

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, APRIL 23, 2013**

I. CALL TO ORDER

The Mayor called the April 23, 2013, Regular and Committee of the Whole Meeting of the City Council to order at 7:00 P.M.

II. ROLL CALL

Roll call indicated the following Aldermen were in attendance:

Present: Durham, Sarallo, Shadley, Thomas, Vlach, and Mayor Ragucci

Absent: None

Also in attendance were City Clerk J. Leslie, City Manager J. Carpino, Public Services Director C. Ward, Finance Director A. Marrero, and D. Lynch of Christopher B. Burke Engineering (CBBEL).

III. PLEDGE OF ALLEGIANCE

The Mayor led everyone in the Pledge of Allegiance.

IV. ADDITIONS OR DELETIONS TO THE AGENDA

None.

V. APPROVAL OF MINUTES – CHANGES OR CORRECTIONS

1. Regular Meeting Minutes Of April 9, 2013

Motion to approve the minutes of the April 9, 2013 Regular City Council and Committee of the Whole Minutes as presented was made by Alderman Shadley, and seconded by Alderman Durham.

Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

Anthony Rendina of Swallow Construction addressed the Council and stated that his firm provided the lowest bid for the Regency Place water main extension project. Rendina asked why his firm was not awarded the bid for the project. Ragucci asked Rendina to wait five (5) minutes for a response because the Regency Place project would be discussed during the Committee of the Whole portion of the meeting.

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VII. RECESS TO FISCAL YEAR 2013-14 BUDGET HEARING

Motion to recess to the Fiscal Year 2013-14 Budget Hearing was made by Alderman Shadley and seconded by Alderman Sarallo.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

The Regular Meeting recessed to Fiscal Year 2013-14 Budget Hearing.

VIII. FISCAL YEAR 2013-2014 BUDGET HEARING

Ragucci called the Budget Hearing to order. The City Clerk took the roll call. Roll call indicated that the following Aldermen were in attendance:

**Present: Durham, Sarallo, Shadley, Thomas, Vlach, and Mayor Ragucci
Absent: None**

Marrero stated that per the Illinois Budget law, a legal notice was published in the *Suburban Life* newspaper on April 5, 2013. Marrero indicated that a copy of the legal notice regarding the Budget Hearing was included in tonight's agenda packet. Marrero noted that the draft budget has been on display at the front counter as required by the Illinois Budget Law.

Carpino referenced the FY 2014 budget ordinance and Five (5) Year Capital Improvement Fund Plan resolution included in the agenda packet. Carpino indicated that all the revisions discussed during the budget meetings are noted in the budget memorandum included in the agenda packet. Carpino asked that both the ordinance and resolution be adopted tonight during the reconvened meeting. Ragucci stated the budget will be voted on during the reconvened meeting.

Motion to adjourn the Budget Hearing was made by Alderman Shadley, and seconded by Alderman Durham.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

The Budget Hearing adjourned.

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IX. ACTION ITEMS/CONSENT AGENDA

1. Payment Of City Bills: April 23, 2013 In the Amount of \$285,172.23.
2. Personnel & Payroll Report for March 2013
3. Treasurer's Report For March 2013
4. Accept The Following July 4th Celebration Sponsorships: Flood Brothers-\$10,000, Ferrara Pan Candy Company-\$2,500, Blackhawk Restaurant Group-\$2,500, Four Seasons Lawn Service and Landscaping Inc.-\$1,000, Alphagraphics Oakbrook Terrace-\$500, Drury Lane-\$500, and Sonnenschein Financial Services-\$500.
5. Ordinance No. 13-21: An Ordinance Approving And Ratifying The Issuance Of A Purchase Order To Landmark Ford For Three Police Interceptors For The City Of Oakbrook Terrace, Illinois.

The Mayor asked the Council if there were any items to be removed from the Consent Agenda. Hearing none, he asked for a motion to establish a Consent Agenda.

Motion that the items listed on the meeting agenda for April 23, 2013 be considered under the Consent Agenda was made by Alderman Shadley and seconded by Alderman Thomas.

Motion passed unanimously through a voice vote.

Durham asked about the \$3,000 invoice for Daniel L. McCollum and the \$2,000 invoice for Allyson Rackow. Carpino replied the FY 2013 budget included \$5,000 for the update to the Police Department's Policy and Procedure manual. Carpino noted both vendors provided consulting services for the Police Department's Policy Manual update, which has not been updated in 20 years.

Motion to approve all the items contained on the Consent Agenda was made by Alderman Thomas, and seconded by Alderman Shadley.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

X. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Ordinance No. 13-22: An Ordinance Amending Section 33.097 Of Chapter 33 Entitled "Departments, Boards, And Commissions" Of Title III Entitled "Administration" And Title XV Entitled "Land Use" Of The Code Of Oakbrook

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Terrace, Illinois Providing For Historic Preservation In The City Of Oakbrook Terrace, Illinois.

Motion To Approve Ordinance No. 13-22: An Ordinance Amending Section 33.097 Of Chapter 33 Entitled “Departments, Boards, And Commissions” Of Title III Entitled “Administration” And Title XV Entitled “Land Use” Of The Code Of Oakbrook Terrace, Illinois Providing For Historic Preservation In The City Of Oakbrook Terrace, Illinois was made by Alderman Durham and seconded by Alderman Sarallo.

**Ayes: Durham, Sarallo, Shadley, Thomas, Vlach, and Ragucci
Nays: None**

Motion passed.

2. Resolution No. 13-11: A Resolution To Approve And Authorize The Execution Of An Application For Nomination Of The Property Located At 17W245 16th Street, Oakbrook Terrace, Illinois, As A Landmark.

Motion To Approve Resolution No. 13-11: A Resolution To Approve And Authorize The Execution Of An Application For Nomination Of The Property Located At 17W245 16th Street, Oakbrook Terrace, Illinois, As A Landmark was made by Alderman Durham and seconded by Alderman Sarallo.

**Ayes: Durham, Sarallo, Shadley, Thomas and Ragucci
Nays: None
Present: Vlach**

Motion passed.

XI. RECESS TO THE COMMITTEE OF THE WHOLE

Motion to recess to the Committee of the Whole portion of this meeting was made by Alderman Durham and seconded by Alderman Shadley.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

The Regular Meeting recessed to the Committee of the Whole.

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XII. MAYOR RAGUCCI

1. West Central Municipal Conference General Membership Meeting On Wednesday, April 24, 2013 At Brookfield Zoo At 5:30PM. Please contact Janice Coglianesse to register.
2. Ragucci thanked the Public Services staff and the Oakbrook Terrace Fire Protection District for their efforts during the recent flooding. Ragucci noted City Engineer D. Lynch traveled throughout the City on Thursday during the flood and examined the homes that experienced flooding. Ragucci noted that Lynch will be making some suggestions on how to improve the stormwater run-off for homes that experienced flooding.
3. Ragucci congratulated the newly elected officials and said he is looking forward to working with them.

XIII. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Award Of A Construction Contract For The Regency Place Water Main Extension Project

D. Lynch of CBBEL noted proposals for the Regency Place water main extension project were received on April 3, 2013. Lynch explained that the purpose of the project is to extend water service from TransAm Drive to the Regency Place development. Lynch noted the Village of Lombard currently provides water service to Regency Place under a temporary intergovernmental agreement.

Lynch noted four (4) bids were received for the project. Lynch noted Swallow Construction provided the lowest bid at \$232,882 and the second lowest bid from J. Congdon came in about 2.5% higher at \$238,932. Lynch indicated that references for the two (2) lowest bidders were verified. Lynch indicated that Swallow's references, which were listed in their proposal, had less than glowing responses about the company's services. Lynch indicated some of the references stated that Swallow could be difficult to deal-with and that a close eye had to be kept on the quantities provided by Swallow. Lynch said upon closer review, four (4) separate municipalities also reported questionable experiences with Swallow.

Lynch noted that J. Congdon's references were verified with positive responses. Lynch also stated the references recommended working with J. Congdon. Ragucci said the City is going with the staff recommendation of J. Congdon. Ragucci said even though Swallow offered the lowest bid, the City has home rule powers, through which the City is not required to take the lowest bidder.

Anthony Rendina of Swallow Construction, stated that his company is pre-qualified in the State of Illinois to perform \$14 million in work a year. Rendina

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said he worked with DuPage County last year and respected the City's boundaries. Rendina said this is coming as a big shock because his firm has worked in the City before. Rendina said the City is hugely wrong in thinking that Swallow is not qualified to do this work. Ragucci said this will be voted on during the reconvened meeting.

2. Status Report Payout Number 1: Harbour Contractor's, Inc – New Police Facility/ City Hall Renovation

Carpino said the billing amount for Harbour Contractor's is provided for in the Construction Manager agreement. Carpino said Harbour provided the proof-of-insurance required for the project. Thomas asked for clarification on why the City has to pre-pay for insurance. Marrero replied the contract states that insurance costs will be reimbursed at a rate of 1.25% of the total construction costs, which is estimated at \$8.1 million. Marrero noted that the insurance amount will be adjusted once the final cost of the construction project is known. Marrero added the demolition phase is set to begin shortly so the proper insurance coverages need to be in place. The Council concurred to approve this payment during the reconvened meeting.

3. Consideration Of July 4th Sponsorships – BMO Harris Bank (\$1,000), Volare Restaurant (\$50), and Storino, Ramello, And Durkin (\$1,000).

Ragucci asked the Council to consider the sponsorships from the three (3) businesses. Ragucci thanked the businesses for their donations. The Council concurred to place these sponsorships on the next consent agenda.

4. An Ordinance To Increase The Number of Class "A" Liquor Licenses (Suzie's OBT – 14th, LLC – DBA Suzie's Tapas Bar)

Ragucci said this restaurant has been working with the Building and Zoning Administrator M. Dragan over the last couple of months. Carpino indicated Dragan required the owners to make some revisions to the restaurant to ensure their compliance with the parking code. Durham asked about parking at the location. Carpino replied that he checked with Dragan and the restaurant complies with the City's Zoning Code parking regulations.

The Council concurred to place this on the next consent agenda.

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5. An Ordinance To Increase The Number of Class “E” Liquor Licenses (Stella’s Oakbrook Terrace, LLC – DBA Stella’s)

Ragucci noted this restaurant will be going into the old Verizon store at JRC Plaza. Ragucci said the owner of the company started Stir Crazy and was the CEO of Starbucks.

The Council concurred to place this on the next consent agenda.

6. An Agreement For Asbestos Inspection For The New Police Facility And Renovation Of City Hall – Camplin Environmental Services, Inc.

Carpino said Ward has been working with Camplin to review any possible asbestos issues with the building project. Carpino said the company did find a small amount of asbestos in the basement of the rental house. However, Carpino noted asbestos is not an issue until you try and move it. Carpino added that no asbestos was found in the City Hall, the old Public Services building, and the Building and Zoning house. Carpino said the City is currently seeking pricing on removing the asbestos from the rental house once the renters vacate the building.

The Council concurred to approve this agreement during the reconvened meeting.

7. An Ordinance To Authorize The City Of Oakbrook Terrace To Transfer Real Property, 17W245 16th Street, Oakbrook Terrace, To The Oakbrook Terrace Historical Society.

The Council concurred to place this as a separate item on the next agenda.

XIV. COUNCIL MEMBER COMMENTS

Thomas said the City was in a lot better shape in terms of the flood than many of the nearby communities. Durham said opening the quarry helped mitigate the flooding problems. Carpino said the power remained on throughout the City during the storm. Carpino said there were about four (4) or five (5) homes that had serious water in their basements and that Lynch will be working with these homeowners to address their flooding concerns.

XV. CITY MANAGER CARPINO

Carpino thanked Ward and the Public Services staff for their tremendous efforts during the recent storm. Carpino asked Marrero to discuss the refinancing of the 2008 bonds. Marrero stated that the City was able to refinance the 2008 bonds to a lower

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interest rate of 2.6% and achieved cost savings of over \$254,000. Marrero said the City will be closing on these bonds May 2, 2013.

XVI. CITY ATTORNEY RAMELLO

None.

XVII. CITY CLERK LESLIE

Leslie thanked the Mayor and Council for the privilege of serving as City Clerk for the last four and half years. Leslie also thanked Carpino and Deputy Clerk Cheryl Downer. Ragucci presented recognition plaques to City Clerk Leslie and Alderman Durham for their years of service and dedication to the City.

XVIII. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene was made by Alderman Durham, and seconded by Alderman Shadley.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

The Regular Meeting of the City Council reconvened.

XIX. OLD BUSINESS

1. Ordinance No. 13-23: An Ordinance Approving The Budget For The City Of Oakbrook Terrace For The Fiscal Year Commencing On May 1, 2013 And Ending on April 30, 2014.

Motion To Approve Ordinance No. 13-23: An Ordinance Approving The Budget For The City Of Oakbrook Terrace For The Fiscal Year Commencing On May 1, 2013 And Ending on April 30, 2014 was made by Alderman Thomas and seconded by Alderman Shadley.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

2. Resolution No. 13-12: A Resolution Approving The Five Year Capital Improvement Plan Beginning In 2013 For The City Of Oakbrook Terrace.

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Motion To Approve Resolution No. 13-12: A Resolution Approving The Five Year Capital Improvement Plan Beginning In 2013 For The City Of Oakbrook Terrace was made by Alderman Durham and seconded by Alderman Thomas.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

3. Resolution No. 13-13: A Resolution Awarding and Authorizing The Execution Of A Contract For The Regency Place Water Main Extension Project For the City Of Oakbrook Terrace, Illinois.

Motion To Approve Resolution No. 13-13: A Resolution Awarding and Authorizing The Execution Of A Contract For The Regency Place Water Main Extension Project For the City Of Oakbrook Terrace, Illinois was made by Alderman Durham and seconded by Alderman Thomas.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

4. Resolution No. 13-14: A Resolution To Approve And Authorize The Execution Of An Agreement Between The City Of Oakbrook Terrace, Illinois, And Camplin Environmental Services, Inc. For The Furnishing Of An Asbestos Inspection And Management Plan For The New Police Facility And Renovation Of City Hall.

Motion To Approve Resolution No. 13-14: A Resolution To Approve And Authorize The Execution Of An Agreement Between The City Of Oakbrook Terrace, Illinois, And Camplin Environmental Services, Inc. For The Furnishing Of An Asbestos Inspection And Management Plan For The New Police Facility And Renovation Of City Hall was made by Alderman Durham and seconded by Alderman Thomas.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

5. Motion To Approve Payout Number One (1) To Harbour Contractor's, Inc in the amount of \$91,519.69.

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Motion To Approve Payout Number One (1) To Harbour Contractor's, Inc in the amount of \$91,519.69 was made by Alderman Durham and seconded by Alderman Shadley.

**Ayes: Durham, Sarallo, Shadley, Thomas, and Vlach
Nays: None**

Motion passed.

ADJOURN

Motion to adjourn was made by Alderman Durham, and seconded by Alderman Thomas at 7:35P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary