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# Committee of the Whole Meeting Minutes
# March 28, 2013

Mayor Pro Tem Senicka called the meeting to order at 7:04pm

**ROLL CALL**

**PRESENT**
**Mayor Pro Tem** Senicka, **Clerk** Szymski and **Attorney** ~~Zemenak~~ Perez.
**Trustees:** Fleming, ~~Emery~~, Klebenow, ~~Nero~~, Scott and Senicka.
**Staff:** Searl, Parker, Malik, Ziegler, Connelly, 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.

- **Grace Snyder-Kubica**. Commented on the recent publicity regarding brush pick-up suspension program.

**Reports**

- Mayor
  - Wished everyone a Happy Easter.
  - Commented on the Knights of Columbus Fish Fry.
- Clerk
  - Reminded residents that the Village Hall is closed for the “Good Friday” holiday.
  - Wished everyone a Happy Easter.
  - Commented on the proper place of “candidate” signs in the parkway.
- Attorney
  - Wished everyone a Happy Easter.
- Manager
  - Village Climate Action Plan Annual Update will be presented Monday, April 1, 2013

- Announced the upcoming Budget Workshop Meeting Calendar
- Announced the amount of **Finance Ordinance Number 23:** $749,841.31
- Commented on the Consent Agenda Proclamations.

- Trustee Items
  - Trustee Scott
    - Announced 4/3/2013 EDC meeting
  - Trustee Klebenow.
    - Wished everyone a Happy Easter.
  - Trustee Fleming
    - Nothing
  - Trustee ~~Nero~~
  - Trustee ~~Emery~~

**Items to Be Removed From Consent Agenda PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

**Consent Agenda (Omnibus Vote) PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

**Village Board Minutes** Board to consider approving the minutes of the Committee of the Whole Meeting held March 14, 2013 and the Village Board Meeting held March 18, 2013. Documents: 2013-03-18 Minutes Village Board Meeting.pdf, 2013-3-14 Committee of the Whole Minutes.pdf

**Finance Ordinance**

**Finance Ordinance #23**

**Purchase Orders**

**PO #11030652**

A Beep LLC    $65,185.45

Background of Subject Matter

RI) Communications Upgrade (remainder of ETSB Reimb.) Dispatch Consolidation Portion

Additional Background

Staging portion of 30% for Project Total Staging - Village of Westmont 41% per VOW Ord. #12-143

Type

Purchase Order

Budgeted

No

Budgeted Explanation

Not Budgeted, but reimbursed item.

Documents: PO 11030652.pdf

**PO #11030683**

Central Blacktop $47,562.12

Background of Subject Matter

MFT #12-00103-00RS

Additional Background

Board Approved 8/20/12 in conjunction with PO 11029478

Type

Purchase Order

Budgeted

Yes

Documents: PO 11030683.pdf

**PO #11030689**

Baxter & Woodman, Inc. $40,700.00

Background of Subject Matter

South Tower Painting Engineering

Type

Purchase Order

Budgeted

Yes

Documents: PO 11030689.pdf

**PO #11030670**

Vidito Tree Experts $13,000.00

Background of Subject Matter

Ash Tree Removals

Additional Background

Total of 19 Trees

Type

Purchase Order

Budgeted

Yes

Documents: PO 11030670.pdf

**PO #1030695**

Illinois EPA $7495.55

Background of Subject Matter

AARA Loan Payment - Adjustment

Type

Purchase Order

Budgeted
Yes
Documents: PO 11030695.pdf

**Total of Purchase Orders**
**$173,943.12**

## Proclamation

### Holy Trinity Church 75th Anniversary Proclamation

Board to consider a proclamation honoring the 75th Anniversary of Holy Trinity Church.
Background of Subject Matter
*
Type
Proclamation
Budgeted
N/A
Documents: 2013 Holy Trinity Proclamation.pdf

### DuPage County River Sweep 2013 Proclamation

Board to consider a proclamation declaring Saturday, March 18, 2013 as DuPage River Sweep 2013.
Background of Subject Matter
*
Type
Proclamation
Documents: DuPage County River Sweep Proclamation 2013.pdf

### Telecommunications Week Proclamation 2013

Board to consider a proclamation declaring April 14 - April 20, 2013 as National Public Safety Telecommunicators Week.
Background of Subject Matter
*
Type
Proclamation
Budgeted
N/A
Documents: 2013 telecommunications week proclamation.pdf

## Unfinished Business

### Home Rule Resolution

Board to consider a resolution to request the future Board of Trustees to place a referendum on the

November 2014 election ballot to return the Village of Westmont to home rule status. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter

November 2014 is twenty three months after the voters rescinded Home Rule status for the village, thus allowing the question to be placed on the ballot.

Type

Resolution

**New Business**

**6501 South Cass Avenue, Westmont Nursing and Rehabilitation Center, Variance and Site/Landscaping Plan Approval Requests**

Board to consider ordinances granting approval of the following requests from Westmont Real Estate LLC regarding the Westmont Nursing and Rehabilitation Center at 6501 South Cass Avenue and 635 East 65th Street in the B-2 General Business District. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

1. Variance request to expand an existing non-conforming nursing home.
2. Site and landscaping plan approval for a 42,250 square foot nursing home and parking lot expansion.
3. Commercial masonry waiver request.

Background of Subject Matter

The applicant is requesting to expand the existing nursing home building with a new 1 story & 2 story addition to the south. The parking lot to the east, which was constructed in 2007, would be expanded and underground detention constructed below the lot.

Additional Background

The applicant would like a consistent appearance between the new addition & the renovated existing building, using an EIFS overlay system & removing the existing mansard. A masonry waiver is requested so the EIFS can be used rather than a brick overlay.

Recommendation

The Commission gave a unanimous positive recommendation & were pleased with the proposed improvements. Staff supports the masonry waiver if the fire resistant rating is not compromised, which will be addressed during the permit stage of plan review.

Type

Ordinance

Budgeted

N/A

Documents: 2013-03-13 Staff report - Nursing home variation and site plan review - Planning and Zoning Commission.pdf, 6501 S Cass - Nursing home attachments.pdf, 6501 S Cass - Request for masonry waiver.pdf, 6501 S Cass - Nursing home elevations.pdf, 6501 S Cass - Site plan - Color.pdf, 6501 S Cass - Nursing home - existing picture.jpg, 01-Plat of Survey.pdf, 02-Plat of Subdivision.pdf, 03-Civil Part1.pdf, 03-Civil Part2.pdf, 03-Civil

Part3.pdf, 04 ARCHITECT.pdf, 05 T101-T102.pdf, 06 Landscape.pdf

**1170 35th Street, Heartland Commercial Inc., Variance and Site/Landscaping Plan Approval Requests**

Board to consider ordinances approving the following requests from Heartland Commercial Inc. to construct a parking lot for the Quail Ridge Office Center in the O/R Office Research District: **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

1. Zoning code variance to reduce the required front, side, and rear setbacks for a proposed parking lot.
2. Site and landscaping plan approval.
   Background of Subject Matter
   The applicant is requesting approval to construct a parking lot on the vacant parcel adjacent to the Quail Ridge Office Center, accessed from 35th Street. Employees could park in the lot & then walk to the adjacent office, using proposed accessible paths.
   Additional Background
   A covenant is required to be recorded with DuPage County to ensure that parking would be used for the Quail Ridge Office Center, and would prohibit any other use on the lot. A traffic study was conducted to ensure the impact on 35th St. will be minimal.
   Recommendation
   The required setbacks, particularly the 75' setback from Route 83, make the property virtually unusable. Approval of the variances will allow a vacant lot to be used to benefit the adjacent office, & landscaping will be incorporated at the perimeter.
   Type
   Ordinance
   Budgeted
   N/A
   Documents: 2013-03-13 Staff report - Quail Ridge Parking Lot variation - Planning and Zoning commission.pdf, Quail Ridge attachments.pdf, Quail Ridge - site and engineering plans.pdf, Quail Ridge - findings of fact.pdf

**6320 South Cass Avenue, JP Morgan Chase Special Uses and Variances Request**

Board to consider ordinances approving the following requests from JP Morgan Chase to operate a bank in the C-1 Commercial Business District: **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

1. Zoning code variance to increase the number of allowable signs.
2. Zoning code variance to increase the maximum gross square footage of signage.
3. Special use permit to operate a bank with an accessory drive-in facility.
4. Special use permit to operate on-premises ATMs.

   Background of Subject Matter
   The applicant is requesting to operate a bank with five drive-through lanes, one of which

includes an outdoor drive-in ATM, & an indoor ATM (only accessible during the bank's business hours). Sign variances are also requested for size & square footage.

Additional Background

The Planning and Zoning Commission did not raise any concerns with regard to the requests, since the building was previously a bank, & due to the minimal signage being requested. Landscaping will be replaced, & existing site amenities will be re-used.

Recommendation

The Commission had a unanimous positive recommendation. Staff has reviewed the plans and does not have any concerns regarding the ATMs, or regarding the signage requests, which are minimal and will fit in well with the existing building and property.

Type

Ordinance

Budgeted

N/A

Documents: 2013-03-13 Staff report - Chase special uses and variations - Planning and Zoning Commission.pdf, 2013-03-13 Chase attachments.pdf, Chase findings of fact.pdf

**Extension of 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. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter

On December 1, 2006 the Village sold an outlot adjacent to vacant property on 63rd Street 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. The Village Attorney will provide the Amendment when finalized.

Recommendation

Approval

Type

Ordinance

Budgeted

N/A

Documents: Site Development Agreement.pdf

**IDOT Traffic Signal Agreement**

Board to consider an ordinance approving an agreement with the Illinois Department of Transportation (IDOT) to participate in the Traffic Signal Upgrade Project on US 34, Ogden Avenue. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter
US Route 34, Ogden Avenue, is a federal highway under the maintenance jurisdiction of the State of Illinois. IDOT has scheduled for traffic signal upgrades including LED fixtures & a battery backup system.
Additional Background
Certain locations within Westmont are partially the responsibility of the Municipality as per the master agreement dated 1981. The cost share to Westmont is estimated at $6,123.75; the entire cost of the portion that is within Westmont is $200,000.00.
Recommendation
Staff and Public Works Committee recommend approval of said agreement.
Type
Ordinance
Budgeted
Yes
Documents: IDOT Traffic Signal Agreement.pdf

**Engineering Agreement - Supplemental Services CMAQ Sidewalk Project**
Board to consider an ordinance approving a supplemental services agreement with Burns & McDonnell for the Construction Ph3 Engineering Services for the Motor Fuel Tax funds on the 2008 CMAQ Sidewalk Project. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter
Project is 99% completed, only punch-list items remain. During the Ph2 engineering design, plans & specifications were submitted to DuDot Highway Permitting, approvals where no comments were received. Project was let & construction began in Fall 2011.
Additional Background
DuDot Highway Permitting was delayed, required a number of late changes to the plans. Burns & McDonnell complied with the changes, as the awarded contractor; now seeking reimbursement for additional out-of-pocket expenses due to changes after completion.
Recommendation
Approve Supplemental Construction Engineering Services Proposal. Maximum compensation for these services is stated at $9,865.00.
Type
Ordinance
Documents: CMAQ Engineering Agreement.pdf

**Construction Engineering Services - Phase 3 60th Street Streambank Stabilization**
Board to consider an ordinance approving an agreement with Burns & McDonnell for the Construction (Phase 3) Engineering Services for the 60th Street Streambank Stabilization Project.
**PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter
During Ph2 Engineering Design of the 2008 CMAQ Sidewalk Project, the existing culvert crossing 60th Street along St. Joseph's Creek showed signs of failure and was closed for safety. Culvert replacement was added to the sidewalk project.
Additional Background
The County required Streambank Stabilization for both upstream & downstream of the culvert. To avoid extensive IDOT review time & further delays to the sidewalk project, this portion of the project was separated from the 2008 CMAQ Sidewalk Project.
Recommendation
Approval of the Construction Ph3 Engineering Services Proposal. The maximum compensation for these services is stated as $18,663.00.
Type
Ordinance
Budgeted
Yes
Documents: Construction Engineering Agreement - 60th Street.pdf

**Professional Engineering Services Agreement - Baxter & Woodman**

Board to consider an ordinance approving an agreement with Baxter & Woodman, Inc. to perform design (phase II) and inspection (phase III) professional engineering services related to the South Tower Repainting Project. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter
South Tower is 3 years overdue for repainting interior & exterior, based on a 15 year cycle. There is visual evidence of dirt & mold on the exterior of the tank; power washing is no longer an option.
Additional Background
This contract includes: preparation of plans, specifications, bidding, & inspection services to coordinate this project in 2013. Only the design portion of this contract will be billed in 2013, construction & engineering will be in the 2014 budget.
Recommendation
Staff & Public Works Committee recommend approval of said agreement.
Type
Ordinance
Budgeted
Yes
Documents: Engineering Agreement - South Tower.pdf

**Comcast 5 Year Contract for 40MB Internet Fiber Connection**

Board to consider an ordinance approving a five (5) year agreement with Comcast to provide a 40MB fiber connection to the Village for internet services. **PLACED ON THE MONDAY, April 1, 2013 VILLAGE BOARD AGENDA FOR CONSIDERATION.**

Background of Subject Matter
The Village currently contracts with XO Communications for a 10MB Internet Connection @ $1385/month & supplements with Comcast Cable Modems at several locations. Increasing the speed will enable a reduction in # cable modems & reduce costs to $1550/month.
Additional Background
This new contract will allow the Village to reduce its costs and increase its speeds to the internet to meet user demands.
Recommendation
Staff recommends the approval of the 5 year agreement with Comcast.
Type
Ordinance
Budgeted
Yes
Budgeted Explanation
Replacing existing services.
Documents: [2013-03-06 Comcast Contract - Ethernet.pdf]

## Miscellaneous

## Adjourned to Executive Session at 8:07pm