

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 25, 2014**

I. CALL TO ORDER

The Mayor called the February 25, 2014, 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, Przychodni, Sarallo, Shadley, Thomas, Vlach, and Mayor Ragucci
Absent: None

Also in attendance were City Clerk D. Greco, Interim City Administrator A. Marrero, Building and Zoning Administrator M. Dragan, 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 February 11, 2014

Motion to approve the minutes of the February 11, 2014 Regular City Council and Committee of the Whole as presented was made by Alderman Thomas and seconded by Alderman Shadley.

Ayes: Esposito, Przychodni, 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: February 25, 2014 In The Amount Of \$65,770.58.
2. Personnel & Payroll Report January 2014.
3. Treasurer's Report January 2014.
4. Ordinance No. 14-9: An Ordinance Amending The Code Of Ordinances Of The City Of Oakbrook Terrace, As Amended, Title XV (Land Usage); Chapter 157 (Property Maintenance Code).
5. ~~Ordinance No. 14-10: An Ordinance Amending Title XI Entitled "Business Regulations" Of The Code Of Oakbrook Terrace, Illinois, Providing For Contractor Registration.~~ *The City Attorney asked that this be removed from the consent agenda and discussed below under item number VIII.*
6. Ordinance No. 14-11: An Ordinance Amending The Provisions Of Title XI (Business Regulations); Chapter 124 (Video Gaming); Subchapter 124.22 (Number of Licenses) Of The Code Of Oakbrook Terrace To Increase The Maximum Number Of Video Gaming Location Licenses And The Maximum Number Of Video Gaming Terminal Licenses (J&S Hospitality, Inc d/b/a Holiday Inn – Chicago/Oakbrook Terrace/Bar Louie 17W350 22nd Street).
7. Approval Of Payout Number Ten (10): Harbour Contractors In The Amount Of \$1,934.46 For The New Police Department/City Hall Renovation.

Ramello asked that item number five (5) be removed from the consent agenda so a date on page 10 of the ordinance could be changed.

Motion to approve all the items contained on the Consent Agenda as amended for February 25, 2014 was made by Alderman Shadley and seconded by Alderman Przychodni.

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

Nays: None

Motion passed.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Ordinance No. 14-10: An Ordinance Amending Title XI Entitled "Business Regulations" Of The Code Of Oakbrook Terrace, Illinois, Providing For Contractor Registration.

Motion To Approve Ordinance No. 14-10: An Ordinance Amending Title XI Entitled "Business Regulations" Of The Code Of Oakbrook Terrace, Illinois, Providing For Contractor Registration as amended was made by Alderman Shadley and seconded by Alderman Przychodni.

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

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 Przychodni.

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

The Regular Meeting recessed to the Committee of the Whole.

X. MAYOR RAGUCCI

Ragucci said the City recently hired two (2) new police officers. Ragucci noted that both Officer Bill Copp and Officer Tom Tomopoulos come to the City with past police experience. Ragucci said that an official swearing-in for both officers will be held at an upcoming meeting in March.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Status Report: Oakbrook Terrace Square.

Curt Hurst addressed the Council and thanked them for being great partners on the redevelopment of the Oakbrook Terrace Square Shopping Center. Hurst indicated that the Center is making progress, but is still not where he would like to be from a leasing standpoint. Hurst said the already constructed buildings are pretty close to being leased and noted there are four (4) retail spaces remaining. Hurst indicated that once these remaining buildings are leased he will begin constructing the other sites as well. Hurst added his goal for 2014 is to get two (2) more buildings constructed.

Hurst went on to discuss future tenants. Hurst noted that he is in late discussions with AT&T for the former Qdoba location. Hurst also stated he is hoping to secure Jersey Mike's for the other out-lot. Hurst stated the dentist should be opening soon and discussions with a hearing aide retailer are currently taking place. Hurst also noted that Office Depot is still a possibility for the larger retail site.

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Vlach asked about Binny's as a possible tenant. Tim Hague, Leasing Broker for the Developer, responded that Binny's is an ideal retailer to fit the junior box space. Hague said Stein-Mart would also be an ideal retailer for the junior box space. Vlach asked about Hokkaido and Yummy's. Hurst replied that he could not speak as of Hokkaido but Yummy's is generating pretty decent traffic. Hurst said the restaurant manager is very effective at bringing groups to the restaurants.

Discussion ensued on how Terra Vista, the new assisted living facility, will generate more foot traffic for the shopping center. Hurst stated he will ensure that the back of the shopping center will be connected to the new assisted living facility. Hurst stated that he is in discussions with some restaurants regarding lot two (2), which is adjacent to Harris Bank. Vlach asked when this lot will be cleaned up. Hurst replied in the spring.

2. Changes To The Property Maintenance Code – Field Inspection Checklist.

Ragucci said he along with Dragan and Marrero reviewed the checklist. Discussion ensued as to how the checklist will be implemented. Esposito asked if a City employee will be conducting the inspections. Ragucci replied either Mark Collins or Karyn Byrne will be conducting the inspections. Esposito asked if residents will be notified of any problems through the door hanger. Dragan replied yes. Esposito asked if all the houses will receive the door hanger. Dragan replied that all inspected homes will receive the door hanger detailing where the home is in compliance or any problems. Ragucci said the Council will monitor the program and in a year see how it does. The Council concurred to place the checklist on the next consent agenda.

3. Declaring A Temporary Moratorium On Zoning Approvals For Cannabis Cultivation Centers And Dispensaries.

Ramello said the legislature passed the Compassionate Use of Medical Cannabis Pilot Program Act, which became effective on January 1, 2014. Ramello said the Act permits the sale of marijuana for medical purposes. Ramello said in order to facilitate the sale of marijuana the State created two (2) types of facilities including: a cannabis cultivation center, which is an indoor greenhouse where the marijuana is grown, and a dispensary, where the marijuana can be sold.

Ramello said the Act allows for 22 cannabis cultivation center and 60 dispensaries of which DuPage County is allocated three (3). Ramello indicated he does not know where the dispensaries will locate, but that if the City does not pass an ordinance to zone these dispensaries into a particular area, then they could locate anywhere other than a residential area. Ramello said in discussing this issue with Ragucci and Marrero, he thought the City should be proactive and pass a zoning

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ordinance that locates these uses in an appropriate area, as opposed to locating anywhere in the City.

Ramello said the first step toward this end, is creating a moratorium. Ramello explained that the Act requires the Illinois Department of Agriculture and Illinois Department of Professional and Financial Regulation to develop regulations to deal with this program. Ramello noted both entities recently published their proposed regulations. Ramello said after the 90 day public comment period, the State will weigh the public comments, and then make the regulations final. Ramello explained that one of the regulations deals with zoning, so the City probably wants to wait until those regulations are final before passing a zoning ordinance. Ramello said the intent of the moratorium is that no one will be able to file an application for either a cultivation center or dispensary while the City is studying the new Act.

Thomas asked if the City could receive any taxes from this new law. Ramello replied that the City will not receive any taxes, only the State will receive taxes from the sale of marijuana. Discussion ensued as to how this Act will be implemented. Esposito asked if there will be any restriction as to where the cultivation centers can be located. Ramello replied that these facilities cannot be located in a residential district and there is a distance requirement away from schools with 1,000 feet for a dispensary and 2,500 feet for a cultivation center.

XII. COUNCIL MEMBER COMMENTS

Thomas apologized for possibly spreading a computer virus.

XIII. CITY ATTORNEY RAMELLO

None.

XIV. CITY CLERK GRECO

None.

XV. INTERIM CITY ADMINISTRATOR MARRERO

Marrero said the new street lights were out over the weekend. Marrero said in speaking with Ward, she found out that the temporary ComEd equipment cannot support the operations of the street lights for the subdivision. Marrero said in the interim the street lights on 16th Street and MacArthur will remain lit. Marrero explained that ComEd cannot install the permanent equipment until all the street lights are installed. Marrero indicated that seven (7) street lights still need to be installed and will be completed over the next three (3) weeks. Marrero said the pot-

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hole filling process began today. Bob Shanahan asked if the old street lights will be removed. Ragucci replied ComEd will remove the street lights once all the residential lights are in place.

XVI. RECONVENE THE CITY COUNCIL MEETING

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

**Ayes: Esposito, Przychodni, 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 Przychodni and seconded by Alderman Esposito at 7:36P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary