

Committee of the Whole Meeting Minutes **April 11, 2013**

Mayor Pro Tem Senicka called the meeting to order at 7:01pm

ROLL CALL

PRESENT

Mayor Pro Tem Senicka, Clerk Szymski and Attorney Zemenak Perez.

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

Staff: Searl, Weiss, Parker, Malik, Ziegler, Mulhearn, and May

Open Forum

Participants are advised that the Open Forum procedure is a privilege and should not be abused. Persons will be recognized, given the chance to speak and then the question or request will be answered, if necessary, referred to Village Staff for a response. Rules of Order and common courtesy will be rendered and expected. Time limit for each person is 3 minutes, unless previous arrangements with the Mayor have been agreed upon.

Items that will take more than 3 minutes should be placed on the next Committee of the Whole Meeting Agenda. Contact the Village Manager for placement on the agenda.

- **None.**

Reports

- Mayor
 - Announced that on Monday, April 15, 2013 Police Officer Konow will be sworn in. The Police Department will also be announcing several awards.
 - Congratulated all the newly elected officials
- Clerk
 - Congratulated all the newly elected officials.
- Attorney
 - Nothing to report.
- Manager
 - Stated that Finance Ordinance 24 totals \$1,045,943.58
 - Requested to remove the CASA proclamation from the consent agenda
- Trustee Items
 - Trustee Scott
 - Congratulated all the newly elected officials

- Trustee Nero
 - Mentioned that April is National Code Enforcement month and thanked our employees for the work they do.
- Trustee Klebenow.
 - Commented that the Village's electronics recycling collection program starts the second Friday in May (May 10).
 - Congratulated all the newly elected officials
- Trustee Fleming
 - Congratulated all the newly elected officials
- Trustee Emery

Items to Be Removed From Consent Agenda PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.

Consent Agenda (Omnibus Vote)

- Mayor Pro-Tem Senicka mentioned the various proclamations on the Consent Agenda.
PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.

Village Board Minutes Board to consider approving the minutes of the Committee of the Whole Meeting held March 28, 2013 and the Village Board Meeting held April 1, 2013.*

Documents: [2013-04-01 Minutes Village Board Meeting.pdf](#), [2013-3-28 Minutes of the Committee of the Whole.pdf](#)

Finance Ordinance

- Finance Ordinance #24

Purchase Orders

PO #11030674

M.E. Simpson Company \$ 15,250.00

Background of Subject Matter

Annual Top 60 - Large meter testing

Type

Purchase Order

Budgeted

Yes

Documents: [PO 11030674.pdf](#)

Proclamations

National Library Week 2013

Board to consider approving a proclamation declaring April 14-20, 2013 as National Library Week.

Background of Subject Matter

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Type

Proclamation

Documents: [2013 Proclamation National Library Week.pdf](#)

Court Appointed Special Advocates Anniversary **Removed by CASA**
Request - to be addressed on a future agenda.

Board to consider a proclamation in celebration of the 20th Anniversary for CASA of DuPage County.

Background of Subject Matter

The Village of Westmont is in the top ten communities served by CASA.

Type

Proclamation

Documents: [2013 Proclamation Court Appointed Special Advocates.pdf](#)

Jazz Appreciation Month

Board to consider a proclamation declaring the Month of April 2013 as Jazz Appreciation Month.

Background of Subject Matter

This is the Twelfth Annual Celebration of Jazz Appreciation Month(JAM) by the Smithsonian Jazz Organization of the National History Museum.

Additional Background

Born in America, Enjoyed Worldwide

Type

Proclamation

Documents: [2013 Proclamation International Jazz Appreciation.pdf](#)

National Public Service Recognition Week

Board to consider a proclamation declaring May 5-11, 2013 as National Public Service Recognition Week.

Background of Subject Matter

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Type

Proclamation

Documents: [2013 Proclamation Public Service Recognition Week.pdf](#)

National Volunteer Week Proclamation

Board to consider a proclamation declaring April 21-27, 2013 as National Volunteer Week.

Background of Subject Matter

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Type

Proclamation

Documents: [2013 Proclamation Volunteer Week.pdf](#)

Village Clerk's Week

Board to consider a proclamation declaring May 5-11, 2013 as Village Clerk's Week.

Background of Subject Matter

*

Type

Unfinished Business

New Business

15 South Cass Avenue - La Petite Sweet

Board to consider an ordinance approving a Development Permit request from Diane Eenigenburg to operate a bakery and cafe in the B-1 Limited Business District.

PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.

Background of Subject Matter

The applicant requests approval to operate La Petite Sweet (previously located at 31 North Cass), at 15 South Cass (former location of Cafe Khalkedon). The bakery and cafe will have 10 seats & will offer baked goods, coffee, & gluten-free items for sale.

Additional Background

14 parking spaces for a bakery/cafe are required per B-1 regulations. 12 spaces are already available in the private parking lot, & a parking variance was granted for 22 parking spaces in 2005, which runs with the property.

Recommendation

The B-1 District development permit is intended to enhance the sales tax base with high quality retail, restaurants & specialty shops.

Type

Ordinance

Budgeted

N/A

Documents: [15 S Cass - La Petite Sweet - Development Permit application.pdf](#)

135 Scott Court - Houchens Lot Coverage Variation

Board to consider an ordinance approving a Zoning Code variance request from Jennifer Houchens to allow lot coverage greater than the 35% maximum allowed. **PLACED ON**

THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.

Background of Subject Matter

The proposal exceeds maximum lot coverage in an R-3 district by about 6.7%. The staff Planning Engineer researched the detention built for the subdivision and found the provided detention will be able to handle the additional hard surface from the patio.

Additional Background

The Commission clarified the existing detention pond that the contractor built, the patio without the appropriate permit approval, of which the homeowner was unaware, and discussed the poor backyard soil and slope from the applicant's lot to the pond.

Recommendation

The Commission noted the pleasing appearance of the patio installation in the backyard, although it was done without a proper permit, & gave a unanimous positive recommendation due to the neighborhood pond being able to handle the additional hard

surface.

Type

Ordinance

Budgeted

N/A

Documents: [2013-03-13 Staff report - Houchens impervious variation - Planning and Zoning Commission.pdf](#), [2013-03-13 Attachments - Houchens impervious variation.pdf](#)

333 East Ogden Avenue, Standard Market Variance and Site and Landscaping Plan Approval Requests

Board to consider ordinances approving the following requests from Standard Market at 333 East Ogden Avenue in the B-2 General Business District. **PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

1. Variance request to reduce the required front yard setback for an existing grocery store for the purpose of constructing a building addition for the wine and cheese department.
2. Site and landscaping plan approval for the building addition.
3. Commercial masonry waiver request.

Background of Subject Matter

The applicant is requesting a front yard setback variance to build an approximately 288 square foot addition to the Wine and Cheese Department, extending into the current front patio area. Landscaping would be re-integrated in front of the addition.

Additional Background

A site visibility analysis was conducted, showing a clear sight line triangle for the Richmond and Ogden intersection. Additional storm water management is not required because of the minor project scope and sufficient capacity exists.

Recommendation

Planning & Zoning Commission will review this item at a public hearing on Wednesday, 4/10. Staff will recap the discussion & recommendation at Committee of the Whole on Thursday 4/11. Staff supports the item moving forward to final permit review.

Type

Ordinance

Budgeted

N/A

Documents: [2013-04-10 Staff report - 333 East Ogden - Standard Market building addition - setback variation - Planning and Zoning Commission.pdf](#), [333 E Ogden - Standard Market - Board attachments.pdf](#)

Cruisin'Nights/Fresh Market - 2013

Board to consider an ordinance approving the following requests from the Westmont Special Events Corporation for the 2013 Cruisin'Nights/Fresh Market events held on Thursdays from June through August: **PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

1. Permission to close Cass Avenue from Burlington Avenue to Irving Street to accommodate Cruisin'Nights/Fresh Market Street Fair Event from 2:00 p.m. to

9:30 p.m.

2. Restrict parking on Cass Avenue from Irving Street to Norfolk Street to accommodate Classic Car parking only from 5:30 p.m. to 9:00 p.m. on each night of the event.
3. Restrict parking in the Cass Avenue and Irving Street parking lot (next to Toons) to accommodate Classic Car parking only from 5:30 p.m. to 9:00 p.m. on each night of the event.
4. Permission to close Irving Street from Cass Avenue to the alley east of Cass Avenue from 5:30 p.m. to 9:00 p.m. on each night of the event.
5. Permission to close the Public Parking Lot located at Burlington Avenue and Cass Avenue for Squad Car Night on June 20, 2013 and Fire Truck Night on July 25, 2013 for participating vehicles from 3:30 p.m. to 9:30 p.m.
6. Issuance of a license for amplified sound (as required by Section 38-52 of the Village code) for live music and/or DJ during all nights of the event from 6:00 p.m. to 9:15 p.m.

Background of Subject Matter

This is the 18th year for Cruisin'Nights and the 2nd year for Fresh Market. Just like last year, Fresh Market will be from 3-9pm, Cruisin'Nights will be from 6-9pm. These events will be on Thursdays from June-August in Downtown Westmont, WSEC is the host.

Additional Background

WSEC volunteers work closely with staff on this event. If Hotel/Motel Tax Grants are available, WSEC would like to apply for funds to assist with promotion & bringing guests to our community with the intent of encouraging overnight stays in Westmont.

Recommendation

Police, Fire, Public Works & Media Relations have reviewed this request and recommend approval.

Type

Ordinance

Documents: [2013 Cruisin Nights - Fresh Marketplace permit request.pdf](#), [Fresh Market Map.pdf](#), [Fresh Market Map 2013.pdf](#)

Taste of Westmont - 2013

Board to consider an ordinance approving the following requests from the Westmont Special Events Corporation for the 2013 Taste of Westmont to be held on July 11, 12, 13 & 14, 2013: **PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD**

AGENDA FOR CONSIDERATION.

1. Carnival/Amusement Fee Waiver.
2. Liquor License Fee Waiver for two locations.
3. Issuance of sound amplification licenses and live entertainment request for all four days of the event during regular event hours.
4. Street closures for all four days of the event, outlined in the permit request.
5. Temporary One-Way Traffic Plan, outlined in the permit request.
6. Geographic description and related issues as shown on the event map.
7. Safety cones/barriers at alleys on Irving west of Cass, and permission to use traffic safety devices to ensure safe crossing of pedestrians from the Taste of Westmont event on Irving to the Methodist Parking Lot at the corner of Lincoln and Irving.

Background of Subject Matter

The WSEC has established a positive/cooperative relationship with the Village to operate a successful festival. The Taste fosters a sense of community among residents, supports local restaurants & businesses while establishing a positive image of Westmont.

Additional Background

WSEC coordinates & finances the festival. WSEC will seek grant funds from the Hotel/Motel Tax Fund to assist in financing the event & promote the event; seeking to bring guests in from around the area to enjoy the festival & seek overnight accommodations.

Recommendation

Police, Fire, Public Works & Media Relations have reviewed this request & recommends approval.

Type

Ordinance

Documents: [Taste of Westmont Map.pdf](#), [2013 Taste of Westmont permit request.pdf](#), [Taste of Westmont Letter 2013.pdf](#)

Downtown Transit Oriented Development Districts

Board to hear a presentation from Farr Associates on the updated Transit Oriented Development (TOD) Plan recommending the adoption of TOD Districts. **NOTHING TO PLACE ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter

In 2011 Westmont was awarded a grant by the Regional Transportation Authority for Farr Associates to provide technical assistance with a TOD study to improve upon previous studies & encourage mixed use in the downtown by proposing development standards.

Additional Background

2 steering committee meetings were held in 2012 to review code revisions & regulations. After research, orientation & meetings, the consultant developed draft TOD regulations that staff reviewed & compared to the Comprehensive Plan for consistency.

Recommendation

Farr Associates & the Regional Transportation Authority will be available at the Board meeting to give a presentation, and explain the study's implementation & impact within the downtown. The steering committee had no changes following the draft.

Type

Discussion Only

Budgeted

N/A

Budgeted Explanation

The Regional Transportation Authority awarded a grant to Westmont for Farr Associates to develop a TOD study for the downtown.

Documents: [Attachment - Westmont Parking Reduction Guide.pdf](#), [2012-08-06 Westmont Downtown Transit Oriented Design Districts.pdf](#)

31 North Cass Avenue, The Sweet and Savory Spot

Board to consider an ordinance approving a request from Danielle Kirin of The Sweet and Savory Spot for a Development Permit for the operation of a bakery and bistro in the B-1

Limited Business District. **PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter

The applicant requests approval to operate The Sweet and Savory Spot at 31 North Cass. The bakery and bistro will offer retail baked goods & lunch along with dinner items. Limited live acoustic music is planned for weekends.

Additional Background

11 parking spaces for the bakery/bistro are required per B-1 regulations. 8 spaces are currently available in the adjacent private parking lot, & a parking variance was granted to alleviate 4 additional spaces in 2007, which runs with the property.

Recommendation

The B-1 District development permit is intended to enhance the sales tax base with restaurants & high quality retail & specialty shops. The location will also rent out kitchen space for vendors, providing an incubator space for potential new businesses.

Type

Ordinance

Budgeted

N/A

Documents: [31 N Cass - Sweet and Savory Spot - development permit attachments.pdf](#)

Amended Real Estate Agreement

Board to consider an ordinance approving an amended real estate agreement for the sale of public property, identified as P.I.N. 09-16-406-017.

PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.

Background of Subject Matter

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Type

Ordinance

Amendment to Site Development Agreement

Board to consider an ordinance approving an amendment to the Site Development Agreement for the Outlot on 63rd Street to extend the date for certain property improvement obligations of the Village.

Background of Subject Matter

On 12/1/2006 the Village sold an outlot adjacent to vacant property on 63rd St. owned by the Village. A Site Development Agreement was entered into as part of the sale, obligating certain property improvements to the Outlot by the Village.

Additional Background

The time to complete the property improvements has passed, & parties wish to enter into an Amendment to extend the deadline for property improvements. Site Development Agreement is attached. Village Attorney will provide the amendment when finalized.

Recommendation

Approval

Type

Motion

Documents: [Site Development Agreement.pdf](#)

Declaration of Village Property as Surplus

Board to consider an ordinance declaring certain vehicles/equipment as surplus Village property to be sold at the DuPage Mayors and Managers (DMMC) auction. **PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter

This property, as identified in the attachment, has outlived its useful life. It is outdated, non-functioning or is otherwise not economically maintainable. These items will be disposed of by an auction administered by the DMMC.

Additional Background

This property, upon being declared surplus and sold, will be removed from the Village's property inventory.

Recommendation

Staff recommends approval of declaration of listed vehicles/equipment as surplus.

Type

Ordinance

Documents: [2013 Public Works Surplus Items for Auction.pdf](#)

Fiscal Year Budget 2013/2014

Board to hear an update on the budget process for the upcoming fiscal year budget.

PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR PRESENTATION.

Background of Subject Matter

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Type

Discussion Only

Voluntary Retirement Separation Agreement

Board to consider an ordinance approving a Voluntary Retirement Separation Agreement.

PLACED ON THE MONDAY, April 15, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.

Background of Subject Matter

*

Type

Ordinance

Miscellaneous

Adjourned to Executive Session at 8:41pm