



31 West Quincy Street • Westmont, Illinois 60559  
Tel: 630-981-6200

## Village Board Meeting Amended Agenda December 12, 2013 7:00 p.m.

### 1. Call To Order

### 2. Roll Call

### 3. Pledge Of Allegiance

### 4. 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 Regular Village Board Meeting Agenda. Contact the Village Manager for placement on the agenda.

### 5. Reports

#### a. Board Reports

- Mayor
- Clerk
- Attorney
- Manager
- Trustees

*Background Of* \*

*Subject Matter*

*Type* Discussion Only

#### b. Committee Reports

- Administration/Finance
- Building/Zoning
- Public Safety
- Public Works
- Public Information
- Code Enforcement

*Background Of* \*

*Subject Matter*

*Type* Discussion Only

### 6. Items To Be Removed From Consent Agenda

### 7. Consent Agenda (Omnibus Vote)

#### a. Village Board Minutes

##### i. Village Board Minutes

Board to consider approving the minutes of the Village Board Meeting held

November 26, 2013 and the Green Infrastructure & Stormwater Management Concepts Meeting held November 26, 2013.

|                                     |                                   |
|-------------------------------------|-----------------------------------|
| <b>Background Of Subject Matter</b> | Required parliamentary procedure. |
| <b>Additional Background</b>        | *                                 |
| <b>Recommendation</b>               | Approval.                         |
| <b>Type</b>                         | Motion                            |
| <b>Budgeted</b>                     | N/A                               |
| <b>Budgeted Explanation</b>         | *                                 |

**Documents:** [2013-11-26 AMENDED VILLAGE BOARD MEETING MINUTES.PDF](#), [2013-11-26 AMENDED VILLAGE BOARD SPECIAL MEETING MINUTES.PDF](#)

b. **Finance Ordinance**

i. **Finance Ordinance #17**

Total to be announced at the meeting.

|                                     |        |
|-------------------------------------|--------|
| <b>Background Of Subject Matter</b> | *      |
| <b>Type</b>                         | Motion |

c. **Purchase Orders**

i. **PO 11032478**

K-Five Construction Corporation \$159,954.24

|                                     |                                 |
|-------------------------------------|---------------------------------|
| <b>Background Of Subject Matter</b> | 2013 Motor Fuel Tax Resurfacing |
| <b>Additional Background</b>        | Bid approved September 19, 2013 |
| <b>Type</b>                         | Purchase Order                  |

**Documents:** [PO 11032478.PDF](#)

ii. **PO 11032327**

Westmont Chamber of Commerce \$24,000.00

|                                     |                                                     |
|-------------------------------------|-----------------------------------------------------|
| <b>Background Of Subject Matter</b> | Annual participation fee in the Westmont Auto Mile. |
| <b>Type</b>                         | Purchase Order                                      |
| <b>Budgeted</b>                     | Yes                                                 |

**Documents:** [PO 11032327.PDF](#)

iii. **PO 11032431**

Houseal Lavigne Associates \$12,270.96

|                                     |                                      |
|-------------------------------------|--------------------------------------|
| <b>Background Of Subject Matter</b> | Design Guide - Professional Services |
| <b>Type</b>                         | Purchase Order                       |
| <b>Budgeted</b>                     | Yes                                  |

**Documents:** [PO 11032431.PDF](#)

iv. **PO 11032454**

West Central Municipal Conference \$5,1770.00

|                                            |                          |
|--------------------------------------------|--------------------------|
| <b><i>Background Of Subject Matter</i></b> | Fall 2013 Tree Purchase. |
| <b><i>Type</i></b>                         | Purchase Order           |
| <b><i>Budgeted</i></b>                     | Yes                      |

***Documents:*** [PO 11032454.PDF](#)

v. **PO 11032413**

Air One Equipment Inc. \$5,000.00

|                                            |                                    |
|--------------------------------------------|------------------------------------|
| <b><i>Background Of Subject Matter</i></b> | Equipment maintenance and testing. |
| <b><i>Type</i></b>                         | Purchase Order                     |
| <b><i>Budgeted</i></b>                     | Yes                                |

***Documents:*** [PO 11032413.PDF](#)

vi. **PO 11032480**

Google, Inc. \$7,301.25

|                                            |                       |
|--------------------------------------------|-----------------------|
| <b><i>Background Of Subject Matter</i></b> | Postini Email Archive |
| <b><i>Type</i></b>                         | Purchase Order        |
| <b><i>Budgeted</i></b>                     | Yes                   |

***Documents:*** [PO 11032480.PDF](#)

vii. **Total Of Purchase Orders**

\$213,703.45

|                                            |                |
|--------------------------------------------|----------------|
| <b><i>Background Of Subject Matter</i></b> | *              |
| <b><i>Type</i></b>                         | Purchase Order |
| <b><i>Budgeted</i></b>                     | Yes            |

d. **Total Of Purchase Orders And Finance Ordinance #17**

Total to be announced at the meeting.

|                                            |        |
|--------------------------------------------|--------|
| <b><i>Background Of Subject Matter</i></b> | *      |
| <b><i>Type</i></b>                         | Motion |

**8. Public Hearing**

a. **Property Tax Levy Hearing**

Board to conduct a public hearing regarding the property tax levy.

|                                            |                                                                                                                                         |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Background Of Subject Matter</i></b> | As published in the paper, the Village Board will hold a public hearing on the proposed property tax levy in the amount of \$8,084,746. |
| <b><i>Type</i></b>                         | Discussion Only                                                                                                                         |

## 9. Unfinished Business

## 10. New Business

### a. Property Tax Levy

Board to approve an ordinance adopting the 2013 Tax Levy Ordinance in the amount of \$8,084,746.

***Background Of  
Subject Matter***

As discussed at the 11/14 meeting, the Tax Cap law allows revenues to increase by CPI (1.7%), & new growth. To capture new growth it is typical to levy a 5% increase. The proposed aggregate levy is \$8,084,746.

***Additional  
Background***

Total includes police pension, village operating funds, & library funds. Police Pension contribution figures increased over last year due to changes in assumptions. We can fund this at the increased level without reducing general fund revenues.

***Type***

Ordinance

***Documents:*** [2013 SUMMARY PROPOSED PROPERTY TAX LEVY.PDF](#), [2013 LEVY ORDINANCE - TAX 2013.PDF](#), [2013 TAX LEVY NOTICE PUBLISHED.PDF](#)

### b. Transfer To Debt Service Fund

Board to approve an ordinance transferring \$739,084.06 from the General Fund to the Debt Service Fund.

***Background Of  
Subject Matter***

As mentioned in previous meetings, one contributing factor to our high bond rating was that we would abate the taxes only after having money in the fund to make the bond payment. To abate taxes, we must first transfer the money.

***Additional  
Background***

This first year, we will have to forward fund this from reserves. In future years, it is expected that the revenue sources for the bonds will have generated enough in the past year to offset this transfer. We have sufficient reserves for this.

***Recommendation***

Staff recommends approval

***Type***

Ordinance

***Budgeted***

No

***Budgeted  
Explanation***

Funds are available

### c. 15 South Cass Avenue - Krimson Security - Special Use

Board to consider an ordinance approving the following requests from Ryan Kern (tenant) Chester Gottwald (property owner) to allow for the operation of a ground floor office in the B-1 Limited Business District:

1. Special use permit
2. Development permit

***Background Of  
Subject Matter***

Applicant requests to operate a private fingerprinting & background check office on the ground floor of an existing downtown building during regular business hours. A private parking lot is available for the tenant space & meets parking requirements.

***Recommendation***

While the use will not bring in substantial tax revenue, it will fill a vacant small storefront that has previously been used as an office. Planning and Zoning Commission reviewed the proposal on 12/11/13.

***Type***

Ordinance

**Documents:** [15 S CASS AGENDA ITEM.PDF](#), [15 S CASS APPLICATION.PDF](#)

d. **20 West Burlington - The Rail Barber Shop - Special Use**

Board to consider an ordinance approving the following requests from Steven Matthews (tenant) and Mathew Idicula (property owner) to allow for the operation of a barber shop on the ground floor in the B-1 Limited Business District:

1. Special use permit.
2. Waiver from the cash-in-lieu for B-1 parking spaces.
3. Development permit.

|                                     |                                                                                                                                                                                                                                                                |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background Of Subject Matter</b> | Applicant requests to operate a ground floor barber shop in a 1 story building, typically Mon thru Sat from 9 am to 7 pm. The 3 required parking spaces need not be provided in the B-1 district, & a waiver from the cash-in-lieu parking fee is requested.   |
| <b>Additional Background</b>        | The applicant feels adequate parking exists in the small rear parking lot & on adjacent public streets. Historically parking not been an issue in the several decades the tenant space has operated as a barber shop.                                          |
| <b>Recommendation</b>               | The use will not bring in substantial tax revenue, but it will fill a vacant storefront, customers may patronize downtown businesses, & the tenant space was previously used as a barber shop. Planning & Zoning Commission reviewed the proposal on 12/11/13. |
| <b>Type</b>                         | Ordinance                                                                                                                                                                                                                                                      |

**Documents:** [20 W BURLINGTON AGENDA ITEM.PDF](#), [20 W BURLINGTON APPLICATION.PDF](#)

e. **37 West Quincy Street - Endure It Sports - Special Use**

Board to consider an ordinance approving the following requests from David Fix (tenant) and Greg Krzyzowski (property owner) to allow for the operation of specialty classes within a retail store in the B-1 Limited Business District:

1. Special use permit
2. Development permit

|                                     |                                                                                                                                                                                                                                                                |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background Of Subject Matter</b> | Applicant requests to operate indoor cycling classes during the cold weather season in early morning hours. Private parking is available for the tenant & meets parking requirements. Planning & Zoning Commission reviewed the proposal on 12/11/13.          |
| <b>Recommendation</b>               | The cycling classes will not bring in substantial tax revenue, but they are an ancillary part of the bicycle retail business, & the B-1 development permit is intended to enhance the sales tax base with high quality retail, restaurants, & specialty shops. |
| <b>Type</b>                         | Ordinance                                                                                                                                                                                                                                                      |

**Documents:** [37 W QUINCY AGENDA ITEM.PDF](#), [37 W QUINCY APPLICATION.PDF](#)

f. **41 North Cass - Downtown Development Grant Request**

Board to consider an ordinance approving a Downtown Development Grant Request from Irv Kaplan for Irv Kaplan Interior Design & Furniture Co. in the amount of \$750.

|                                     |                                                                                                                                                                                                                |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background Of Subject Matter</b> | The applicant is requesting assistance with the \$1,500 cost for installing a new lettered awning along the Cass Avenue frontage. The work is considered eligible for a matching grant of up to 50%, or \$750. |
| <b>Additional</b>                   | On November 19, 2013, the Downtown Development Grant                                                                                                                                                           |

|                       |                                                                                                                                                             |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background</b>     | Committee recommended approval of the matching grant subject to removal of the "Kids Consignment" sign and frame on the north wall of the building.         |
| <b>Recommendation</b> | If this grant request is approved, the remaining Facade Improvement fund balance is \$13,000. The Life Safety fund balance has been exhausted for FY 13-14. |
| <b>Type</b>           | Ordinance                                                                                                                                                   |
| <b>Budgeted</b>       | Yes                                                                                                                                                         |

**Documents:** [41 N CASS - FACADE GRANT APPLICATION.PDF](#)

g. **415 Plaza Drive- Map Amendment Request**

Board to consider an ordinance approving a Map Amendment request to rezone the property located at 415 Plaza Drive from M-Manufacturing District to B-2 General Business District.

|                                     |                                                                                                                                                                                                                                                              |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background Of Subject Matter</b> | Applicant seeks zoning approval for a map amendment. In the future he may consolidate 415 Plaza Dr with the property to the south at 650 Westmont Dr, or develop 415 Plaza Dr to extend the existing fitness facility.                                       |
| <b>Recommendation</b>               | The building is currently used for general office and storage, & the rezoning is intended to plan for a more definite expansion in the future. It would also be eligible for all B-2 uses. Planning and Zoning Commission reviewed the proposal on 12/11/13. |
| <b>Type</b>                         | Ordinance                                                                                                                                                                                                                                                    |

**Documents:** [415 PLAZA DRIVE AGENDA ITEM.PDF](#), [415 PLAZA DRIVE APPLICATION.PDF](#)

h. **License Reduction**

Board to consider an ordinance reducing the number of massage establishment licenses from eight to seven due to the closure of Morgan Perris Hair Salon.

|                                     |                                                                                                                                                    |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background Of Subject Matter</b> | Morgan Perris Hair Salon, formerly located at 700 Pasquinelli Drive, Suite A, has closed and no longer conducts massage services in Westmont.      |
| <b>Additional Background</b>        | Due to their closure, the board is asked to consider reducing the number of massage establishment licenses be reduced by one; from eight to seven. |
| <b>Recommendation</b>               | Staff recommends the board approve this request.                                                                                                   |
| <b>Type</b>                         | Ordinance                                                                                                                                          |
| <b>Budgeted</b>                     | N/A                                                                                                                                                |

i. **Award Of Bid Proposal And Contract**

Board to consider an ordinance awarding a bid proposal and authorizing a contract for the Village's Fire Headquarters Phase 2 Roof/HVAC Repair Project.

|                                     |                                                                                                                                                                                                                                                              |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background Of Subject Matter</b> | On 10/30/13 the Village accepted bid proposals from 4 contractors for Fire HQ Ph2 Roof/HVAC Repair Project. As-read low bidder is Core Mechanical, Inc. Chicago, IL with a low bid of \$168,795.                                                             |
| <b>Additional Background</b>        | Please note, we received a letter after the bid opening from Troop Contracting indicating there was an error on their lump sum bid unintentionally duplicating the \$10,000 cost of the skylights. They are requesting their bid of \$159,000 be considered. |
| <b>Recommendation</b>               | Troop Contracting is approximate 11% above the Engineer's                                                                                                                                                                                                    |

Estimate of \$143,000; Core Mechanical, Inc. is approximately 15% above the Engineer's Estimate of \$143,000. Both Core Mechanical & Troop Contracting are both qualified to complete the project.

**Type** Ordinance

**Documents:** [ENGINEER RECOMMENDATION TO AWARD.PDF](#), [ORIGINAL BID - CORE MECHANICAL.PDF](#), [ORIGINAL BID - TROOP CONTRACTING.PDF](#)

j. **Settlement Agreement**

Board to consider an ordinance approving a settlement agreement to resolve litigation involving 312-316 N. Warwick Avenue.

**Background Of Subject Matter** The proposed settlement agreement would result in the dismissal with prejudice of two lawsuits filed by the owner of 312-316 N. Warwick Avenue.

**Additional Background** The proposed settlement agreement leaves the current R-3 zoning in place and simply confirms the legal, nonconforming status of the existing structure and use.

**Recommendation** Approval

**Type** Ordinance

k. **Abatement Of Taxes**

Board to approve an ordinance abating the taxes heretofore levied for the year 2013 to pay debt service on General Obligation Bonds (Alternate Revenue Source), Series 2013A and its General Obligation Bonds (Alternate Revenue Source), Series 2013B of the Village of Westmont, DuPage County, Illinois.

**Background Of Subject Matter** As discussed at previous meetings, the Village issued alternate revenue bonds. This means the bonds are intended to be funded by revenue sources other than property taxes.

**Additional Background** However, to keep the bonds off of the property taxes, the Village must abate the debt payments for those bonds each year.

**Recommendation** Staff recommends approval

**Type** Ordinance

l. **Cancellation Of Meeting**

Board to consider a motion to cancel the regularly scheduled meeting on December 23, 2013.

**Background Of Subject Matter** This meeting was scheduled in place of the December 26, 2013 regular meeting. At this time there is no business required by the end of the year. The next meeting will be on January 9, 2013.

**Type** Motion

**11. Miscellaneous**

**12. 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.

**13. 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.*