

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 28, 2013**

I. CALL TO ORDER

The Mayor called the May 28, 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 Carpino, City Attorney A. Del Marto, Police Chief W. Holakovsky, 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 14, 2013

Motion to approve the minutes of the May 14, 2013 Regular City Council and Committee of the Whole Minutes as presented was made by Alderman Sarallo, and seconded by Alderman Przychodni.

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

Nays: None

Motion passed.

VI. SWEARING-IN CEREMONY

Ragucci administered the oath of office to newly hired Officer Sluzewicz and newly promoted Sergeant Bastianoni.

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VII. PUBLIC PARTICIPATION

None.

VIII. ACTION ITEMS/CONSENT AGENDA

1. Payment Of City Bills: May 28, 2013 In the Amount of \$558,819.76.
2. Personnel and Payroll Report for April 2013
3. Treasurer's Report for April 2013
4. Approval of Payout Number Two (2) To Harbour Contractor's In The Amount Of \$11,289.30 For The New Police Station And City Hall Renovation
5. Ordinance No. 13-28: An Ordinance To Approve And Authorize The Execution Of An Agreement Between The City Of Oakbrook Terrace, Illinois And Robinette Demolition, Inc. For The Furnishing Of Demolition Services For The New Police Facility And Renovation Of City Hall.

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 May 28, 2013 be considered under the Consent Agenda was made by Alderman Shadley and seconded by Alderman Thomas.

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 Przychodni.

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

Nays: None

Motion passed.

IX. ITEMS REMOVED FROM THE CONSENT AGENDA

None.

X. RECESS TO THE COMMITTEE OF THE WHOLE

Motion to recess to the Committee of the Whole portion of this meeting was made by Alderman Thomas and seconded by Alderman Sarallo.

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

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Nays: None

The Regular Meeting recessed to the Committee of the Whole.

XI. MAYOR RAGUCCI

Ragucci indicated with the support of the Council he would like to place the following appointments on the next consent agenda.

1. Appointment Of Arnold Noble As Chair Of The Planning And Zoning Commission For A Term To Expire On June 1, 2014.
2. Reappointment Of Bruce Almeroth To The Planning And Zoning Commission For A Term To Expire on June 1, 2016.
3. Reappointment Of Steve Schneider To The Planning And Zoning Commission For A Term To Expire on June 1, 2016.
4. Appointment Of Ann Ventura To The Planning And Zoning Commission For A Term To Expire on June 1, 2016.
5. Reappointment Of Brian Brown To The Police Commission For A Term To Expire On June 1, 2016.
6. Reappointment Of Bob Shanahan To The Police Commission For A Term To Expire On June 1, 2015.
7. 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 Coglianesse to register.

XII. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. An Ordinance To Increase The Number Of Class “E” Liquor Licenses (Penny’s Place).

Ragucci referenced the draft ordinance increasing the number of Class “E” liquor licenses available in the City. Ragucci noted that currently, the City has five (5) Class “E” licenses which only allow beer and wine, and needs to increase the licenses by one (1) for Penny’s Place. Ragucci also referenced Penny’s Place liquor license application included in the agenda packet. Ragucci noted that Penny’s Place will be located at 17W631 Roosevelt Road.

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

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2. Letter Of Recommendation – 1635 South Ardmore - Terra Vista Assisted Living Facility.

Dragan stated a public hearing was held on May 7, 2013 to consider the request by Oakbrook Property, LLC to permit variations from the previously approved landscape plan. Dragan noted the Planning and Zoning Commission reviewed the requested variations from the landscape ordinance, and voted in favor of this request. Ragucci said this project has been in the planning phase for approximately two (2) years. The representatives from Oakbrook Property, LLC presented architectural renderings of the new assisted living facility.

Vlach asked about the “For Sale” still being displayed on the property. Roy L. Bernstein, Attorney for the petitioner, replied that the petitioner took title of the property several months ago and the sign has yet to be removed. Bernstein added that he expects to break ground at the beginning of July for this project.

Council concurred to place this on the next consent agenda.

3. An Ordinance To Amend The City Code To Allow Bonds As A Security For Public Improvements.

Dragan stated that recently the owner of 17W642 Butterfield Road (formerly the Holiday Inn Reservation Center) requested to post a bond for the completion of public improvements and the City’s subdivision code limits the security which a developer may post to letters of credit. Dragan indicated that Ramello explained that Public Act 96-1000 expands the allowable security which a developer may be required to post for the completion of public improvements and prohibits ordinances which limit the security to letters of credit. Dragan explained based upon this, Section 159.10 of the City Code should be amended to comply with this statute.

Dragan noted Ramello prepared the ordinance amending the subdivision code. Carpino said this development is located behind the Jiffy Lube on Butterfield Road. Carpino said the City is amending the current ordinance to mirror the Illinois statute. Thomas said letters of credit are accepted worldwide and are irrevocable in comparison to bonds, which are not a real sure thing because it can deteriorate in price. Del Marto replied the contractors lobbied the state legislators for this capacity. Del Marto noted the City is pre-empted by the state statute. Del Marto explained that the City can no longer require letters of credit because the statute gives the contractor the option to post a letter of credit, surety bond, or performance bond.

After further discussion, the Council concurred to place this on the next consent agenda.

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4. York Township Assuming Jurisdiction For 16th Street and Luther Avenue

Ragucci indicated that in April of 2013, the Council approved the jurisdictional transfer to York Township for portions of 15th Street, 16th Street, and Michigan Avenue. Ragucci said given that the City handed over jurisdiction of these streets, it would be practical for the City to hand over other portions of 16th Street and Luther Avenue, which are in the same vicinity. Ragucci said under the agreement, York Township assumes jurisdiction of 16th Street from Meyers Road to Luther Avenue as well as Luther Avenue from 16th Street to Essex Drive.

Ragucci said York Township will be repaving these streets soon and since there is really no need for the City to hold jurisdiction over these streets the Township has agreed to maintain these streets at no cost to the City. Carpino said it makes practical sense to turn portions of the above streets over to the Township because the area is unincorporated and plowing these streets does not assist the City's residents in any way.

Carpino indicated that since the Krilich property will not be coming back to the City; there is really no value to retaining these streets. Carpino indicated the City has five (5) houses on 16th Street that are incorporated within the City. Carpino noted that the Berkshire home owners association maintains and owns all of its own streets which Luther is part of.

Carpino said an Alderman has questioned the provision of police services at Stevenson school located at 15th and Michigan. Carpino said he will work with Ramello regarding whether it is feasible for DuPage County to take back police authority for Stevenson School. Vlach said the City assumed police authority for Stevenson School in order to show that the City was adjacent to the Krilich property in order to force the Krilich property to remain within the City. Vlach added since the City is no longer associated with the Krilich property, the school should be returned to DuPage County. Carpino said Ramello will address this question at the next meeting.

Sarallo asked if the jurisdiction transfer gives the Township the opportunity to annex those homes along 16th Street that are already within the City's boundaries. Ragucci replied no.

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

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XIII. COUNCIL MEMBER COMMENTS

Sarallo said on Monday, May 27, 2013, a tourist bus parked at the Comfort Suites had its motor running at 8P.M. for well over two (2) hours. Sarallo asked if there is something that the City can do to limit the amount of time that the busses are allowed to run their motors. Dragan replied that the City can address this issue with the Comfort Suites Manager. Dragan also noted there is currently no City Code that covers this issue. Dragan added she can ask nearby communities if they have an ordinance prohibiting this activity. After further discussion, Ragucci asked Dragan to further research this issue and possibly limit the amount of time to 20 minutes that busses can run their motors.

Shanahan stated that it has been an ongoing problem at the Holiday Inn on 22nd Street and he believes the City already has an ordinance in place that involves this issue. Shanahan said he will speak with Dragan regarding the information he has.

XIV. CITY MANAGER CARPINO

Carpino said the construction of the new police facility is moving forward with the Building and Zoning trailers being delivered this week. Carpino noted that electrical and phone lines will be installed this week for the trailer. Carpino said Public Services wishes to move Building and Zoning to the trailer next week. Carpino noted that Building and Zoning will be located there until the renovation of City Hall is completed. Carpino added that once the new Police facility is completed some time next year, the City Hall will be vacated and new trailers will be installed for City Hall staff. Carpino indicated that Harbour Contractor's will have a trailer as well on the site. Carpino said the asbestos removal and the demolition will begin in the middle of June. Carpino expects to break ground on the project some time in August.

Carpino noted the house at 533 Halsey that recently experienced a fire received a permit to demolish the building. Carpino expects within the next few weeks the house will be demolished. Carpino said the owners were waiting for their insurance settlement prior to taking action.

XV. CITY ATTORNEY A. DEL MARTO

None.

XVI. CITY CLERK GRECO

None.

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XVII. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene was made by Alderman Shadley, and seconded by Alderman Thomas.

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

The Regular Meeting of the City Council reconvened.

XVIII. OLD BUSINESS

None.

ADJOURN

Motion to adjourn was made by Alderman Shadley, and seconded by Alderman Thomas at 7:30P.M.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary