



ADMINISTRATION

31 West Quincy Street, Westmont, Illinois 60559

Tel: 630-981-6210 Fax: 630-604-1250
westmont.il.gov | administration@westmont.il.gov

Committee of the Whole Meeting August 30, 2012 Minutes

Mayor Pro-Tem Nero called the meeting to order at 7:01pm

ROLL CALL

PRESENT

Mayor Pro Tem Nero ~~Rahn~~, **Clerk** Szynski and **Attorney** Zemenak ~~Perez~~.

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

Staff: Searl, Gunther, Parker, Weiss, May, Malik, Mulhearn, Connelly

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 Committee of the Whole Meeting Agenda. Contact the Village Manager for placement on the agenda.

- **Mr. Al Carson, Westmont Chamber of Commerce.** Commented on the Pet Promenade on September 15, 2012 from 10am to 2pm at Ty Warner Park.
- **Mr. Bruce Barker, Holy Trinity Church.** Commented on the Art Show by Kathryn Bradford Dyer "From Darkness to Light" and Matt Maher in Concert, September 27, 2012 at the Christian Church of Clarendon Hills.
- **Mr. Bob Mueller, 44 W. 59th Street, Apt D.** Announced the formation of "Citizens For Westmont" regarding Home Rule Status including formation of a Google Group.
- **Police Chief Tom Mulhearn.** Announced the Fall session of the Citizen's Police Academy starting September 26, 2012. Also cautioned that with School starting drivers need to use extra caution.
- **Ms. Grace Snyder-Kubica, 547 W. 61st Street, Apt. B.** Commented that the Village's Home Rule hand out incorrectly stated that no Illinois community had vote to rescind Home Rule in more than 20 years. She stated that Rockford did it in the 1990's. Village Attorney Zemenak corrected her on this error as it was early 1980's for Rockford.

5. Reports

a. Reports

- **Mayor-** Requested that Item E. **233 And 235 North Cass Avenue - Zoning Code Variances And Special Use Extension Requests** be moved forward in the agenda for consideration. This was requested by the petitioner due to a family situation. Board agreed.

e. 233 And 235 North Cass Avenue - Zoning Code Variances And Special Use Extension Requests. **PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.**

Board to consider an ordinance approving a request to extend approvals of the following:

1. Special Use Permit to operate a ground floor office in the B-1 Limited Business District.
2. Zoning Code Variance to permit the construction of an office building which will encroach into the required front yard setback.
3. Zoning Code Variance to permit the construction of an office building which will encroach into the required side yard setbacks.
4. Zoning Code Variance to reduce the number of required off-street parking stalls to 9.

Background Of Subject Matter

On September 20, 2010 the Village Board granted approval of three Zoning Code Variances for parking and setbacks, and a Special Use Permit to Michael J. Kaufman and Samuel Rea of Knightsbridge Design and Build with Donald Burke of DW Burke and Associates.

Additional Background

The Preliminary Plat of Subdivision and Site & Landscaping Plan were also approved. As the approvals are valid for one year, the developer requests an extension through September 4, 2013.

Type

Ordinance

Documents: [233 235 N CASS SITE PLAN ATTACHMENT.PDF](#), [233 235 N CASS APPROVED ORDINANCES ATTACHMENT.PDF](#), [233 235NCASSDEVELOPMENT BAS.PDF](#)

- **Clerk**
 - Reminded the public that tonight is the last Cruisin Nights for this year.
 - Reminded the public that due to the Labor Day Holiday the Board and Public Information Committee will be meeting on Tuesday evening, September 4, 2012.
- **Attorney**
 - Asked the Village Board if they would prefer electronic (pdf) copies of ordinances instead of paper. The Board members present indicated yes. Indicated that if anyone wants a paper copy he can accomodate that on a request basis.
- **Manager**
 - Mentioned the CUSD 201 Open House, at all schools, from 6:30pm to 8:30pm
 - Commented that the total amount of the Finance Ordinance \$1,218,225 due to the Vehicle Loan Program payoff to save \$63,000 in interest.
 - Commented on the upcoming November 6, 2012 Home Rule Referendum and Responded to Grace Snyder-Kubica inaccuracies regarding Home Rule status.
- **The Board took a brief five (5) minutes recess.**
- Trustee Items
 - Trustee Senicka
 - Reminded everyone that there will be an economic development committee meeting on Wednesday, September 5, 2012 at 9am in the Village Hall.

- Thanked all the businesses that came to the special Public Safety Committee meeting on Monday, August 27, 2012 to discuss Video Gaming.
- Trustee Klebenow
 - Reminded everyone that school has started so drivers should use extra caution.
 - Wished everyone a happy and safe Labor Day.
- Trustee Fleming
 - Mentioned the Westmont High School home football game tomorrow, Friday, September 1, 2012.
 - Mentioned the Westmont has two (2) new exchange students in town: Merela is staying with us and Standa, from the Czech Republic, is staying with the Hancocks.

Background Of Subject Matter

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Type

Discussion Only

Budgeted

N/A

6. Items To Be Removed From Consent Agenda - No Items removed. **PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.**

7. Consent Agenda (Omnibus Vote) **PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.**

a. Village Board Minutes

i. Village Board Minutes

Minutes of the Combined Committee of the Whole/Village Board Meeting held on August 20, 2012.

Background Of Subject Matter

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Type

Motion

Budgeted

N/A

Documents: [COTW AND VB COMBINED MINUTES 20120830.PDF](#)

ii. Executive Session Minutes

Board to consider a motion to accept, approve, and release the Executive Session minutes for 2009, 2010, 2011 and 2012 with the exceptions as noted to be reviewed.

Background Of Subject Matter

The Illinois Open Meetings Act requires that the Village board periodically review to accept, approve and/or release Executive Session minutes in whole or part.

Additional Background

Attached is the list of Executive Session minutes for 2009, 2010, 2011 and 2012 with the exceptions as noted to be reviewed.

Type

Motion

Budgeted

N/A

Documents: [20120820 EXECUTIVESSESSIONMINUTES RELEASE LISTING.PDF](#)

b. Finance Ordinance

Number 9

Finance Ordinance Number 9

Background Of Subject Matter

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Type

Motion

c. Purchase Orders

i. PO 11029043

PO #11029043 Illinois EPA/Infrastructure - Water Bureau \$36,978.62

Background Of Subject Matter

ARRA Loan Repayment - Open Purchase Order

Additional Background

West Burlington & North Lincoln

Type

Purchase Order

Budgeted

Yes

Documents: [PO 11029043.PDF](#)

ii. PO 11029265

PO #11029265 Westmont Park District \$7,529.69

Background Of Subject Matter

Salary Reimbursement - May, June, July 2012

Type

Purchase Order

Budgeted

Yes

Documents: [PO 11029265.PDF](#)

iii. PO 11029273

PO #11029273 Fifth-Third Bank \$ 534,702.01

Background Of Subject Matter

Early payoff of 10 year vehicle lease. Payment will save approximately \$63,312.49 in interest

Additional Background

Not budgeted but fund balance available

Type

Purchase Order

Budgeted

No

Documents: [PO 11029273.PDF](#)

8. Unfinished Business

9. New Business

a. Class 18 Catering Liquor License Creation PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.

Board to consider an ordinance amending Chapter 10 (Alcoholic Beverages), Article II (Retail Licenses), of the Village Code of Ordinances to allow for the creation of a Class 18 catering liquor license.

Background Of Subject Matter

The proposed class 18 catering liquor license will allow a catering business who holds a valid Westmont business license to sell and serve alcoholic beverages at catered events under certain conditions.

Additional Background

The catering business will be required to obtain a state liquor license from the Illinois Liquor Control Commission.

Recommendation

Staff recommends approval of the request.

Type

Ordinance

Documents: [CLASS 18 LIQUOR LICENSE DRAFT ORDINANCE.PDF](#)

b. 500 East Ogden Avenue, Zoning Code Variance Requests PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR POSTPONEMENT CONSIDERATION.

Board to consider an ordinance approving a request for a zoning code variance to permit parking in the required front yard setback for McGrath Lexus of Westmont.

Background Of Subject Matter

The applicant seeks a variance for parking in the front yard setback to display six cars on concrete pads on higher ground adjacent to Ogden Avenue, to showcase used and/or non-Lexus brands.

Recommendation

The P&Z Commission recommended unanimous approval of a motion if the applicant addressed sight line issue. The applicant has revised the Site Grading Plan to provide 50' between the display and the entrance to the site.

Type

Ordinance

Documents: [500 E OGDEN SET BACK SITE PLAN.PDF](#), [500 E OGDEN PZC STAFF MEMO.PDF](#), [500 E OGDEN FOF.PDF](#), [500EOGDENPZCMINUTES20120613.PDF](#), [500EOGDENLEXUS SETBACKVARIATION BAS.PDF](#)

c. Downtown Development Grant, 226 North Cass Avenue PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.

Board to consider an ordinance approving a downtown development grant request from The Center for Dance.

Background Of Subject Matter

The Downtown Development Grant Committee met on 8/21/2012. The scope of work is considered eligible for a matching grant of up to \$5,000.00. The only sign on the building at this time is window lettering.

Additional Background

The proposed sign is 43 square feet; 45 square feet is permitted by code. Total estimate of work is \$5,882.75. The committee recommended a grant award of 50%, \$2,941.38 at this time, authorizing additional monies if the petitioner modifies logo for light.

Recommendation

Committee and staff recommend approval.

Type

Ordinance

Documents: [226 N CASS DRAFTGRANTCOMMITTEEMEETINGMINUTES082112.PDF](#), [226 NORTH CASS ATTACHMENT.PDF](#), [226NORTHCASSAVENUE BAS.PDF](#)

d. 220 North Cass Avenue, Special Use Request PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.

Board to consider an ordinance approving the following requests from Interiors by Gina to operate a high-end resale/consignment furniture store in the B1 Limited Business District:

- Special Use permit.
- Development permit.

Background Of Subject Matter

The petitioner requests approval of a Special Use permit to operate a high-end resale/consignment furniture store. The petitioner previously operate

Recommendation

The Planning & Zoning commission recommended unanimous approval of the Zoning Code Variance Request to allow the Special Use.

Type

Ordinance

Documents: [220 N CASS PZC PACKET ATTACHMENT.PDF](#), [220 N CASS FOF.PDF](#), [220 N CASSBAS.PDF](#)

e. Intergovernmental Agreement - Pleasantview Fire Protection District PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.

Board to consider an ordinance approving an intergovernmental agreement with the Pleasantview Fire Protection District, in regard to sharing reserve fire apparatus.

Background Of Subject Matter

The attached agreement would allow the Westmont Fire Department and the Pleasantview Fire Protection District to utilize each other's reserve apparatus in the event of an emergency or natural/man-made disaster within the other party's territorial limits.

Additional Background

This agreement would provide the use of said equipment at no cost to the other party, and indemnify each party from any and all claims resulting from the use of said equipment.

Recommendation

Staff recommends approval of this intergovernmental agreement.

Type

Ordinance

Documents: [PLEASANTVIEW AGREEMENT 2012.PDF](#), [PLEASANTVIEWAGREEMENT BAS.PDF](#)

g. Fire Paging Memorandum Of Understanding And Radio System Contract PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.

Board to consider ordinances approving the following:

1. A Memorandum of Understanding between the Village of Westmont, Village of Clarendon Hills, and the Tri-State Fire Protection District for the Fire Paging System.
2. A contract with A-Beep Radio for Communications Upgrade of the South East and South Central Fire Radio Systems for the Fire Paging System.

Background Of Subject Matter

The ETSB recognizes that it is critical for fire departments to maintain their VHF radio systems for Fire Paging and other emergency uses. They have allocated \$392,000 to the southeast portion of the county, which includes Westmont.

Recommendation

Staff recommends approval of the Memorandum of Understanding and the A Beep Radio contract contingent upon the other two agencies approval of same.

Type

Ordinance

Documents: [FIREA-BEEP83012 BAS.PDF](#), [A BEEP MEMORANDUM OF UNDERSTANDING.PDF](#), [A BEEP CONTRACT DOCUMENTS.PDF](#), [DUPAGE ETS RESOLUTION 039 12.PDF](#), [DUPAGE ETS RESOLUTION 045 12.PDF](#)

h. Appropriations Amendment PLACED ON THE SEPTEMBER 4, 2012 AGENDA FOR CONSIDERATION.

Board to consider an ordinance amending appropriations for corporate purposes for the fiscal year beginning May 1, 2012 to account for debt payment.

Background Of Subject Matter

At the August 20, 2012 meeting, the Administration/Finance Committee expressed interest in paying off the remaining principal of a Vehicle Lease to save over \$63,000 in interest. To make this payment, the appropriation ordinance must be amended.

Additional Background

State statute allows this amendment to be made since there was additional fund balance available when the annual appropriation was adopted, but which were not appropriated at that time. This item is not budgeted, however fund balance is available.

Recommendation

Staff recommends adoption.

Type

Ordinance

Budgeted

No

Documents: [20120830 APPROPRIATION ORDINANCE AMENDMENT ATTACHMENT.PDF](#)

10. Miscellaneous

11. Executive Session

This Board may adjourn to closed session to discuss matters so permitted and may act upon such matters upon returning to open sessions.

12. Adjourned at 8:11pm.

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.