

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JULY 8, 2014**

I. CALL TO ORDER

The Mayor called the July 8, 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, Thomas, Vlach, and Mayor Ragucci
Absent: None

Also in attendance were City Clerk D. Greco, 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 June 24, 2014.

Motion to approve the minutes of the June 24, 2014 Regular City Council and Committee of the Whole as presented was made by Alderman Przychodni and seconded by Alderman Thomas.

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

Motion passed.

VI. PUBLIC PARTICIPATION

None.

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: July 8, 2014 In The Amount Of \$155,285.82.

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2. Ordinance No. 14-37: An Ordinance Amending Section 71.02 Entitled "Excessive Running Of Motor Vehicle" Of Chapter 71 Entitled "Traffic Regulations" Of Title VII Entitled "Traffic Code" Of The Code Of Ordinances Of The City Of Oakbrook Terrace.
3. Approval Of Payout Number Fourteen (14): Harbour Contractors Inc In The Amount of \$24,935.29 For The New Police Department/City Hall Renovations.
4. Acceptance Of July 4th Sponsorships - Flood Brothers (\$10,000), Casualty Recovery Group Inc (\$500), And Alphagraphics (\$500).

Thomas said the City is paying Harbour Contractors a lot of money. Ragucci stated construction should begin on the new Police Station in about two (2) weeks.

Motion to approve all the items contained on the Consent Agenda as presented for July 8, 2014 was made by Alderman Thomas and seconded by Alderman Esposito.

Ayes: Esposito, Przychodni, Sarallo, 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 Przychodni.

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

Nays: None

Motion passed.

X. MAYOR RAGUCCI

None.

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XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Letter Of Recommendation: Butterfield's Pancake House 1S616 Midwest Road

Dragan stated the new property owners are proposing interior and exterior renovations of the existing building for the restaurant. Dragan stated the applicant is seeking approval for a special use permit to allow for outdoor dining to be located in a new addition on the east side of the building which is facing Midwest Road. Dragan noted the applicant is also requesting approval to permit installation of additional signage on the building up to 49 square feet.

Dragan reported the Planning and Zoning Commission recommended approval of this request. Dragan displayed the renderings of the proposed building. Dragan also noted the Planning and Zoning Commission encouraged the applicant to improve the landscaping and repair the parking lot. Vlach asked if the City will be providing water service to the new restaurant. Dragan replied yes. Esposito said the building is beautiful.

Dragan said the two (2) freestanding signs will remain as existing and variations were previously granted for these signs. Dragan added the applicant is requesting an additional wall sign which is 49 square feet. Greco inquired about the entryway sign. Nicholas C. Syregelas, attorney and partner for Butterfield's, replied it is still undecided as to how to precede with the entryway sign.

Ragucci said the building is beautiful and will be a great addition to the City. Syregelas asked if there is any subsidy for the water hook-up fees. Ragucci replied the hook-up fees are actually less now than in the past because the City already has a water extension nearby to the restaurant. Syregelas asked about the type of water provided. Ragucci replied Oakbrook Terrace obtains their water from the City of Chicago. Ragucci thanked the owners for building their business in Oakbrook Terrace.

The Council concurred to direct the City Attorney to prepare an ordinance for the next consent agenda.

2. Request To Disconnect Property Located At 17W434 Roosevelt Road.

Ragucci referenced the letter from Mr. Michael Roth attorney for SSH and Associates, LLC, the owner of 17W434 Roosevelt Road, included in the agenda packet. Ragucci said the owners have concerns about the property's water and sewer services.

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Michael Roth of IceMiller addressed the Council regarding the request to disconnect the property located at 17W434 Roosevelt Road. Roth indicated the property owners would like to build a restaurant on the site. Roth said in order to build a restaurant they need water, sanitary sewer, and sprinklers on the property. Roth said the City of Oakbrook Terrace does not offer water service for this property. Roth indicated the north and east side of the property is contiguous to Villa Park. Roth indicated Villa Park has water and sanitary services readily available. Roth said they are in attendance this evening not on a formal petition, but to gauge whether the Council supports the disconnection and then the subsequent annexation into Villa Park. Roth indicated the property is zoned commercial and the plan use remains consistent with Oakbrook Terrace's planned uses.

Roth said the property is less than half an acre and the owners paid approximately \$74 to the City of Oakbrook Terrace on their last property tax bill. Roth mentioned that the City's comprehensive plan supports cooperative efforts for efficient plan use, adding this request fulfills this criterion.

Sarallo stated he could not support the disconnection of this property from Oakbrook Terrace. Sarallo stated he does not see how the City would benefit from this de-annexation. Roth said the legal standards for disconnection are being met for this property. Vlach indicated if the City approved this disconnection, the property owners would benefit from a big financial gain because the property would become more valuable. Vlach added Villa Park has a lot to gain from annexing this property as well in terms revenue from liquor licenses, sales taxes, various fees, and property taxes. Roth indicated the City could bring services to this property and receive the benefits from the proposed development. Vlach said it is not financially feasible for the City to bring services to this property. Vlach suggested the property owner offer the City a \$10,000 incentive payment for the disconnection.

Roth said both the City and the property owner do not have the funds to bring water and sewer services to the property. Thomas said the property is in a sad state of repair. The property owner stated the whole problem with the property is water and sewer, which they could not obtain. The property owner said in order to open a store at the site, a water connection is necessary for the sprinkler system.

Esposito asked what type of restaurant is being proposed at the site. The property owner replied he would like to relocate his Pakistani Indian restaurant from Schaumburg to this site. The property owner said the proposed restaurant will hold about 40-50 people. Dragan said she has discussed various site uses with the property owners, but no plans were submitted.

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Sarallo asked if an upgraded well system would provide enough capacity for the fire protection sprinkler system. Dragan replied the fire inspector made no reference regarding this, but the requirement for a sprinkler system came up several times due to the change in use. Dragan explained another medical use without any remodeling would be allowed here without any sprinkler requirement.

Sarallo asked if the property owners looked into the pricing for a well upgrade and holding tank system. Roth said he was quite certain under this scenario restaurant services could not be provided. The property owner said the Health Department does not allow well water for restaurants.

Ragucci said he spoke with Villa Park's Public Works Director today and found out that Villa Park operates a sanitary collection system, while Salt Creek Sanitary District provides the waste water treatment for this area. Ragucci said the Villa Park Public Works Director is going to look into whether Salt Creek can provide water treatment services for the property. Ragucci said the property can obtain Villa Park water, but the owners will pay double the price of what incorporated residents pay. Ragucci said if you speak with Dragan about proposed uses for the property, rather than leaving, the City would be willing to work with you. Ragucci said other Oakbrook Terrace businesses have Villa Park water services.

Roth indicated the Villa Park Community Development Department informed him that the Village would not provide water services to a business located within Oakbrook Terrace. Ragucci said it was hard to believe that this property cannot receive Villa Park's water service. Ragucci asked the City Attorney if it was possible for Villa Park to deny water services to a contiguous property that is not incorporated. Ramello said if Villa Park is not home-rule it may be questionable as to whether they can deny services.

Roth stated based upon his experience municipalities do not have to provide services outside of their corporate limits if they do not choose to or particularly if these services are available within the municipality of said property. Roth said no one is going to pay to extend the waterline under Roosevelt Road for this property.

Ragucci said he would like to have this property stay within Oakbrook Terrace. Ragucci said the City Attorney can look into whether or not Villa Park can provide water service to this property. The property owner asked if the City was willing to zone the property C-3 if they stay within Oakbrook Terrace. Dragan replied the property is zoned B-3 general retail so no special use permit is required. Dragan noted once the plans for the development are submitted some variances may need to be addressed, but the restaurant is a permitted use.

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Ragucci recommended looking into this situation further before making a decision.

3. Status Report Payout Number Fifteen (15): Harbour Contractorø Inc.

Ragucci referenced Harbour Contractorø application for payment number 15 in the amount of \$34,666.36 for the new Police Department/City Hall Renovation included in the agenda packet. The Council concurred to place this item on the next consent agenda.

XII. COUNCIL MEMBER COMMENTS

Esposito commended City staff for their July 4 efforts. Esposito asked if residents or non-residents are laying tarps by the band shelter for the July 4 fireworks. Esposito said he has no problem with residents tarping-off a portion, but he does have a problem with non-residents. Esposito said he does not know how the City would regulate this. Ragucci replied as long as it is the night before he is okay with this practice. Przychodni expressed concern over the large size of the tarps. Ragucci said the City will keep an eye on this.

Esposito asked about the shoulder work on Monterey between Hodges and Wainwright. Ragucci said staff will look at this tomorrow and report back. Sarallo thanked the staff and the sponsors for another successful July 4th. Sarallo said he has not seen Clarke spray for mosquitoes this year. Sarallo suggested requiring Clarke to report to the Police Department when the mosquito sprays are scheduled. Sarallo expressed concern that Clarke is indeed not spraying all the areas of the City.

Thomas said July 4th was a success. Thomas commented that he received mixed reviews for the band. Thomas also stated Uncle Bubø started tearing down the kitchen a little earlier than 6PM, which was the scheduled ending time for the caterer. Thomas said a pile of discarded carpet has been at 731 MacArthur for the past three (3) weeks. Greco said the garbage company put an orange sticker on the carpet.

Vlach said a resident inquired about when ComEd is removing the old street light poles. Ragucci said once the weather quiets down again he will contact the government affairs manager at ComEd regarding this matter. Vlach said he is grateful the City appropriated funds for tree maintenance because the City has not had any power outages.

XIII. CITY ATTORNEY RAMELLO

None.

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XIV. CITY CLERK GRECO

Greco said the Oakbrook Terrace Police booth was a big hit on July 4, 2014. Greco noticed the Oakbrook Terrace Fire Protection District was not at the July 4 festivities. Greco said the Lionø Club contacted him about restoring the July 4th parade. Greco commended the efforts made by Amy Marrero and Cheryl Downer during the July 4th activities. Greco noted the ComEd street lights are still on.

Ragucci said the July 4th activities went smooth, especially considering we were short staffed. Ragucci said his concerns regarding July 4th will be addressed at an upcoming meeting. Ragucci said he was disappointed with the burgers offered by the caterer. Ragucci commended Marrero, Downer, and John Downer (Cheryl Downerø husband) who volunteered his time for the July 4th festivities.

XV. INTERIM CITY ADMINISTRATOR MARRERO

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene was made by Alderman Sarallo, and seconded by Alderman Esposito.

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

Motion passed.

XVII. OLD BUSINESS

None.

ADJOURN

Motion to adjourn was made by Alderman Thomas and seconded by Alderman Przychodni at 8P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary