u>	
Professional Services	1,068,000
Total Health & Sanitation	1,068,000
Total Public Works	5,236,000
TOTAL GENERAL CORPORATE FUND	26,272,000
<u>Convention/Tourism</u>	
<u>Convention & Tourism</u>	
Wages - Regular	10,000
Professional Services	185,000
Building Improvements	60,000
Expense Allowance	2,000
Dues & Subscriptions	35,000
Contingency	3,000
Total Convention/Tourism	295,000
<u>Westmont Centre</u>	
Wages - Regular	25,000
Wages - Part Time	1,000
Overtime	35,000
Professional Services	15,000
Telephone	3,000

	Insurance	3,500
	Public Utilities	5,000
	Rental Equipment	1,500
	Maint. Services Equip.	
	Maint. Services Bldg.	4,500
	Maint. Supplies Bldg.	8,500
	Maint. Materials	2,000
	Janitorial Supplies	2,000
	Misc. Supplies	1,500
	Other Equipment	2,500
	Total Westmont Centre	110,000
	TOTAL CONVENTION/TOURISM	405,000
	<u>Downtown Parking</u>	
	Professional Services	5,000
	Land Purchases & Improvements	5,000
	TOTAL DOWNTOWN PARKING	10,000
	<u>Vehicle Replacement</u>	
	Replacements - Police	300,000
	Replacements - Fire	500,000
	Replacements - Public Works	654,500
	Replacements - Water	100,000
	Miscellaneous Services	5,000
	Fees	1,500
	Debt Principal	184,000
	Debt Interest	7,000
	TOTAL VEHICLE REPLACEMENT	1,752,000
	<u>Capital Projects</u>	
	Professional Services	200,000
	Equipment Rental	90,000
	Land Purchases & Improvements	250,000
	Bldg. Purchases & Improvements	250,000
	Street Improvements	750,000
	Other Equipment	100,000
	Stormwater Improvements	200,000
	Computer Equipment	80,000
	Debt Reduction	462,500
	Interest on Debt	98,500
	TOTAL CAPITAL PROJECTS	2,481,000
	<u>Motor Fuel Tax</u>	
	Professional Services	750,000
	Street Improvements	3,050,000
	TOTAL MOTOR FUEL TAX	3,800,000
	<u>IMRF/FICA</u>	
	Illinois Municipal Retirement Fund	1,084,500
	Social Security	871,000

TOTAL IMRF/FICA	1,955,500
Water Operations	
Wages - Regular	831,500
Wages - Overtime	160,000
Wages - Part Time	25,000
Health Insurance	215,000
Pension Contributions	225,000
Professional Services	363,000
Telephone	5,000
Insurance	300,000
Public Utilities	58,000
Equipment Rental	2,000
Maint. Services Equip.	3,000
Maint. Services Vehicles	3,000
Maint. Services Building	5,500
Disposal Expense	15,000
Municipal Garage	30,000
Data Processing	14,500
Water Purchase-DWC	3,845,500
Uniforms	5,500
Office Supplies	3,000
Operating Supplies	8,500
Maint. Supplies Bldg.	10,000
Maint. Supplies Equip.	10,000
Maint. Supplies Vehicles	7,500
Maint. Supplies Other.	97,000
Janitorial Supplies	2,000
Misc. Supplies	3,000
Water Well Improvements	5,000
Water Main Improvements	1,740,000
Land Purchase & Improvements	400,000
Bldg. Purchase & Improvements	500,000
Meter System Improvements	1,320,000
Water Plant Improvements	450,000
Automotive Equipment	100,000
Office Equipment	1,000
Other Equipment	6,000
Postage	31,000
Advertising	3,000
Printing	18,000
Training	9,000
Conferences	2,500
Dues & Subscriptions	9,000
Miscellaneous Services	1,500
Credit Card Service Fees	30,000
Debt Payment	100,000
Road/Bridge Expense	20,000
New Installation	30,000
Payment In Lieu of Taxes	400,000
Transfer to Other Funds	1,000
TOTAL WATER OPERATIONS	11,424,500

<u>Library Operations</u>		
<u>Library Operations</u>		
Wages		900,000
Employee Benefits		255,000
Staff & Board Development		30,000
Library Materials		350,000
Automation Services		100,000
Supplies		45,000
Programs & Promotional Materials		35,000
Public Communications		35,000
Building Maint.		150,000
Equipment Maint.		55,000
Utilities		20,000
Photocopier/Printer Expense		25,000
Furniture & Equipment		20,000
Professional Services		30,000
Insurance		17,000
Debt Service		112,000
Contingency		21,850
Special Reserve		500,000
Total Library Operations		2,700,850
<u>TOTAL LIBRARY OPERATIONS</u>		2,700,850
<u>TOTAL APPROPRIATIONS ALL FUNDS</u>		50,790,850
SECTION 2: That the Treasurer of the Village of Westmont shall place to the credit of the fund upon which an appropriation for the prior fiscal year has been made, all unexpended appropriations, if any, for the fiscal years preceding the current fiscal year, but which shall not include the amount required to liquidate contracts of liabilities entered into by virtue of authority of such appropriations which remain unpaid at the close of the year last preceding the current fiscal year provided that any unexpended appropriations for the preceding fiscal year which have been made from funds which by law are specific and under the direct control of officers especially appointed for their disbursement shall remain subject to the direct control of such officers and shall be disbursed in accordance with law, this ordinance notwithstanding.		
SECTION 3: That all unexpended balances of any item or items of general appropriation for corporate purposes made by this Ordinance be expended in making up any deficiency in any other item in the same general appropriation made by this Ordinance.		
SECTION 4: That any unexpended balance in any of the foregoing item or items of general appropriations may be used and applied toward the payment of any lawful corporate debt or charge of the Village of Westmont.		
SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.		
PASSED AND APPROVED this _____ day of _____, 2012.		
ATTEST:	APPROVED:	
Virginia Szynski, Village Clerk	William H. Rahn	
	(Published in Pamphlet Form)	



COMMITTEE OF THE WHOLE

June 14, 2012
MINUTES

Mayor Rahn called the meeting to order at 7:00pm

ROLL CALL

PRESENT

Mayor Rahn, Clerk Szymiski and Attorney Zemenak-Perez.

Trustees: Fleming, Emery, Klebenow, Nero, Scott and Senicka.

Staff: Searl, Weiss, Senesac, May, Malik, Mulhearn

(1) VILLAGE BOARD MINUTES: Board to consider approving the minutes of the Committee of the Whole Meeting held May 31, 2012 and the Village Board Meeting of June 4, 2012. ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

Open Forum

- **Dave Weiss, Fire Chief.** Reminded the public of the upcoming Safety Kids Camp on 7/23-24; 8/16-17.
- **Tom Mulhearn, Police Chief.** Announced the upcoming 6/21 Squad Car Night and the "Lights and Siren" Parade.

REPORTS:

- Mayor
 - Announced that the Westmont Auto Mile Veteran Cruise Presentation to Drawing Winner- Sean Kennedy, will be made on June 18, 2012.
 - Commented on the upcoming Taste of Westmont event.
 - WSEC commented on the Fresh Market event and the Taste of Westmont.
- Clerk
 - Encouraged people to go out to Cruisin Night's
 - Commented on the Progressive Village Performance Network's upcoming Westmont High School performance: "Back to the '80s".
- Attorney

- Nothing
- Manager
 - Reported that the Village has won another Intergovernmental Risk Management Agency (IRMA).
 - Reported on the selection of First Energy as Electric Aggregation supplier for both Westmont and Downers Grove
- Trustee Items
 - Trustee Scott
 - Corrected previous Board meeting comments about the number of coffee shops in downtown Westmont.
 - Trustee Senicka
 - Happy Father's Days and thanks to all of those workers, including our Public Safety personnel, who work the holiday to serve others.
 - Encouraged everyone to attend Cruisin nights.
 - Trustee Nero
 - Announced the combined Building & Zoning/Code Enforcement Committee on June 18, 2012 at 6:00pm
 - Announced that the new Village web site is now live and evolving.
 - Trustee Klebenow
 - Happy Father's Days
 - Trustee Fleming
 - Nothing
 - ~~Trustee Emery~~

UNFINISHED BUSINESS

(2) 18 WEST QUINCY, COMMUTER TRAIN STATION- DOWNTOWN

DEVELOPMENT PERMIT: Board to consider ordinances approving the following requests for the Westmont Café at the Commuter Train Station at 18 West Quincy Street: ***PETITIONER REQUESTED POSTPONEMENT OF THIS ITEM***

- a. An ordinance approving a B-1 Limited Business District development permit.
- b. An ordinance approving a License Agreement for use of space within the Commuter Train Station.

(3) 389 NORTH CASS AVENUE, COMED - VARIANCE REQUEST: Board to consider an ordinance approving an ordinance granting a Zoning Code Variance to ComEd to allow an increased fence height in an R-4 residential district. ***STAFF REQUESTED THAT THIS ITEM BE POSTPONED TO A FUTURE MEETING TO ALLOW FURTHER LEGAL RESEARCH.***

(4) CONSENT AGENDA: Board to consider an ordinance creating a Consent Agenda section of the Village Board meeting agenda. ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

NEW BUSINESS

(5) INDEPENDENCE DAY CELEBRATION SPECIAL EVENTS REQUESTS: Board to consider an ordinance approving the following requests: ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

- a. An amplified sound permit request.
- b. A special events traffic plan using various one-ways.
- c. Street closures around Ty Warner Park from 6 a.m. to 10:30 p.m. or until public has dispersed after the fireworks presentation.

(6) INDEPENDENCE DAY CELEBRATION, SPECIAL EVENT LIQUOR LICENSE FEE WAIVER REQUEST: Board to consider an ordinance waiving the special events liquor license fee for the Westmont Park District for the 2012 4th of July celebration to be held at Ty Warner Park. ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

(7) RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE: Board to consider an IDOT Resolution for the Village's 2012 MFT Resurfacing Project MFT# 12-00103-00-RS. ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

(8) ADMINISTRATIVE CHANGES TO CHAPTER 18 OF THE MUNICIPAL CODE: Board to consider an ordinance approving amendments to Municipal Code Chapter 18: Buildings and Building Regulations. ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

(9) WESTMONT PARK DISTRICT INTERGOVERNMENTAL AGREEMENT: Board to consider an ordinance approving an intergovernmental agreement with the Westmont Park District for landscaping maintenance of Village properties. ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

MISCELLANEOUS

(10) FINANCE ORDINANCE #4 ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

(11) PURCHASE ORDERS ***PLACED ON THE AGENDA FOR THE JUNE 18, 2012 REGULAR VILLAGE BOARD MEETING FOR CONSIDERATION.***

11028705	Village of Downers Grove Dispatch portions	\$ 558,925.08
11028709	Sungard Public Sector, Inc. Field Reporting Software & accessories	\$ 34,872.50
11028659	Derby Concrete, Inc.	\$ 20,600.00

	Water Dept. Storage	
11028724	Houseal Lavigne Associates Comp Plan April Expenses	\$ 17,060.54
11028720	Don Morris Architects May 2012	\$ 14,233.09
11028710	Black Box Network Services Phone System Service Contract 9/12-8/13	\$ 8,290.00
11028726	Joel Kennedy Construction Corp. Thermoplastic Pavement Marking	\$ 6,439.65
11028733	Keller-Heartt Co. Inc. Oil-Equipment/Vehicle	\$ 6,140.97
TOTAL		\$ 666,561.83

(12) ADJOURNED at 8:16pm.

Clerk's Office
Village of Westmont

MINUTES OF THE BOARD MEETING HELD Monday, June 18, 2012.

Mayor Pro Tem Fleming called the meeting to order at 7:00 PM.

WESTMONT VILLAGE BOARD MEETING ROLL CALL:

PRESENT:	Mayor Rahm	<u>A</u>	Clerk Szymiski	<u>P</u>
TRUSTEES:	Emery	<u>P</u>	Fleming	<u>P</u>
	Klebenow	<u>P</u>	Nero	<u>P</u>
	Scott	<u>P</u>	Senicka	<u>A</u>

STAFF:

Searl	<u>P</u>		
(Village Manager)			
Parker	<u>P</u>	Chief Weiss	<u>P</u>
(Finance Director)		(Fire Dept.)	
Nicoll	<u>A</u>	Chief Mulhearn	<u>P</u>
(Village Engineer)		(Police Dept.)	
Skala	<u>A</u>	Malik	<u>P</u>
(Fire Dept.)		(Acting Community Devl. Dir)	
Dep. Chief Brenza	<u>A</u>	Casey	<u>P</u>
(Police Dept.)		(H.R. Director)	
Liljeberg	<u>A</u>	Ramsey	<u>A</u>
(I.T. Manager)		(Water Dept. Supervisor)	
Daniels	<u>A</u>	Senesac	<u>P</u>
(Fire Dept.)		(Code Enforcement Officer.)	
ATTORNEY: Zemenak	<u>P</u>		
		Dep. Chief Gunther	<u>A</u>
		(Police Dept.)	
		McIntyre	<u>A</u>
		(Communication Coordinator)	
		Noriega	<u>A</u>
		(Engineering Div)	
		May	<u>A</u>
		(Public Works Director)	
		Dep. Chief Connolly	<u>A</u>
		(Fire Dept.)	

A QUORUM WAS PRESENT TO TRANSACT BUSINESS.

PRESS: Suburban Life Newspapers A Chicago Tribune A

VISITORS: None.

VOTING KEY: **A=ABSENT** **AB=ABSTAIN** **N=NO** **W=Withdrawn**
 P=PRESENT **Y=YES** **V=VACATION**

Note: *The items listed in these minutes are summaries only and are not meant to be a direct transcript of the Mayor's, Manager's, Clerk's and Trustees' comments. For actual quotes of the referenced items please refer to the Archival video copy of this meeting.*

	<u>VOTING SUMMARY</u>							
	<u>1</u>	<u>2a</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
TRUSTEE EMERY	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE FLEMING	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE KLEBENOW	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE NERO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE SCOTT	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE SENICKA	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>			
TRUSTEE EMERY	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>			
TRUSTEE FLEMING	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>			
TRUSTEE KLEBENOW	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>			
TRUSTEE NERO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>			
TRUSTEE SCOTT	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>			
TRUSTEE SENICKA	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>			

THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.

(1) MINUTES: Motion by Trustee Scott to accept the minutes of the Committee of the Whole meeting held May 31, 2012 and the Board Meeting held June 4, 2012. Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #1 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
 Nays: None.
 Absent: Senicka.
 Present: None.

REPORTS

Mayor Pro Tem Fleming

- Made the Westmont Auto Mile Cruise presentation.
- Larry Forssberg came forward talk about the dealers involved and the winner.
- Mayor Pro Tem Fleming read the certificate to Sean Kennedy.
- Sean Kennedy thanked the Westmont Auto Mile group.
- Downers Grove Township made a presentation about their senior citizens program.
- Reminded everyone about Cruisin' Nights, Thursday, 6:00 pm, and the Fresh Market held on Thursday from 4:00pm to 8:00 pm.
- Requested an Executive Session to discuss personnel

Clerk Szymiski

- Asked residents to check on their elderly neighbors during this extreme heat wave.

Attorney Zemenak

- Nothing this evening.

Manager Searl

- Reminded everyone about the Relay for Life event.
- Requested an Executive Session to discuss pending litigation.

UNFINISHED BUSINESS

(2a) CONSENT AGENDA: Motion by Trustee Emery to consider a motion for six month sunset on the Consent Agenda. Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #2a Ayes: Emery, Fleming, Nero and Scott.
 Nays: Klebenow.
 Absent: Senicka.
 Present: None.

(2) CONSENT AGENDA: Motion by Trustee Emery to consider an ordinance creating a Consent Agenda section of the Village Board meeting agenda. Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #2 Ayes: Emery, Fleming, Nero and Scott.
 Nays: Klebenow.
 Absent: Senicka.
 Present: None.

NEW BUSINESS

(3) INDEPENDENCE DAY CELEBRATION SPECIAL EVENTS REQUESTS: Motion by Trustee Emery to consider an ordinance approving the following requests:

- a. An amplified sound permit request.
- b. A special events traffic plan using various one-ways.
- c. Street closures around Ty Warner Park from 6 a.m. to 10:30 p.m. or until public has dispersed after the fireworks presentation.

Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #3 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
 Nays: None.
 Absent: Senicka.
 Present: None.

(4) INDEPENDENCE DAY CELEBRATION, SPECIAL EVENT LIQUOR LICENSE FEE WAIVER REQUEST: Motion by Trustee Emery to consider an ordinance waiving the special events liquor license fee for the Westmont Park District for the 2012 4th of July celebration to be held at Ty Warner Park. Seconded by Trustee Scott and the motion passed.

VOTE ON MOTION #4 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
 Nays: None.
 Absent: Senicka.
 Present: None.

(5) RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE: Motion by Trustee Scott to consider an IDOT Resolution for the Village's 2012 MFT Resurfacing Project MFT# 12-00103-00-RS. Seconded by Trustee Emery and the motion passed.

VOTE ON MOTION #5 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
 Nays: None.
 Absent: Senicka.
 Present: None.

(6) ADMINISTRATIVE CHANGES TO CHAPTER 18 OF THE MUNICIPAL CODE: Motion by Trustee Scott to consider an ordinance approving amendments to Municipal Code Chapter 18: Buildings and Building Regulations. Seconded by Trustee Emery and the motion passed.

VOTE ON MOTION #6 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.

(7) WESTMONT PARK DISTRICT INTERGOVERNMENTAL AGREEMENT: Motion by Trustee Scott to consider an ordinance approving an intergovernmental agreement with the Westmont Park District for landscaping maintenance of Village properties. Seconded by Trustee Emery and the motion passed.

VOTE ON MOTION #7 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.

MISCELLANEOUS

(8) FINANCE ORDINANCE #4: Clerk Szymiski read **Finance Ordinance #4**, dated June 18, 2012, in the amount of \$ 938,679.41 and Motion was made by Trustee Emery to approve said Finance Ordinance. Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #8 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.

(9) PURCHASE ORDERS

11028705	Village of Downers Grove Dispatch portions	\$ 558,925.08
11028709	Sungard Public Sector, Inc. Field Reporting Software & accessories	\$ 34,872.50
11028659	Derby Concrete, Inc. Water Dept. Storage	\$ 20,600.00
11028724	Houseal Lavigne Associates Comp Plan April Expenses.	\$ 17,060.54
11028720	Don Morris Architects May 2012	\$ 14,233.09

11028710	Black Box Network Services Phone System Service Contract 9/12-8/13	\$ 8,290.00
11028726	Joel Kennedy Construction Corp. Thermoplastic Pavement Marking	\$ 6,439.65
11028733	Keller-Heartt Co. Inc. Oil-Equipment/Vehicle	\$ 6,140.97
TOTAL		\$ 666,561.83

(9) PURCHASE ORDERS: Motion by Trustee Scott to approve Purchase Orders totaling \$666,561.83. Seconded by Trustee Emery and the motion passed.

VOTE ON MOTION #9 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.

(10) CLOSED SESSION: As requested by Mayor Pro Tem Fleming a motion was made by Trustee Scott to move into Executive Session at 7:47 PM to discuss personnel and pending litigation. Seconded by Trustee Emery and the motion passed.

VOTE ON MOTION #10 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.

(11) RECONVENE REGULAR BOARD MEETING: Motion by Trustee Scott to move out of Executive Session and reconvene the regular Board meeting at 8:20 PM. Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #11 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.

(12) ADJOURNMENT: Motion by Trustee Scott to adjourn the meeting. Seconded by Trustee Nero and the motion passed.

VOTE ON MOTION #12 Ayes: Emery, Fleming, Klebenow, Nero and Scott.
Nays: None.
Absent: Senicka.
Present: None.



Village Clerk's Office

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6220 Fax: 630-829-4441

MEETING ADJOURNED AT 8:21 PM

ATTEST:

APPROVED:

Virginia Szynski, Village Clerk

William H. Rahn, Mayor

Dated this 3rd day of July 2012.



PURCHASE ORDER

Village of Westmont
Phone (630) 981-6200

PO #: 11028808
VENDOR #: B17410

June 14, 2012

BRANIFF COMMUNICATIONS INC
4741 W 136TH ST
CRESTWOOD IL 60445

SHIP TO/BILL TO:
WESTMONT FIRE DEPARTMENT
6015 S CASS AV
WESTMONT IL 60559
ATTN: LORI BRADY

QTY	DESCRIPTION	UNIT COST	TOTAL COST	BUDGET #
1	RI) FEDERAL SIGNAL AC/DC; 2001-130 SERIES WARNING SIREN; QUOTE #FWS-20-051512B.1; \$12,113.60 INSTALLATION OF SIREN; UPGRADE OF EXISTING ELECTRICAL CIRCUIT FOR 240 VAC - 20 AMP; QUOTE # BCI-IS053012A.1; \$4,140.00 REPLACE 55' CLASS 2 TREATED POLE FOR NEW WARNING SIREN; QUOTE #BCI-IS053012A.1; \$1,760	15,000.0000	\$15,000.00	01-52220-80-8012
1	VILLAGE SHARE OF TOTAL COST OF PROJECT (\$18,013.60 LESS \$15,000 DCOE STATE OF ILL GRANT)	3,013.6000	\$3,013.60	01-52610-70-7068
		TOTAL	\$18,013.60	

Department Head: _____
Requested
By:

DAVE WEISS

Village Manager: _____
Approved
By:

Finance Officer

Date: 6-15-12

All vendors must comply with applicable regulations of the Illinois Department of Human Rights.
This order is exempt from Federal Excise Tax under the title 25 USCA, and from Illinois Sales, Use
and Service Taxes, No. E9997-4320-04.
Acceptance of this Purchase Order constitutes agreement by vendor that venue shall be proper only
in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois.

All vendors must comply with applicable regulations of the Illinois Department of Human Rights. This order is exempt from Federal Excise Tax under the title 25 USCA ; and from Illinois Sales, Use and Service Taxes. No: E9997-4320-04.

Acceptance of this Purchase Order constitutes agreement by vendor that venue shall be proper only in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois.

Acceptance of this Purchase Order constitutes agreement by vendor that venue shall be proper only in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois.

REQUEST FOR BOARD ACTION

ORIGINATOR: COMMITTEE OF THE WHOLE MEETING: June 28, 2012

Comm Dev **REGULAR BOARD MEETING:** July 2, 2012

TITLE/DESCRIPTION: VARIANCE REQUEST, 823 SOUTH WILMETTE AVENUE:

Board to consider an ordinance granting a Zoning Code Variance request from Mark Provost to allow lot coverage greater than the 35% maximum allowed.

BACKGROUND OF SUBJECT MATTER: The petitioner requests approval of a variance to allow construction of two rear yard patios which will exceed the maximum lot coverage allowed in an R3 zoning district.

DOCUMENTS ATTACHED:

1. Staff report from the June 13, 2012 Planning and Zoning Commission meeting
2. Findings of Fact from the June 13, 2012 Planning and Zoning Commission meeting
3. Draft minutes excerpt from the June 13, 2012 Planning and Zoning Commission meeting *will be provided upon receipt.*

RECOMMENDATION: The Planning and Zoning Commission recommended *unanimous approval* of the Zoning Code Variance Request to allow the lot coverage maximum to be exceeded.

- The Commission clarified the applicant's proposed plans, and asked about future plans for the driveway and the rear yard. The applicant explained that he was keeping the amount of lot disturbance to under 5,000 square feet, so as not to trigger a DuPage County stormwater permit requirement. In the next year, he would like to reconstruct the smaller driveway with pervious pavers, and remove gravel that is currently in the rear yard. This would not impact his variation request, because the lot coverage would either be maintained at the same amount or reduced.
- The Commission asked if drainage had been a problem in the past, while commending the applicant for making improvements to the drainage pattern and reducing impervious surface. The applicant responded that his lot had not had drainage problems, however it may have created problems for the neighbors, which is why he had asked his landscaper to improve the rear drainage patterns by working with Village engineering staff.
- The Commission asked if the seating wall around the rear patio would negatively impact drainage, and the applicant responded that it was designed to allow water to flow through.

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF JUNE 13, 2012

P/Z 12-021- Mark Provost regarding 823 S. Wilmette Ave., Westmont

Request for a variance to allow lot coverage greater than 35%.

CRITERIA NO. 1: The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.

FINDINGS OF FACT: The purpose of this variance is to allow the construction of a patio which would make a portion of the backyard accessible to the owner's son who suffers from a disability. The backyard is currently inaccessible to him due to its slope. The Applicant is mitigating any adverse impact by removing existing impervious surfaces.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: The Applicant is removing various existing impervious surfaces upon the property so as to reduce the overall lot coverage from approximately 46% to approximately 43%. This removal should improve storm water drainage upon the property. The Applicant faces a unique hardship due to his son's disability.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

FINDINGS OF FACT: The proposed patio constitutes a typical backyard amenity and will not alter the character of the neighborhood. The overall reduction in the property's lot coverage will improve storm water drainage to the benefit of the neighborhood.

6 The Planning and Zoning Commission agrees with the above findings.

Ø The Planning and Zoning Commission does not agree with the above findings.



VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
AGENDA ITEM

P/Z 12-021

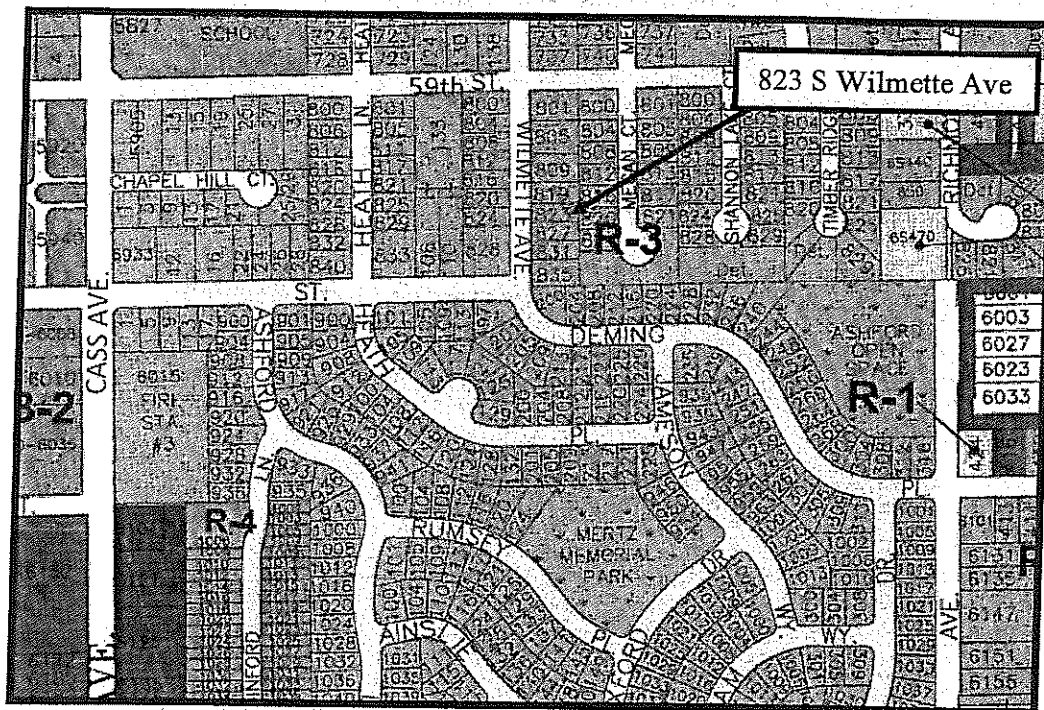
MEETING DATE: June 13, 2012

TITLE: Mark Provost regarding the property located at 823 South Wilmette Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to permit lot coverage greater than the 35% maximum allowed in the R-3 Single Family Detached Residence District for the purpose of constructing rear yard patios.

BACKGROUND OF ITEM

The subject parcel is located on the east side of Wilmette Avenue, south of 59th Street. It is lot 12 in Fitzpatrick Subdivision which was recorded September 28, 1992.



The applicant is requesting to construct two circular patio areas in the rear yard that will be accessible from the home. The applicant originally purchased this home so his son, who has a brain injury, could fully utilize the house, which was designed to be accessible for persons with disabilities, and includes an elevator and ramps. As built lot coverage is approximately 46%, and the home appears to have been built prior to lot coverage requirements. It exceeds the 35% currently allowed by Code, and it also exceeds the

40% administrative waiver provision. There is no evidence of a previous lot coverage variance having been granted for this property, and it is located within the Ashford Subdivision drainage area.

ZONING ANALYSIS

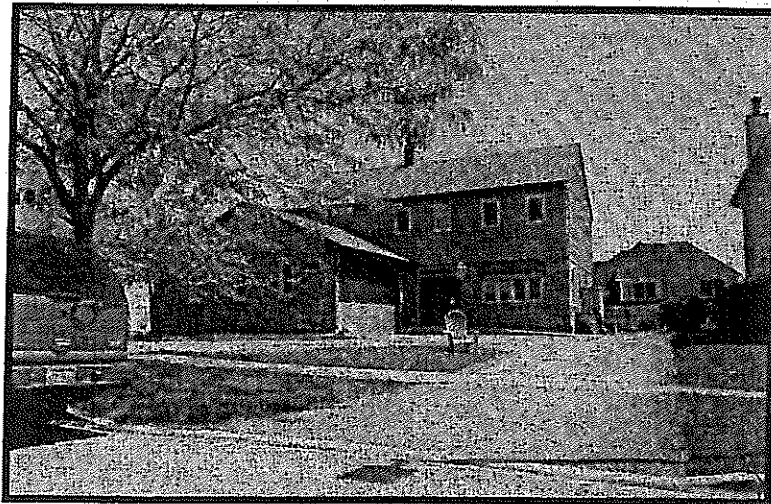
The subject property is zoned R-3 Single Family Detached Residence District. The surrounding properties are similarly zoned. This lot measures 60' x 149' for a total area of 8,938 square feet. A lot of this size is entitled to 3,128 square feet of impermeable surface coverage based on the 35% maximum requirement. Currently, lot coverage is estimated at 46% or 4,147 square feet.

The house was built prior to lot coverage requirements, which were implemented at 40% in 1998, and reduced to 35% in November of 2011. The property was non-conforming with the original text amendment, and this non-conformity became more severe with the recent Code change in 2011.

The applicant proposes two circular patios leading from the rear of the house that total approximately 616 square feet and would incorporate pavers and a seat wall. The 84 square foot concrete patio leading from the house is proposed to remain in its existing condition.

Figure 1: Lot Coverage Analysis

Zoning District	Lot square footage	Maximum lot coverage (35%)	As-built lot coverage	Proposed lot coverage
R-3	8,938 sq. ft.	3,128 s.f.	4,147 s.f. (≈46%)	3,887 s.f. (≈43%)



823 South Wilmette, Front Yard

Staff and the applicant discussed how to mitigate the non-conformity, and the applicant worked with his landscape designer to reduce the total amount of impermeable surface coverage by removing a sidewalk in the side yard, a shed in the rear yard, and a portion

of the front driveway. The combined removal of those areas would reduce impervious surface overall on the lot from approximately 46% to 43% or 3,887 square feet.

Currently the driveway is adjacent to the property line, which is not permitted by code (3' separation from the property line is required for driveways) but is considered existing non-conforming. In the future, the driveway would be separated 3' from the south property line to reduce the need for an additional variation.

While the variance request is for 43% and exceeds 40% (the amount that staff is allowed to administratively approve if the lot is not in a drainage study area), the impervious surface on the lot is proposed to decrease 3% from the existing 46%.

The petitioners have been informed of recent actions taken by the Village in response to the drainage study undertaken by Christopher Burke Engineering and the Village Board's desire to hold the line at 35-40% lot coverage in single family residential districts.

The petitioners have indicated that there is a grade change in the rear yard which renders portions of their yard difficult to utilize for their son, and thus, they hired a landscape designer to work with the lot configuration to make the new patio areas accessible, and proceeded with the variance request.

Engineering Review

Planning Engineer Nicoll's comments are attached for your review. Revisions will be coordinated through the permit submittal.

Engineering comments note that if more than 5,000 square feet of disturbance take place on the lot, than an additional stormwater permit would be needed, which would require a topographic survey. The applicant has decided to regrade less of the rear yard and to postpone improving the driveway to reduce the need for this requirement.

The runoff in the rear yard will be reviewed by staff to ensure it does not adversely impact surrounding property owners and that the new improvements do not block drainage channels.

SUMMARY

The petitioner seeks approval of a Zoning Code Variance to exceed the allowable lot coverage in the R-3 Single-Family Detached Residence District in order to construct a rear yard patio area. The proposal appears to meet all other bulk regulations of the district with the exception of this request for variance for proposed lot coverage of approximately 43% where the code allows 35%.

DOCUMENTS ATTACHED

1. Engineering Reviews from Planning Engineer Nicoll, dated May 24, 2012 and June 7, 2012.
2. Agenda and publication notice as published in the May 30, 2012 edition of the Westmont Progress.
3. Application for variance dated May 14, 2012.
4. Proposed site plan, prepared by Nilco, dated April 19, 2012.
5. Existing conditions, denoting impervious areas to be removed, shown on Plat of Survey, prepared by McBride Engineering, Inc., dated August 2, 2011.
6. Plat of Survey, prepared by McBride Engineering, Inc., dated August 2, 2011.

MEMORANDUM



*The
Progressive
Village*

DATE: May 24, 2012

TO: Jill Ziegler, Village Planner

Community Development
Department

FROM: Kim Nicoll, Planning Engineer

SUBJ: 823 S Wilmette Avenue - Engineering Opinion #1

No floodplain or wetlands are shown for this lot on the appropriate maps. This project is located within the Ashford Subdivision drainage area which recommends a 0.07 cfs/acre release rate from the 2010 Westmont Stormwater Master Plan. Administrative lot coverage variances cannot be made for properties located within Drainage Study Areas.

The applicant is proposing to remove the existing asphalt driveway and to replace with a permeable paver driveway. Pervious paver systems can provide temporary stormwater storage and water quality improvement under light to moderate runoff conditions. DuPage County Best Management Practices Manual Practice Standard 3.2.2.4 Permeable Pavers is attached for the applicants use.

The applicant must address the following comments regarding the submitted plans:

1. The Village of Westmont is a partial waiver community. Under current County Ordinances more than 5000 sf of disturbance requires a stormwater permit. Disturbance includes any changes of materials (asphalt to grass, asphalt to permeable pavers, concrete to grass, grass to pavers, etc.) or changes of grade of more than 3 inches (re-grading of the property). Show the limits of disturbance. Show calculations for the limits of disturbance. If more than 5000 sf of disturbance is proposed a stormwater permit will be required.
2. Note that "The rear yard swale is to be re-established per the attached Record Drawings from Fitzpatrick Subdivision."
3. Note that "The surface water runoff from the neighboring property to the north will not be blocked by the construction of the patios and grading on the property. Surface water runoff should be directed around the proposed patio to the re-established rear yard swale and/or should sheet flow over the proposed patio."
4. Show the direction of the flow of the surface water runoff with arrows on the submitted drawings.
5. Note the height of the proposed retaining wall. Please be aware that any retaining wall over 30 inches in height requires a permit.

MEMORANDUM



*The
Progressive
Village*

DATE: June 7, 2012

TO: Jill Ziegler, Village Planner

FROM: Kim Nicoll, Planning Engineer

SUBJ: 823 S Wilmette Avenue - Engineering Opinion #2

Community Development
Department

No floodplain or wetlands are shown for this lot on the appropriate maps. This project is located within the Ashford Subdivision drainage area which recommends a 0.07 cfs/acre release rate from the 2010 Westmont Stormwater Master Plan. Administrative lot coverage variances cannot be made for properties located within Drainage Study Areas.

The applicant has addressed all previous engineering comments regarding the submitted plans.

LEGAL NOTICE / PUBLIC NOTICE

VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, June 13, 2012 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.

The purpose of the hearing is to consider a request from Mark Provost regarding the property located at 823 South Wilmette Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to permit lot coverage greater than the 35% maximum allowed in the R-3 Single Family Detached Residence District for the purpose of constructing rear yard patios and a driveway.

Legal Description:

LOT 12 IN FITZPATRICK SUBDIVISION, BEING A RESUBDIVISION OF THE EAST HALF OF LOT 18 AND THE SOUTH 265 FEET OF THE WEST HALF OF LOT 19 IN BRANIGAR BROS. 55TH STREET FARMS, A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID FITZPATRICK SUBDIVISION RECORDED SEPTEMBER 28, 1992 AS DOCUMENT R92-182613, DUPAGE COUNTY, ILLINOIS.

P.I.N. 09-15-301-040

More Common Location: 823 South Wilmette Avenue, Westmont, IL 60559

Village Code(s) Applicable: Appendix "A", Section 6.04 (D)
Appendix "A", Section 13.07

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact Mr. R. R. Searl ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6200 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.

All interested persons in attendance will be allowed to express their views.

WESTMONT PLANNING AND ZONING COMMISSION
Ed Richard Chairperson

May 30, 2012

Suburban Life Publications 8921 WSM

10-042014

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL
DUPAGE COUNTY, WHEATON, ILLINOIS

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION SUCCESSOR TO
HOME FINANCE LLC, PLAINTIFF,

-vs-
OKSANA PECZULIS; ANTONI PECZULIS; VILLAGE OF WESTMONT, INCORPORATION; ING BANK, FSB S/M TO NETBANK; DEFENDANTS.

NOTICE OF SHERIFF'S SALE

Public Notice is hereby given that pursuant to a Judgment entered in the Circuit Court of the 18th Judicial District, DuPage County, Illinois, dated 05/23/2012:

John E. Zaruba, Sheriff, 501 N. County Farm Rd., Wheaton, IL 60187, DuPage County Sheriff's Office, sell to the highest bidder for cash (less the balance within twenty-four (24) hours), the following described property in Illinois:

Said sale shall be subject to general taxes, special assessments or other liens and any prior liens or 1st Mortgages. The subject property is offered as to quality or quantity of title or recourse to Plaintiff.

Upon the sale being held and the purchaser tendering said bid in cash, a Certificate of Sale as required, which will entitle the purchaser to the property of said sale by the Court. Said property is legally described as follows:

LOT 2 IN BLOCK 5 IN BARBARA DUDEK'S RESUBDIVISION BEING 30, INCLUSIVE, 33 TO 37, INCLUSIVE, AND THE SOUTH 280.73 FEET OF BLOCK 3 OF ARTHUR T MCINTOSH'S FAIRMOUNT PARK SUBDIVISION OF REITMAYER'S RESUBDIVISION, ALL BEING A PART OF THE WEST HALF OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BARBARA DUDEK'S RESUBDIVISION RECORDED SEPTEMBER 28, 1992 AS DOCUMENT 251754, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 205 South Cass Avenue, Westmont, IL 60559

Permanent Index No.: 09-10-310-002

Improvements: Residential

Structure UNKNOWN, Units UNKNOWN, Bedrooms UNKNOWN, Garage UNKNOWN, Bathrooms UNKNOWN, Other UNKNOWN

The property will NOT be open for inspection prior to the sale. The judgment prospective purchasers are admonished to check the court file and title records. Christopher A. Cieniewski, Fisher and Shapiro, LLC, Attorneys for Plaintiff, 2121 Waukegan Road, Suite 301, Bannockburn, IL 60015. Attorney No. 00111111.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION CONTAINED HEREIN IS FOR CREDIT PURPOSES ONLY. IF YOU HAVE BEEN EXTINGUISHED BY A DISCHARGE IN BANKRUPTCY OR BY A COURT ORDER, THIS NOTICE IS PROVIDED SOLELY TO REMAINING ON YOUR PROPERTY AND IS NOT AN ATTEMPT TO OBTAIN A PERSONAL OBLIGATION. 1436494

May 23, 30, 2012 June 6, 2012

Suburban Life Publications 8673 WSM

LEGAL NOTICE / PUBLIC NOTICE
VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, June 13, 2012 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559

The purpose of the hearing is to consider a request from Thomas J. McCabe of Spaceco, Inc. with Mercedes Benz of Westmont, regarding the property located at 200 East Ogden Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to reduce the required setbacks for a landlocked lot to approximately 6' in the B-2 General Business District for the purpose of constructing a parking lot addition.
(B) Site and landscaping plan approval.

Legal Description:

LOT 1 IN FORREST SUBDIVISION, BEING A RESUBDIVISION OF THAT PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 30, 2008 AS DOCUMENT NO. R2008-015855 IN DUPAGE COUNTY, ILLINOIS

LOT 2 IN OAKWOOD WELL SITE SUBDIVISION, BEING A RESUBDIVISION OF THAT PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 4, 2002 AS DOCUMENT NO. R2002-228445 IN DUPAGE COUNTY, ILLINOIS.

PIN's: 09-31-105-049 and 09-03-105-048

More Common Location: 200 East Ogden Avenue, Westmont, IL 60559

Village Code(s) Applicable: Appendix "A", Article 7.05
Appendix "A", Section 7.02(E)
Appendix "A", Section 13.07

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact Mr. R. R. Searl ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6200 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.

LEGAL NOTICE / PUBLIC NOTICE
VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, June 13, 2012 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559

The purpose of the hearing is to consider a request from Don T. Westmont regarding the property at 500 East Ogden Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to permit parking in the required parking spaces.

Legal Description:**PARCEL 1:**

LOT 18 (EXCEPT THE WEST 288.82 FEET AND THE NORTH 37.44 FEET OF THE EAST 45.00 FEET AND THE WEST 243.82 FEET) SITUATED IN OAKWOOD IN TWO, A SUBDIVISION IN THE NORTH 1/2 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1972 AS DOCUMENT R72-26017, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

LOT 1 IN THE RESUBDIVISION OF LOT 17 IN OAKWOOD IN TWO, A SUBDIVISION OF PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1977 AS DOCUMENT R77-1001, IN DUPAGE COUNTY, ILLINOIS.

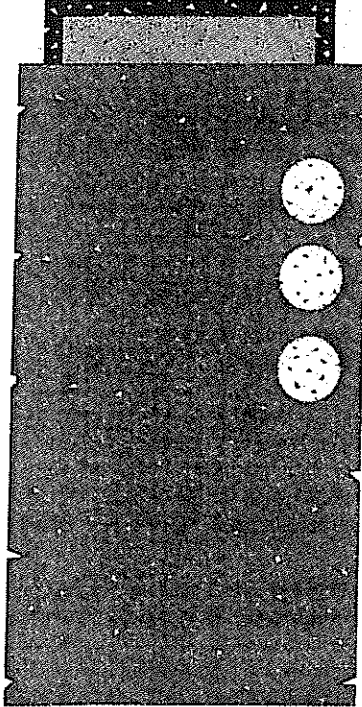
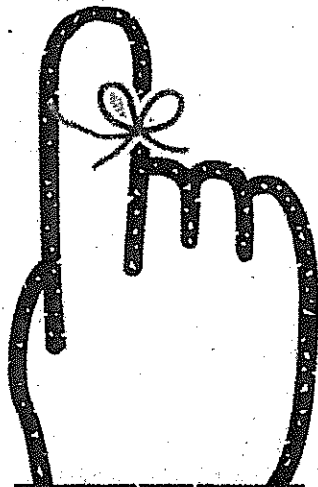
P.I.N. 09-03-207-023

More Common Location: 500 East Ogden Avenue, Westmont, IL 60559

Village Code(s) Applicable: Appendix "A", Section 4.05(E)(20)
Appendix "A", Section 13.07

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact Mr. R. R. Searl ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6200 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.

DON'T FORGET



Urban Life

68-1133

urbanlife.com



3	5	9	4	6	1	8	7	2
8	1	7	5	3	2	6	4	9
2	4	6	7	8	9	1	3	5
4	3	1	8	5	6	2	9	7
5	6	8	9	2	7	3	1	4
7	9	2	1	4	3	5	6	8
6	8	3	2	9	4	7	5	1
9	7	5	3	1	8	4	2	6
1	2	4	6	7	5	9	8	3

GHNS #1289

880 Legal Notices

880 Legal Notices

LEGAL NOTICE / PUBLIC NOTICE PUBLIC NOTICE OF DETERMINATION OF PREVAILING RATE OF WAGES

The Board of Trustees of the Village of Westmont has, by Ordinance No. 12-89, determined the prevailing rate of wages to be paid on all public works projects as required by the Prevailing Wage Act of the State of Illinois.

The determination is effective as of May 21, 2012, and is available for public inspection in the Office of the Village Clerk, 31 West Quincy Street, Westmont, Illinois.

May 30, 2012
Suburban Life Publications 8839 WSM

LEGAL NOTICE / PUBLIC NOTICE VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION AGENDA

The Village of Westmont Planning and Zoning Commission will hold its regular meeting on Wednesday, June 13, 2012 at 7:00 P.M., at the Westmont Village Hall, 31 West Quincy Street, Westmont, Illinois 60559.

- (1) Call to Order
- (2) Roll Call
- (3) Pledge of Allegiance
- (4) Swearing-in of testifying attendees and reminder to sign in
- (5) Reminder to silence all electronic devices
- (6) Approval of Minutes of the April 11, 2012 and May 9, 2012 meetings
- (7) Open Hearing

New Business

PZ 12-016 Joseph Evan, representing Deema Yazeji regarding the property located at 224 Willard Place, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to allow the construction of an addition on a lot of substandard width in the R-3 Single Family Detached Residence District.
- (B) Zoning Code Variance Request to allow an addition on a lot of substandard area in the R-3 Single Family Detached Residence District.

PZ 12-021 Mark Provost regarding the property located at 823 South Wilmette Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to permit lot coverage greater than the 35% maximum allowed in the R-3 Single Family Detached Residence District for the purpose of constructing rear yard patios and a driveway.

PZ 12-022 Joe Fitzpatrick of VanBruggen Signs with Fifth Third Bank, regarding the property located at 640 Pasquinelli Drive, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to increase the number of allowable signs.

PZ 12-023 Don DeLeonardis of McGrath Lexus Westmont regarding the property at 500 East Ogden Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to permit parking in the required front yard setback.

PZ 12-024 Thomas McCabe of Spaceco, Inc. with Mercedes Benz of Westmont, regarding the property located at 200 East Ogden Avenue, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to reduce the required setbacks for a landlocked lot to approximately 6' in the B-2 General Business District for the purpose of constructing a parking lot addition.

- (B) Site and landscaping plan approval.

- (B) Adjourn

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact Mr. R. R. Searl ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6200 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.

All interested persons in attendance will be allowed to express their views.

WESTMONT PLANNING AND ZONING COMMISSION
Ed Richard Chairperson

May 30, 2012
Suburban Life Publications 8925 WSM



VILLAGE OF WESTMONT
ECONOMIC DEVELOPMENT DEPARTMENT
630-981-6264

Office Use Only

Applicant #: _____
Submission Date: 5-14-12
Title: Provost lot
area variation

APPLICATION FOR:

- ☐ Annexation/Pre-Annexation Hearing
☐ Appeal from Decision of Zoning Official
☐ Map Amendment
☐ Planned Development
☐ Right-of-Way Dedication
☐ Site/Landscaping Plan
☐ Special-Use Permit
☐ Subdivision/Consolidation/Lot Split (Preliminary)
☒ Text Amendment
☒ Variation from Zoning Requirement/Land Development Code

PAID

MAY 14 2012

Kip

DESCRIPTION OF SITE:

Common Description (Street Address): 823 S Wilmette Ave

PIN Number: 09-15-30-040 Current Zoning and Land Use: _____

Existing Structures: House, Front Driveway sidewalk, back patio large shed

Significant natural amenities (slope, vegetation, water bodies, rock outcroppings, floodplain,

and other development restrictions): Sloped backyard

CHARACTER OF SURROUNDING AREA (zoning/jurisdiction and land use):

North: Single Family House East: Single Family House

South: Single Family House West: Single family house

PETITIONER INFORMATION:

Petitioner: Mark Provost guardian & trustee of the Provost Trust

Corporation: _____

Street Address: [REDACTED]

City: [REDACTED]

State and Zip Code: [REDACTED]

Daytime Telephone Number: [REDACTED]

REDACTED
BY LAW

Fax Number: _____

Email Address: _____

Relationship of Petitioner to Property: _____

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN PETITIONER):

**REDACTED
BY LAW**

Names (list all beneficiaries of Trust): _____

Corporation: _____

Street Address: _____

City: _____

State and Zip Code: _____

Daytime Telephone Number: _____

Fax Number: _____

Email Address: _____

PROJECT STAFF (if applicable):

Developer: _____

Telephone Number: _____ Email: _____

Attorney: _____

Telephone Number: _____ Email: _____

Land Planner: _____

Telephone Number: _____ Email: _____

Engineer: _____

Telephone Number: _____ Email: _____

Architect: _____

Telephone Number: _____ Email: _____

Landscape Architect: *Nileo Twe* _____

Telephone Number: _____ Email: _____

**REDACTED
BY LAW**

Each Applicant is solely responsible for compliance with the provisions of the Village of Westmont Zoning Ordinance, Land Development Ordinance, and other ordinances, as well as the provisions, laws, and regulations of any other entity having jurisdiction over any facet of matters coming before the Planning and Zoning Commission and Village Board. **Should this be an application for a parking variance in the B-1 Limited Business District, the applicant acknowledges that Ordinance No. 10-67 requires the payment of a cash-in lieu fee for waived parking spaces.**

The undersigned request(s) approval of this petition and further certify(ies) on oath that the information contained herein and in all documents submitted in support hereof, is true and correct to the best of my/our knowledge and belief. By signing below, the applicant and/or property owner grant express permission to Village of Westmont staff and officials to inspect the premises as necessary in relation to this application.

PETITIONER SIGNATURE:

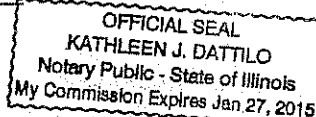
Type or print name: MARK PROVOST

Signature: [Signature]

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 12th DAY OF May, 20 12

[Signature]
Notary Public



OWNER SIGNATURE:

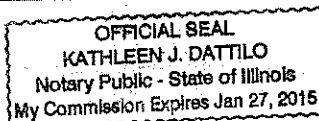
Type or print name: Stephan J Provost Trust

Signature: [Signature] (Guardian of Trustee)

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 11th DAY OF May, 20 12

[Signature]
Notary Public



Office Use Only

Provisions of zoning or land development ordinances which apply: _____

Mark Provost
Stephan P. Provost Trust
823 S Wilmette Ave
Westmont IL 60559
May 11, 2012

Shannon Malik AICP
Community Development Director
Village of Westmont
31 West Quincy Street
Westmont IL 60559

Dear Shannon:

I am writing to ask for support in obtaining a variance from the Zoning Requirement/Land Development code for the property at 823 S. Wilmette Ave, (09-15-301-040).

We purchased the property in Aug 2011 for our son, Stephan Provost who suffered a Traumatic Brain Injury in Jan 2008. The property was originally built in 1993 to be handicap accessible, with ramps, 42 inch doors and a working elevator. As our son has continued to recover, he has progressed from using a wheelchair to a cane and a service dog. He is now able to spend time outside and we wish to develop the back yard to allow him to enjoy time with his son. The first step is the addition of the paver patio.

The back yard currently has a slope from a small concrete area to the back lot line. We have engaged a landscape firm to develop plans to provide a safer patio area. As part of the discussion I had with the Village Planner, we found that the property currently sits with about 45% covered with non-permeable structures, about equally split between the house at 22% and the asphalt driveway, concrete walks, back patio and detached shed at 23%. We would like to remove a portion of asphalt drive, the existing concreted area and side concrete walk with a single structure of mostly pavers. The result is a small drop in the percentage of covered space, to about 43%. Though the pavers are currently consider the same as the concrete and asphalt they would allow for better water flow.

The existing yard has long existing berms, which prevent the originally designed water flow to the retention area at the end of the block, the planned paver patio and removal of the berms and rebuilding of the original swell will allow water to flow properly across the property while providing a flat surface that will be a safer environment for Stephan.

We feel that the design of both the front and back yard will improve the look of the property, increase the safety for our son, and offer better drainage for rainwater.

Without the changes to the back yard, our son cannot safely navigate the majority of the area. We hope that you will recommend the variance and I will be available to answer any questions you may have.

Thank you for your support.

Sincerely,



Mark Provost
Guardian (Stephan P. Provost Trust)

Addendum A

FINDINGS OF FACT:

A. That the petitioner testifies that he seeks the variation for the following:

1. The unique circumstances of the owners; the owner suffers a permanent disability, a Traumatic Brain Injury, which affects his ability to safely navigate the backyard in its current form.
2. The Variation, if granted, will not alter the essential character of the locality, in fact the new drive would be more in line with the character of the neighborhood.
3. The Particular physical surroundings, the topographical feature of the current back yard result in a particular hardship as the owner is currently unable to safely navigate the property.
4. The granting of the variation will not be detrimental to the public welfare, nor will it be injurious to the neighborhood, in fact the plan improves the rainwater runoff flows.
5. The purpose of the variation is not based on a desire to make more money out of the property, but a desire to give the owner the ability to safely navigate his back yard and reduce the fall potential of the current driveway.
6. The Property in question cannot yield a reasonable return to the owner, in as much as he is not able to safely utilize much of the back yard.

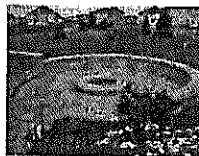
The Provost Residence:
Mark Provost (Guardian)
11 May 2012

Proposed site plan

RECEIVED

JUN 06 2012

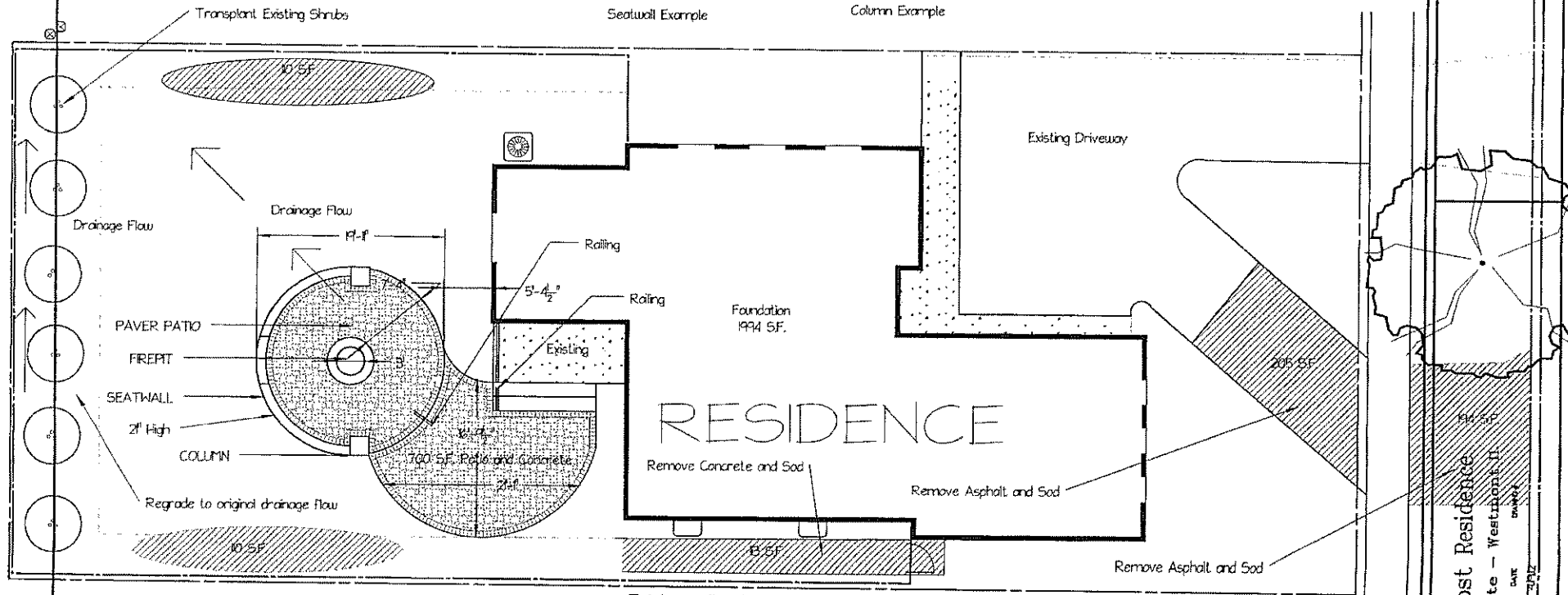
COMMUNITY DEVELOPMENT
DEPARTMENT
VILLAGE OF WESTMONT, ILLINOIS



Seatwall Example



Column Example



Total area disturbed less than 2,600SF
912SF of Asphalt and Concrete replaced with 700SF of primarily patio pavers,
North and South side berms removed and regraded
West Side Swell restored

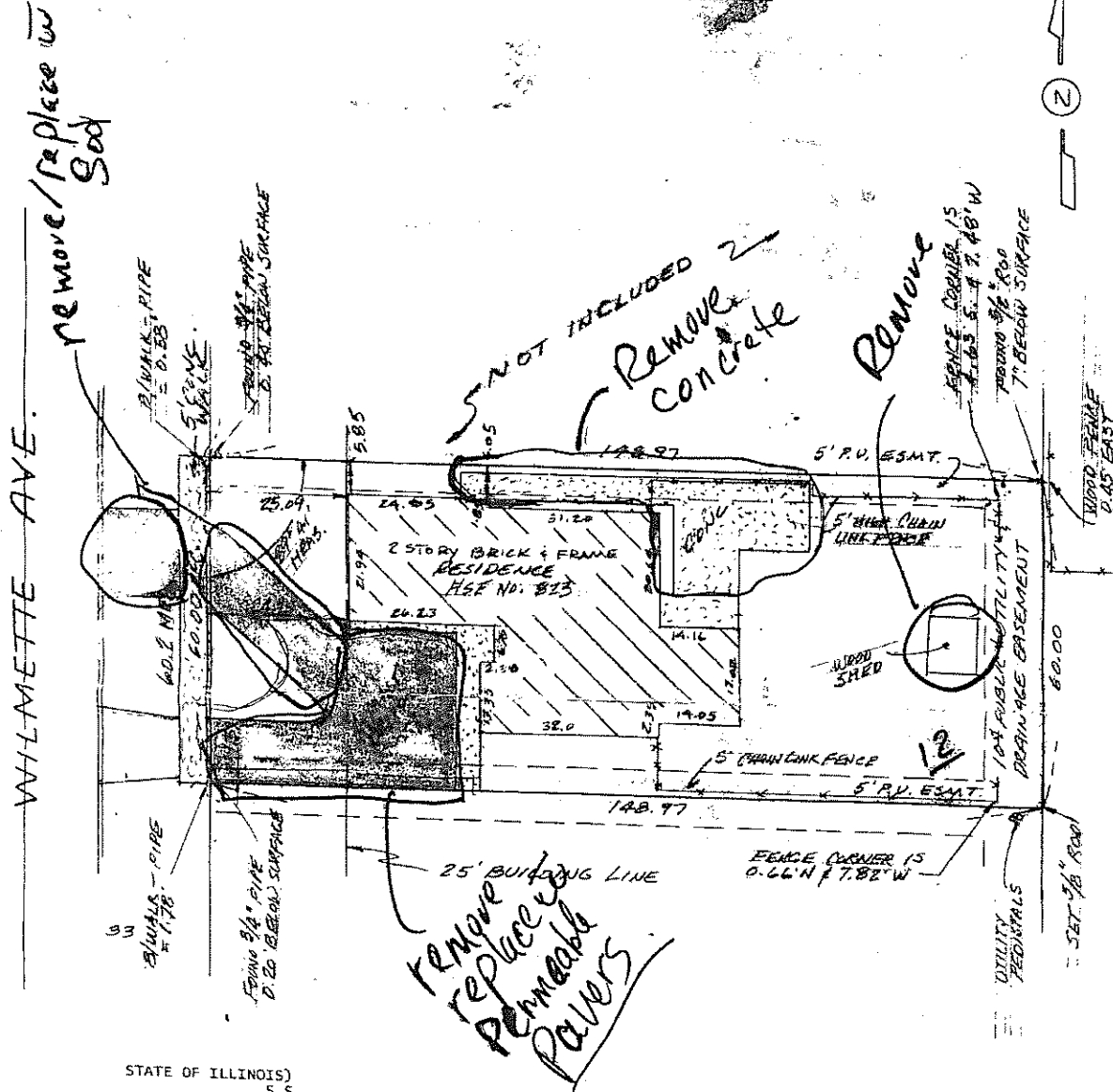
The Provost Residence
823 S. Wilmette - Westmont, IL

Existing
impervious areas
proposed to be
removed

PLAT of SURVEY

PROFESSIONAL ENGINEERS - SURVEYORS
(708) 799-1350

LOT 12 IN FITZPATRICK SUBDIVISION, A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 21 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS AS RECORDED SEP. 28, 1992 AS DOCUMENT NO. 292-182613.



STATE OF ILLINOIS)
S.S.
COUNTY OF COOK)

I, DAVID H. STREET, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

HAZEL CREST, ILLINOIS August 2, A.D., 2011.

BY: David H. Street
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2607
LICENSE EXPIRATION DATE 11/30/2012.



COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE

DRAWN JJM
CHECKED DS
SCALE: 1" = 20'

REFER TO DEED OR GUARANTEE POLICY FOR ANY BUILDING LINES OR EASEMENTS NOT SHOWN HEREON

ORDERED BY KLUEVER & PLATT
BOOK 103 PAGE 6 & 11
LOT 12 BLOCK 1
PROJECT NO. 89141, 800

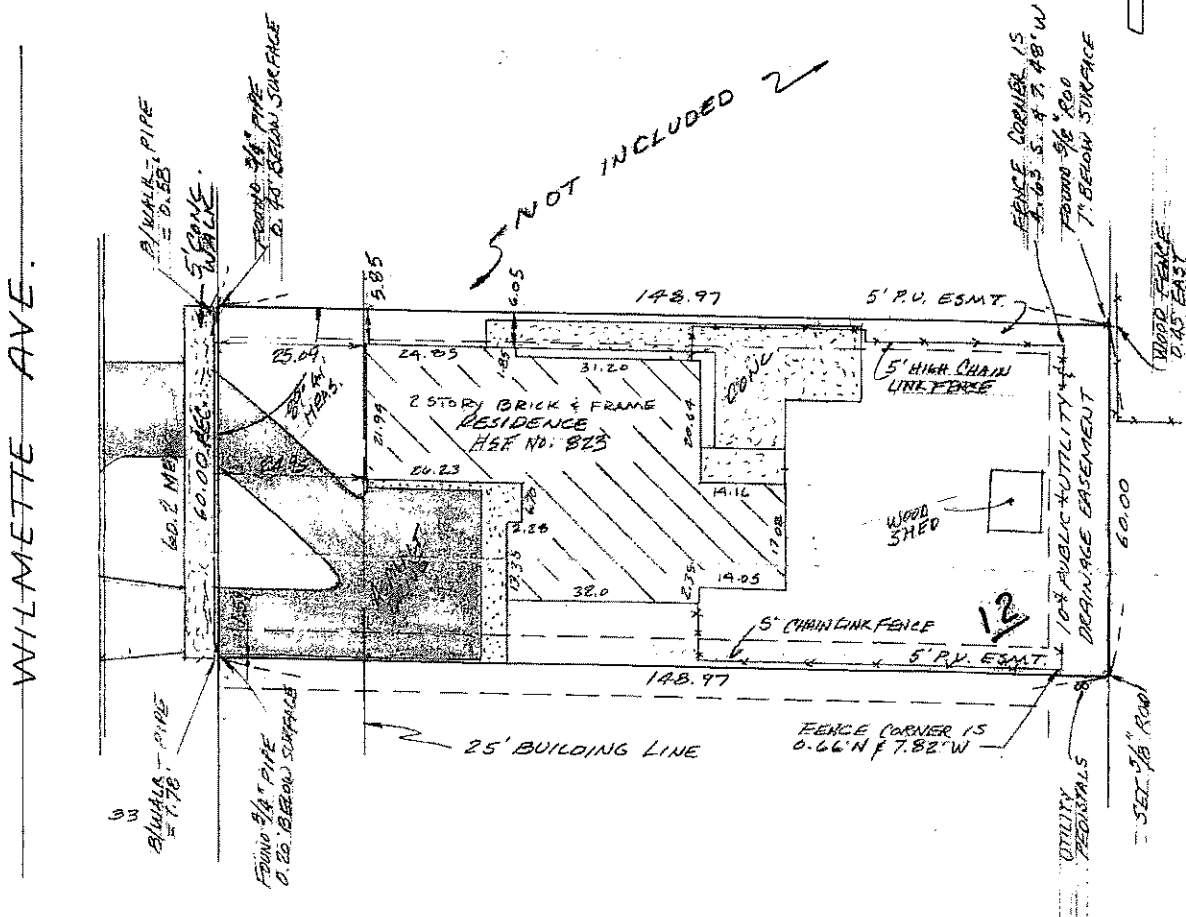
1,997.00 - House
700 - patio
1,186 - driveway
65 - Retaining wall
3948

Existing Conditions

PLAT of SURVEY of

PROFESSIONAL ENGINEERS - SURVEYORS
(708) 799-1350

LOT 12 IN FITZPATRICK SUBDIVISION, A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS AS RECORDED SEPT. 28, 1992 AS DOCUMENT NO. R92-182613.



STATE OF ILLINOIS)
S.S.
COUNTY OF COOK)

I, DAVID H. STREET, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

HAZEL CREST, ILLINOIS August 2 A.D., 2011.

BY: David H. Street
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2607
LICENSE EXPIRATION DATE 11/30/2012.



COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE

DRAWN JJM
CHECKED DS
SCALE: 1 INCH = 20

REFER TO DEED OR GUARANTEE POLICY FOR ANY BUILDING LINES OR EASEMENTS NOT SHOWN HEREON

ORDERED BY KLUEVER & PLATT
BOOK 103 PAGE 4 & 5
LOT 12 BLOCK
PROJECT NO. 89141, 800

REQUEST FOR BOARD ACTION

ORIGINATOR:

COMMITTEE OF THE WHOLE MEETING: June 28, 2012

Comm Dev

REGULAR BOARD MEETING: July 2, 2012

TITLE/DESCRIPTION: FINAL PLAT REQUEST- GREENSCAPE HOMES: Board to consider a Final Plat of Subdivision request from Greenscape Homes for Kothari Subdivision at 215 West 59th Street.

BACKGROUND OF SUBJECT MATTER:

On December 5, 2011, the Village Board granted approval of the preliminary plat, which would split one parcel into two buildable parcels for the purpose of constructing two new single family homes.

The engineering review process for the subject property is complete and, as a matter of course, final plat approval is necessary for the split of one parcel into two.

DOCUMENTS ATTACHED:

- Final Plat prepared by Genesis Surveying and Engineering, PC, dated June 4, 2012.

RECOMMENDATION:

- Staff recommends approval of the final plat of subdivision.

AGENDA ITEM NO. 60

REQUEST FOR BOARD ACTION

ORIGINATOR:

COMMITTEE OF THE WHOLE MEETING: June 28, 2012

Comm Dev

REGULAR BOARD MEETING: July 2, 2012

TITLE/DESCRIPTION: MAINTENANCE BOND - GREENLEAF SUBDIVISION: Board to consider a request from Steven Gregory of Gregory Property & Development Group, Inc. to decrease the Maintenance Bond for the Greenleaf Subdivision at 443 Greenleaf Court.

BACKGROUND OF SUBJECT MATTER:

Steven Gregory is working with Cole Taylor Bank to request the reduction of the existing Letter of Credit for Greenleaf Subdivision. Mr. Gregory has worked with engineering staff to identify the remaining punch list items to be completed for the site, and provided an associated cost. The original Letter of Credit was for \$98,389.50, and Mr. Gregory is requesting that this be reduced to \$30,000, which should cover the cost of the remaining improvements and would be contingent upon the applicant agreeing to complete the punch list that has been reviewed by engineering staff.

Greenleaf Subdivision was originally approved in 2006 for 19 lots, 7 lots are built and occupied, and there are 12 remaining vacant lots.

DOCUMENTS ATTACHED:

- Letter from Gregory Property and Development Group, Inc., requesting a Letter of Credit reduction for Greenleaf Subdivision, dated April 20, 2012.

RECOMMENDATION:

- Mr. Gregory has a proven track record of working with the Village, and staff feels a Letter of Credit reduction will not set a precedent.



GREGORY PROPERTY & DEVELOPMENT GROUP, INC.

TM

P.O. Box 4647, Wheaton, IL 60189-4647

(630)-774-7632 • Fax # (630) 344-0911

♦General Contracting ♦Construction Management ♦Design/Build Services ♦Property Management

April 20, 2012

Ms. Shannon Malik, AICP
Community Development Director
Village of Westmont
31 W. Quincy St.
Westmont, IL 60559

Re: Greenleaf Subdivision

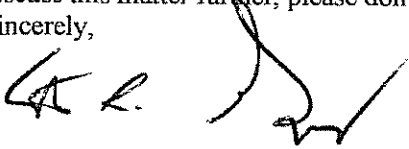
Dear Shannon,

As you are aware, I have been hired as a consultant by Cole Taylor Bank to assist them with the reduction of Letter Credit No. 4814 for the Greenleaf Subdivision. Specifically, I have been instructed to identify the costs of completing the subdivision "punch list" of site improvement work that has been prepared by the Village along with determining the requirements of the subdivision maintenance bond.

The determination of costs for completing the punch list items has been completed and per the attached spreadsheet, the total estimated costs are \$68,389.40. What has been yet to be determined is the amount of the Maintenance Bond the Village will require once the subdivision improvements have been completed and approved. Based on the fact that a large portion of the improvements, including the underground utilities, have been completed for several years and recognizing the cost of the remaining work, we are proposing that the Village accept a Maintenance Bond in the amount of \$30,000. As you can see, this figure is much lower than the figure of \$73,991.10 noted in Kim Nicoll's email dated 4/11/12. I do not recall discussing this specific figure or if we had agreed that this was the appropriate amount. I have previously tried to reach you concerning this matter and would like to submit a formal request to the Village Board for their consideration. Recognizing the importance of support by Village Staff for such a request, please advise if you have any questions or concerns with the \$30,000 figure being proposed.

At issue is the need for the bank to obtain a reasonable reduction in their total liability by completing the remaining work vs. the Village's desire to have the remaining subdivision improvements completed as soon as possible. I believe the scenario I have outlined meets the goals of both interests and I am requesting that Staff support the proposed Maintenance Bond figure outlined above.

Thank you for your consideration. If you should have any questions or if you would like to discuss this matter further, please don't hesitate in contacting me
Sincerely,

A handwritten signature in black ink, appearing to read 'S. R. Gregory', with a stylized flourish at the end.

Steven R. Gregory
President
Gregory Property & Development Group, Inc.

Cc: Kim Nicoll w/attachment
Erin Bremen, Cole Taylor Bank
File

Srg_gregory property group_Cole Taylor_malik Greenleaf itr.4.20.12.doc

GREENLEAF SUBDIVISION-SITE IMPROVEMENT PUNCH LIST

[illegible]

REQUEST FOR BOARD ACTION

ORIGINATOR:

Jim Gunther

Deputy Liquor Commissioner

COMMITTEE OF THE WHOLE MEETING: June 28, 2012

REGULAR BOARD MEETING: July 2, 2012

TITLE/DESCRIPTION: CLASS 2 LIQUOR LICENSE - YU'S MANDARIN RESTAURANT:

Board to consider an ordinance increasing the number of available Class 2 liquor licenses by one to accommodate a liquor license request from 5000 Silver, LLC., D/B/A Yu's Mandarin Restaurant, located at 665A Pasquinelli Drive, Westmont.

BACKGROUND OF SUBJECT MATTER: 5000 Silver, LLC., D/B/A Yu's Mandarin, has applied for a Class 2 liquor license as a new business. A Class 2 liquor license allows for the sale of all liquor for consumption on the licensed premises with a seating capacity up to 200 persons. Owner Xuan Hong and Manager Wen Che Chiu will oversee the day-to-day operation of the business. Yu's Mandarin is tentatively scheduled to mid-July, 2012. The restaurant will be open every day except Thanksgiving and Christmas day.

Staff conducted an on-site inspection of Yu's Mandarin Restaurant in Schaumburg which is owned and operated by Xuan Hong since 2005. The restaurant was clean and operated efficiently. Yu's Mandarin Restaurant has not had any negative contact with the Schaumburg Police Department. Yu's Mandarin will employ one full-time bartender and one part-time bartender.

5000 Silver, LLC. is in good standing with the Illinois Secretary of State's Office and is authorized to transact business effective January 12, 2012.

DOCUMENTS ATTACHED:

- None.

RECOMMENDATION:

- Staff recommends approving the request.

REQUEST FOR BOARD ACTION

ORIGINATOR:

Jim Gunther

Deputy Police Chief

COMMITTEE OF THE WHOLE MEETING: June 28, 2012

REGULAR BOARD MEETING: July 2, 2012

TITLE/DESCRIPTION: CLASS 15 LIQUOR LICENSE RESTRICTED TO B-1 DISTRICT:

Board to consider an ordinance amending Chapter 10 (Alcoholic Beverages), Article II (Retail Licenses), of the Village Code of Ordinances to restrict the issuance of a Class 15 to the B-1 business district only.

BACKGROUND OF SUBJECT MATTER: A Class 15 license which shall authorize a wine boutique with retail sales of fine bottled wine and fine import beer or domestic handcrafted micro-brewery beer, only in the original package, and not for consumption on the premises with certain exceptions. The original intent of the Class 15 license was to be restricted to the B-1 business district. The revision to the ordinance makes that clarification.

DOCUMENTS ATTACHED:

- Proposed ordinance (to be distributed)

RECOMMENDATION:

- Staff recommends approving the request.

AGENDA ITEM NO. 9

REQUEST FOR BOARD ACTION

ORIGINATOR:
Finance Department

COMMITTEE OF THE WHOLE MEETING: June 28, 2012

REGULAR BOARD MEETING: July 2, 2012

TITLE/DESCRIPTION: UTILITY TAXES TEXT AMENDMENT: Board to consider an ordinance approving a text amendment to the municipal code to allow the Village Board to designate the disposition of public utility taxes in the budget.

BACKGROUND OF SUBJECT MATTER: The Village budgeted for 20% of the public utility taxes received to be dedicated to the Capital Projects Fund, with 80% being used in the General Fund. This proposed text amendment change simply indicates that public utility taxes will be designated to the fund or funds approved by the Board in the annual budget. The ordinance will also retroactively approve such prior designations.

DOCUMENTS ATTACHED:

- Proposed Text Amendment Draft Language

RECOMMENDATION:

- Staff recommends approval

Proposed Utility Taxes Text Amendment Draft Language

Amended language in *italics*.

Sec. 74-136. - Disposition of revenues.

All revenues derived from the increase from three percent to five percent of gross receipts pursuant to the tax imposed under division 2 of this article, and all revenues derived from the tax imposed under division 3 of this article, shall be designated ~~for the capital improvements fund of the village~~ *to such fund or funds as approved annually in the village's budget.*