



Village Board Meeting July 18, 2019 6:00 p.m.

1. Call To Order

2. Roll Call

3. Pledge Of Allegiance

4. Open Forum

Public Comment is subject to the public comment rules and procedures adopted by the Village.

5. Reports

6. Public Hearing

a. FY 2019-20 Appropriations Ordinance Public Hearing

Board to conduct a public hearing for the Fiscal Year 2019-2020 Appropriations Ordinance.

**Background Of
Subject Matter**

In accordance with state statute, the Village must adopt an appropriation ordinance during the first quarter of the fiscal year. The appropriation ordinance is the legal limit of the maximum amount that can be spent if sufficient funds are available.

**Additional
Background**

The appropriation ordinance should exceed the expected amount to be spent. The budget is the financial plan of what the Village intends to spend; this appropriation ordinance is the legal limit that can possibly be spent if changes are necessary.

Type

Discussion Only

Budgeted

Yes

Documents:

[FY 2019-20 APPROPRIATION ORDINANCE - DRAFT.PDF](#)

7. Items To Be Removed From Consent Agenda

8. Consent Agenda (Omnibus Vote)

a. Village Board Minutes

i. Board Meeting Minutes

Board to consider a motion to approve the minutes of the June 20, 2019 Village Board of Trustee Meeting.

**Background Of
Subject Matter**

Required parliamentary procedure.

Type

Motion

Documents:

[2019-06-20 VILLAGE BOARD MEETING MINUTES.PDF](#)

b. **Finance Ordinance**

i. **Finance Ordinance #5**

Total to be announced at the meeting.

| | |
|--|--------|
| <i>Background Of Subject Matter</i> | * |
| <i>Type</i> | Motion |

c. **Purchase Orders**

i. **PO 20200442**

West Central Municipal \$34,629.00

| | |
|--|----------------------|
| <i>Background Of Subject Matter</i> | Spring Tree Planting |
| <i>Type</i> | Purchase Order |
| <i>Budgeted</i> | Yes |

Documents:

[20200442.PDF](#)

ii. **PO 20200443**

Thomas Engineering \$31,952.57

| | |
|--|--|
| <i>Background Of Subject Matter</i> | CBD Alley Section D - design engineering |
| <i>Type</i> | Purchase Order |
| <i>Budgeted</i> | Yes |

Documents:

[20200443.PDF](#)

iii. **PO 20200444**

Thomas Engineering \$69,853.60

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|--|--|
| <i>Background Of Subject Matter</i> | CBD Alley Section C - design engineering |
| <i>Type</i> | Purchase Order |
| <i>Budgeted</i> | Yes |

Documents:

[20200444.PDF](#)

iv. **PO 20200463**

Thomas Engineering \$28,063.47

Background Of Subject Matter CBD Alley Section E - Phase 3 Engineering
Type Purchase Order
Budgeted Yes

Documents:

[20200463.PDF](#)

- v. **PO 20200492**
Safe Step \$20,000.00

Background Of Subject Matter Concrete Sidewalk Cutting
Type Purchase Order
Budgeted Yes

Documents:

[20200492.PDF](#)

- vi. **PO 20200493**
Thomas Engineering \$24,792.00

Background Of Subject Matter Cass/Burlington Realignment
Type Purchase Order
Budgeted Yes

Documents:

[20200493.PDF](#)

- vii. **PO 20200538**
ME Simpson Company \$30,362.00

Background Of Subject Matter Valve Exercising
Type Purchase Order
Budgeted Yes

Documents:

[20200538.PDF](#)

- viii. **PO 20200539**
ME Simpson Company \$36,720.00

Background Of Subject Matter Fire Hydrant Flow Testing
Type Purchase Order
Budgeted Yes

Documents:

[20200539.PDF](#)

ix. **PO 20200540**

Westmont Chamber of Commerce \$24,000.00

| | |
|-------------------------------------|--|
| Background Of Subject Matter | Contribution to Westmont Auto Mile Group 2019-20 |
| Type | Purchase Order |
| Budgeted | Yes |

Documents:

[20200540.PDF](#)

x. **PO 20200573**

Infrastructure Management Services \$50,000.00

| | |
|-------------------------------------|--|
| Background Of Subject Matter | Evaluation To Determine Condition of Roads |
| Type | Purchase Order |
| Budgeted | Yes |

Documents:

[20200573.PDF](#)

xi. **PO 20200585**

Currie Motors \$111,453.00

| | |
|-------------------------------------|--|
| Background Of Subject Matter | 3 Vehicles - 2 Police; 1 Shared Fleet |
| Type | Purchase Order |
| Budgeted | Other |
| Budgeted Explanation | 2 of the vehicles were budgeted this year. The 3rd was not specifically budgeted, but funds are available. |

Documents:

[20200585.PDF](#)

xii. **Total Of Purchase Orders**

\$ 461,825.64

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|-------------------------------------|----------------|
| Background Of Subject Matter | * |
| Type | Purchase Order |

d. **Total Of Purchase Orders And Finance Ordinance**

Total to be announced at the meeting.

Background Of Subject Matter *

Type Motion

e. **Community Events**

i. **TW Craft Beer Fest**

Board to consider an ordinance approving the following requests from the TW Group, Inc.:

1. Amplified sound permit
2. Tent permit fee waiver
3. Food truck permit waiver
4. Water hook-up fee waiver
5. Liquor license fee waiver

Background Of Subject Matter This event is in its third year, however it is relocating to Ty Warner Park. The Park District has granted approval for the event and the proceeds will go to benefit People's Resource Center & Hinsdale Wellness House.

Recommendation Staff recommends approval.

Type Ordinance

9. **Unfinished Business**

a. **Available Class 23 Liquor Licenses - Fremont Bar & Grill**

Board to consider an ordinance increasing the number of available Class 23 liquor licenses by one (1) for Leji Corp d/b/a/ Fremont Bar and Grill, 1115 Fairview Avenue, Westmont.

Background Of Subject Matter Leji Corp d/b/a/ Fremont Bar & Grill, 1115 Fairview Ave, submitted an application for a Class 23 liquor license at the beginning of the year. The Board delayed the request for 6 months, to be resubmitted at this meeting.

Additional Background A Class 23 license is required to provide/allow video gaming by the Illinois Gaming Board. Fremont Bar & Grill wishes to provide video gaming as an amenity to customers. The primary business will continue to be that of a restaurant.

Recommendation The Board must determine to increase the number of Class 23 license by one (1) if desired. The number of Class 23 licenses is capped as previously discussed by the Board. Fremont Bar & Grill is eligible to apply for and receive a Class 23 license.

Type Ordinance

10. **New Business**

a. **FY 2019-20 Appropriations Ordinance**

Board to consider an ordinance adopting the Fiscal Year 2019-2020 Appropriations Ordinance.

Background Of Subject Matter In accordance with state statute, the Village must adopt an appropriation ordinance during the first quarter of the fiscal year. The appropriation ordinance is the legal limit of the maximum amount that can be spent if sufficient funds are available.

Additional Background The appropriation ordinance should exceed the expected amount to be spent. The budget is the financial plan of what the Village intends to spend; this appropriation ordinance is the legal limit that can possibly be spent if changes are necessary.

Type Ordinance

Budgeted Yes

Documents:

[FY 2019-20 APPROPRIATION ORDINANCE - DRAFT.PDF](#)

b. Massage Establishment License - Dolce Vita Spa

Board to consider an ordinance increasing the number of available licenses and the approval of a massage establishment license for Dolce Vita Day Spa, 220 North Cass Avenue.

Background Of Subject Matter Dolce Vita Day Spa purchased and renovated their building and are now ready to open. They are in need of a massage establishment license. A background check was completed and they are eligible to receive a massage establishment license.

Additional Background They have remodeled and improved the building in order to relocate their business from LaGrange to Westmont. They want be part of the community. The number of available licenses needs to be increased by one (1) and a license approved by the board.

Recommendation Approve

Type Ordinance

c. Massage Establishment License - Natural Health Therapy

Board to consider an ordinance approving the issuance of a Massage Establishment License for Natural Health Therapy, 519 North Cass Avenue.

Background Of Subject Matter Natural Health Therapy, 519 N. Cass Avenue, has applied to renew their expired massage establishment license. A background check revealed they are eligible to receive this license.

Additional Background In late 2018, Natural Health Therapy relocated to Downers Grove and did not renew their massage establishment license. They wish to return to Westmont and were required to reapply as a new massage establishment. They had been in Westmont for 20+ years.

Recommendation Approve

Type Ordinance

d. Mariano's Service Station - 140 W 63rd St

Board to consider an ordinance approving the following requests from Roundy's Supermarkets, Inc. for a Gasoline Service Station at 140 West 63rd Street:

1. Special Use Permit
2. Preliminary Plat of Subdivision
3. Site Plan and Landscaping Plan

Background Of Subject Matter Roundy's Supermarkets Inc. plans to build a gasoline station consisting of five fueling dispensers, a fuel canopy and transaction kiosk. The project will require a Special Use Permit, a Subdivision Plat approval, and Site and Landscape Plan approvals.

Recommendation Staff recommends approval of the proposed project and required entitlements, including site and landscape plans, elevations and other details for 5 proposed gasoline dispensers, 5 parking spaces and outdoor vending machines, excluding signage.

Type Ordinance

Budgeted N/A

Budgeted Explanation N/A

Documents:

[STAFF REPORT PZC 19 17.PDF](#)

[FINAL SUBDIVISION PLAT.PDF](#)

[FINAL SITE PLAN.PDF](#)

[LANDSCAPE PLAN.PDF](#)

[ELEVATIONS.PDF](#)

[OUTDOOR SALES PLAN.PDF](#)

e. **Resolution For Maintenance Under The Illinois Highway Code - 2019 MFT Resurfacing Project**

Board to consider an Illinois Department of Transportation Resolution for the Village's 2019 MFT Resurfacing Project #19-00000-00-GM.

Background Of Subject Matter Request to appropriate the sum of \$310,000.00 for the 2019 MFT Resurfacing Project (MFT#19-00000-00-GM) from the Village's allotment of Motor Fuel Tax Funds. This project will be combined with last year's postponed 2018 MFT Resurfacing Project.

Additional Background Staff recommends approval of the resolution in the amount of \$310,000.00 for the 2019 MFT Resurfacing Project (MFT#19-00000-00-GM) from the Village's allotment of Motor Fuel Tax Funds.

Recommendation Approve

Type Resolution

Budgeted Yes

Documents:

[2019 MFT RESURFACING RESOLUTION BLR 14220.PDF](#)

f. **Engineering Agreement - 2019 MFT Street Resurfacing Project**

Board to consider an ordinance authorizing an engineering agreement with ESI Consultants for Ph2 Engineering Design Services for the 2018-2019 Street Resurfacing Project.

Background Of Subject Matter The 2019 MFT Street Resurfacing Project will be combined with the postponed 2018 MFT Street Resurfacing Project. The combined project proposes to resurface approximately 2 miles of roadway along with other related work.

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|------------------------------|--|
| Additional Background | Request to approve the sum of \$19,965.00 for both Ph2 Design Engineering and Ph3 Construction Inspection Engineering and Material Testing Services for the Village's 2018-2019 MFT Street Resurfacing Project. |
| Recommendation | Staff recommends approving the proposal in the amount of \$19,965.00 for Ph2 Design, Ph3 Construction Inspection, and Material Testing and Inspection Services for the 2018-2019 MFT Street Resurfacing Project. |
| Type | Ordinance |
| Budgeted | Yes |

Documents:

[WESTMONT 2018-2019 MFT PROPOSAL.PDF](#)

g. Engineering Agreement - Parkway Reconstruction Project

Board to consider an ordinance authorizing an engineering agreement with Engineering Solutions Team for Phase 1 and Phase 2 Design Engineering for the proposed Parkway Avenue Reconstruction Project.

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| Background Of Subject Matter | Request to approve the sum of \$79,796.00 for Phase 1 & 2 Design Engineering Services for the proposed Parkway Avenue Reconstruction Project. Design will include the reconstruction of Parkway Avenue, Liberty Boulevard, and Washington Street. |
| Additional Background | Reconstruction provides a location for "west" dealerships to unload vehicles rather than on Ogden Ave or along Plaza Dr. Reconstruction will include roadway widening, storm sewer upgrades, sidewalk, curb & gutter, street lights, and other related work. |
| Recommendation | Staff recommends approval of the proposal in the amount of \$79,796.00 for Phase 1 & 2 Design Engineering Services for the Parkway Avenue Reconstruction Project. |
| Type | Ordinance |
| Budgeted | Yes |

Documents:

[PARKWAY PHASE 1 AND 2 PROPOSAL - JUNE 21 2019.PDF](#)

h. Award Of Bid Proposal For The New Public Works Facility 55 East Burlington Avenue

Board to consider an ordinance accepting the bid proposal from Path Construction for the New Public Works Facility at 55 East Burlington Avenue, and authorizing a contract consistent with the bid document.

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|-------------------------------------|---|
| Background Of Subject Matter | The Village accepted bid proposals from 7 contractors for the new Public Works Facility. The low bidder was Path Construction with a low bid of \$15,688,400.00 (approx. 5% below Engineer's Estimate of \$16,500,000.00) |
| Recommendation | Staff recommends awarding the bid to Path Construction for \$15,688,400.00 |
| Type | Ordinance |

Budgeted Yes

Documents:

[AECOM RECOMMENDATION OF AWARD WESTMONT \(PATH CONST\) 07082019.PDF](#)

i. **Professional Engineering Services - New Public Works Facility**

Board to consider an ordinance authorizing a Professional Engineering Services Agreement with AECOM for construction engineering and Resident Project Engineer for the New Westmont Public Works Facility.

Background Of Subject Matter Request to approve the sum of \$990,700.00 to perform construction services for the New Public works facility.

Additional Background The construction services include preparation of conformed documents and shop drawings, full time (RPR), preparation of change order and record drawings and all pre construction and monthly meetings. Review of all requests for payments.

Recommendation Approve

Type Ordinance

Budgeted Yes

Documents:

[AECOM PUBLIC WORKS PH3 CONSTRUCTION SERVICES AGREEMENT 07192019.PDF](#)

j. **Video Gaming Terminal Licenses**

Board to consider an ordinance amending various sections of Chapter 22, Article XII, Division 9, of the Westmont Code of Ordinances related to the licensing of video gaming terminals.

Background Of Subject Matter Ch 22, Art XII, Div 9, requires a Village license for each video gaming terminal. The proposed amendment eliminates the cap on terminal licenses & clarifies that terminal licenses are issued by the Village Clerk, along with other ministerial amendments.

Additional Background The State's Video Gaming Act allows a licensed establishment to have up to 6 terminals and allows a municipality to license the terminals. The Village Board otherwise regulates video gaming through the liquor license process.

Type Ordinance

Documents:

[VIDEOGAMINGTERMINAL AMENDMENTS ORD 7.18.19.PDF](#)

k. **Zoning Text Amendment For Tobacco And Vape Products**

Board to consider an ordinance approving text amendments to the Zoning Ordinance to define and regulate 'vape', 'tobacco', and similar tobacco-related businesses.

Background Of Subject Matter Elected officials indicated that they do not wish to see vape businesses in the downtown area and requested that staff prepare a zoning text amendment to limit the location of these and similar businesses.

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| Additional Background | This proposal is in response to that request, and allows such businesses in the B-2 General Business District. |
| Recommendation | Approve |
| Type | Ordinance |
| Budgeted | N/A |

Documents:

[VAPE TEXT AMENDMENT MODIFIED DRAFT AFTER PZC MEETING JUNE 26 2019.PDF](#)

i. Liquor License Waiting Period After Denial

Board to consider an ordinance amending Chapter 10, Section 10-39 of the Westmont Code of Ordinances to impose a 365 day waiting period before an applicant can re-apply for a liquor license for the same premises after the denial of a request for a liquor license.

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| Background Of Subject Matter | This amendment requires a liquor license applicant to wait 365 days before reapplying for a license after the denial of an initial request. Given detailed consideration that goes into the determination, this waiting period is in the public interest. |
| Additional Background | This waiting period is analogous to the 1 year waiting period to reapply for a special use permit after an initial denial, and it allows the applicant and the Village to determine whether changed circumstances warrant the granting of the license. |
| Type | Ordinance |

Documents:

[LIQUOR LICENSE RE-APPLY ORD 7 18 19.PDF](#)

m. Cargo Containers - Nuisances

Board to consider an ordinance amending Chapter 38, Section 38-82 of the Westmont Code of Ordinances to declare the use of cargo containers as a nuisance, subject to certain exceptions.

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|-------------------------------------|---|
| Background Of Subject Matter | Village staff has observed a rise in the use/storage of cargo containers on business & manufacturing properties. They are used for accessory storage & other purposes in lieu of utilizing the primary building or an authorized accessory structure. |
| Additional Background | Cargo containers are deemed unsafe and unsightly. This ordinance declares cargo containers as a nuisance, subject to certain exceptions. The Village Board is authorized by State statute to define, declare and abate nuisances. |
| Recommendation | Approve |
| Type | Ordinance |

Documents:

[CARGO CONTAINER NUISANCE AMENDMENT ORD 7 18 19.PDF](#)

11. Miscellaneous

12. 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.

13. Adjourn

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210 voice, within a reasonable time before the meeting.