

**Committee of the Whole Meeting
November 1, 2012
Minutes**

Mayor Pro-Tem Scott called the meeting to order at 7:00pm

ROLL CALL

PRESENT

Mayor Pro Tem Scott ~~Rahn~~, **Clerk** Szymski and **Attorney** Zemenak ~~Perez~~.

Trustees: Fleming, Emery, ~~Kleberow~~, Nero, Scott and Senicka.

Staff: Searl, Parker, Weiss, Ziegler, Malik, Gunther, Mulhearn

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.

- **Mr. Bob Mueller.** 44 W. 59th Street, Apt. D. Commented on the Village's Home Rule Press Release.
- **Mr. Grace Snyder-Lubica.** 547 W. 56th Street. Commented on Multi-family Licensing ordinance.
- **Mr. Frank Trout.** 328 N. Wilmette Avenue. Invited the community to the November 11, 2012 Veterans day ceremony.

Reports

- Mayor
 - 2012 Westmont Holly Days Celebration

Board to consider an ordinance approving the following requests for the Westmont 2012 Holly Days Celebration: PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.

 - Permit amplified sound in the downtown business district near Westmont Centre on November 23, 2012, from 5 p.m. until 10 p.m. for the Holly Days Opening Ceremony.
 - Close the first block of West Quincy Street on November 23, 2012 from 2 p.m. until 10 p.m. for the Holly Days Opening Ceremony.
 - Close a section of Cass Avenue from Traube to 55th Street on November 23, 2012 from 6:15 p.m. until 8:00 p.m. for the Frosty and Friends Night Parade.

- Close off sections of several streets between Burlington Avenue and Traube, west of Cass Avenue on November 24, 2012 from 7:00 a.m. until 10:00 a.m., for the Holly Days 5K Family Run/Walk.

Background Of Subject Matter

Westmont Holly Days 2012 is the 18th Annual Winter Festival and the requests from the Holly Days Committee, of which the Village is a full partner, have not changed from previous years.

Recommendation

Approval

Type

Ordinance

Documents: 2012 HOLLY DAYS EVENT PERMIT REQUEST FORM.PDF, 2010-2020 CERTIFIED HOLLY DAYS MAP.PDF, 5K RACE MAP INFORMATION2012.PDF

- Clerk
 - Commented on the Trick or Treat Trail.
 - Commented on wonderful and polite local trick and treaters
 - Commented that Finance Ordinance 13 is \$1,127,991.01.
- Attorney
 - Natural Gas Agreement With Integrys
Board to consider an ordinance approving a contract with Integrys Energy Solutions for the purchase of natural gas for certain Village owned properties.
Background Of Subject Matter
The properties subject to this agreement will be: 33 East Burlington, Wilmette and 55th Street, and 328 South Wilmette. This is a month to month agreement that will provide a modest savings.
Type
Ordinance Documents: INTEGRYS CONTRACT.PDF
PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.
- Manager
 - Commented on the upcoming Home Rule presentations and the presentation to the Downtown Westmont Business Alliance at 8:am on 11/01/2012.
 - Commented on the Westmont Rotary Club's sponsored 5K Run on 11/24/2012
 - Commented on the Westmont Rotary Club's Cabaret Dinner on 11/11/2012
 - Requested Executive Session for threatened and pending Litigation Threat, Potential Land sale and purchase.
- Trustee Items
 - Trustee Nero
 - Reminded people to vote.
 - Trustee Fleming
 - Commented on attending the DuPage Hundred Club Dinner and fact that four (4) of our Police Officers recognized with Valor Awards.
 - Reminded people to vote.
 - Trustee Senicka
 - Commented on the Trick or Treat Trail
 - Commented on wonderful and polite local trick and treaters
 - Congratulated the four (4) Police Officers: Majewski, Hamblin, Ryan and Hausner on their Hundred Club Valor Award
 - Reminded that next Wednesday, November 7, 2012 there will be an Economic Development Committee meeting.
 - Trustee Emery
 - Commented on the Trick or Treat Trail
 - Commented on the "Stop Home Rule" flyer factual inaccuracies.

Items To Be Removed From Consent Agenda **PLACED ON THE NOVEMBER 5, 2012
REGULAR BOARD MEETING FOR CONSIDERATION.**

Consent Agenda (Omnibus Vote) **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD
MEETING FOR CONSIDERATION.**

Village Board Minutes

Village Board Meeting Minutes

Board to consider approving the minutes of the Committee of the Whole
Meeting held on October 11, 2012 and the Village Board Meeting held October
15, 2012.

Background Of Subject Matter

Required parliamentary procedure.

Type

Motion

Budgeted

N/A

Documents: [2012-10-15VILLAGEBOARDMEETINGMINUTES.PDF](#), [2012-10-11MEETINGMINUTES-
COMMITTEEOTHEWHOLE.PDF](#)

Finance Ordinance

Finance Ordinance

Finance Ordinance #13

Background Of Subject Matter

Amount to be determined.

Type

Motion

Purchase Orders

PO #11029681

Sauber Manufacturing Company \$5,846.00

Background Of Subject Matter

Emergency repair to Water #241 pneumatic. This is the only
vehicle that has a pneumatic pump, which is used to run
the equipment used in the field and is essential to Water
Department operations.

Additional Background

The pneumatic pump on vehicle 241 malfunctioned. Was
removed and sent to manufacturer who said that it is not
defective. The warranty on this pump is expired.

Type

Purchase Order

Budgeted

Yes

Budgeted Explanation

Maintenance funds

Documents: [PO 11029681.PDF](#)

PO #11029697

Ray O'Herron, CO of Oakbrook Terrace Inc. \$10,038.00

Background Of Subject Matter

Ammunition

Additional Background

State Bid Pricing

Type

Purchase Order

Budgeted

Yes

Documents: [PO 11029697.PDF](#)

Unfinished Business

New Business

325 North Warwick, Wisbrock Lot Coverage Variance Request

Board to consider an ordinance approving a Zoning Code variance request from Dave Wisbrock to allow lot coverage greater than the 30% maximum allowed in a defined development moratorium area. **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

The proposal is in excess for the R-3 zoning district by 10%. The applicant explains his foundation would not support a 2nd story and proposes that lot coverage concerns should be alleviated by his addition of dry wells & drains to the property.

Additional Background

1 neighbor said dry wells improved the water situation & he supported the addition to help property values. 2nd neighbor spoke about flooding; Commission advised this was not the forum to discuss neighborhood drainage not pertinent to the agenda item.

Recommendation

The Plan Commission voted to approve 40% maximum lot coverage. The Planning Engineer would ensure drainage patterns are not impacted & the house addition location could change. The stormwater system would be reviewed for capacity before permit approval.

Type

Ordinance

Budgeted

N/A

Documents: [FINDINGS OF FACT - WISBROCK VARIATION - 325 N WARWICK.PDF](#), [STAFF REPORT AND ATTACHMENTS - WISBROCK VARIATION - 325 N WARWICK.PDF](#)

120 South Grant Street, Sikula Lot Coverage Variation

Board to consider an ordinance approving a Zoning Code variance request from Brent Sikula to allow lot coverage greater than the 35% maximum allowed. **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

The proposal exceeds maximum lot coverage in an R-3 zoning district by approximately 8%, and the applicant proposes to address this concern by installing pervious pavers, and removing concrete areas in the rear yard to alleviate lot coverage concerns.

Additional Background

The Plan Commission clarified the process of installing the pervious pavers, complimented the upgrades to the property, and were pleased that the property's impervious surface was being reduced.

Recommendation

Staff is supportive of the situation on the property being improved by the removal of some concrete in the rear yard, and with large concrete areas such as the driveway and rear patio being replaced by pervious pavers.

Type

Ordinance

Budgeted

N/A

Documents: [FINDINGS OF FACT - SIKULA VARIATION - 120 NORTH GRANT.PDF](#), [2012-10-10 PLANNING AND ZONING COMMISSION STAFF REPORT - SIKULA IMPERVIOUS VARIATION - 120 NORTH GRANT STREET.PDF](#), [ATTACHMENTS - SIKULA VARIATION - 120 NORTH GRANT.PDF](#)

37 West Quincy Street, Cash Closet, Special Use Request

Board to consider an ordinance approving the following requests from Mia Curtiss of Cash Closet to operate a high-end resale/consignment shop featuring men's and women's clothing and accessories in the B-1 Limited Business District: **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

1. Special use permit.

2. Development permit.

Background Of Subject Matter

The applicant was previously approved by the Board for a downtown retail space that fell through & now she is requesting approval for a new location. Occupancies in the B-1 District require a development permit which is approved by the Village Board

Additional Background

The proposed use is consistent with the Board's intention to target market to retail shops in downtown Westmont, and it will increase visitors to downtown. The applicant has included an interior floor plan & a site plan that designates private parking.

Recommendation

The Planning and Zoning Commission recommended unanimous approval of the Zoning Code Special Use request, and were pleased that the applicant decided to remain in the Village of Westmont.

Type

Ordinance

Budgeted

N/A

Documents: [FINDINGS OF FACT - CASH CLOSET SPECIAL USE - 37 WEST QUINCY.PDF](#), [STAFF REPORT AND ATTACHMENTS - CASH CLOSET SPECIAL USE - 37 WEST QUINCY.PDF](#)

665 Pasquinelli Drive, Unit A, Yu's Mandarin Restaurant - Zoning Code Variance Request **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Board to consider an ordinance approving the following requests from Yu's Mandarin restaurant for Zoning Code variances to:

1. Increase the number of allowable signs from 1 to 6.
2. Increase the maximum gross square footage of signage from 138 square feet to 163 square feet.

Background Of Subject Matter

The applicant requests approval of new wall signs and a ground sign panel. The signs are in keeping with the previous tenant's sign locations, but require a variation for total number and total size. The size would be 18% over what is allowed by code.

Additional Background

The Plan Commission asked the applicant how the signs would be installed, and noted that the property is isolated, so the additional signs would be necessary for customers to locate the restaurant.

Recommendation

The Planning and Zoning Commission recommended unanimous approval to allow a Zoning Code Variance Request to increase the number & maximum square footage of allowable signs. The Commission noted the signs were tasteful and helped identify the building.

Type

Ordinance

Budgeted

N/A

Documents: [FINDINGS OF FACT - YUS MANDARIN VARIATION - 665 PASQUINELLI.PDF](#), [STAFF REPORT AND ATTACHMENTS - YUS MANDARIN VARIATION - 665 PASQUINELLI.PDF](#)

777 Oakmont Lane, Suite 200, Spinecraft - Zoning Code Variance Request **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Board to consider an ordinance approving a request from SpineCraft for a Zoning Code variance to increase the number of allowable signs from two to three. _

Background Of Subject Matter

The applicant requests approval of a ground sign to identify the new SpineCraft tenant, in a location close to the tenant's entrance. The building has two street frontages and is permitted two signs, and this variance is requested for a third ground sign.

Additional Background

The size of the combined 3 signs is less than what code allows, & the new ground sign is designed to be tasteful & unobtrusive. The property owner stated no additional signs would be requested. The Commission confirmed the sign would not be illuminated.

Recommendation

The Planning and Zoning Commission recommended unanimous approval to allow a Zoning Code Variance Request to increase the number of allowable signs. The Commission noted the sign would help with building identification for the new tenant.

Type

Ordinance

Budgeted

N/A

Documents: [FINDINGS OF FACT - SPINECRAFT VARIATION - 777 OAKMONT LANE.PDF](#), [STAFF REPORT AND ATTACHMENTS - SPINECRAFT VARIATION - 777 OAKMONT.PDF](#)

3500 Midwest Road, Marriott Telecommunications Equipment, Variation Request

Board to consider an ordinance granting a Zoning Code Variance request from China Cat Productions LLC to permit more than three antennas on a structure.

PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.

Background Of Subject Matter

The 2 new antennas on 2 tripod mounts will be set back several feet from the edge of the roof of Oak Brook Hills Marriott, in line with the other equipment. There are currently 18 antennas on the structure; the 2 new will bring the total to 20 antennas.

Additional Background

A structural engineer has certified that the new building and mounting equipment is adequate for supporting the proposed and existing equipment. 2 neighbors were concerned about cancer rays from the antennas and radioactivity & the effect on residents

Recommendation

The Planning and Zoning Commission recommended unanimous approval of the Zoning Code Variance Request to allow 2 additional antennas. They recommended the neighbors contact the FCC for information about radioactivity, which certifies the equipment.

Type

Ordinance

Budgeted

N/A

Documents: [FINDINGS OF FACT - MARRIOTT VARIATION - 3500 MIDWEST ROAD.PDF](#), [STAFF REPORT - MARRIOTT VARIATION - 3500 MIDWEST ROAD.PDF](#), [ATTACHMENTS - MARRIOTT VARIATION - 3500 MIDWEST ROAD.PDF](#), [FEDERAL COMMUNICATION COMMISSION BULLETIN - MARRIOTT VARIATION.PDF](#)

Downtown Development Grant - 17 West Quincy Street

Board to consider an ordinance approving a downtown development grant request from West Suburban Alano Club. **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

West Suburban Alano Club applied for a Downtown Development Grant to make extensive enhancements to the exterior of the building including limestone restoration, new paint, window trim, a canopy, lighting, & an electronic fire alarm notification system.

Additional Background

Improvements are in keeping with the original character of the building along with restoration work to the current facade. Total cost of \$13, 325, with \$6,700 to be exterior improvements.

Recommendation

The Committee did have a quorum to make a formal recommendation. The present Committee member felt it would appropriate to award a 50% matching grant in the total amount of \$5,462.50.

Type

Ordinance

Budgeted

N/A

Documents: [BASDOWNTOWNDEVELOPMENTGRANT17WQUINCYWSAC.PDF](#), [2011-11-01 - 17 W QUINCY ALANO CLUB GRANT REQUEST.PDF](#), [2012-10-11MINUTES-DOWNTOWNDEVELOPMENTGRANTCOMMITTEE.PDF](#)

Resolution For Maintenance Of Streets And Highways By A Municipality Under The Illinois Highway Code **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Board to consider adopting an IL Department of Transportation Resolution for the resurfacing of a portion of Liberty Boulevard and Parkway Avenue as part of the Downers Grove Township's upcoming resurfacing project.

Background Of Subject Matter

The DG Township Highway Dept. is under contract with James D. Fiala Paving Co., Inc. to perform their annual street maintenance program. Both streets are scheduled for maintenance. Portions of this area are within the Village's corp. limit.

Additional Background

This resolution will appropriate the sum of \$50,000 for the Downers Grove Township Motor Fuel Tax Section 12-03000-01-GM, from the Village's allotment of MFT Funds.

Recommendation

Approval

Type

Resolution

Budgeted

Yes

Documents: [2012 IDOT DG TOWNSHIP RESOLUTION OF FUNDS BLR 14230.PDF](#), [2012 DG TOWNSHIP WESTMONT LOCATION MAP.PDF](#), [2012 DG TOWNSHIP WESTMONT BID TABULATION.PDF](#)

Transfer Of All Village Phone Services To A New Provider

Board to consider an ordinance approving a contract with Call One, Inc. for all village telephone services. **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

The transfer of phone service to the new vendor will save an estimated \$28,000 over the three year period of this contract.

Additional Background

Research into this vendor showed other municipalities as being satisfied with the service provided.

Type

Ordinance

Budgeted

Yes

Documents: [2012 CALL ONE VENDOR CONTRACT AND SAVINGS ANALYSIS.PDF](#)

Proposed Aggregate Property Tax Levy

Board to consider a motion determining the proposed aggregate tax levy as required by the Truth in Taxation Act (35 ILCS200/18-55). **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

As discussed at the 10/15/2012 Admin/Finance Committee meeting the Police Pension levy is at the same level as the prior year, rather than increased as allowed by the Tax Cap. The other items are levied at levels estimated to be allowed under the Tax Cap.

Additional Background

The Proposed Aggregate Levy of \$7, 758,139 includes Police Pension, Village Operating, and Library Funds. The total Levy is about \$72, 970 less than we estimate would be allowed under the Tax Cap. The Public Hearing Notice will be published on 11/21/ 2012.

Type

Motion

Budgeted

N/A

Documents: [2012-11-01 PROPOSED AGGREGATE LEVY SUMMARY.PDF](#), [2012-11-01 PROPERTY TAX TIMELINE.PDF](#), [2012-11-01 - DRAFT NOTICE FOR PUBLICATION.PDF](#), [2012-11-01 - DRAFT APPROPRIATIONS ORDINANCE.PDF](#)

American Indian Heritage Month

Board to consider a proclamation to declare the month of November 2012 as American Indian Heritage Month. **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

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Type

Proclamation

Documents: [2012 NATIONAL AMERICAN INDIAN HERITAGE MONTH PROCLAMATION 2.PDF](#)

Pancreatic Cancer Awareness Month

Board to consider a proclamation declaring November 2012 as Pancreatic Cancer Awareness Month. **PLACED ON THE NOVEMBER 5, 2012 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

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Type

Proclamation

Documents: [2012 PANCREATIC CANCER AWARENESS MONTH PROCLAMATION.PDF](#)

Miscellaneous

Adjourned to Executive Session at 8:49pm