

Clerk's Office
Village of Westmont

MINUTES OF THE BOARD MEETING HELD **Thursday, October 11, 2018.**

Mayor Gunter called the meeting to order at **6:00 P.M.**

WESTMONT VILLAGE BOARD MEETING ROLL CALL:

PRESENT: Mayor Gunter P Clerk Szymiski P

TRUSTEES: Addington P Barker P
Barry P Guzzo P
Liddle P Nero P

STAFF:

May (Village Mgr) <u>P</u>	Parker (Finance Director) <u>P</u>	Bourke (Interim Community Dev. Director) <u>P</u>
Crane (H.R. Director) <u>A</u>	McIntyre (Communications Director) <u>A</u>	Liljeberg (I.T. Manager) <u>A</u>
Chief Gunther (Police Dept.) <u>A</u>	Dep Chief Thompson <u>A</u> (Police Dept.)	Dep Chief Gruen <u>P</u> (Police Dept.)
Chief Weiss <u>A</u> (Fire Dept.)	Dep Chief Riley <u>P</u> (Fire Dept.)	Olsson <u>A</u> (Assistant Finance Director)
Ramsey <u>P</u> (P.W. Director)	Noriega <u>A</u> (Village Engineer)	Mulhearn <u>P</u> (Deputy Liquor Commissioner)

ATTORNEY: Zemenak P Perez A

A QUORUM WAS PRESENT TO TRANSACT BUSINESS.

PRESS:

Chicago Tribune A Independent: Daniel Smrokowski A
Bugle A

CHAMBER OF COMMERCE DIRECTOR: Forsberg - A

VISITORS: None.

THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.

Mayor welcomed everyone to the meeting.

OPEN FORUM:

- Mark S Thoman, 1109 61st St, Downers Grove, IL
 - Mr. Thoman is the DuPage County Township Supervisor.
 - Thanked the Village of Westmont for cooperating and participating in the senior citizen car check-up clinic and looks forward to joint efforts with the Village.

Trustee Addington

- Knights of Columbus has their annual reverse raffle. The event starts at 6:00pm. There are a few tickets left.
- Tomorrow and Saturday is Lions Club Candy Day. The Lions members will be out collecting donations for various charity events.

Trustee Guzzo

- The Fire Department will be celebrating their 95th Anniversary and Open House on October 13th from 1:00 - 3:00pm. The celebration will be at the Fire Department Headquarters, 6015 S Cass Avenue.
- In honor of fire prevention week there will be a silent parade along Naperville Road. Bring your flashlights and join us. The Silent Parade honors all of our fallen First Responders.
- National Drug Take Back Day is October 27th. The Police Department will host two drug take back events, one will be at the Police Department and the other at Mariano's. The event will take place from 10:00am - 2:00pm.

Trustee Barry

- The Rotary Club delivered dictionaries to 3rd graders at several schools.
- Our newest Rotary Club member is Police Chief, Jim Gunther.
- The Chamber has a business after hours at Karen Butterfield's State Farm on Wednesday, October 17th from 5:00 - 6:30 pm.
- Shop, Dine, and Discover Westmont.

Trustee Barker

- Westmont First will meet at the Library on Monday, October 15th at 6:00pm.
- EIC is involved with the Pumpkin Smashing Extravaganza which promotes pumpkin composting. This will be 11:00am - 12:00pm on Cass and Irving on October 20th, 2018.
- There will also be a paper shredding and light bulb recycling event with EIC and the Police Department on October 20th from 9am - 12:00pm at the Police Department, 500 N Cass Ave, Westmont.
- Waste Management is offering unlimited leaf collection from 11/5 - 12/1. Leaves only, must be in craft paper bags. Everything else should be stickered.

Trustee Liddle

- Recapped the Admin/Finance Committee meeting from earlier in the evening. The following topics were discussed:
 - Class 23 Liquor Licenses & other sports betting
 - Timeclock project
 - Funding for the Public Works building
 - Plaque for James W. Robinson Jr.
 - Social media posting guidelines for the Communications and Police Departments.
- Jenny Babyar talked about the Westmont Word publication for October and November.
- There are updated brochures for the Muddy Waters exhibit.
- Jenny updated everyone on the progress of the video shoot for the Westmont Water Tower contest.



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- Invited everyone to come downtown on October 20th from 10:30am to 2:00pm for Wicked West Fest. There will be a trick-or-treat trail, costume contest, pumpkin smashing, casket races, an exotic reptile showcase, and more.
- Sign up for Notify Me by going to the Village website. You will get notifications from the Village regarding programs, services, meetings, community events, and press releases.

Mayor Gunter mentioned that you can extend the Halloween activities by going to the Haunted Forest that is run by the Park District at Diane Main Park.

Trustee Nero

- The next Public Works Committee meeting will be December 8th, 4:30pm, at Village Hall.
- The Downers Grove Mayor and Clarendon Hills Mayor have been challenged to a pumpkin smashing contest. Trustee Nero will be the one competing on behalf of Westmont. Thanked the Mayor for this opportunity.
- Personally thanked the Fire Department for responding to a fire in Downers Grove where his mother lives. His mother's garage burned down and the Westmont Firefighters were the first on the scene.

ITEMS TO BE REMOVED FROM CONSENT AGENDA:

There were no items to be removed from the consent agenda.

(1) CONSENT AGENDA [Omnibus Vote]:

Village Manager May addressed the Board on this agenda item.

Motion by **Trustee Liddle** to approve the consent agenda.

(A) BOARD MEETING MINUTES

Board to consider approving the minutes of the Village Board meeting held September 27, 2018.

(B) FINANCE ORDINANCE # 12: Dated **October 11, 2018** in the amount of **\$1,722,451.85**

(C) PURCHASE ORDERS

11045720	Novatime Technology	\$ 48,040.00
11045691	Harris Computer Corporation	26,470.99
11045727	Foster Coach Sales	269,922.00
11045736	Currie Motors	37,713.04
11045710	McCann Industries	49,973.00
11045675	Core & Main LLP	51,072.00

11045677	Visu-Sewer of Illinois LLC	29,975.00
11045702	A Lamp Concrete Contractors	619,374.75
	TOTAL OF PURCHASE ORDERS	\$ 1,132,540.78
	TOTAL OF PURCHASE ORDERS & FINANCE ORDINANCE #12	\$ 2,854,992.63

(D) HOTEL/MOTEL GRANT REQUEST - WESTMONT LIONS - SISTER CITY TWINNING

Board to consider a motion awarding a Hotel/Motel Grant request in the amount of \$728.25 to the Westmont Lions for the Lions Sister City Twinning Day Event.

(E) REDUCTION OF CLASS 2 LIQUOR LICENSES: NEAT KITCHEN & BAR

Board to consider an ordinance reducing the number of Class 2 Liquor Licenses by one due to the closure of Neat Kitchen & Bar, 246 North Cass Avenue.

(F) REDUCTION OF CLASS 23 LIQUOR LICENSES: HILTON OAK BROOK HILLS

Board to consider an ordinance reducing the number of Class 23 Liquor Licenses by one (1) due to the ownership change of Hilton Oak Brook Hills Resort and Conference Center, 3500 Midwest Rd., Oak Brook, IL.

Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #1

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

UNFINISHED BUSINESS

(2) 5802 AND 5806 WESTERN AVENUE, CLARENDON HILLS - INVOLUNTARY ANNEXATION

Village Manager May addressed the Board on this item.

Motion by **Trustee Nero** to consider an ordinance approving a request from the Village of Westmont to involuntary annex the subject lots into the Village of Westmont.

Seconded by **Trustee Barker** and the motion passed.

VOTE ON MOTION #2

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

NEW BUSINESS

(3) 138 N CASS - SPECIAL USE PERMIT

Interim Community Development Director Bourke addressed the board on this item.

Motion by **Trustee Guzzo** to consider an ordinance approving a request from Itasca Bank and Trust 11267 (Donald D. and Phillis J McLean) for a Special Use Permit to operate a Retail/Copy/Blueprinting shop in the B-1 Limited Business District.

Seconded by **Trustee Addington** and the motion to passed.

VOTE ON MOTION #3

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(4) INCREASE IN AVAILABLE CLASS 23 LIQUOR LICENSES: MARGIE'S BEEF

Deputy Liquor Commissioner Mulhearn and Attorney Cory Aronovitz addressed the board on this item.

Q. Will the business stay open later? A. If the business needs the additional hours they may expand their hours, but the main core business is the kitchen. If there is a need they may expand the hours.

Q. How tall will the partition wall be? A. It is not yet done being built.

Motion by **Trustee Addington** to consider an ordinance increasing the number of available Class 23 Liquor Licenses by one (1) for Margie's Beef and Gyros, 6410 South Cass Avenue.

Seconded by **Trustee Barry** and the motion fails.

Additional Comments:

Guzzo - Big proponent of having a 500 ft. distance requirement between gaming establishments. Wanted to be clear that this would not meet that original criteria for meeting a distance requirement.

Attorney Aronovitz - Is there a current ordinance requiring a distance separation?

Attorney Zemenak - Originally there was a concern about the clustering of video gaming cafes and establishments that had video gaming and enacted an ordinance requiring a 500 foot distance requirement. Since then that ordinance has been repealed and replaced with the Class 23 license requirement where that is one of the criteria to be taken into consideration when issuing a license. It's not a hard and fast rule and that they can take everything onto a case by case basis.

Attorney Aronovitz - What is the distance at this point?

Attorney Zemenak - Two existing within 350 ft. and another within a 1000 ft.

Attorney Aronovitz - Asked the Board to consider that the business has been in the Village for 41 years. The 350 feet distance does not typically have an adverse affect on a business that has been here for a long time. If you have a business that is not able to offer all services, you risk having a vacant space.

Deputy Liquor Commissioner Mulhearn -

Margie's	Laura's	325 ft.
Margie's	Papa Passero's	343 ft.
Margie's	Dotty's	1405 ft.
Laura's	Papa Passero's	279 ft.

Barry -

1. Previously, we were very clear that if this was just a play to get video gaming then we would not be in favor of issuing a liquor license.
2. We were supportive of a business obtaining a liquor license to enhance a business.
3. Chapter 10-36 After the applicant received the license they didn't carry any alcohol, until that was discovered and enforced.
4. Geographic location and having video gaming terminals clustered
5. Does not like the idea of fast food restaurants with video gaming terminals where there is a likelihood of children being present.
6. There is not a need for more video gaming establishments

Nero - Agrees with Trustee Guzzo's comments. Concerned about the geography and we have enough of those types of establishments.

Addington - Likes their food very much, but does not think that this is a good place for this. Agrees with previous trustee comments.

Barker - Echos the same sentiments. Does not see where we need any additional video gaming. Has seen reports and seems to be a flat market.

Attorney Aronovitz - Commented on fast food and gaming in the community. This would not be the only place that would offer this type of food that would then also offer video gaming. By not allowing video gaming that is treating a like business different.

The Board has already waived the distance separation, so again it is treating a like business differently.

Had an understanding that the license was granted and they began serving alcohol and it was always on the menu.

Deputy Liquor Commissioner clarified that they were originally granted a license in October of 2016. When liquor enforcement checks were done by the police department, Margie's was not selling alcohol approx. May or June of 2017. In July Deputy Liquor Commissioner went in

asked for a beer and the woman behind the counter said "We don't sell beer". It was confirmed that Margie's was selling beer by August 1st.

Attorney Aronovitz - Asked about the current class 4 liquor license and status.

Deputy Liquor Commissioner Mulhearn - The business keeps the current liquor license classification as long as they continue to renew on a calendar year basis.

Margie's is a fast food, unlike other restaurants which are sit down places where a person could spend more time.

Mayor - Class 23 was created so that we can have some control on video gaming. That is why some establishments are close together, because that was prior to us enacting the Class 23 license.

VOTE ON MOTION #4

Ayes: None.

Nays: Addington, Barker, Barry, Guzzo, Liddle, Nero

Absent: None

(5) INCREASE IN AVAILABLE CLASS 8A LIQUOR LICENSES: SCALLYWAGS BREWING

Deputy Liquor Commissioner Mulhearn and Owner Dan addressed the board on this item.

Motion by **Trustee Addington** to consider an ordinance increasing the number of available Class 8a Craft Brew Tavern Licenses by one (1) for Scallywags Brewing, 41 North Cass Avenue.

Seconded by **Trustee Nero** and the motion passed.

Mayor Gunter - Commented on the installation of the sprinkling system and the approval of the liquor license would be contingent on satisfying all other occupancy requirements.

Owner Dan - A 18 month extension has been granted on the sprinklers and we have a few quotes. We are hoping to open before Thanksgiving. We will try to be open for coffee at about 6:00 or 6:30am.

VOTE ON MOTION #5

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(6) INCREASE IN AVAILABLE CLASS 4 LIQUOR LICENSES: THE SWEET & SAVORY SPOT

Deputy Liquor Commissioner Mulhearn and Owner Danielle Kirin addressed the board on this item.

Motion by **Trustee Nero** to consider an ordinance increasing the number of available Class 4 liquor licenses by one (1) for The Sweet and Savory Spot, 15 South Cass Avenue.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #6

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(7) ARCHITECTURAL SERVICES AGREEMENT FOR INTERIOR OF NEW PUBLIC WORKS FACILITY

Public Works Director Ramsey addressed the board on this item.

Motion by **Trustee Barry** to consider postponing an ordinance authorizing an Architectural Services Agreement indefinitely with Joel Berman Architectural and Design Ltd. for interior design of the new Public Works Facility located at 55 East Burlington Avenue.

Seconded by **Trustee Nero** and the motion was postponed indefinitely.

VOTE ON MOTION #7

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(8) A RESOLUTION IN SUPPORT OF SENATE BILL 2280

Trustee Nero and Brian Krajewski addressed the board on this item.

Motion by **Trustee Nero** to consider a resolution to support a ban on the retail sale of animals obtained from commercial breeders as outlined in Illinois Senate Bill 2280

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #8

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(9) SETTLEMENT AGREEMENTS

Attorney Zemenak addressed the board on this item.

Motion by **Trustee Addington** to consider an ordinance approving two Compromise Agreements which settle two tax rate objection cases.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #9

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None



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MISCELLANEOUS:

- None.

(10) ADJOURNMENT Motion by **Trustee Liddle** to adjourn the meeting. Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #10

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

MEETING ADJOURNED AT 7:16 P.M.

ATTEST:

APPROVED:

Virginia Szymiski, Village Clerk

Ronald J. Gunter, Mayor

Dated this 25th day of October, 2018