



Village Board Meeting
March 23, 2023
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

a. Board Reports

- Mayor
- Clerk
- Trustees

*Background Of
Subject Matter*

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Type

Discussion Only

6. Items To Be Removed From Consent Agenda

7. Consent Agenda (Omnibus Vote)

a. Village Board Minutes

i. Board Meeting Minutes

Board to consider approving the minutes of the Village Board meeting held March 9, 2023.

*Background Of
Subject Matter*

Required Parliamentary Procedure

Type

Motion

Documents:

[2023-03-09 VILLAGE BOARD MEETING MINUTES \(1\).PDF](#)

b. Finance Ordinance

i. Finance Ordinance #23

To be announced at the meeting

Background Of Subject Matter *

Type Discussion Only

c. **Purchase Orders**

i. **PO 23202388**

Rohr-mont Motors, Inc. \$39,014.26

Background Of Subject Matter Replace DEA Vehicle - Toyota Highlander LE

Additional Background The payment is included in the finance ordinance, which will be approved simultaneously with this PO.

Type Purchase Order

Budgeted Yes

Documents:

[23202388.PDF](#)

ii. **PO 23202393**

BAXTER & WOODMAN, INC. \$73,000.00

Background Of Subject Matter Ph. 3 Engineering - Linden, Warwick and Dallas Water Main Improvements

Type Purchase Order

Budgeted Yes

Documents:

[23202393.PDF](#)

iii. **PO 23202451**

H. Linden & Sons Sewer and Water, Inc. \$982,205.00

Background Of Subject Matter Linden, Warwick & Dallas Watermain - Construction

Type Purchase Order

Budgeted Other

Budgeted Explanation The engineering for this project was budgeted for FYE 2023. The construction will be proposed in the FYE 2024 budget. The Village Board approved awarded the contract on March 9, 2023.

Documents:

[23202451.PDF](#)

iv. **PO 23202450**

Albrite Building, Inc. \$133,972.30

Background Of Subject Matter PD Locker/Bathrooms Remodel
Type Purchase Order
Budgeted Yes

Documents:

[23202450.PDF](#)

v. **Total Of Purchase Orders**

\$1,228,191.56

Background Of Subject Matter *
Type Motion

d. **Total Of Purchase Orders And Finance Ordinance #23**

To be announced at meeting

Background Of Subject Matter *
Type Motion

8. Unfinished Business

9. New Business

a. **St. Baldrick Fundraiser - Fremont Bar & Grill**

Board to consider an ordinance approving the following requests for the St. Baldrick's Event hosted by Fremont Grill to be held on March 26, 2023:

1. Fee waiver for 1 day Class 11 Liquor License.
2. Live Amplified Sound Permit.

Background Of Subject Matter Fremont Bar & Grill will be hosting a fundraising event for St. Baldrick at 1115-1119 Fairview Ave. There will be a tent set up in the parking lot.
Type Ordinance

b. **NEAT - Covered Patio Addition - 246 North Cass Avenue**

Board to consider an ordinance approving requests from Full Circle Partners, LLC, d/b/a NEAT Kitchen and Bar (Petitioner) and Mike Higgins (Owner) regarding the property located at 246 North Cass Avenue, for the following:

1. Zoning Ordinance Variances to allow a covered patio within a required supplemental setback line to Cass Avenue and within a required front yard setback in the B-1 Limited Business District.
2. Preliminary and Final Plat of Subdivision to consolidate four (4) lots into one (1) lot.
3. Site and Landscaping Plan approval.

4. Foundation landscape Waiver.
5. Parking stall size Waiver.

Background Of Subject Matter	The petitioner proposes the addition of a 900 square-foot covered patio which would encroach into setbacks along Cass Avenue. The request includes the consolidation of underlying lots, redesign of the parking lot, and new landscape around the addition.
Additional Background	Additional waivers to some foundation landscape and substandard parking stall widths have been requested for Board consideration.
Recommendation	At its meeting on March 8, 2023, the Planning and Zoning Commission recommended items 1 through 3. Waiver requests were represented in the Site Plan review (item 3).
Type	Ordinance

Documents:

[SITE AND LANDSCAPE PLANS - NEAT.PDF](#)
[PRELIMINARY AND FINAL PLAT - NEAT.PDF](#)
[2023-03-23 BOARD MEMO AND FOF - NEAT.PDF](#)
[APPLICATION AND COVER.PDF](#)

c. Sign Variance - 999 Oakmont Plaza Drive

Board to consider an ordinance approving a request from John Burns Construction Co. (Petitioner) and 999 Oakmont Valley Equity Group LLC (Owner), regarding property located at 999 Oakmont Plaza Drive, for a Zoning Ordinance Variance to alter the orientation of wall signs.

Background Of Subject Matter	The petitioner proposes to change the orientation of a permitted wall sign from the elevation facing Pasquinelli Drive to the south elevation for visibility to Route 83.
Additional Background	To facilitate the request, the owner will transfer allotted signage rights from the west elevation to the south elevation.
Recommendation	At its meeting on March 8, 2023, the Planning and Zoning Commission recommended approval of this item.
Type	Ordinance

Documents:

[PZC 004-2023 999 OAKMONT APP AND SUPPORTING DOCS.PDF](#)
[2023-03-23 PZC 004-2023 BOARD MEMO - 999 OAKMONT.PDF](#)

d. Z Smoke Shop - Special Use Permit -319 West 63rd Street

Board to consider an ordinance approving a request from Ahmad Denah, d/b/a Z Smoke Shop Shop (Petitioner) and Trasyboulos Kostopulos (Owner), regarding the property at 319 West 63rd Street, for a Special Use Permit for a Tobacco and vape retail store in the B-2 General Business District.

Background Of Subject Matter	The petitioner requests approval of a Special Use Permit to operate a 1,500 square-foot tobacco and vape retail store in the
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Williamsport Center retail strip mall.

Additional Background

The location meets the special use condition requiring a minimum separation distance of 1,000 feet to the nearest school.

Recommendation

At its meeting on March 8, 2023, the Planning and Zoning Commission recommended approval of this item with a 5-1 vote.

Type

Ordinance

Documents:

[PZC 007-2023 319 W 63RD Z SMOKE SHOP APP AND SUPPORTING DOCS.PDF](#)
[2023-03-23 PZC 007-2023 BOARD MEMO Z SMOKE SHOP - 319 W 63RD.PDF](#)

e. **Increase In Available Tobacco Licenses**

Board to consider an ordinance increasing the number of available Class B tobacco licenses by one for Denah85 LLC, d/b/a Z Smoke Shop 319 W. 63rd Street Westmont, IL.

Background Of Subject Matter

Z Smoke Shop (Denah 85 LLC) 319 W.63rd Street applied for a business and tobacco license. A limited background review and various other reviews were completed to receive a business license. Z Smoke is eligible to receive a business & tobacco license.

Additional Background

There is a need to increase the # of available tobacco licenses to allow the tobacco commissioner the ability to issue a tobacco license. Z Smoke intends to sell tobacco/vape & very limited food items at this location.

Recommendation

approval-increase of available licenses

Type

Ordinance

f. **Intergovernmental Agreement - DuPage County- Water Quality Improvement Grant**

Board to consider an ordinance approving an Intergovernmental Agreement (IGA) with DuPage County for a Water Quality Improvement Program (WQIP) grant for the Alley Reconstruction Project- Section H.

Background Of Subject Matter

The Village is preparing to bid the proposed Alley Reconstruction Project- Section H. These alley improvements include water quality features that qualify for the County's WQIP grant program.

Additional Background

Upon completion of this project, the Village will be reimbursed \$66,129 for the water quality portion of the project.

Recommendation

Staff recommends approval of the IGA with DuPage County.

Type

Ordinance

Budgeted

Yes

Documents:

[PERMEABLE ALLEY IGA DUPAGE 2023.PDF](#)

g. **Resolution For Improvement Under The Illinois Highway Code**

Board to consider approval of an Illinois Department of Transportation Resolution for the Village's 2023 MFT Resurfacing Project.

Background Of Subject Matter Request to appropriate the sum of \$ 1,700,000 for the 2023 MFT Resurfacing Project from the Village's allotment of Motor Fuel Tax Funds.

Recommendation Staff recommends approval of the resolution in the amount of \$1,700,000 for the 2023 MFT resurfacing project from the Village's allotment of Motor Fuel Tax Funds.

Type Resolution

Budgeted Yes

Documents:

[2023 MFT PROJECT RESOLUTION.PDF](#)

h. **Approval Of Change Order #1- Pasquinelli Lighting Project**

Board to consider an ordinance approving Change Order #1 to the Pasquinelli Lighting Project to Utility Dynamics Inc. for an amount not to exceed \$45,589.16, and a total award of \$477,927.16.

Background Of Subject Matter After the project was awarded, staff was asked to negotiate pricing to convert all light fixtures in the project limits to Dark Sky compliant fixtures.

Additional Background The above Change Order #1 represents a not to exceed value and staff will further negotiate offsets to reduce this cost. The original awarded contract amount was \$432,338.00.

Recommendation Staff recommends approval of Change Order #1 for an amount not to exceed \$45,589.16, and a total award of \$477,927.16.

Type Ordinance

Budgeted Yes

Documents:

[FIXTURE UNIT PRICING.PDF](#)

i. **Proposal For Remodels - 500 N. Cass**

Board to consider an ordinance approving three proposals and addendums thereto from Albrite Building, Inc. for remodeling work at 500 N. Cass Avenue for the following:

1. Fire Department bathrooms, men's and women's.
2. Police Department bathrooms, men's and women's.
3. Police Department weight room bathrooms, men's and women's.

Background Of Subject Matter Albrite Building proposes to furnish in accordance with the specifications detailed in the proposals: #01162023-2 Rev #1 Fire (\$82,031.40), #01162023-2 Police (\$99,789.80), and #02202023-2 (\$34,182.56).

Additional Background Bids were obtained from 2 contractors, and Albrite's proposals were the lowest responsive bids. 4 Trustees (two thirds) must vote to approve pursuant to Sec. 2-568 of the Code of Ordinances.

Type Ordinance

Documents:

[ALBRITE-POLICE WEIGHT ROOM BATHROOMS.PDF](#)
[ALBRITE-PD BATHROOMS.PDF](#)
[ALBRITE FIRE BATHROOMS.PDF](#)

j. **Employment Agreement**

Board to consider an ordinance approving an Employment Agreement to reappoint the Fire Chief.

Background Of Subject Matter *

Recommendation Approve

Type Ordinance

k. **Text Amendment To Zoning Ordinance Article XII For Nonconforming Structures And Uses**

Board to consider an ordinance approving text amendments to Article XII of the Zoning Ordinance regarding Nonconforming Structures and Uses.

Background Of Subject Matter Article XII regulates nonconforming structures and uses, which are generally defined as having been lawfully established, but no longer in compliance with the zoning regulations due to subsequent amendments. Article XII is outdated and requires revision.

Additional Background Text is proposed to provide consistent language to address topics such as the removal of illegal nonconforming structures and uses, continued or change of use, change of ownership, repairs and maintenance, expansions, and abandonment or discontinuation.

Recommendation At its meeting on March 8, 2023, the Planning and Zoning Commission recommended approval of this item.

Type Ordinance

Documents:

[2023-03-23 BOARD MEMO ARTICLE XII TA AND DRAFT LANGUAGE.PDF](#)

l. **Surplus Property - Village Hall**

Board to consider an ordinance declaring the attached chair inventory list from Community Development of non-functioning chairs as surplus property.

Background Of Subject Matter The attached list of chairs are no longer viable for use.

Type Ordinance

Documents:

[2023 - JANUARY SURPLUS - COMDEV.PDF](#)

m. **Assignment Of Real Estate Contracts**

Board to consider an ordinance approving two assignments of real estate contracts from Holladay Property Service Midwest, Inc. to the Village of Westmont for the purchase of (1) 21 East Burlington Avenue, Westmont, and (2) 13-19 East Burlington Avenue, Westmont.

Background Of Subject Matter These assignments allow the Village to step into the shoes of the buyer & buy these 2 properties. Acquiring these properties is important in the assemblage of properties for a future redevelopment project within the Central Business District TIF District.

Additional Background The ordinance authorizes the Village Manager to take all necessary steps to close on these 2 purchases.

Recommendation Approve

Type Ordinance

Documents:

[HOLLADAY HARALDSENS PSA SIGNED 3 18 23.PDF](#)

[HOLLADAY PSA 13-19 EAST BURLINGTON WESTMONT IL.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 session.

12. 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.