

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, APRIL 9, 2013**

I. CALL TO ORDER

The Mayor called the April 9, 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, and Finance Director A. Marrero.

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 March 26, 2013
2. Budget Meeting Minutes Of March 20, 2013

Motion to approve the minutes of the March 26, 2013 Regular City Council and Committee of the Whole Minutes and the March 20, 2013 Budget Meeting Minutes as presented was made by Alderman Shadley, and seconded by Alderman Thomas.

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

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

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VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: April 9, 2013 In The Amount Of \$140,858.36.
2. Accept a \$200 Sponsorship From Hansen And Schneider Rentals/Rehabs And A \$500 Sponsorship from JRC Investments For The City's July Fourth Celebration.
3. Ordinance No. 13-19: An Ordinance Decreasing The Number Of Class "A" Liquor Licenses By One (1), Pursuant To The Provisions Of Title XI (Business Regulations); Chapter 111 (Food And Beverages); Subchapter *Alcoholic Liquor Control*, Section 111.012 (Number Of Licenses In Each License Classification), Of The Code Of Ordinances Of The City Of Oakbrook Terrace, Illinois, As Amended (BGP Operating, LLC – DBA Pompei Bakery).
4. Ordinance No. 13-20: An Ordinance Enacting And Adopting A Supplement To The Code Of Ordinances For The City Of Oakbrook Terrace, Illinois (Supplement 25).
5. Resolution No. 13-7: A Resolution To Approve And Authorize The Execution Of An Agreement Between The City Of Oakbrook Terrace, Illinois, And Lumquest Energy Solutions, LTD. For The Furnishing Of Professional Engineering Services For The Design Of Residential Street Lighting.
6. Resolution No. 13-9: A Resolution Authorizing And Approving A Traffic And Parking Regulation Agreement Between Oakbrook Terrace Property, LLC, And 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 9, 2013 be considered under the Consent Agenda was made by Alderman Sarallo and seconded by Alderman Thomas.

Motion passed unanimously through a voice vote.

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

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

Motion passed.

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VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Resolution No. 13-10: A Resolution To Approve and Authorize The Execution Of Local Agency Agreements For Jurisdictional Transfer Of 15th Street, 16th Street, And Michigan Avenue Between The City Of Oakbrook Terrace, Illinois, And York Township Road District.

Motion To Approve Resolution No. 13-10: A Resolution To Approve and Authorize The Execution Of Local Agency Agreements For Jurisdictional Transfer Of 15th Street, 16th Street, And Michigan Avenue Between The City Of Oakbrook Terrace, Illinois, And York Township Road District was made by Alderman Shadley and seconded by Alderman Vlach.

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

Motion passed.

IX. RECESS TO THE COMMITTEE OF THE WHOLE

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

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

The Regular Meeting recessed to the Committee of the Whole.

X. MAYOR RAGUCCI

1. DuPage Mayors And Managers Conference Business Meeting On Wednesday, April 17, 2013 At The Crown Plaza Hotel in Glen Ellyn At 5:45P.M. Please contact Janice Coglianesi to register.
2. West Central Municipal Conference General Membership Meeting On Wednesday, April 24, 2013 At Brookfield Zoo At 5:30PM. Please contact Janice Coglianesi to register.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Consideration Of A Historic Preservation Ordinance And A Resolution Nominating the Fik House As a Landmark.

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Ramello stated the Council directed him to prepare the necessary documentation to designate the Fik House as a landmark. Ramello noted the City Code did not contain provisions for historic preservation, so he drafted the proposed ordinance. Ramello indicated the proposed ordinance was based upon the model outline provided by the Illinois Historic Preservation Association as well as similar ordinances from nearby communities.

Ramello explained that the ordinance provides a process through which a landmark can be designated. Ramello said the property must first be nominated for landmark status and then a public hearing before the Planning and Zoning Commission would be held to review the nomination. Ramello noted the Planning and Zoning Commission would then make a recommendation to the City Council regarding whether landmark status should be granted. Ramello stated if the City Council agrees with the Planning and Zoning recommendation, then the Council would pass an ordinance designating the property as a landmark. Ramello added that the proposed resolution nominates the Fik House as a landmark and starts the process.

Ramello stated that a public hearing for the Fik House landmark status will be held by the end of April. Ramello stated that for the May 14, 2013 meeting, the City Council will consider the Planning and Zoning's recommendation along with the necessary documents to transfer the ownership of the Fik House over to the Oakbrook Terrace Historical Society.

Ragucci asked if the audience had any questions about this process. Bob Shanahan, of the Oakbrook Terrace Historical Society, indicated that the Society would like to restore the original shingle material to the exterior of the home and asked if this change could be included in the first zoning meeting. Ramello asked Shanahan to provide a description of the modification and noted that this improvement will be included as part of the application for the Planning and Zoning Commission.

Thomas asked if the ordinance allows the Historical Society to make a change. Ramello explained that once the Fik House is declared a landmark, then changes to the building must come before the Planning and Zoning Commission for approval. Durham asked if there were major modifications done to the proposed ordinance from the model provided by the Illinois Historic Preservation Association. Ramello replied that he used the outline provided by Illinois Historic Preservation Association as the base, but also modeled the City's ordinance from similar ordinances in Hinsdale, Lake Forest, and Glen Ellyn.

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

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2. Consideration Of July 4th Sponsorships – Flood Brothers, Ferrara Pan Candy Company, Blackhawk Restaurant Group, Four Seasons Lawn Service and Landscaping Inc, Alphagraphics Oakbrook Terrace, Drury Lane, and Sonnenschein Financial Services.

Ragucci asked the Council to consider the sponsorships from the seven (7) businesses. Ragucci thanked the businesses for their donations. The Council concurred to place these sponsorships on the next consent agenda.

3. Replace Three (3) Police Vehicles From The FY 2014 Budget.

Carpino said the Police Department's request to replace three (3) vehicles was discussed during the budget meetings. Carpino said the three (3) vehicles will be replaced with three (3) 2013 Ford Interceptors. Carpino explained that one replacement vehicle will serve in patrol, another vehicle will serve as a detective unit, and the last vehicle will function as the Police Chief's administrative car. Carpino explained that the City will also be trading-in three (3) older model Police vehicles. Carpino noted these vehicles will be purchased through the Illinois State bid.

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

XII. COUNCIL MEMBER COMMENTS

Thomas asked what takes precedence when a stop sign is open on a traffic signal light and the traffic signal is functioning. Carpino replied the traffic signal when lit always takes precedence over a stop sign displayed. Carpino said in some cases, after power is restored, staff is taking measures to close-up the stop signs, but there may be a slight delay before all the stop signs can be closed up. Carpino explained that when the traffic signals are down, then vehicles are required to completely stop at the signal.

Vlach recognized the businesses donating to the City's July 4th celebration, especially Flood Brothers for their generous \$10,000 donation.

XIII. CITY MANAGER CARPINO

Carpino noted that this weekend, there will be a mass closing of Caribou Coffee locations in the Chicagoland area. However, Carpino noted that the Caribou Coffee Oakbrook Terrace location will remain open and will eventually be renamed Peet's Coffee.

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XIV. CITY ATTORNEY RAMELLO

Ramello said on Friday, the City along with six (6) other Illinois municipalities filed a class action lawsuit against several online travel companies including: Priceline, Expedia, and Travelocity. Ramello noted the other cities participating in the lawsuit include: Willowbrook, Oak Lawn, Orland Hills, Bedford Park, Warrenville, and Rockford. Ramello stated the case was filed in United States District Court. Ramello said the lawsuit is to collect the portion of the hotel tax that these companies collect, but do not pay over the City because they purchase the hotel rooms at wholesale and resell them at retail. Ramello said these companies do not pay any tax, and that currently the hotels pay the tax based upon the wholesale rate paid by these online resellers. Ramello said the purpose of the lawsuit is to collect on that gap between the wholesale and retail price.

Durham asked if Priceline buys a hotel room for \$50 and then resells the same room for \$75, the City would then need to collect taxes on the \$75 amount and not on the \$50. Ramello confirmed that this example was correct.

XV. CITY CLERK LESLIE

None.

XVI. 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.

XVII. OLD BUSINESS

None.

ADJOURN

Motion to adjourn was made by Alderman Durham, and seconded by Alderman Thomas at 7:17P.M.

Motion carried unanimously.

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Submitted,

Aileen Haslett
Recording Secretary