

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JULY 23, 2013**

I. CALL TO ORDER

The Mayor called the July 23, 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: Esposito, Przychodni, Sarallo, Shadley, Thomas, Vlach, and Mayor Ragucci
Absent: None

Also in attendance were City Clerk D. Greco, City Manager J. Carpino, City Attorney R. Ramello, Police Chief W. Holakovsky, and Special Events Coordinator L. Dvorak.

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 9, 2013

Motion to approve the minutes of the July 9, 2013 Regular City Council and Committee of the Whole Minutes as presented was made by Alderman Przychodni and seconded by Alderman Sarallo.

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, July 23, 2013 In The Amount of \$236,089.78.
2. Personnel and Payroll Report For June 2013
3. Treasurer's Report for June 2013
4. Ordinance No. 13-37: An Ordinance Amending Section 124.16 Entitled "Licensing Procedures" Of Chapter 124 Entitled "Video Gaming" Of Title XI Entitled "Business Regulations" Of The Code Of Oakbrook Terrace, Illinois, As Amended.
5. Ordinance No. 13-38: An Ordinance Revising The Annual Budget For The Fiscal Year Beginning May 1, 2013 And Ending April 30, 2014, For The City Of Oakbrook Terrace, Illinois
6. Resolution No. 13-19: A Resolution Authorizing And Approving An Agreement Between The City Of Oakbrook Terrace And The DuPage Convention And Visitor's Bureau For Professional Services To Promote Tourism And Provide Marketing And Administrative Services Related Therto For The City For Fiscal Year 13-14.
7. Ordinance No. 13-39: An Ordinance To Approve And Authorize The Execution Of An Agreement By And Between The City Of Oakbrook Terrace, Illinois And Lumquest Energy Solutions, Ltd. For The Furnishing Of High-Efficiency Light Emitting Diode Street Lights And Management Services.

The Mayor asked the Council if there were any items to be removed from the Consent Agenda. Thomas asked that item number seven (7) be removed from the consent agenda for further discussion. The Mayor asked for a motion to approve the Consent Agenda minus item number seven (7).

Motion to approve all the items contained on the Consent Agenda as amended for July 23, 2013 was made by Alderman Shadley and seconded by Alderman Vlach.

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

Motion passed.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

7. Ordinance No. 13-39: An Ordinance To Approve And Authorize The Execution Of An Agreement By And Between The City Of Oakbrook Terrace, Illinois And Lumquest Energy Solutions, Ltd. For The Furnishing Of High-Efficiency Light Emitting Diode Street Lights And Management Services.

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Thomas requested that item number seven (7) be removed from the consent agenda because he would like to see street lights that are more unique and have more character than the lights proposed.

Motion To Approve Ordinance No. 13-39: An Ordinance To Approve And Authorize The Execution Of An Agreement By And Between The City Of Oakbrook Terrace, Illinois And Lumquest Energy Solutions, Ltd. For The Furnishing Of High-Efficiency Light Emitting Diode Street Lights And Management Services was made by Alderman Shadley and seconded by Alderman Esposito.

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

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 recognized the members of the Oakbrook Terrace Historical Society in the audience. Ragucci asked the Historical Society to make a decision by the August 13, 2013 meeting in regards to the Fik House. Bob Shanahan of the Oakbrook Terrace Historical Society stated that it was his understanding that the Historical Society was to forward correspondence from the State directly to the City Attorney. Shanahan indicated that the City Attorney has reviewed the emails, but has requested something in writing from the State.

Ramello stated he has not received anything from the State. Ramello said staff has spoken with members of the Historical Society about their conversations with the State indicating something different than what he had advised the City on. Ramello stated staff has requested this opinion in writing so that it could be verified. Shanahan asked if Ramello received this in email format. Ramello replied he received an email where the matter was discussed, but not an opinion. Ramello added he was waiting on an opinion indicating that if federal landmark status was obtained and at some point in the future the Historical Society did not maintain the house and the Fik house

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reverted back to the City. Ramello said if this occurred, then the City would not be required to seek approval or comments from any federal agency if federal grant money was utilized to rehabilitate the Fik House. Ramello said this is the opinion he was told was forthcoming and he has yet to receive it. Ramello also indicated that federal landmark status is the only one available since the state program is no longer in existence.

Shanahan stated this came in an email format and that last week he was directed by City staff to obtain this information in writing on their letterhead indicating that there would be no restrictions on the City if federal landmark status is obtained as long as the City does not use Tax Increment Financing (TIF) to demolish the house. Shanahan asked the City Attorney if he is requesting this opinion in writing on their letterhead. Ramello replied that he is requesting that the State correspond with the City and advise the City that even if federal grants are used to rehabilitate the Fik House, and if the Fik House reverts back to the City, that there is no restriction on the City in regards to demolition or remodeling. Ramello said he has not seen such an email. Shanahan indicated that the Historical Society is working on it. Ramello said his research indicates that if federal grant money is used to rehabilitate the Fik House, then there is a federal process to demolish, renovate, or change the landmark status.

Shanahan stated that he is working on getting this from State and it will take a little bit of time. Shirley Thomas of the Historical Society said she has emails that reflect this view. Ragucci said a phone call should be made to get a direct answer from the State regarding this matter. Ragucci said we do not even need a letter, a phone call to the City Attorney will be sufficient. Shanahan said the Historical Society wants to move ahead with this as quickly as possible. Shanahan expressed surprise over the restrictions included on the quit claim deed. Ragucci said the City Council has done their due diligence regarding this matter and he wants this for the residents, but the taxpayers are paying for this and he would like this matter resolved. Ragucci said these items were included based upon the City Attorney's opinion. Shanahan said he would have this addressed within the week.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Continued Discussions For Prior Request From John Wendland For 17W642 Butterfield Road – Connection To The Water System.

John Wendland stated he has complied with the permit requirements and that all of the permits have been submitted per the inducement agreement. Wendland stated that he signed an inducement agreement on June 26, 2013. Wendland stated on July 10, 2013 he received a 36 page development agreement. Wendland stated he sent the development agreement to the bond companies.

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Wendland requested relief of two (2) weeks of his inducement agreement because he lost two (2) weeks due to the review required for the 36 page development agreement. Wendland indicated his bond company is willing to move forward, but the review still needs to be completed, agreements still need to be signed, and he still needs to go to the trust company and bank. Wendland stated that Don Lange confirmed that the Village of Oak Brook's disconnect is in the middle of Summit, not in the right of way (ROW). Wendland said he posted a \$10,000 commitment bond with the Village of Oak Brook to guarantee that he would go out into the middle of the street to disconnect. Wendland stated he discovered today that Jiffy Lube has a T-tie in with his property, which means that if the disconnect is performed, Jiffy Lube would be disconnected from the water system as well. Wendland said if he could convince Oak Brook to terminate water service at the T, then there would be no issue about additional funding.

Wendland said his initial costs were based on an open trench. However, Wendland indicated that he was recently informed by the City Engineer that the water line is five (5) feet higher than it actually is. Wendland also was informed by JULIE that there are additional utilities in the ROW. Wendland explained based upon these circumstances he is going to have to do boring and dig a 15 X 20 pit to go underneath where the lines are. Wendland said the difference in doing these tasks is an additional \$15,000. Wendland stated initially he was told they could do the open trench and not the additional borings. Wendland said he is already paying an additional \$15,000 to go with Oakbrook Terrace and that he would like to proceed with the City, but now he would save \$35,000 to \$40,000 by going with Oak Brook.

Wendland said the original landscape plan by Gardner School included six (6) feet to eight (8) feet trees in backyard of the property adjoining Versailles. Wendland said currently there are some 40 to 50 feet trees currently in the backyard of the property. Wendland stated he would like for these trees to be retained because they are an enhancement to the site. Wendland said he would like to have the recommendation of the City to retain the original trees, rather than cut them down.

Ragucci said an extension of 30 days is fine. Ragucci said the other issues must be in writing as far as what the cost is and what you have to do. Wendland replied that he did submit the estimated cost prepared by Fox Excavating for the additional borings. Wendland said Fox worked with C. Ward, Director of Public Services, and Ward agreed these were unanticipated additional costs. Carpino said M. Dragan, Building and Zoning Administrator, can follow-up with Wendland next week regarding the landscaping concerns.

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2. Status Report Payout Number Four (4): Harbour Contractor's Inc – New Police Facility/City Hall Renovation.

Ragucci stated Harbour Contractor's has requested payment number four (4) in the amount of \$21,873.87 for the new Police Facility/City Hall Renovation. Harbour is requesting payment for overseeing the demolition of the old Public Services Garage, Building & Zoning, and the house located at 17W249 Butterfield Road. The Council concurred to place this on the next consent agenda.

3. Review of July 4th Program And Events.

Lori Dvorak, Special Events Coordinator, said the July 4th Celebration went very well this year. Sarallo asked where the City was with the Melrose Pyrotechnics agreement. Dvorak replied this year represents the final year of the agreement. Sarallo suggested starting this process sooner rather than later. Dvorak said it could go out for bid. Dvorak said the insurance company required smaller shells this year due to the fireworks location. Dvorak said if the City works with another vendor, she wants to ensure the residents safety during the fireworks. Thomas said he wondered if anyone noticed the difference, because the City receives such accolades for the fireworks. Sarallo said the City has worked with other firework vendors in the past, but that Melrose is very accommodating. Ragucci said he will speak with Melrose Pyrotechnics. Ragucci recommended that next year, the City offer some inflatables for the children attending the event.

XII. COUNCIL MEMBER COMMENTS

None.

XIII. CITY MANAGER CARPINO

Carpino noted that he along with Ragucci, Holakovsky, and Marrero met with the architect and the construction manager for the new Police Station and City Hall renovation. Carpino said during the meeting the engineering, plumbing, and electric plans were discussed. Carpino said they are fine tuning the numbers and hope to report back to the Council in August with the project's estimated budget.

Carpino stated the City is now a member of the Code Red program. Carpino said the program is available to all residents of Oakbrook Terrace. Carpino explained the Code Red program allows subscribers to receive emergency weather notifications through their phone. Carpino noted residents are allowed to sign-up two (2) phone numbers. Carpino said residents can subscribe to this service through the City's website. Carpino said residents without internet access can provide a completed written form to Sandra Del Principe in the Police Department and she will enter their

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information in the Code Red system. Carpino said the Code Red information will be included in the water bills and the *Terrace Leaves*. Carpino said the City will try the program for a one (1) year period and see how many participants there are. Thomas asked if there is any charge to the residents. Carpino replied there is no charge to the residents for this program.

XIV. CITY ATTORNEY R. RAMELLO

None.

XV. CITY CLERK GRECO

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene was made by Alderman Przychodni, 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.

XVIII. RECESS TO EXECUTIVE SESSION

Motion to recess to Executive Session to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the City was made by Alderman Shadley and seconded by Alderman Przychodni.

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

The Regular City Council Meeting recessed to Executive Session.

XIX. EXECUTIVE SESSION

1. The Appointment, Employment, Compensation, Discipline, Performance, Or Dismissal Of Specific Employees Of The City.

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See separate minutes.

XX. RECONVENE THE CITY COUNCIL MEETING

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

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

Nays: None

The Regular Meeting of the City Council reconvened.

XXI. OLD BUSINESS

None.

ADJOURN

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

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary