

Committee of the Whole Meeting January 3, 2013

Mayor Pro Tem Scott called the meeting to order at 7:02pm

ROLL CALL

PRESENT

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

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

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

Reports

- Mayor
 - Nothing
- Clerk
 - Reminded the public that when they address the Village Board on an item to please clearly state their name and address for the record.
 - Complemented the public work department on recent water main work.
- Attorney
 - Nothing
- Manager -
 - Announced the Administration & Finance Committee will be meeting on Monday, January 7, 2013 at 6:00pm
 - Commented that the Finance Ordinance Amount is \$1,157,833.98
 - Requested the addition of a Purchase Order to the the January 7, 2013 meeting agenda: **PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.**
 - **ADDITIONAL ONLY**

○ PO Number	○ Description	○ Amount
○ 11030168	○ Twin Supplies, LTD - Water Div IL Clean Energy Project	○ \$ 7,795.00

	○ Total:	○ \$ 7, 795.00

■ **Trustee Items**

- Trustee Emery
 - Wished everyone a happy and continued safe New Year.
- Trustee Fleming
 - Announced that the January 8, 2013 Public Works Committee meeting has been cancelled.
- Trustee Klebenow
 - Announced the American Cancer Society “Relay for Life” kick off event will be at Bally Doyles (Downers Grove) on 1/16 from 6:30pm to 8:00pm
- Trustee Nero
 - Nothing.
- Trustee Scott
 - Nothing.

Background Of Subject Matter

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Type

Discussion Only

Items To Be Removed From Consent Agenda PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.

Consent Agenda (Omnibus Vote) PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.

Village Board Minutes

Village Board Meeting Minutes

Minutes Board to consider approving the minutes of the Committee of the Whole Meeting held December 13, 2012 and the Village Board Meeting held December 17, 2012.

Background Of Subject Matter

Required parliamentary procedure.

Additional Background

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Recommendation

Approval.

Type

Motion

Budgeted

N/A

Budgeted Explanation

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Documents: 2012-12-17 MINUTES - VILLAGE BOARD MEETING.PDF, 2012-12-13 MEETING MINUTES - COMMITTEE OF THE WHOLE.PDF

Finance Ordinance

Finance Ordinance #17

to be determined

Background Of Subject Matter

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Type

Motion

Purchase Orders

PO 11030052

Intergovernmental Risk Management Agency \$427,660.00

Background Of Subject Matter

2013 Members Contribution

Type

Purchase Order

Budgeted

Yes

Documents: [PO 11030052.PDF](#)

Unfinished Business

Truck Vehicle Idling - Private Property

Board to consider an ordinance regulating truck idling on private property. **PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

At the December 27, 2012 Village Board Regular meeting staff was asked to schedule this item on the next agenda for Village Board discussion of adopting an ordinance.

Type

Ordinance

Budgeted

N/A

New Business

15 East Burlington Avenue, Phoenix Nails Spa Special Use

Board to consider an ordinance approving the following requests from Chamroeun Keang of the Phoenix Nails Spa to allow the operation of a nail salon on the ground floor in the B-1 Limited Business District: **PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.**

1. Special use permit.
2. Development permit.

Background Of Subject Matter

Zoning code requires a new special use ordinance for new business owners who take over an existing business with a special use. The applicant is applying for a special use for the existing Phoenix Nails Spa, which has been in business since 2006.

Additional Background

The shopping center where the nail salon is located has an existing non-conforming parking situation, but ample public parking is available, & additional stations or employees will not be added. Currently the business does not have a parking problem.

Recommendation

The Planning and Zoning Commission unanimously recommended approval of the special use, with no concerns about the business remaining as is.

Type

Ordinance

Budgeted

N/A

Documents: [15 EAST BURLINGTON - PLANNING AND ZONING COMMISSION STAFF MEMO.PDF](#), [15 EAST](#)

11 West Quincy Street, Westmont Theater, Special Use And Variations Request Board to consider an ordinance approving the following requests from Keith Erickson of the Westmont Theater to operate a performing arts studio and live entertainment venue with an associated tavern in the B-1 Limited Business District: [PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.](#)

- 1. Special use permit.**
- 2. Zoning code variance to reduce the number of required off-street parking stalls.**
- 3. Zoning code variance to permit a tavern within the required 1,000 feet separation from a school.**
- 4. Development permit.**
- 5. Waiver from cash-in-lieu for B-1 parking spaces.**

Background Of Subject Matter

The applicant is requesting a downtown theater with live acts. A bar is part of the proposal, & would operate during theater hours of operation only. A parking variation is requested, and a waiver from the associated parking fee for B-1 parking spaces.

Additional Background

There were many questions/comments from neighbors regarding hours of operation, noise, alcohol, lack of parking, security, & property values. The applicant has included a memo to the Board addressing each of these concerns, which is attached.

Recommendation

The Special Use & Variance requests received a unanimous recommendation. The Ordinance will address many of the issues that were raised at the public hearing, including noise. The applicant met with 8 residents on 12/20/12 to answer additional questions.

Type

Ordinance

Budgeted

N/A

Documents: [MEMO TO VILLAGE BOARD FROM APPLICANT - CONCERNS TO ADDRESS.PDF](#), [11 W QUINCY PLANNING AND ZONING MEMO.PDF](#), [11 WEST QUINCY - FINDINGS OF FACT.PDF](#), [RENE STURGEON - MEMO TO PLANNING AND ZONING COMMISSION.PDF](#), [11 W QUINCY - FACEBOOK DISCUSSION.PDF](#), [11 W QUINCY NEWSPAPER ARTICLE - 12-19-12.PDF](#), [MEETING NOTES FROM MEETINGS WITH APPLICANT FOLLOWING PLANNING AND ZONING MEETING.PDF](#), [11 W QUINCY - DEV PERMIT APPLICATION.PDF](#)

150 West Ogden Avenue, Automobile Club Chicago Special Use And Variance Request Board to consider an ordinance approving the following requests from Kenneth Brom of the Automobile Club Chicago to operate an automobile enthusiast center including automobile service, automobile retail sales of used and new automobiles, and an associated restaurant in the B-2 General Business District, with auto sales occurring within 500' separation of a residence district: [PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.](#)

- 1. Special use permit.**
- 2. Zoning code variance.**

Background Of Subject Matter

Auto sales require a special use, & those within 500' of residential districts require a variation. The request is for an auto enthusiast

center with a restaurant. This was given a positive recommendation by the Economic Development Committee on 11/7/12.

Additional Background

The Commission questioned the applicant regarding hours of operation, noise from auto body work, how membership would operate, restaurant specifics, & open garage doors. The applicant addressed questions from the meeting in an attached memo to the Board.

Recommendation

Following no public comment, the Commission unanimously recommended approval of the special use & variation, explaining the applicant would need to clarify their questions to the Village Board, & the ordinance would address concerns that were raised.

Type

Ordinance

Budgeted

N/A

Documents: [AUTO CLUB RESPONSES TO MEETING QUESTIONS.PDF](#), [150 W OGDEN - STAFF MEMO AND ATTACHMENTS.PDF](#), [150 W OGDEN - FINDINGS OF FACT.PDF](#)

Engineering Agreement With Thomas Engineering Group, LLC.

Board to consider an ordinance approving an engineering agreement proposal with Thomas Engineering Group for the Phase 2 Engineering Design Services of the Public Works Water Division Facilities Improvement Project. **PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

PW Water Div. facilities yard is 15 years old, showing signs of wear/tear, & is without material storage bins. Material is stored in any available space, open to the elements & public view. Currently a gravel lot near the eastern water ground storage tank.

Additional Background

Phase 2 shall include the survey & design for lot construction at eastern ground storage tank, facility asphalt overlay, 3 material storage bins & all required permitting BMP's, & other related work. Village received a proposal in the amount of \$46,069.60.

Recommendation

Staff recommends the approval of Thomas Engineering Group LLC Engineering Proposal.

Type

Ordinance

Budgeted

Yes

Documents: [PW WATER DIV PARKING LOT IMPROVEMENTS PH2 ENGINEERING.PDF](#)

Revised Village Of Westmont Emergency Operations Plan

Board to consider an ordinance approving the revised Village of Westmont Emergency Operations Plan. **PLACED ON THE JANUARY 7, 2013 REGULAR BOARD MEETING FOR CONSIDERATION.**

Background Of Subject Matter

In compliance with the DuPage County Office of Homeland Security, the Village has completed a revised Emergency Operations Plan. The Westmont EOP is an ongoing plan maintained & used by the Village to respond to a wide variety of potential hazards.

Additional Background

The EOP outlines policies, concepts of operations, organizational structures & governmental interfaces. It is designed to guide municipal efforts during all phases of emergency management, including preparedness, response, recovery, & mitigation.

Recommendation

The Fire Department recommends approval of said Emergency Operations Plan.

Type

Ordinance

Budgeted

N/A

Documents: [AUTHENTICATION FORM EOP.PDF](#), [CERTIFICATION FORM EOP.PDF](#)

Miscellaneous

Adjourned to Executive Session at 9:59pm