

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

**I. CALL TO ORDER**

The Mayor called the August 11, 2015, 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: Esposito, Greco, Przychodni, Swartz, Thomas, Vlach, and Mayor Ragucci  
Absent: None

Also in attendance were City Clerk M. Shadley, City Administrator A. Marrero, Building and Zoning Administrator M. Dragan, Assistant to the Mayor and Administrator M. Sarallo and City Attorney R. Ramello.

**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 July 28, 2015.

**Motion to approve the minutes of the July 28, 2015 Regular City Council and Committee of the Whole as presented was made by Alderman Vlach and seconded by Alderman Swartz.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**VI. PUBLIC PARTICIPATION**

Resident John Rainone of Oakbrook Terrace stated he was not opposed to allowing backyard chickens and if the petitioner has experienced no complaints from neighbors for the last two (2) years, then you would think that complaints would have been brought up some time ago.

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**VII. ACTION ITEMS/CONSENT AGENDA**

1. Payment of City Bills: August 11, 2015 In The Amount Of \$96,964.10.

**Motion to approve all the items contained on the Consent Agenda for August 11, 2015 as presented was made by Alderman Esposito and seconded by Alderman Przychodni.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**VIII. ITEMS REMOVED FROM THE CONSENT AGENDA**

**None.**

**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 Thomas and seconded by Alderman Przychodni.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**X. MAYOR RAGUCCI**

**None.**

**XI. COMMITTEE OF THE WHOLE CONSIDERATIONS**

1. Presentation by the DuPage Convention Visitors Bureau (DCVB) And The Hotel Commission.

Ragucci stated Don Hill was unable to attend the meeting tonight and will appear at the next meeting.

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2. Letter Of Recommendation – Proposed Text Amendments To The Zoning Code To Allow Possession Of Chickens In The R-1 Zoning District In The City Of Oakbrook Terrace.

Dragan stated the Mayor and City Council directed a public hearing before the Planning and Zoning Commission as any amendments to the Zoning Code requires a public hearing before the Commission. Dragan noted the Commission reviewed and discussed the proposed draft ordinance prepared by the City Attorney and forwarded a favorable recommendation to the City Council. Dragan stated four (4) commissioners voted in favor of the proposed text amendment and two (2) against it.

Dragan explained the draft ordinance is proposed to amend the Zoning Code as follows:

- (1) To adopt definitions for “chickens” and “coups”;
- (2) To allow up to four (4) female chickens and keeping of a coup in the rear yard of the R-1 Zoning District contingent upon acquiring a special use permit, which means that a public hearing will be required. No more than four (4) female chickens may be housed in a coup located within a rear yard of a single family district and the coup shall be located a minimum of 25 feet from the side and rear property lines and a minimum of 10 feet from the single family detached residential dwelling unit on the property; and,
- (3) To establish a fee for a special use permit in the amount of \$500.

Dragan stated the Mayor and Council will make the final decision concerning the proposed changes to the Zoning Code. Dragan said the City Council will also decide whether to amend the City Code, Chapter 95 “Animal Control” as necessary.

Greco stated the petitioner originally started with 30 signatures favoring backyard chickens and now this list has grown to 66 residents. Greco said he favors backyard chickens and the opportunities they afford to families in Oakbrook Terrace favoring a healthier lifestyle.

Thomas said he visited the applicant’s backyard chicken coup and can not criticize her setup. However, Thomas said he opposed backyard chickens because he was afraid it would cause more problems with predators such as coyotes, foxes, rats and mice.

Esposito said he researched backyard chickens since the last Council meeting. Esposito expressed concern that allowing backyard chickens would open the door to the unknown and he feels that Oakbrook Terrace is more of a suburban residential community and chickens are more for a rural environment. Esposito

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said allowing backyard chickens would impose more procedures and may cost the City more money.

Vlach expressed his opposition to the allowance of backyard chicken sighting his concerns about the raccoon problem within the City. Swartz said he is also opposed to allowing backyard chickens and noted his Berkshire subdivision, does not allow chickens.

Resident Lisa Pesce addressed the Council and stated backyard chickens needs to be evaluated in terms of freedoms. Pesce added proper ordinances to enforce back yard chickens would be a viable solution but would need to be monitored. Pesce noted allowing backyard chickens would be considered an advantage.

Planning and Zoning Commission member Paul Smurawski stated he lives next door to the petitioner and said they do a great job with the chickens. Resident Peggy Diorio expressed in the big picture, the City should not worry about backyard chickens. Resident Lori Burchett addressed the Council and stated that the applicant should be grandfathered in if the Zoning Code does not change.

Resident Jessica Cieslik of 17W421 Eisenhower, said there are ways to protect backyard chickens from predators. Cieslik also mentioned coups should be cleaned regularly to avoid smells. Cieslik said her chickens are her pets not livestock. Cieslik mentioned many other cities in DuPage County allow backyard chickens. Cieslik said the City should review the Downers Grove's ordinance to help the City shape their own legislation. Resident John Rainone said with the coup requirements along with the \$500 fee; he does not think there will be many requests for chicken licenses within the City.

Ragucci said the backyard chickens is a tough decision because the City does not know if all applicants will maintain the chickens in the manner that Ms. Cieslik cares for hers. Ragucci said this matter will be voted on in two (2) weeks at the next Council meeting. Ragucci said if anyone has additional comments or questions to contact him or the City Administrator.

3. Approval Of Change Order And Field Order No. 24R – Builder's Concrete Services, LLC For Excavation (Bid Package 02B).

Marrero said the proposed Change Orders serve two (2) purposes outlined below.

1. Since the Council opted not to proceed with the City Hall renovation, the portion of the trade contract for the City Hall construction needs to be deducted from the original contract.
2. Some site work still needs to be completed at City Hall so the contract needs to be amended to reflect the cost of the revised scope of work per Field Order 24R.

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Marrero referenced the revised C-4 geo-metric plan that was distributed tonight and reflects all the additional site work that will be performed at City Hall. Al Zakariya of Harbor Contractors provided an overview of the additional site work necessary. Zakariya discussed the items such as curbs, lighting, parking lot, landscaping, and excavation that need to be maintained as part of the work.

Shanahan said it would be hypocritical of the City to require sidewalks when we are removing the sidewalk along Butterfield Road in front of City Hall. Shanahan said a sidewalk along Butterfield Road should be considered. Ragucci said it is a cost savings and the City opted to not spend this money at this time since the renovation of City Hall is not proceeding. Vlach suggested constructing a sidewalk on the south side of Butterfield to 16<sup>th</sup> Street, so people could then connect to the bike trail. Ragucci said Shanahan's and Vlach's ideas were good and asked how much the sidewalk would cost. Zakariya said he will look into this. Ragucci said the City can look into this if grant funding is available.

The Council concurred to approve this change order during the reconvened meeting.

4. Approval Of Change Order And Field Order No. 24R – Abbey Paving Company For Concrete Paving (Bid Package 02F)

The Council concurred to approve this change order during the reconvened meeting.

5. Status Report Payout Number One (1): Maher Lumber For Wood Windows.

The Council concurred to place payment number one (1) in the amount of \$36,672.65 to Maher Lumber on the next consent agenda.

6. Status Report Payout Number One (1): Caliber Construction Company For Acoustical Ceilings.

The Council concurred to place payment number one (1) in the amount of \$7,226.28 to Caliber Construction Company on the next consent agenda.

7. Status Report Payout Number Two (2): Cain Millwork Inc For Millwork.

The Council concurred to place payment number two (2) in the amount of \$39,229.20 to Cain Millwork Inc. on the next consent agenda.

8. Status Report Payout Number Two (2): Abbey Paving Co., Inc For Site Concrete.

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The Council concurred to place payment number two (2) in the amount of \$49,776.30 to Abbey Paving Co., Inc. on the next consent agenda.

9. Status Report Payout Number Two (2): Caliber Construction Company For EIFS

The Council concurred to place payment number two (2) in the amount of \$9,217.80 to Caliber Construction Company on the next consent agenda.

10. Status Report Payout Number Three (3): Triumph Restoration, Inc For Joint Sealants.

The Council concurred to place payment number three (3) in the amount of \$3,580.94 to Triumph Restoration, Inc on the next consent agenda.

11. Status Report Payout Number Three (3): TGM Fabricating, Inc For Structural Steel.

The Council concurred to place payment number three (3) in the amount of \$5,265 to TGM Fabricating, Inc. on the next consent agenda.

12. Status Report Payout Number Four (4): All American Exterior Solutions For Roofing.

The Council concurred to place payment number four (4) in the amount of \$17,509.40 to All American Exterior Solutions on the next consent agenda.

13. Status Report Payout Number Four (4): Builders Concrete Services, LLC For Excavation.

The Council concurred to place payment number four (4) in the amount of \$78,669.53 to Builders Concrete Services, LLC on the next consent agenda.

14. Status Report Payout Number Five (5): Builders Concrete Services, LLC For Concrete

The Council concurred to place payment number five (5) in the amount of \$11,700 to Builders Concrete Services, LLC on the next consent agenda.

15. Status Report Payout Number Six (6): Valley Security Company For Detention Equipment.

The Council concurred to place payment number six (6) in the amount of \$61,651.80 to Valley Security Company on the next consent agenda.

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16. Status Report Payout Number Six (6): Caliber Construction Company For Drywall.

The Council concurred to place payment number six (6) in the amount of \$52,068.28 to Caliber Construction Company on the next consent agenda.

17. Status Report Payout Number Ten (10) Cameo Electrical Inc For Electrical

The Council concurred to place payment number ten (10) in the amount of \$85,720.50 to Cameo Electric, Inc. on the next consent agenda.

**XII. COUNCIL MEMBER COMMENTS**

Esposito stated the autumn Oakbrook Terrace Park District (OBTPD) brochure was published and included the non-resident rental rates for properties. Esposito asked how many non-residents utilize OBTPD facilities through the rental program. Esposito asked why the calls for the Police Department's increased by approximately 300 in July from last year. Ragucci replied the Police Department is generating their own tickets now and they are checking businesses at night. Ragucci said every time you punch a ticket with DuComm it counts as a call. Ragucci said business and door checks are now considered calls. Ragucci explained the calls are not for burglaries or thefts.

Greco suggested training be incorporated for the Planning and Zoning Commission. Greco volunteered to assist Dragan in coordinating this effort. Ragucci said this is a good idea and maybe we could put something together for the Commissioners.

**XIII. CITY ATTORNEY RAMELLO**

None.

**XIV. CITY CLERK SHADLEY**

None.

**XV. CITY ADMINISTRATOR MARRERO**

None.

**XVI. RECONVENE THE CITY COUNCIL MEETING**

**Motion to reconvene the City Council meeting was made by Alderman Greco and seconded by Alderman Przychodni.**

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**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**XVII. OLD BUSINESS**

1. Resolution No: 15-7: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02B) To The Contract With Builders Concrete Services, LLC For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois.

**Motion To Approve Resolution No: 15-7: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02B) To The Contract With Builders Concrete Services, LLC For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois was made by Alderman Swartz and seconded by Alderman Thomas.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

2. Resolution No: 15-8: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02F) To The Contract With Abbey Paving And Sealcoating Company., Inc For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois.

**Motion To Approve Resolution No: 15-8: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02F) To The Contract With Abbey Paving And Sealcoating Company., Inc For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois was made by Alderman Thomas and seconded by Alderman Vlach.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**ADJOURN**

**Motion to adjourn was made by Alderman Greco and seconded by Alderman**

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**Esposito at 8:15PM.**

**Motion carried unanimously.**

Submitted,

Aileen Haslett  
Recording Secretary