

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

I. CALL TO ORDER

The Mayor called the May 27, 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, Sarallo, Shadley, Thomas, Vlach, and Mayor Ragucci

Absent: Przychodni

Also in attendance were City Clerk D. Greco, Interim City Administrator A. Marrero, 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 May 13, 2014.
2. Stormwater Oversight Committee Minutes Of May 13, 2014.

Motion to approve the minutes of the May 13, 2014 Regular City Council and Committee of the Whole and the Stormwater Oversight Committee meeting, as presented was made by Alderman Sarallo and seconded by Alderman Esposito.

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

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

Tanya Griffin of Water and Trees, at 4069 Western Avenue in Western Springs, addressed the Council regarding medical cannabis dispensaries. Griffin said she is a principal in her firm and is looking to locate two (2) medical cannabis dispensaries. Griffin noted three (3) dispensaries have been allocated to DuPage County. Griffin

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

said the dispensaries will be highly regulated and only 40 chronic illnesses are eligible for medical cannabis including: hepatitis, amputations, cancer, Alzheimer's, Crohn's, MS, MD, and Parkinson's. Griffin said Illinois is not allowing medical cannabis for pain relief, which typically represents 94% of users. Griffin noted that medical cannabis is not paid for by insurance.

Griffin said these dispensaries are highly competitive and the application process is merit based. Griffin said the group she represents has about 7,000 homebound patients, four (4) pharmacies, a compound pharmacy in Hoffman Estates, mobile diagnostics, both skilled and unskilled home health care, and works with hospitals for medical alert devices. Griffin said her firm is very interested in the medical side of cannabis dispensary.

Griffin indicated the Illinois Department of Health, Illinois Department of Agriculture, Illinois Department of Revenue, and the Illinois Department of Financial Professional Regulation have submitted draft rules regarding medical cannabis, which are currently in the third round of review. Griffin said the Joint Commission on Administrative Rules will get a hold of these drafts in June and by August there will be a 10 day window through which the merit based applications for dispensaries will be submitted. Griffin distributed some information about dispensaries to the Council.

Griffin said dispensaries are typically pretty small about 1,500 to 3,000 square feet. Griffin noted the security at the dispensary is intense with 24 hour video surveillance linked into the Police Department. Vlach asked why medical cannabis is not controlled by the pharmaceutical companies. Griffin replied that on a federal level cannabis is a schedule one (1) drug. Griffin said pharmacists want to get their hands on this drug and it is not trending in the direction for pharmaceutical company distribution.

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: May 27, 2014 In The Amount Of \$298,293.44.
2. Treasurer's Report April 2014.
3. Personnel Report April 2014.
4. Resolution: 14-6: A Resolution Approving An Engagement Letter For Professional Auditing Services Between The City Of Oakbrook Terrace And Wolf & Company LLP For The Fiscal Year That Ended April 30, 2014.
5. Ordinance No. 14-29: An Ordinance Amending The Provisions Of Title XI (Business Regulations); Chapter 124 (Video Gaming); Subchapter 124.22 (Number of Licenses) Of The Code Of Oakbrook Terrace To Codify The Decrease In The Maximum Number Of Video Gaming Location Licenses And The Maximum Number Of Video Gaming Terminal Licenses (J&S Hospitality, Inc. d/b/a Holiday Inn – Chicago/Oakbrook Terrace/Bar Louie-17W350 22nd Street).

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

6. Approval Of Payout Number Thirteen (13): Harbour Contractor's Inc. In The Amount Of \$17,193.11 For The New Police Department/City Hall Renovations.
7. Ordinance No. 14-30: An Ordinance Authorizing The Issuance Of A Purchase Order To Landmark Ford For Two Police Interceptors For The City Of Oakbrook Terrace, Illinois.
8. Approval Of Payout Number Three (3): Lumquest Lighting In The Amount of \$216,380.00 For The Street Lighting Project.
9. Acceptance of July 4th Sponsorships – Blackhawk Restaurant Group (\$2,500), Daniel Law Offices (\$500), And S&H Rehab (\$250).

Motion to approve all the items contained on the Consent Agenda as presented for May 27, 2014 was made by Alderman Thomas and seconded by Alderman Sarallo.

**Ayes: Esposito, Sarallo, 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 Shadley and seconded by Alderman Thomas.

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

The Regular Meeting recessed to the Committee of the Whole.

X. MAYOR RAGUCCI

1. Reappointment Of Arnold Noble To The Planning And Zoning Commission For A Term To Expire On June 1, 2017.
2. Reappointment Of Jan (John) Donoval To The Planning And Zoning Commission For A Term To Expire On June 1, 2017.
3. Appointment Of Paul A. Smurawski To The Planning And Zoning Commission For A Term To Expire On June 1, 2017.
4. Appointment Of John W. Valle To The Police Commission For A Term To Expire On June 1, 2017.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

Ragucci noted Paul Smurawski will replace Marilyn DeVries on the Planning and Zoning Commission. Ragucci thanked DeVries for her service on the Commission. Ragucci noted John Valle will replace Henry DeVries on the Police Commission. Ragucci thanked DeVries for his service on the Commission. Ragucci noted Smurawski and Valle's resumes were included in the agenda packet. The Council concurred to place these reappointments and appointments on the next consent agenda.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Letter of Recommendation – Text Amendment To The Zoning Code Concerning Regulation of Medical Cannabis Cultivation Centers And Medical Cannabis Dispensaries.

Dragan said a public hearing was held on May 6, 2014 before the Planning and Zoning Commission to consider the proposed text amendments and the draft ordinance previously reviewed by the Council. Dragan said the proposed text amendment allows medical cannabis cultivation centers and dispensaries as a special use in the B-4 District. However, Dragan noted the State of Illinois requires a 1,000 feet or 2,500 feet minimum distance from lot line to lot line from any residential use, schools, and daycares.

Dragan stated during the public hearing, questions arose regarding the location and further research was done. Dragan said apparently the B-4 District does not qualify and will not be able to obtain a permit from the State due to the 1,000 minimum setback requirement. Dragan said based upon this and further research of the available zoning maps it is proposed to allow these uses as special uses whereby a public hearing would be required. Dragan said even in the B-3 District it will be very hard to qualify to bring such a use to Oakbrook Terrace.

Dragan said in discussing these issues with City Attorney Pacione, they decided to propose the removal of some restrictions such as only having these uses in a single building so a dispensary could be located in a multi-tenant building with shared parking. Dragan said it is possible that only a couple of properties in Oakbrook Terrace will even qualify for approval from the State.

Ramello stated the Medical Cannabis Act dictates certain minimum distance requirements from residential and schools. Ramello said when the analysis was done on the City map, only the B-3 District had any potential for a dispensary to be located. Ramello indicated the original ordinance required dispensaries to be in a stand-a-lone building as opposed to a multi-tenant building because it would be easier from a police enforcement perspective. Ramello said it was determined that there would not be any locations where a stand-a-lone building would work.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

Dragan said if an applicant identifies a specific location they may contact her and the applicant has the option to request a public hearing and approval for a text amendment. Esposito asked if a dispensary could be located in the Oakbrook Terrace Square Shopping Center. Dragan replied no because it is adjacent to a Brandywine, which is a residential area. Dragan said a possible location is near the Northern Trust building and 1 Oakbrook Terrace because these buildings are more than 1,000 feet away from residential.

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

2. An Ordinance To Decreasing The Number Of Class “H” Liquor License (1901 Halsted Street Deli, LLC d/b/a The DuPage Club Group).

Ragucci said the DuPage Club license is no longer active. The Council concurred to place this item on the next consent agenda.

3. 2013-2015 Goals & Objectives Plan Update.

Marrero referenced the updates to the 2013-2015 Goals and Objectives Plan and noted there has been a lot of positive movement in regards to fulfilling these goals. Marrero said she will be discussing the BP Amoco Incentive Agreement with Ramello this evening and hopes to get the agreement to BP Amoco this week. Marrero noted construction on the new Police Station should begin in June. Marrero noted the new digital billboard is up and running. Marrero said the City lobbyist is working on the red light cameras. Marrero said the lobbyist secured a \$70,000 grant for curbs and gutters.

4. Considerations Of July 4th Sponsorships – PTC Inc, and Pearl Vision

Ragucci asked the Council to consider the PTC Inc. sponsorship at the \$100 level, and the Pearl Vision at the \$100 level. The Council concurred to place these sponsorships on the next consent agenda.

XII. COUNCIL MEMBER COMMENTS

Esposito asked when the advertisements will begin on the new digital billboard. Ragucci replied more ad spaces were placed on the sign this week. Sarallo said the developer needs to get going on the development of the Oakbrook Terrace Square Shopping Center. Sarallo stated he has some concerns and the City needs to push the developer, especially given the City’s financial interest. Ragucci said he will give the developer a call tomorrow. Marrero said the developer recently signed with a new marketing firm for the Center.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

Thomas asked about the status of Dr. Conner's medical practice from the last meeting. Dragan replied Dr. Conner is permitted and allowed to open his business as a medical use at 17W703 Butterfield Road. Thomas stated when the Oakbrook Terrace Park District hosts major events; participants park on both sides of Monterey and it is very difficult to make the turn at the corner of Hodges. Thomas suggested yellow striping be placed on the curb to prohibit parking. Ragucci said parking is not allowed 20 feet from the intersection. Ragucci said he is considering only allowing parking on one side of the street at Monterey and Hodges so that emergency vehicles can get through. Vlach suggested the adjacent property owner sell the property to the Park District for parking because it is in a flood plain and is unusable.

XIII. CITY ATTORNEY RAMELLO

Ramello updated the Council on the hotel tax litigation and indicated depositions are scheduled in June and July. Ramello stated the discovery phase of the process will take place this summer. Ramello indicated after the depositions are completed a move for class certification will take place.

XIV. CITY CLERK GRECO

None.

XV. INTERIM CITY ADMINISTRATOR MARRERO

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

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

Ayes: Esposito, Sarallo, 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 Sarallo and seconded by Alderman Shadley at 7:36P.M.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 27, 2014**

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary