



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

Village Board Meeting
December 3, 2012
7:00 p.m.

1. Call To Order
2. Roll Call
3. Pledge Of Allegiance
4. Reports

a. Reports

- Mayor
- Clerk
- Attorney
- Manager

Background Of *

Subject Matter

Type Discussion Only

5. Items To Be Removed From Consent Agenda
6. Consent Agenda (Omnibus Vote)

a. Village Board Minutes

i. Village Board Meeting Minutes

MINUTES Board to consider approving the minutes of the Committee of the Whole Meeting held November 15, 2012 and the Village Board Meeting held November 19, 2012.

Background Of Required parliamentary procedure.
Subject Matter

Additional *
Background

Recommendation Approval.

Type Motion

Budgeted N/A

Budgeted *
Explanation

Documents: [2012-11-19 VILLAGE BOARD MEETING MINUTES.PDF](#), [2012-11-15 MEETING MINUTES-COMMITTEE OF THE WHOLE.PDF](#)

b. Finance Ordinance

i. Finance Ordinance #15

\$719,749.14

Background Of Subject Matter	*
Type	Motion

c. **Purchase Orders**

i. **PO 11029918**

Burns & McDonnell \$114,119.92

Background Of Subject Matter	Pasquinelli-Ogden Reconstruction Phase 3
Additional Background	Board approved 10/17/11
Type	Purchase Order
Budgeted	Yes

Documents: [PO 11029918.PDF](#)

ii. **PO 11029876**

Downers Grove Township Highway Department \$50,000.00

Background Of Subject Matter	Downers Grove Township resurface of Westmont section.
Type	Purchase Order
Budgeted	Yes

Documents: [PO 11029876.PDF](#)

iii. **PO 11029897**

Harris MSI Merger \$21,424.68

Background Of Subject Matter	MSI Software Maintenance
Additional Background	December 2012 to November 2013
Type	Purchase Order
Budgeted	Yes
Budgeted Explanation	Cost is \$2000 above budgeted amount

Documents: [PO 11029897.PDF](#)

iv. **PO 11029912**

Mid American Water, Inc. \$15,100.00

Background Of Subject Matter	7 Hydrants: 5 WB67 5-6 & 2 6, all yellow
Type	Purchase Order
Budgeted	Yes

Documents: [PO 11029912.PDF](#)

v. **PO 11029890**

Google, Inc. \$7,282.00

Background Of	Postini Archive
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Subject Matter

Type Purchase Order

Budgeted Yes

Documents: [PO 11029890.PDF](#)

vi. **Purchase Orders Total**

\$207,926.60

**Background Of
Subject Matter** *

Type Purchase Order

Budgeted Yes

d. **Finance Ordinance & Purchase Order Total**

\$927,675.74

**Background Of
Subject Matter** *

Type Purchase Order

7. Unfinished Business

8. New Business

a. **15 South Cass Avenue, James D. Fiala Paving Company, Special Use Request**

Board to consider an ordinance approving the following requests from John Pelton of James D. Fiala Paving Company to operate a ground floor office in the B-1 Limited Business District:

1. Special use permit.
2. Development permit.

**Background Of
Subject Matter** B-1 District occupancies require a development permit which is approved by the Village Board. Ground floor offices also require a special use permit in the B-1 District. The request is for a temporary field office through approximately May 2013.

**Additional
Background** An interior floor plan and a site plan that designates private parking are included. There are no parking concerns, & the tenant space has been vacant for several years. The field office is intended to help coordinate the 55th Street construction project.

Recommendation Approval of the special use would support the Village of Westmont and DuPage County Department of Transportation working together for the completion of the 55th Street construction project. The Planning & Zoning Commission recommended unanimous approval.

Type Ordinance

Budgeted N/A

Documents: [FINDINGS OF FACT - 15 SOUTH CASS - FIALA SPECIAL USE.PDF](#), [2012-11-14 PLANNING AND ZONING COMMISSION STAFF REPORT - FIALA OFFICE SPECIAL USE - 15 SOUTH CASS.PDF](#)

b. **6002 South Cass Avenue, Unit B, Wrestling School Special Use Request**

Board to consider an ordinance approving the following requests from Remigijus Sukevicius to operate a wrestling school in the B-2 General Business District:

1. Special use permit.

Background Of Subject Matter	The applicant is seeking approval of a special use permit to operate a wrestling school in the Spree Mart shopping center. Adequate shared parking exists, & most of the classes will be in the evening, after many businesses close.
Additional Background	The Planning and Zoning Commission asked if tournaments would be held, & the applicant responded no. The Special Use Ordinance will restrict the studio from holding special events. The applicant noted small retail sales of wrestling equipment would occur.
Recommendation	There were no concerns about the proposed operating hours, which could potentially change depending on class availability and need. The applicant would like to open in January 2013. The Planning and Zoning Commission unanimously recommended approval.
Type	Ordinance
Budgeted	N/A

Documents: [FINDINGS OF FACT - 6002 SOUTH CASS - WRESTLING SCHOOL SPECIAL USE.PDF](#),
[2012-11-14 PLANNING AND ZONING COMMISSION STAFF REPORT - WRESTLING SCHOOL SPECIAL USE - 6002 SOUTH CASS.PDF](#)

c. **NICOR Settlement- Release Of Claims**

Board to consider an ordinance authorizing the execution of a Release of Claims with NICOR.

Background Of Subject Matter	The Village's consultant, Azavar Technologies, initiated litigation on behalf of several municipal clients, including the Village of Westmont, asserting that NICOR owed municipal utility taxes for certain annexed areas to the various communities.
Additional Background	Azavar's audit determined that NICOR had failed to make these payments. This Release provides resolution and settlement of this lawsuit.
Recommendation	Recommend approval.
Type	Ordinance
Budgeted	N/A

Documents: [NICOR RELEASE.PDF](#)

d. **2012 Tax Levy**

Board to take the following actions:

1. Conduct a public hearing on December 3, 2012 regarding the property tax levy and continue the public hearing until the Village voting meeting on December 17, 2012.
2. Motion to postpone an ordinance to adopt the 2012 Tax Levy Ordinance until the Village Board meetings of December 13, 2012 and December 17, 2012.

Background Of Subject Matter	As published in the paper, the Village will hold a public hearing to approve a property tax levy on 12/3/2012. At the 11/5/12 meeting, the Board approved a proposed aggregate levy of \$7,758,139.00.
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***Additional
Background***

This total included \$1,791,050 for Police Pension, \$4,150,860.00 for other Village Costs, & \$1,816,229.00 for the Westmont Public Library. This is less than we estimate the Village would be allowed under the tax cap.

Type

Ordinance

Documents: [2012-11-29 LEVY - PROPOSED AGGREGATE LEVY SUMMARY.PDF](#), [2012-11-29 LEVY - DRAFT ORDINANCE - ORIGINALLY PROPOSED LEVY - AO.PDF](#), [2012-11-29 LEVY - PROPERTY TAX TIMELINE.PDF](#)

e. Multi-Family Licensing Program

Board to consider a motion to temporarily postpone enforcement of the village's Multi-Family Licensing Program until further direction from the Village Board of Trustees.

***Background Of
Subject Matter***

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Type

Motion

f. Appointment Of Special Counsel

Board to consider a motion approving the appointment of Victor Fillppini of Holland & Knight as special counsel to the Village on home rule issues, and authorizing the execution of a letter of engagement.

***Background Of
Subject Matter***

*

Type

Motion

9. Miscellaneous

10. 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.

11. 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.