

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

I. CALL TO ORDER

The Mayor called the December 10, 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: Przychodni, Sarallo, Shadley, Thomas, Vlach, and Mayor Ragucci

Absent: Esposito

Also in attendance were City Clerk D. Greco, City Attorney R. Ramello, Finance Director A. Marrero, Public Services Director C. Ward, Building and Zoning Administrator M. Dragan, and D. Lynch of Christopher B. Burke Engineering LTD. (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 November 26, 2013

Motion to approve the minutes of the November 26, 2013 Regular City Council and Committee of the Whole as presented was made by Alderman Przychodni and seconded by Alderman Shadley.

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

Nays: None

Motion passed.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

VI. EMPLOYEE SERVICE AWARDS

Ragucci commended the employees listed below for their years of service.

David MacArtney - 25
Cheryl Downer – 8
Karen DeBok – 7
Phillip Pullaro – 5
Zoraida Gonzalez – 5
Clayton Plumtree – 5
Premyslaw (Jake) Lekki – 5

VII. PUBLIC PARTICIPATION

None.

VIII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: December 10, 2013 In The Amount Of \$263,498.56.
2. Resolution No. ~~43-27~~ 13-29: A Resolution Approving A 2013 – 2015 Goals And Objectives Plan For The City Of Oakbrook Terrace, Illinois. (*This resolution was renumbered from 13-27, which was already in use, to 13-29*).
3. Approval Of Payout: Davis Concrete Construction Company In The Amount of \$67,440 For The 2013 Curb And Gutter Project.

Motion to approve all the items contained on the Consent Agenda as presented for December 10, 2013 was made by Alderman Przychodni and seconded by Alderman Thomas.

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

Motion passed.

IX. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Ordinance No. 13-57: An Ordinance Amending The Code Of Ordinances Of The City Of Oakbrook Terrace, Illinois, As Amended, Title V (Public Works), Chapter 52 (Water Supply System), §52.09 (Water Rates) To Alter Water Service Charges For The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 13-57: An Ordinance Amending The Code Of Ordinances Of The City Of Oakbrook Terrace, Illinois, As

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Amended, Title V (Public Works), Chapter 52 (Water Supply System), §52.09 (Water Rates) To Alter Water Service Charges For The City Of Oakbrook Terrace was made Alderman Przychodni and Alderman Shadley.

**Ayes: Przychodni, Shadley, Vlach, and Ragucci
Nays: Sarallo and Thomas**

Motion passed.

2. Approval Of Payout Number Two (2): J. Congdon Sewer Service Incorporated In The Amount of \$129,364.95 For The Regency Place Watermain Extension Project.

Motion To Table the Approval Of Payout Number Two (2): J. Congdon Sewer Service Incorporated In The Amount of \$129,364.95 For The Regency Place Watermain Extension Project was made by Alderman Sarallo and seconded by Alderman Shadley.

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

Motion to table passed.

X. 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 Sarallo.

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

The Regular Meeting recessed to the Committee of the Whole.

XI. MAYOR RAGUCCI

1. Reminder: City Hall Will Be Closed For The Christmas Holiday On Tuesday, December 24, 2013 and Wednesday, December 25, 2013.
2. Reminder: City Hall Will Be Closed For The New Year's Holiday On Wednesday, January 1, 2014.
3. Ragucci thanked staff for their efforts at the Childrens Christmas Party on Friday, December 6, 2013. Ragucci said there was great turn-out and approximately 100 residents attended the party.
4. Ragucci commended the Public Services staff for their snow removal efforts on Sunday, December 8, 2013.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

XII. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Status Update: Fidelity Consulting Group.

Don Storino II, of Fidelity Consulting Group, provided a brief update on his legislative services. Storino indicated he is working on procuring funding from the Governor's Office and the Department of Commerce and Economic Opportunity which should happen in early 2014. Storino added the recent pension fix should free up some capital project funding.

Storino noted three (3) projects that he is working on for the City including: the digital billboard, red light cameras, and the jurisdictional transfer of some streets to York Township, are IDOT related. Storino noted he contacted Ann Schneider who is the Secretary at IDOT. Storino explained he along with Ramello had a conference call with IDOT today and he believes some headway was made on the digital sign and the jurisdictional transfers.

Ragucci asked Storino to provide a status update on the digital billboard. Storino replied IDOT should be getting back to the City regarding the sign sometime next week. Storino noted the restricted deed has been removed. Ramello indicated the updated sign application was submitted and now it is in the IDOT review stage.

2. Letter Of Recommendation: Proposed Text Amendments Concerning Temporary Signs.

Ragucci indicated that the Planning and Zoning Commission unanimously voted down the Council's recommendation regarding the permitted use of the flag signs. Ragucci said he concurred with the Planning and Zoning's recommendation and agreed the sign ordinance should remain as is. Ragucci explained that the current sign ordinance allows for new businesses to post flag signs for 60 days and other businesses to use flag signs up to four (4) times per year. The Council concurred to leave the sign ordinance as is.

3. Letter of Recommendation: Amendments To The PUD For Two (2) and Three (3) Lincoln Centre.

George Gaulrapp, External Affairs Manager for ComEd, addressed the Council and stated ComEd is looking to put up some different signs at Lincoln Centre.

Dragan said ComEd, the applicant, is requesting approval to amend the Planned Unit Development (PUD) ordinance in order to allow for the replacement of eight (8) freestanding signs with signs that are a little bit taller and wider, and an additional wall sign on the parking deck located at Two (2) Lincoln Centre.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Dragan noted that the total square footage for the eight (8) existing signs is approximately 159 square feet and the proposed square footage for the new signs is 207 square feet, resulting in a 48 square feet increase. Dragan stated the Planning and Zoning Commission approved this request.

Bernard Citron, the Attorney for ComEd, displayed the sign renderings. Citron noted that ComEd's request is for the existing signs and only one (1) new sign for the parking deck. Citron explained the current signs are not illuminated and the updated signs will be back-lit. Citron said the parking garage sign will help visitors know where to park. Citron added all the proposed signs in the PUD will be uniform. The Council concurred to place this on the next consent agenda.

4. Change Order: Regency Place Watermain Extension.

D. Lynch of CBBEL, referenced his memorandum included in the agenda packet and stated that during the course of construction for the Regency Place water main several issues arose. Lynch said that he and Ward tried to iron out all the issues prior to going out to bid. Lynch said that he thought he had understandings regarding the interconnects and disconnects with both Lombard and Oak Brook before construction. However, Lynch explained that as construction started both towns requested changes to the interconnects and disconnects, which resulted in additional costs.

Lynch said there was an unforeseen issue with the Marriot's water service. Lynch said that from the Marriot's management staff, prior to construction, they found that the hotel had a six (6) inch fire service and a four (4) inch domestic service entering the building. However, when the excavating was done the contractor found an eight (8) inch service coming off the main. Lynch said Ward indicated that the piping had to be replaced with the type of piping already there. Ward said there were no drawings to go off and in this case, the City didn't know what was there until the excavation began.

Lynch said from the beginning the City knew there would be impacts to the Marriot's landscaping. Lynch said at the outset prior to going out to bid, he and Ward advised the Marriot that when it came time to replant trees and shrubs the hotel could use their own landscape contractor and then the City would provide reimbursement. However, Lynch noted that as construction progressed the Marriot asked the City to do the replantings. Lynch said the landscaping replacements were not in the original bid documents. Lynch said the City then asked the contractor to replace the landscaping at a cost above the original bid price. Lynch noted that the landscaping replacements were known at the outset, but were going to be treated as a separate contract.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Lynch discussed the other change orders including the additional valve for the watermain and there were some unforeseen problems in locating the meter vault because it was quite a bit deeper than anticipated. Lynch said had the City known all of these change orders at the outset, they would have been included in the original bid. Lynch apologized for the unforeseen change orders. Lynch said he along with Ward tried to minimize the inconvenience to both the hotel guests and the Regency Place residents. Ward noted that the connection has been operational for two (2) months, the landscaping has been restored, and everything is running well.

Thomas asked for clarification regarding the landscaping change orders. Ward said at the outset the landscaping replacements were going to be separate from the contract and the hotel was going to use their own landscaper for all the replantings. However, Ward noted that in discussions, J. Congdon provided a better price for the landscaping. Lynch added that the replantings were needed because they were impacted by the construction of the watermain.

Sarallo asked for further clarification regarding the interconnection with Lombard and the disconnection from Oak Brook. Ward stated that the interconnection with Lombard could have been way more costly than it ended up being. Ward explained that Lombard has two (2) watermains running under Meyers Road that were servicing Regency Place. Ward indicated that Lombard requested that the City sever both watermains. Ward informed Lombard that this was a terrible idea because both cities have an opportunity to establish two (2) emergency interconnects. Ward noted that after some discussions with Lombard they agreed to both interconnects. Ward said one interconnect is metered, while the other is locked down and cannot be open without both city's approval.

Ward said he could provide an email chain regarding the Oak Brook disconnection. Ward said he contacted Oak Brook several months in advance since the City has been through these disconnects before with the Village and because he wanted everything outlined. However, Ward noted that he did not hear from Oak Brook until it was time to do the actual disconnect after the contracts were already executed. Sarallo asked what the original contract included. Lynch replied that the contract included capped service lines and instead Oak Brook requested that these mains be cut-out and replaced and not capped. Sarallo said once again this is working with our neighbor. The Council concurred to approve these change orders and Payout Number Two (2) during the reconvened meeting.

5. Acceptance Of Public Improvements at 17W642 Butterfield Road: former Holiday Inn Reservation Center.

Marrero stated the City Code requires upon completion of any public improvement after final inspection by the City Engineer that the City Council

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

must accept the public improvement and the Bill of Sale. Marrero also noted after City Council acceptance, the developer is required to provide a bond or letter of credit equal to 10% of the estimated cost of the required public improvement. Marrero said included within the agenda packet is CBBEL's final inspection report, draft Bill of Sale, and a maintenance bond provide by Wendland for 10% of the cost of the project. Marrero also noted that Lynch suggested that Wendland provide a \$5,000 cash bond to ensure the vegetation on the remaining lots. The Council concurred to place this item on the next consent agenda.

6. Review Of The Proposed 2013 Tax Levy Ordinance.

Marrero stated that the tax levy ordinance was prepared in accordance with the tax levy determination discussion held by the Council at the first meeting in November. Marrero stated that if the Council agrees with adopting the levy during the reconvened meeting, then the levy will be filed with the County Clerk's Office. The Council concurred to adopt this during the reconvened meeting.

7. Review Of Various Property Tax Bond Abatement Ordinances.

Marrero noted that if the property tax abatements are not adopted, then the liability for the City's bonds falls upon the taxpayers. Marrero explained that every year the City abates the bonds. The Council concurred to adopt these ordinances during the reconvened meeting.

XIII. COUNCIL MEMBER COMMENTS

The City Council members wished everyone a Happy Holiday. Vlach asked if anything is happening with the proposed BP Amoco site at the corner of Summit and Butterfield Road. Marrero replied that she is contact with Dan Soltis who is interested in building a BP Amoco. Marrero said Soltis provided her with a spreadsheet with estimated sales tax figures. Marrero said BP requested a sales tax rebate. Marrero said in reviewing the BP spreadsheet, she found some discrepancies. She said after discussing these discrepancies with BP the next step is to meet with their representatives and discuss their proposal.

XIV. CITY ATTORNEY RAMELLO

Ramello wished everyone a Happy Holiday.

XV. CITY CLERK GRECO

Greco said it was a great year and he appreciates working with staff.

XVI. FINANCE DIRECTOR MARRERO

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Marrero updated the Council on the status of the new Police Station. Marrero said the AT&T pole is down. However, Marrero noted there will be a delay in the construction of the new building and that the City will not be able to break-ground until next spring. Marrero explained the delay was caused by a set-back issue and Williams Architects had to go back and redo some of the drawings. Marrero said Williams provided the updated drawings today, which corrects the setback issue.

Thomas asked for an update on the residential street lights. Ward replied that the project is moving along fairly well and that some of the lights may be activated within the next couple of weeks. Greco asked if the City could hold a ceremonious lighting. Ragucci replied yes.

Ragucci said it was a great year and the City is moving in the right direction. Ragucci said Marrero is doing a great job and thanked her for her efforts. Ragucci said the setback with the new building was minor and will not affect the building size. Ragucci said the new street lights should be operational possibly some more curbs will be added next year. Ragucci reported a new deli, Specialty's, came in today to discuss a location at the Wendland property. Ragucci said Curt Hurst, the developer of the Oakbrook Terrace Shopping Center, will attend a meeting in January to update the Council on the Center's status. Ragucci added that Hurst is working with a new company to fill those vacancies.

XVII. RECONVENE THE CITY COUNCIL MEETING

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

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

The Regular Meeting of the City Council reconvened.

XVIII. OLD BUSINESS

1. Resolution No. 13-28: A Resolution Authorizing The Execution Of Change Order Number One To The Agreement With J. Congdon Sewer Service, Inc. For The Regency Place Water Main Extension Project For the City Of Oakbrook Terrace, Illinois.

Motion To Approve Resolution No. 13-28: A Resolution Authorizing The Execution Of Change Order Number One To The Agreement With J. Congdon Sewer Service, Inc. For The Regency Place Water Main Extension

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Project For the City Of Oakbrook Terrace, Illinois was made by Alderman Thomas and seconded by Alderman Sarallo.

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

Nays: None

Motion passed.

2. Approval Of Payout Number Two (2): J. Congdon Sewer Service Incorporated In The Amount of \$129,364.95 For The Regency Place Watermain Extension Project.

Motion To Approve Approval Of Payout Number Two (2): J. Congdon Sewer Service Incorporated In The Amount of \$129,364.95 For The Regency Place Watermain Extension Project was made by Alderman Thomas and seconded by Alderman Sarallo.

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

Nays: None

Motion passed.

Ramello stated the Council can approve this payout today, but he recommended that the check not be released until the final waiver from Prairie Materials is submitted.

3. Ordinance No. 13-58: An Ordinance For The Levying, Assessment And Collection Of Taxes For The Fiscal Year Beginning May 1, 2013 And Ending April 30, 2014 For The City Of Oakbrook Terrace, DuPage County, Illinois.

Motion To Approve Ordinance No. 13-58: An Ordinance For The Levying, Assessment And Collection Of Taxes For The Fiscal Year Beginning May 1, 2013 And Ending April 30, 2014 For The City Of Oakbrook Terrace, DuPage County, Illinois was made by Alderman Thomas and seconded by Alderman Sarallo.

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

Nays: None

Motion passed.

4. Ordinance No. 13-59: An Ordinance Abating the Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$2,810,000 Of General Obligation Bonds, Series 2012A, Of The City Of Oakbrook Terrace.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Motion To Approve Ordinance No. 13-59: An Ordinance Abating the Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$2,810,000 Of General Obligation Bonds, Series 2012A, Of The City Of Oakbrook Terrace was made by Alderman Sarallo and seconded by Alderman Przychodni.

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

Motion passed.

5. Ordinance No. 13-60: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$1,100,000 Of General Obligation Taxable Business District Bonds, Series 2012B, Of The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 13-60: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$1,100,000 Of General Obligation Taxable Business District Bonds, Series 2012B, Of The City Of Oakbrook Terrace was made by Alderman Przychodni and seconded by Alderman Thomas.

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

Motion passed.

6. Ordinance No. 13-61: An Ordinance Abating the Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$3,930,000 Of General Obligation Bonds, Series 2010A, Of The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 13-61: An Ordinance Abating the Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$3,930,000 Of General Obligation Bonds, Series 2010A, Of The City Of Oakbrook Terrace was made by Alderman Thomas and seconded by Alderman Vlach.

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

Motion passed.

7. Ordinance No. 13-62: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$325,000 Of General Obligation Taxable Business District Bonds, Series 2010B, Of The City Of Oakbrook Terrace.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

Motion To Approve Ordinance No. 13-62: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$325,000 Of General Obligation Taxable Business District Bonds, Series 2010B, Of The City Of Oakbrook Terrace was made by Alderman Thomas and seconded by Alderman Vlach.

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

Motion passed.

8. Ordinance No. 13-63: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$1,335,000 Of General Obligation Taxable Refunding Bonds, Series 2010, Of The City Of Oakbrook Terrace, DuPage County, Illinois.

Motion To Approve Ordinance No. 13-63: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$1,335,000 Of General Obligation Taxable Refunding Bonds, Series 2010, Of The City Of Oakbrook Terrace, DuPage County, Illinois was made by Alderman Przychodni and seconded by Alderman Thomas.

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

Motion passed.

9. Ordinance No. 13-64: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$5,000,000 Of General Obligation Building Bonds, Series 2008, And The \$3,695,000 Of General Obligation Refunding Bonds, Series 2013, Of The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 13-64: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$5,000,000 Of General Obligation Building Bonds, Series 2008, And The \$3,695,000 Of General Obligation Refunding Bonds, Series 2013, Of The City Of Oakbrook Terrace was made by Alderman Thomas and seconded by Alderman Sarallo.

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

Motion passed.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, DECEMBER 10, 2013**

10. Ordinance No. 13-65: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$650,000 Of General Obligation Bonds (Alternate Revenue Source), Series 2004, Of The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 13-65: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$650,000 Of General Obligation Bonds (Alternate Revenue Source), Series 2004, Of The City Of Oakbrook Terrace was made by Alderman Przychodni and seconded by Alderman Sarallo.

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

Motion passed.

11. Ordinance No. 13-66: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$3,020,000 Of General Obligation Refunding Bonds (Alternate Revenue Source), Series 2003, Of The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 13-66: An Ordinance Abating The Tax Heretofore Levied For The Year 2013 To Pay Debt Service On \$3,020,000 Of General Obligation Refunding Bonds (Alternate Revenue Source), Series 2003, Of The City Of Oakbrook Terrace was made by Alderman Thomas and seconded by Alderman Sarallo.

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

Motion passed.

ADJOURN

Motion to adjourn was made by Alderman Sarallo, and seconded by Alderman Przychodni at 7:55P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary