

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

I. CALL TO ORDER

The Mayor called the June 11, 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, Finance Director A. Marrero, 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 May 28, 2013

Motion to approve the minutes of the May 28, 2013 Regular City Council and Committee of the Whole Minutes as presented was made by Alderman Sarallo, and seconded by Alderman Shadley.

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

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment Of City Bills: June 11, 2013 In the Amount of \$74,381.13.
2. Ordinance No. 13-29: An Ordinance Increasing The Number of Class “E” Liquor Licenses By One (1) Pursuant To The Provisions Of Title XI (Business Regulations); Chapter 111 (Food And Beverages); *Subchapter Alcoholic Liquor Control*, Section 111.012 (Number Of Licenses In Each License Classification), Of The Code Of Ordinances Of The City Of Oakbrook Terrace (Blackhawk Restaurant Group LLC Series 621ROakbrookT – DBA Penny’s Place).
3. Ordinance No. 13-30: An Ordinance Granting Variations From The Requirements Of The Zoning Code For 1635 South Ardmore Avenue In The City Of Oakbrook Terrace, Illinois.
4. Ordinance No. 13-31: An Ordinance Amending Section 159.10 Entitled “Guarantees For Public Improvements; Inspection; Acceptance” Of Chapter 159 Entitled “Subdivision Regulations” Of Title XV Entitled “Land Usage” Of The Code Of Oakbrook Terrace, Illinois.
5. Resolution No. 13-15: A Resolution To Approve And Authorize The Execution Of Local Agency Agreements For Jurisdictional Transfer Of 16Th Street And Luther Avenue Between The City Of Oakbrook Terrace, Illinois, And York Township Road District.

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 June 11, 2013 be considered under the Consent Agenda was made by Alderman Przychodni and seconded by Alderman Esposito.

Motion passed unanimously through a voice vote.

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

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

Nays: None

Motion passed.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

None.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

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

1. DuPage Mayors and Managers Conference Business Meeting on Wednesday, June 19, 2013 At The Crown Plaza Hotel in Glen Ellyn At 5:45P.M. Please contact Janice Coglianesi to register.
2. Ragucci stated he appointed Jim Kleinow to the Police Pension Board. Ragucci noted Kleinow's appointment would be for a two (2) year term expiring in June of 2015.
3. Ragucci noted that the appointments from the last meeting were omitted in error from this meeting's agenda and will appear on the June 25, 2013 consent agenda.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Request For An Extension To The Construction Schedule: Hartz Construction Company For The Oliviabrook Townhome Project

Ragucci stated Hartz is requesting a one (1) year extension. Ragucci also noted Hartz sold three (3) additional units. Mark Burt, General Counsel for Hartz Construction, addressed the Council and noted that Hartz is requesting an extension of the construction permit for an additional year. Doug Blocker, Senior Development Coordinator for Hartz Construction, provided a status update regarding the project. Blocker reported that four (4) units have been sold and one (1) unit is currently under contract. Blocker also noted that the development has a total of 31 townhouse units. Blocker noted that units five (5), six (6), and seven (7) are currently under construction. Blocker also indicated that he hopes to begin construction sometime this summer for units eight (8), nine (9), and ten (10).

Thomas stated last year the Council emphasized that an extension renewal would not be granted if something did not happen during the current year. Thomas asked if three (3) sales were enough to warrant an extension. Ragucci replied that the sale of three (3) units is pretty good. Ragucci added that Hartz also came back with a proposal to reduce the price of the units. Burt indicated some minor

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

adjustments were made to the units to attain the price point of \$375,000 to \$400,000.

Sarallo asked if Hartz could monitor the property a little more in terms of water retainage in the foundations and weed control. Blocker replied the foundations have drain tiles, so the water run-off should never be more than six (6) inches.

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

2. Proposal For Legislative Services.

Ragucci introduced Donald Storino II, of Fidelity Consulting Group, LLC, who presented to the Council the type of legislative services that his firm offers. Ragucci noted the City has a lot of issues going on right now that could benefit from services provided by a lobbyist in Springfield. Ragucci said the lobbyist could help the City with the digital billboard sign, photo enforcement, and the new residential lighting project. Carpino indicated the City is currently working with IDOT on the digital billboard and photo enforcement. Carpino commented there is a lot of red tape in order to get to the correct party when dealing with IDOT since their recent restructuring.

Carpino said hiring the lobbyist will be a good move for the City to have a voice in Springfield. Carpino said the City has some major projects going on that could use some funding. Ragucci noted a neighboring town hired a lobbyist to contest our City on an issue.

Storino explained that the State of Illinois mandates the way lobbyist fees are structured. Storino noted that fees cannot be structured on a contingency or success basis. Storino noted that most lobbyists utilize a straight monthly retainer fee. Storino detailed his and his business partner's Brian Daly's professional backgrounds. Storino noted his firm currently represents two (2) other municipalities namely Glendale Heights and Lake Barrington. Storino stated that IDOT has a program called the Illinois Transportation Enhancement Program that the City should respond to and his firm could help with. Storino said his firm can help the City with both regulatory and legislative lobbying. Storino said his firm strives for a 300% return on investment in terms of what they charge versus what the City will hopefully receive back in grants and other revenue generating sources.

Thomas expressed concern over the same people, not necessarily the same firm, representing the City in terms of legal and lobbying services. Thomas said he was uncomfortable with this. Ragucci said this does not bother him and that this is all above board. Storino noted Fidelity has no relationship with Storino, Ramello, and Durkin. Storino also noted that Glendale Heights utilizes both the services of

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

Storino, Ramello, and Durkin, and Fidelity. Storino said it is advantageous for the lobbyist to have a level of familiarity with the law firm that represents the City. Ragucci said if he knows the person and the person is qualified for the job it is much better for the City as long as the person is qualified. Ragucci said he would not accept someone who is not qualified. Ragucci recommended a one (1) year term with Fidelity to see if they could help with the City with the many projects going on.

Ragucci asked Storino to discuss the fees associated with his services. Storino said he charges a retainer fee of \$3,000 per month for a total of \$36,000 per year. Storino noted that everything is full disclosure in the State of Illinois. Storino said all of his clients can be viewed through the State of Illinois website. Storino noted that if the City opts to move ahead with legislative services then the City will be required to register with the State of Illinois as well. Storino noted the \$3,000 monthly retainer is an all-inclusive fee and nothing additional will be charged to the City.

Ragucci recommended that the City work with Fidelity for a one (1) year period and then reassess the service after a year. Carpino noted that the City has worked with a lobbyist in the past. Ragucci polled the Council to determine if they supported the City hiring a lobbyist. Przychodni, Esposito, Sarallo, Vlach and Shadley favored hiring a lobbyist. Thomas opposed hiring a lobbyist. Sarallo stated he favored hiring a lobbyist for the trial period as proposed. Council concurred to place this on the next agenda.

3. Replacement of Chipper and T-6 450 One-Ton Dump Truck

Carpino indicated the replacement of the chipper and the one (1) ton dump truck were included in the FY 2014 budget. Carpino noted that the dump truck came in at \$10,000 higher than the budget because the plow package and spreader from the old truck does not fit the new truck and needs to be retrofitted. Carpino stated the one (1) ton dump truck will be purchased from the Suburban Purchasing Cooperative. Carpino requested that the bidding process be waived for the chipper. Carpino explained that the Public Services Director C. Ward obtained pricing from Alexander Equipment who the City has worked with in the past. Carpino noted that the Morbark chipper model came in \$1,200 less than the budgeted amount.

Ragucci noted the replacement of these two (2) pieces of equipment was discussed during the budget meetings. Sarallo stated the stainless steel method is a bad idea because it will increase the price. Sarallo also asked if the proposed equipment includes a full protected cab or a quarter protected cab. Since Ward was not able to attend the meeting due to a conference, Carpino suggested tabling these purchases until the next meeting. Sarallo asked why the City did not go out

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

to bid, other than it is an already existing vehicle. Carpino said the truck purchase is through the Suburban Purchasing Cooperative. After further discussion the Council concurred to table this discussion until the next meeting.

4. Approval Of A Video Gaming Location License And Increasing The Number Of Video Gaming Terminal Licenses – Anyway’s, Inc. 5 East Roosevelt Road, Oakbrook Terrace.

Ragucci indicated that Anyways has requested licenses for three (3) video gaming machines. Ragucci said the City currently has one (1) location with five (5) machines. Ragucci explained that every time a license is requested the City is required to increase the number of licenses through an ordinance. The Council concurred to place this on the next agenda.

5. Proposed Code Amendment For Traffic Regulations.

Ragucci explained that the proposed code amendment was in response to a recent concern made by Sarallo. Dragan stated that she along with Carpino reviewed the current code and decided to recommend some modifications included in her memorandum. Dragan suggested the code be modified as follows to read, “It shall be unlawful for any person to permit the running of an engine of any commercial motor vehicle for a continuance period of time exceeding 30 minutes between the hours of 8PM and 6AM within the corporate limits.”

Dragan noted staff conducted a survey of neighboring communities, but that these respondents did not have any regulations regarding this matter. Dragan suggested that if the Council favors her proposed code amendment, then the City Attorney should be directed to draft a code amendment to the current code.

Sarallo clarified that the current code prohibits the running of any stationary motor vehicle between the hours of 10PM and 7AM. Sarallo also noted that the proposed code would allow someone to run their motor at 2AM in the morning for 30 minutes. Ragucci said if a person wanted to warm up a vehicle, it would have to be shut off after 30 minutes. Bob Shanahan asked if the property owner or vehicle owner would be held responsible for the code violation. Ramello replied the operator of the vehicle would be prohibited from running the engine. Sarallo said no one wants the ticket to be the final answer, but rather getting the motor shut down.

Discussion ensued regarding the running of both the refrigeration and motors units of the vehicles. Shadley explained that the refrigeration units run off battery power. Ragucci suggested simplifying the proposed code amendment to state that no running of stationary motorized vehicles will be allowed during the hours of 8PM to 6AM. Shadley noted Chicago has a three (3) minute limit for stationary

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

running of diesel engines. Esposito suggested a shorter duration of 10 – 15 minutes. Debbie Shanahan asked if the proposed code amendment included wording for adjacent to residential property. Ragucci said the proposed amendment did not include this wording. Sarallo asked if the proposed code amendment could specify this. Ramello replied yes the amendment could specify within a 100 feet of a residence.

Ragucci suggested amending the code to include the running of stationary vehicles should only be allowed for a period of 15 minutes between the hours of 8PM and 6AM adjacent to a residential area. Bob Shanahan asked if the amendment could include the refrigeration units as well. The Council directed Dragan to prepare the code amendment and to continue discussions of this matter at the next meeting.

6. Status Report Payout Number Three (3): Harbour Contractor's, Inc. – New Police Facility/City Hall Renovation.

Marrero said she thoroughly reviewed Harbour's invoice. Marrero asked the Council to approve a payout of \$8,710.51 for the next agenda. The Council concurred to place this on the next consent agenda.

XII. COUNCIL MEMBER COMMENTS

None.

XIII. CITY MANAGER CARPINO

Carpino noted everything is moving forward with the construction project. Carpino indicated Robinette will be installing fencing next week around the demolition area. Carpino said another container will be delivered for Building and Zoning because they require more storage space. Carpino also noted a ramp platform will be installed for the Building and Zoning trailer on Monday, June 17, 2013.

XIV. CITY ATTORNEY R. RAMELLO

Ramello indicated he was asked to look into the possibility of the disconnection of Stevenson School from the City. Ramello referenced the resolution on the consent agenda to transfer the jurisdiction for 16th Street and various streets in that area to York Township. Ramello stated it was brought to his attention that Stevenson School may be better served by DuPage County. Ramello said the school district would need to file a petition to disconnect from the City and return the property back to the County. Ramello said if the Council wishes to proceed with this he would be happy to mail an introductory letter to the School Board regarding this matter. Discussion

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

ensued regarding the possible disconnection. The Council concurred to direct the City Attorney to proceed with the introductory letter.

Ramello stated about one (1) month ago, the City Council approved an ordinance to transfer the Fik House to the Oakbrook Terrace Historical Society. Ramello said the transfer has not been recorded and taken effect yet. Ramello stated the deed and ordinance listed several conditions upon which the transfer can be made. Ramello noted one (1) of the conditions required that the property not be petitioned by the Oakbrook Terrace Historical Society for landmark status by either the federal or state government. Ramello stated the Oakbrook Terrace Historical Society is not comfortable with that restriction. Ramello stated that he and Marrero have attempted to work this out with Oakbrook Terrace Historical Society, but have been unable to come to a resolution. Ramello said the Oakbrook Terrace Historical Society is meeting next week to discuss this matter.

XV. CITY CLERK GRECO

Greco stated the City-wide garage sale is taking place this weekend on June 14th and 15th.

XVI. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene was made by Alderman Sarallo, 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

1. Ordinance No. 13-32: An Ordinance Approving And Ratifying The Issuance Of A Purchase Order To Currie Motors Frankfort, Inc. For A 2013 Ford F-450 Dump Truck For The City Of Oakbrook Terrace, Illinois
2. Ordinance No. 13-33: An Ordinance Approving And Ratifying The Issuance Of A Purchase Order To Alexander Equipment Company, Inc. For A 2013 Morbark Beaver M18R-SA Wood Chipper For The City Of Oakbrook Terrace, Illinois

Motion To Table Proposed Ordinance No. 13-32 And Proposed Ordinance No. 12-33 Until The June 25, 2013 Council Meeting was made by Alderman Przychodni and seconded by Alderman Sarallo.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 11, 2013**

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

Motion passed.

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