

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

I. CALL TO ORDER

The Mayor called the January 8, 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, Sayyed, Shadley, Thomas, Vlach, and Mayor Ragucci

Absent: None

Also in attendance were City Clerk J. Leslie, City Manager J. Carpino, Public Services Director C. Ward, and Building and Zoning Administrator M. Dragan.

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 December 11, 2012

Motion to approve the minutes of the Regular City Council and Committee of the Whole Minutes of December 11, 2012 as presented was made by Alderman Sarallo, and seconded by Alderman Thomas.

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

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

Former Mayor Bill Kallas addressed the Council and asked for their consideration in regards to awarding a special humanitarian recognition to the Oakbrook Terrace Lions Club for their annual event at Drury Lane, where handicap individuals and their caregivers attend a free performance. Kallas noted this event takes place each April and approximately 950 people attend it from all over DuPage County.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment Of City Bills: January 8, 2013 In the Amount of \$242,384.80
2. Personnel & Payroll Report for November 2012.
3. Treasurer's Report for November 2012.
4. Approval of the FY 2012 Comprehensive Annual Financial Report (CAFR)
5. Approval of the FY 2012 Police Pension Municipal Compliance Report
6. Ordinance No. 13-1: An Ordinance Amending Section 119.06 Entitled "Location Of Massage Establishments" Of Chapter 119 Entitled "Massage" Of Title XI Entitled "Business Regulations" Of The Code Of Oakbrook Terrace, Illinois
7. Resolution No. 13-1: A Resolution Authorizing And Approving A License Agreement For An Encroachment Of A Certain Improvement Into The Public Right-Of-Way In The City Of Oakbrook Terrace, Illinois
8. Oakbrook Terrace Park District Request To Waive Building Permit Fees

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 January 8, 2013 be considered under the Consent Agenda was made by Alderman Shadley, and seconded by Alderman Sarallo.

Motion passed unanimously through a voice vote.

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

**Ayes: Durham, Sarallo, Sayyed, Shadley, 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 Sarallo and seconded by Alderman Durham.

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

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

The Regular Meeting recessed to the Committee of the Whole.

X. MAYOR RAGUCCI

None.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Presentation by Harbour Contractor's Inc, and Leopardo Companies

Ragucci noted both presenters will be discussing the benefits of the construction manager services versus a general contractor. Ragucci stated both companies submitted information to the City regarding construction manager services for the new Police Station and City Hall renovation.

Jim Leopardo, Leopardo CEO, addressed the Council and provided a brief history of his company. Leigh A. McMillen, Leopardo Project Executive, distributed to the Council a copy of the PowerPoint presentation displayed during the meeting. McMillen briefly shared her resume with the Council. McMillen indicated Leopardo has constructed many of the local public safety projects in the area including: Aurora, Hanover Park, Mount Prospect and Clarendon Hills.

McMillen said Leopardo hopes to bring this expertise to the City of Oakbrook Terrace. McMillen explained how Leopardo's project teams operate. McMillen introduced Neil Dose, Leopardo's Security, MEP, FP, IT, and AV Coordinator. Dose addressed the Council and said he would function as the go-to person for mechanical, electrical, plumbing, fire protection, security, door frames, and hardware. McMillen specified that Dose's position is important because he ensures the proper equipment is purchased at the outset and is commissioned correctly at the end so the building is fully functional.

McMillen noted Leopardo has a large project estimating team. McMillen stated the key to a construction project's success is planning the work and working the plan. Dose indicated a key component of the preconstruction process is a critical document review. Dose said during this review, Leopardo is looking for constructability issues and developing a list of long lead items because with the economy some equipment is taking longer to obtain. Dose indicated in some cases Leopardo has pre-ordered equipment to ensure its timely receipt.

Dose said Leopardo strives to develop the best supplemental bid documents because this limits the amount of change orders and changes within the project. Dose said Leopardo places special emphasis on quality assurance through an extensive submittal review process, pre-installation conference, and a last month

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

warranty walkthrough and correction.

McMillen said Leopardo has built over 500,000 square feet in public safety buildings representing a construction value of \$100 million. McMillen indicated Leopardo just finished working with Williams Architects in Crystal Lake. McMillen stated Leopardo can be the City's trusted partner for the project. Ragucci said if the City continues down the road, the City will contact Leopardo then.

Patrick Harbour Senior, Harbour Contractors CEO, addressed the Council and provided a brief history of the company. Harbour Sr. stated his company has done over \$135,000,000 in public safety construction in the last four (4) years and eight (8) similar projects to the City's proposed structures. Harbour Sr. also noted his company has constructed over 600 holding cells and has been providing construction services to municipalities for over 50 years. Harbour Sr. distributed copies of the PowerPoint presentation to the Council.

Harbour Sr. introduced his son, Patrick Harbour Jr. and said he would be the Project Executive. Harbour Jr. explained the differences between construction management and general contracting services. Harbour Jr. noted with the construction management approach, Harbour would serve as an extension of the City's staff. Harbour Jr. also noted during the design phase his firm will provide real-time answers on schedule, costs, and alternates in an effort to maximize construction dollars. Harbour Jr. said with the construction manager approach, his company would be working in the best interest of the City of Oakbrook Terrace.

Harbour Jr. indicated the design phase is the most important phase because if you fail to plan, then plan to fail. Harbour Jr. explained during the design phase constructability issues are reviewed, value engineering takes place, schedules are determined and project safety requirements are established. Harbour Jr. indicated during the construction phase, Harbour will protect the City's interests. Harbour Jr. explained during this phase, Harbour staff will be monitoring the schedule, construction changes, and quality. Harbour Jr. said typically for these types of projects a City staff member will serve as the project lead to attend the weekly owner, architect, and construction manager meetings. Harbour noted a staff member from his office will also be assigned a lead role. Harbour said his company will provide continual feedback to the Council on the building progress.

Harbour Jr. explained fees under the construction manager approach whereby at the beginning of the project his company will establish a set of values for each contractor, which will provide a break down of all the services. Harbour Jr. added his company will provide a monthly cost estimate to the City for the project. Harbour Jr. indicated the project close-out begins at the front-end and continues throughout in order to ensure a quick and speedy close-out.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

Harbour Jr. said construction managers are paid through fee based professional services. Harbour Jr. stated that his company has specialized staff dedicated to public safety. Harbour Jr. highlighted some of his firm's projects: including the Will County Detention Facility, Burr Ridge Police Station, Sycamore Police Station, and One Lincoln Center in Oakbrook Terrace.

Harbour Jr. indicated his company worked with Williams Architects on the Burr Ridge Police Station. Harbour Jr. indicated the cost of the Burr Ridge Police Station was \$5.1 million with 19,000 square feet. Ragucci thanked the Harbour representatives and said the City will keep in touch.

2. Lumquest Lighting LLC – Street Lighting Presentation

Bennett Johnson of Lumquest Lighting displayed a PowerPoint presentation, which was included in the agenda packet. Johnson indicated the proposed street lighting projects provides a more sustainable Oakbrook Terrace. Johnson said the proposed street light system has several benefits including: a reduction in energy and maintenance costs, improved lighting and controls, and enhanced security and safety of residents.

Johnson indicated the City's project would follow the design-build construction method. Johnson said the City would participate in all the different phases of the project and deal with one (1) team from Lumquest who will manage the project. Johnson highlighted some of the key project steps including: an energy audit, project management, engineering and design, construction, training on the systems, and the actual operations.

Sam Yousif, of LumQuest Lighting, addressed the Council and stated his company reviewed the street lighting options for the City from decorative to LED roadway lights. Yousif indicated the Council will need to determine the lights which are best for the City. Yousif said decorative lamps used in nearby communities do not provide a lot of lighting output. Yousif indicated during his review of the City's needs, the primary goal was safety and providing a significant amount of light with a very energy efficient output.

Johnson commented if the City opts to go with LED lights than significant cost savings will be achieved over time. Johnson noted one (1) of the features of LED lighting is the ability to control the output based upon changing road conditions. Yousif said some cities have a GIS tracking system whereby the streets, curbs, sidewalks, power boxes, and the street lights all appear on a computer screen. Yousif indicated these interactive systems can all be embedded as part of this infrastructure project. Yousif reported the expense for this type of system is usually around \$10,000. Yousif said he is looking to include this system to the

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

City's project to add value.

Johnson said currently LumQuest is working with Forest Park to replace all of their street lights with LED lights. Johnson reported Forest Park is using the energy savings and the former maintenance costs from the old system to pay for the project. Johnson estimated Forest Park's budget will actually be lower due to the reduction in utility costs with the new LED lights. Yousif noted in some areas Forest Park is installing Wi-Fi capacity as well.

Yousif said his company would like to provide a comprehensive proposal and Lumquest needs to be engaged in order to prepare this proposal. Ragucci asked about the status regarding the street light project. Carpino replied the budget for this project is slated for the next fiscal year. Carpino asked about the audit, where the number of lighting fixtures is determined. Yousif replied Lumquest needs to be engaged before a proposal can be submitted to the City. Yousif said up until this point, the project has been conceptually discussed, whereas the audit requires real design work. Carpino said the City has grant writers that can assist in obtaining financing for the project. Yousif indicated Lumquest can assist the grant writers and Forest Park received approximately \$400,000 in grant funds for their project.

Yousif indicated within the next three (3) to five (5) business days Lumquest will submit a proposal covering the design aspect and budgetary amounts. Durham asked if Lumquest received the past lighting study. Yousif responded yes and this is how Lumquest arrived at the preliminary need for 100 street lights. Carpino said at some point, the City would like to invite the community to a meeting about the proposed street lighting project.

Sayyed asked for an estimated cost for the project. Yousif replied each street light will cost between \$6,000 and \$9,000. Yousif explained the total project cost be \$1 million on the high end and \$600,000 on the low end. Sayyed asked if these costs included Wi-Fi. Yousif said the Wi-Fi cost in Forest Park was \$25,000 for two (2) power boxes. Johnson indicated there may be additional legal fees if Lumquest is required to obtain easements from property owners. Yousif asked how far the City's right-of-way is off from the curb. Durham replied 33 feet. Yousif said street lights are typically installed five (5) to eight (8) feet from the curb.

Vlach asked if residential safety could be addressed. Johnson replied street lights can be shifted towards the home or not and this is a policy call. Vlach asked if there were any statistics which reflect the impact of street lights on residential crime. Johnson replied a recent study in Detroit found that street lights are the second most important action a City can do to curb crime and the first action is to hire more police officers.

Carpino asked about the timeframe for the project. Yousif replied the design

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

aspect takes approximately 30 to 45 days and the installation takes about 60-90 days for a maximum of 120 days for the total project. Ragucci said this project must be completed. Ragucci asked if Lumquest needs a letter of intent from the City. Yousif replied Lumquest will prepare a letter of intent and engagement proposal for the City within the next three (3) to five (5) business days.

3. An Ordinance To Increase The Number Of Class “E” Liquor Licenses (Blackhawk Restaurant Group LLC Series VCOakbrook d/b/a Betty’s Bistro)

Bruce Davis, CEO of Blackhawk Restaurant Group, addressed the Council and noted the proposed Betty’s Bistro on 22nd Street will be the City’s second location. Davis noted the Betty’s Bistro on Roosevelt Road appeals to more of retail base due to its location next to Pete’s Fresh Market. Davis indicated the Betty’s Bistro along 22nd Street will appeal to more a corporate market. Davis thanked the Mayor, City Council, and staff for being business friendly. Durham asked if the location had sufficient parking. Dragan replied yes and she calculated the parking and it is in compliance with the City Code.

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

4. An Ordinance To Increase The Number of Class “L” Liquor Licenses (OPA Estiatorio Inc, d/b/a OPA Estiatorio)

John Georges of Estiatorio Restaurant stated he has been in the business for over 30 years and has operated similar establishments in Vernon Hills and Countryside. Georges said the liquor license will allow him to sell Greek wines. Carpino explained the Class “L” liquor license allows carry-out sales of wine in the same way Devon offers this service. Ragucci welcomed Georges to the City. Carpino asked when the restaurant will open, of which Georges replied the building needs to be updated and will open in a couple of months.

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

5. Letter Of Recommendation – Terra Vista 1635 S. Ardmore Avenue

Roy Bernstein addressed the Council and stated he was here on behalf of Midland State Bank who is the owner of record and Kensington Group who is the contractor, purchaser, and developer for the project. Bernstein indicated the structure will be a state-of-the art two (2) story, 120 bed assisted living facility. Bernstein stated the Planning and Zoning Commission unanimously recommended approval of the special use request to construct an assisted living facility within the B-3 general retail district.

Shael Bellows, President of the Kensington Group, addressed the City Council

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

and noted the proposed development would have a low impact on the school system and public safety services, but have a high benefit in terms of property taxes, employment opportunities, and general economy. Bellows indicated the financing is in place and he is ready to move forward with the project.

Vlach asked how many clients the facility would serve. Bellows replied approximately 120 clients with 116 units. Vlach asked about the impact on ambulatory services. Bellows estimated there would be minimal ambulance services because Med-cars would be used. Vlach asked if the facility would become a City water customer. Ward replied yes the new facility would receive City water services. Thomas asked how many jobs would be created. Bellows projected between 50 and 60 jobs.

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

6. Letter Of Recommendation – 17W121 16th Street

Mark Daniel, Attorney for the petitioners Ishwar and Bedula Alimchandani, addressed the Council and noted the petitioners purchased the property after thoroughly reviewing the zoning ordinances. Daniel commented the petitioners reviewed the height and side yard requirements to determine whether or not they could build their home. Daniel explained the petitioners wanted to follow the Vastu Architecture method, which ties into their religion.

Daniel noted two (2) weeks after the acquisition, the Zoning Code was amended to more strictly govern height. Daniel stated the petitioners could no longer build the home they intended based upon the new Zoning Code. Daniels said the petitioner has done everything possible to reduce the home's height. Daniels noted the Planning and Zoning Commission unanimously recommended approval of the project. Daniel asked the Council to consider the hardship issues faced by the petitioner and allow them to build their home. Daniel noted the petitioner reduced the height to 31.625 feet from the original 35 feet.

Dragan stated the Planning and Zoning Commission carefully reviewed the petitioners request and the particular hardship because of the timing of the purchase of the lot. Dragan noted the Planning and Zoning Commission voted in favor of the variance request. Ragucci asked if the drainage issues with the neighbors were addressed. Dragan replied the drainage issues were addressed at the public hearing and her office will ensure compliance prior to issuing a building permit.

Thomas asked about the natural drain which will come behind the proposed property on 16th Street. Thomas noted the residents on the west side of Monterey suffer from this drain. Dragan stated Dan Lynch of Christopher B. Burke

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

Engineering reviewed the preliminary engineering plans. Dragan stated the water will be directed away from the adjacent neighbor. Dragan indicated the water will be re-directed to the street. Dragan added the details will be worked through during the final engineering review.

Durham stated she has a problem with the side yard at 10 feet, when the requirement is 17 feet, especially with such a tall building. Durham said the size of the house should be able to hold and withstand the property. Durham indicated not all the neighbors were happy with the project. Dragan said approximately 18 neighbors signed a petition in favor of the variance request. Discussion ensued regarding how the neighbors felt about the project.

Durham requested this item be included as a separate item and not on the next consent agenda. Ragucci said he favored the proposed variances and polled the Council to determine their thoughts. Sayyed indicated he was indifferent. Sarallo, Vlach, and Shadley favored the project. Thomas expressed drainage concerns and Durham opposed the proposed variances. The Council concurred to place this item on the next agenda as a separate item.

7. An Ordinance Amending Subsection X Entitled “Post-Immobilization/Towing Notice” And Subsection Y Entitled “Post-Immobilization Or Towing Hearing” Of Section 10.20 Entitled “Administrative Adjudication Of Code Violations” Of Chapter 10 Entitled “General Provisions” Of Title I Entitled “General Provisions” Of The Code Of Oakbrook Terrace, Illinois

Ramello stated this amendment was needed due to typographical errors found by the codifiers. The Council concurred to place this item on the next consent agenda.

XII. COUNCIL MEMBER COMMENTS

None.

XIII. CITY MANAGER CARPINO

Carpino noted the restaurant Pompei closed and a new restaurant is being negotiated for the property. Carpino also said a new owner will be taking over the former Inky’s Deli. Carpino commented the City is fortunate because when a retailer closes a new retailer usually fills the opening.

XIV. CITY ATTORNEY RAMELLO

None.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 8, 2013**

XV. CITY CLERK LESLIE

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

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

Ayes: Durham, Sarallo, Sayyed, 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 Sayyed at 8:35P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary