

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 26, 2013**

I. CALL TO ORDER

The Mayor called the February 26, 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, Finance Director A. Marrero, and Dan 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 February 12, 2013.

Motion to approve the minutes of the Regular City Council and Committee of the Whole Minutes of February 12, 2013 as amended was made by Alderman Shadley, and seconded by Alderman Durham.

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: February 26, 2013 In The Amount Of \$239,892.54
2. Personnel & Payroll Report for January 2013
3. Treasurer's Report for January 2013
4. Ordinance No. 13-14: An Ordinance Approving A Rider Extending The Term Of Agreement For Library Services Between The City Of Oakbrook Terrace And The Villa Park Library Dated December 17, 1987.

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 February 26, 2013 be considered under the Consent Agenda was made by Alderman Durham and seconded by Alderman Shadley.

Motion passed unanimously through a voice vote.

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

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

Motion passed.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

None.

IX. RECESS TO THE STORMWATER OVERSIGHT COMMITTEE

Motion to recess to the Stormwater Oversight Committee 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 Stormwater Oversight Committee.

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X. STORMWATER OVERSIGHT COMMITTEE

See separate minutes.

XI. 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.

XII. 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.

XIII. MAYOR RAGUCCI

1. West Central Municipal Conference Annual Springfield Legislative Drive Down on Wednesday, March 20, 2013. Please contact Janice Coglianesi to register.
2. DuPage Mayors and Managers Conference Business Meeting on Wednesday, March 20, 2013 at the Embassy Suites in Lombard at 5:45PM. Please contact Janice Coglianesi to register.

XIV. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Hotel Commission's Advertising Campaign Presentation by the DuPage Convention And Visitors Bureau (DCVB).

Beth Marchetti was unable to attend the meeting tonight. She will be attending a future meeting to discuss this matter.

2. Fik House Continued Discussion.

Ragucci noted at the last meeting, the City Council determined that continued discussions with the Historical Society should take place. Ragucci said staff met

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with the Historical Society last week. Ragucci asked Mark Bushhouse of Williams Architects to address the options if the City retained ownership of the Fik House or if ownership was transferred to the Historical Society.

Bushhouse stated the Fik House can be restored to be habitable. Bushhouse said Building and Zoning created a list of items that need to be corrected to bring the house into good repair. Bushhouse noted if the Fik House were to be used for historical tours or other public functions, then the handicap rules begin to have a real impact. Bushhouse explained the house would have to be brought up to handicap accessibility codes which would require a lot of remodeling including: widening hallways and making bathrooms larger.

Bushhouse indicated another option would be for the City to declare the Fik House historically important. Bushhouse explained by taking this action then the state and federal handicap codes back-off quite a bit and provide leeway. Bushhouse stated under this scenario a ramp to the front door may be required. Bushhouse noted an extensive interior remodeling would not be required either. Bushhouse noted an electronic viewing and photographs of the house would need to be readily accessible for those individuals who could not tour the Fik House.

Bushhouse stated the Historical Society can work with both the state and federal government to have the house registered as a historical building. However, Bushhouse noted if the Fik House is registered at the federal level, it is very hard to have this recognition removed in the future. Vlach asked if a sprinkler system would be required. Bushhouse replied that the size of the house is so small that that he doubts a fire suppression system would be required.

Ramello indicated there are two (2) ways the City can grant the Historical Society possession and/or ownership of the Fik House. Ramello stated the first way would be for the City to deed the property to the Historical Society. Ramello suggested with this option a “right of reverter” provision should be included, which would allow for the ownership to be reverted back to the City if the Historical Society goes out of business or could no longer financially maintain the house. Ramello stated there are some difficulties in enforcing “rights of reverter”.

Ramello said the second option would be for the City to lease the Fik House to the Historical Society. Ramello explained under this scenario the Historical Society would pay a nominal amount of rent to the City on annual basis. Ramello noted with this option, if the Historical Society goes out of business or could no longer financially maintain the house, the City would still own the house.

Ramello discussed the advantages and disadvantages of a deed versus a lease option. Ramello noted with a lease the City would still be required to hold insurance for the property as well as require the Historical Society to take out

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insurance. Ramello indicated with a deed, the City would no longer be liable to insure the building. Ramello explained under the lease scenario any outstanding utility liens against the property would need to be paid by the City if the Historical Society goes out of business.

Bushhouse indicated if the City continues to own the property, the maintenance of the building would still be the City's responsibility. Bushhouse noted under this scenario the City would be involved in any changes to the building. Carpino said Bushhouse indicated earlier that if the City retained ownership of the Fik House, then some type of oversight committee would be needed. Bushhouse agreed that this would be necessary. Carpino said the Historical Society has an interest in owning the property, rather than leasing it. Bob Shanahan of the Historical Society confirmed this as long as some financial assistance for operations would be provided by the City.

Ragucci recommended that the City deed the property to the Historical Society. Ragucci also recommended that the City make an annual contribution of \$6,000 to the Historical Society for a two (2) year period. Ragucci noted after two (2) years, the Society can come back to the City and advise if this amount is working. Ramello indicated a landmark designation ordinance and resolution would be required. Ragucci said he would also like to recommend that the Historical Society not seek state or federal landmark status without first obtaining the City's approval, because once this is done the Fik House stays there and can not be touched. Durham stated she did not have a problem with this request. Durham also said she does not have a problem with the Historical Society going after state designation.

Sarallo asked if the insurance for the Fik House could be included within the City's insurance program. Ragucci said not if the Historical Society owns the building. Sarallo asked if the exterior maintenance could be handled by the City, to reduce some of the operating costs. Ragucci said the City would be liable if City employees were working at the site. Ragucci suggested the Historical Society report back to the City every six (6) months and provide an update as to how the \$6,000 is assisting in covering the costs.

Sarallo asked if the Building and Zoning recommendations for the Fik House were all necessities. Discussion ensued regarding the Building and Zoning recommendations for the Fik House. Sarallo recommended the landmark designation begin at the City level first. Vlach stated historically he has always looked for ways to save the City money and went on to identify some of these savings. Vlach said based upon his history of saving the City money, he can not support a project that is going to initially cost the City approximately \$400,000 plus additional future costs. Vlach stated space has been offered to the Historical

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Society at the new Police Station and remodeled City Hall. Shadley is in agreement with the \$6,000 contribution annually for the next two (2) years.

Durham recommended the annual \$6,000 come from the City's hotel and motel taxes seeing that other cities use these monies for tourism. Shanahan indicated the State of Illinois has already contacted the Historical Society about the recent finding in Oakbrook Terrace. Shanahan noted the State has offered to walk the Historical Society through the process for state recognition. Shanahan noted it is not the intent of the Society to obtain federal status. Carpino said the City Attorney would like to incorporate some language in the sale agreement which would either allow or prohibit the Society from seeking federal landmark recognition. Shanahan asked if the agreement could be written to allow state, but prohibit federal.

Shanahan indicated there is a list of repairs that need to be completed in order to make the structure safe. Shanahan noted there will be on-going fundraising for the renovations to the Fik House. Shanahan stated given the significant renovations needed, the Historical Society had hoped for a four (4) year term, before they are on their own completely. Ragucci said he thinks two (2) years is good and if the Historical Society comes back to the City showing need, the City will not cut-off the Society. Ragucci said the City Attorney will begin preparing the necessary documents to deed the property to the Historical Society.

3. July 4, 2013 Fireworks, Catering Vendor, Production Company, and Musical Act.

Marrero said the 2013 fireworks represents the last year of the three (3) year agreement with Melrose Pyrotechnics. Marrero indicated the City received quotes from four (4) different vendors for catering services, with Uncle Bub's being the lowest. Marrero noted staff is once again recommending KCM serve as the production company in the amount of \$10,050. Marrero added KCM offered the same pricing as last year. Marrero stated Ragucci suggested bringing back The Moods again as the musical act for a total cost of \$2,200.

Ragucci suggested bringing back The Moods. Durham agreed that The Moods are a real crowd pleaser. Vlach disagreed with the 15% gratuity for the caterer because residents are required to stand in line to receive their food and he does not feel a 15% gratuity is required for self services. Marrero said Uncle Bub's does not request the gratuity, but rather the City has opted to provide this gratuity. Ragucci said the gratuity goes towards the caterer's employees who are working that day. Durham added these employees are working on a holiday. Ragucci said 15% is fine with him. Sarallo asked to review the other catering proposals. Sarallo asked if there are any other production companies besides KCM. Durham said she has asked about this in the past as well. Marrero replied last year the City did attempt to obtain other production quotes, but that no responses were received.

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Ragucci said no other catering vendors even come close to what Uncle Bub's provides. Marrero noted KCM works very well the Special Events Coordinator Lori Dvorak. Ragucci noted that production services are not that big of a business anymore and there are only a few providers. Ragucci said if everyone is okay with this, then the City Manager should be directed to enter into agreements with the selected vendors for the July 4th Celebration.

XV. COUNCIL MEMBER COMMENTS

None.

XVI. CITY MANAGER CARPINO

Carpino indicated last week he and Building and Zoning Administrator M. Dragan met with the property owner of the former Al's Amoco Service Station at the corner of Summit and Butterfield Road. Carpino indicated the property owner will be constructing a new gas station facility complete with six (6) fuel pumps, car wash, and small convenience store. Carpino said BP Amoco will only allow a BP Amoco to be built on this site.

XVII. CITY ATTORNEY RAMELLO

None.

XVIII. CITY CLERK LESLIE

Leslie thanked the City Council and staff for their support while she was gone. Leslie also thanked Deputy Clerk Cheryl Downer for doing a great job while she was gone.

XIX. RECONVENE THE CITY COUNCIL MEETING

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

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

The Regular Meeting of the City Council reconvened.

XX. OLD BUSINESS

None.

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ADJOURN

Motion to adjourn was made by Alderman Durham, and seconded by Alderman Sarallo at 7:40P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary