

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 28, 2020**

I. CALL TO ORDER

Acting Mayor Esposito called the January 28, 2020, Regular and Committee of the Whole Meeting of the City Council to order at 7:00P.M.

II. ROLL CALL

Roll call indicated the following Council members were in attendance:

Present: Barbari, Greco, Przychodni, Rada, Vlach and Acting Mayor Esposito

Absent: None

Also, in attendance were City Clerk M. Shadley, City Administrator A. Marrero, Assistant to the Mayor and Administrator M. Sarallo, Building and Zoning Administrator M. Dragan, and City Attorney R. Ramello.

III. PLEDGE OF ALLEGIANCE

Acting Mayor Esposito 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 January 14, 2020

Motion to approve the minutes of the January 14, 2020 Regular City Council and Committee of the Whole as presented was made by Alderman Barbari and seconded by Alderman Vlach.

Ayes: Barbari, Esposito, Greco, Przychodni, Rada, and Vlach

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: January 28, 2020 In The Amount Of \$143,887.30

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2. Treasurer's Report: December 2019.
3. Personnel & Payroll Report: December 2019.
4. Approval Of Fiscal Year 2019 Comprehensive Annual Financial Report (CAFR).
5. Ordinance No. 20-1 An Ordinance Approving A Rider Extending The Term Of Agreement For Library Services Between The City Of Oakbrook Terrace And The Villa Park Public Library Dated December 17, 1987.
6. Ordinance No. 20-2, An Ordinance Revising The Annual Budget For The Fiscal Year Beginning May 1, 2019, And Ending April 30, 2020, For The City Of Oakbrook Terrace, Illinois.

Motion to approve all the items contained on the Consent Agenda as presented for January 28, 2020 was made by Alderman Rada and seconded by Alderman Greco.

**Ayes: Barbari, Esposito, Greco, Przychodni, Rada, and Vlach
Nays: None**

Motion passed.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Ordinance No. 20-3: An Ordinance Granting Variations From The Requirements Of The Zoning Ordinance Of The City Of Oakbrook Terrace For 17W621-17W631 Roosevelt Road (17W621 Roosevelt LLC) In The City Of Oakbrook Terrace, Illinois.

Motion To Approve Ordinance No. 20-3: An Ordinance Granting Variations From The Requirements Of The Zoning Ordinance Of The City Of Oakbrook Terrace For 17W621-17W631 Roosevelt Road (17W621 Roosevelt LLC) In The City Of Oakbrook Terrace, Illinois was made by Alderman Przychodni and seconded by Alderman Barbari.

Alderman Greco reiterated that there is already too much signage at the site and the property was previously granted a variance. Alderman Greco added that the petitioner did not articulate a true hardship. Acting Mayor Esposito asked Building and Zoning Administrator Dragan to provide a summary of the previous variances granted at the property. Building and Zoning Administrator Dragan noted in 2002 when the multi-tenant building was built there was no signage variation. Back in 2017 the City approved a variation to permit all wall signs to total 428 square feet instead of the required 386 square feet. The variation request was to allow additional signage for Oxford Insurance. There is currently no monument sign at the property. The requested variance before the Council tonight is to permit a monument sign totaling approximately 133 square feet. Alderman Rada asked if the variance is adding signage. Building and Zoning Administrator Dragan replied the proposed ordinance adds a sign.

Ayes: Barbari, Esposito, Przychodni, Rada, and Vlach

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Nays: Greco

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 Przychodni and seconded by Alderman Rada.

Ayes: Barbari, Esposito, Greco, Przychodni, Rada, and Vlach

Nays: None

Motion passed.

X. ACTING MAYOR ESPOSITO

Acting Mayor Esposito thanked the Council and residents for their support. Acting Mayor Esposito said he is a long-term resident of Oakbrook Terrace and he looks forward to many good things for the City.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Presentation From The Hotel Commission.

Don Hill, of the Hilton Hotel properties and Chair of the Hotel Commission, updated the Council on the City's hotels 2019 performance. Hill distributed the Smith Travel report for the 2018/2019 December and the 2018/2019 calendar year comparisons. Hill indicated that the hotels did not experience a good December with revenue per available room decreasing by 1.9% when compared to December of 2018. For calendar year 2019, the occupancy rate decreased by 2.7% from 2018, while revenue per available room decreased 5.4% from 2018. Hill surmised that the 2019 declines are most likely due to the new hotel supply in Chicago, which continues to present a challenge for the City hotels. Also the lower price points in Chicago do not help the City's hotel rates. Several major bi-annual conventions will be returning to Chicago in 2020 and other nearby convention centers, which should help boost the City's hotel business.

The Salvation Army received \$6,433 from the Salvation Army Red Kettle Week held in December. Hill noted this summer the Frida Kahlo exhibit will be at the McAninch Arts in Glen Ellyn and the City's hotels will be tapping into this market through a preferred partnership. The Hotel Commission is also discussing possibly marketing the City's hotels to travelers visiting the Chicago's art museums and the Morton Arboretum. The Hotel Commission is also discussing the triple AAA geo-targeting cell phone advertising program. Attendance at the monthly Hotel Commission meetings has been good and the conference calls are also working out well.

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Alderman Przychodni asked that Hill provide the full convention name and not the acronym during future discussions. Hill said going forward he will do this. Alderman Greco congratulated Hill on the Salvation Army campaign and said he wished more businesses participated. Alderman Greco asked for an update on the Hotel Commission's free advertising on the City's digital sign. Hill said he will start this process again with the Hotel Commission and will continue to update Alderman Greco. Acting Mayor Esposito said Hill is doing a good job and thanked him for his efforts.

2. Letter of Recommendation-Proposed Text Amendments To The Zoning Ordinance

Building and Zoning Administrator Dragan stated the City's Zoning Committee was formed in 2018 and has reviewed various sections of the City's Zoning ordinance along with other municipal codes including Villa Park, Elmhurst, Lombard, and Downers Grove. Last year the City Council approved various text amendments and modifications to the Zoning ordinance. The Zoning Committee consists of herself, Alderman Greco, Planning and Zoning Chairman Caslin, Planning and Zoning Commissioner Donoval, Planning and Zoning Commissioner Freda, and Assistant to the Mayor and Administrator Sarallo. Building and Zoning Administrator Dragan said the Zoning Committee finalized their review of various regulations from the Zoning Ordinance and is proposing several modifications.

Building and Zoning Administrator Dragan referenced her memorandum included in the agenda packet detailing the proposed Zoning Code amendments. Building and Zoning Administrator Dragan noted if the City Council is agreeable then a public hearing will be held before the Planning and Zoning Commission to discuss the proposed amendments.

1. **Solar Panels – Single Family**

The Zoning Committee recommends to delete Section 156.075 (B) (6) and add a new section to Section 156.075 (A) in order to allow private solar collection panels as a permitted use subject to be installed on roof surface with solar panels not facing the street if possible.

Building and Zoning Administrator Dragan noted with this new provision there will be no special use or public hearing required for R-1. Building and Zoning Administrator Dragan explained that Berkshire and the five (5) homes in Castle Meyers (immediately north of Berkshire) are zoned mixed use district, and should also fall in this category unless condominium bylaws prohibit solar panels. If the Council is agreeable, we can include the language in the legal notice accordingly. Alderman Rada noted Berkshire subdivision by-laws do not allow solar panels.

2. **Solar Panels – Multi-Family**

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The Zoning Committee recommends to require a Special Use in the R-2 District for private solar collection panels to be installed on the roof surface only. As far as multi-family properties the Zoning Committee recommends to carry over special uses permitted in an R-2 District, and therefore, no modification to R-3 District is necessary.

Building and Zoning Administrator Dragan noted a special use would be required for solar panels in the R-2 and R-3 districts.

3. Required Business Use Fencing When Adjacent to Residential District

Following direction from the City Council, the Zoning Committee recommends modifications concerning fences between non-compatible uses and recommends to require a solid fence, or wall eight (8) feet in height instead of six (6) feet when business uses abut a residential district. This requirement shall apply to any new buildings, business uses, and/or additions to the existing buildings.

4. Digital Sign Definition

Building and Zoning Administrator Dragan stated the Zoning Committee reviewed other municipal digital sign policies. The current code will remain in place in that signs with only temperature and time will still not be considered a digital sign.

The Zoning Committee recommends the City officially adopt a definition for digital signs as follows:

Digital signs: Flashing signs, rotating or moving signs, animated signs, signs with moving lights, or creating the illusion of movement, and flashing or moving lights. A sign whereon the time and or temperature is indicated by intermittent lighting shall not be deemed to be a flashing sign if the lighting changes are limited to the numerals indicating the time and or temperature and are not more frequent than every ten seconds.

5. Sign Area Modifications

The Zoning Committee recommends a modification to the current regulations as follows:

The Zoning Committee recommends if a single building is designed for occupancy by more than one business use the total permitted wall sign area for a single business use will be subject to a pro-rate signage formula, such that each new tenant will be allowed only its proportionate share of signage for all new multi-tenant buildings built after March 2020 (the actual ordinance passage date will be placed here in the amended code).

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6. Additional Shopping Center Signs

Building and Zoning Administrator Dragan stated the same section of the Zoning Ordinance shows that for integrated shopping centers all signs shall be affixed against the building. Wall signs plus one free-standing sign not to exceed 80 square feet per side totaling 160 square feet.

The Zoning Committee recommends to delete this allowable additional free-standing sign and is proposing new guidelines as detailed in items seven (7) and eight (8) below.

7. Single Sign Maximum Gross Surface

The Zoning Committee recommends Section 156.043(B)(3) be amended to read as follows:

Maximum gross surface of a single sign. The following gross sign area limitation pertaining to single signs of the types indicated below (item number 8).

8. Freestanding Signs

The Zoning Committee recommends one (1) free standing sign be permitted per zoning lot instead of the current code whereby more than one (1) sign is allowed if you have more than one (1) street frontage.

Furthermore, the Zoning Committee recommends Section 156.043 (B) (3) be amended as follows:

Maximum gross surface of a single sign. The following gross sign area limitation pertaining to single signs of the types indicated below.

Freestanding signs. Freestanding signs in the Commercial District, other than highway advertising signs, shall have a gross surface area not in excess of the table below, and shall not obstruct view from traffic.

<i>Maximum Area of Freestanding Signs</i>	
<i>Street Frontage (feet)</i>	<i>Maximum Sign Area (square feet)</i>
<i>0-50</i>	<i>50</i>
<i>51-100</i>	<i>100</i>
<i>101-200</i>	<i>150</i>
<i>201-350</i>	<i>200</i>
<i>350 or more</i>	<i>200</i>

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Acting Mayor Esposito asked how the Zoning Committee arrived at these calculations. Building and Zoning Administrator Dragan replied the table was modeled after the Downers Grove code. Building and Zoning Administrator Dragan said from time to time property owners request variations for freestanding signs and the Zoning Committee discussed how to regulate this.

9. Digital Sign

The Zoning Committee recommends to permit one digital sign per zoning lot for properties containing a restaurant, retail, or hotel use. A digital sign is limited to freestanding signs, and shall not exceed 50% of the Freestanding sign area permitted for the zoning lot. The level of illumination shall not exceed 50 foot candles.

Alderman Rada inquired as to the reason for the sign changes. Building and Zoning Administrator Dragan replied for sign coordination purposes. Alderman Greco explained the new signage rules create a vision for the City and the Council needs to keep these new regulations in mind as businesses make requests.

10. Roof Signs

Building and Zoning Administrator Dragan stated roof signs are not as popular as in the past, and currently there is a one (1) property in the City with roof signs. Since roof signs are not currently defined in the Code, the Zoning Committee recommends that roof signs be defined and regulated.

The Zoning Committee recommends Section 156.004, Definition be amended to add the following definition and regulations:

“Roof Signs: A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.”

Regulations for maximum allowable area of such signs shall be the same as for wall signs. Roof Sign area shall not exceed 25% of the wall area on which it is applied, and no part of a roof sign shall extend more than four (4) feet from the building or structure to which it is attached.

11. Temporary Signs

The Zoning Committee recommends that a temporary sign other than a temporary sign advertising a new business, and/or special events cannot be a freestanding sign, if a freestanding sign is located on the property.

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12. Window Signs

The Zoning Committee recommends to amend the section of the code concerning window signs by adding the following sentence: window signs shall not be included in calculating the total permitted area of all signs allowed on the zoning lot and continue to not exceed 25% of the window area on which it applied.

13. Exempted Signs

The Zoning Committee recommends to add a new item, Exempted Signs, as follows:

“Holiday Decorations: Such signs shall be displayed for a period of not more than sixty (60) consecutive days nor more than thirty (30) days following the holiday in connection with which they are displayed; any other provision of this section to the contrary notwithstanding, such signs may be of any type, number, area, height, location, illumination or animation so long as they create no safety hazard, nuisance or adverse impact on the adjacent properties.”

14. Temporary Signs Continued

The Zoning Committee recommends to delete the requirement for property owners to be charged \$15 for each day the temporary banner is displayed.

Alderman Barbari asked who is enforcing the temporary signage guidelines. Building and Zoning Administrator Dragan replied she and the code enforcement officer monitor the signage.

15. Landscaping Requirements

The Zoning Committee recommends to add new language to the section of the code concerning landscaping so that when the required number of landscaping points cannot be met, the applicant shall make a cash money donation in lieu of landscaping points to the City in order to plant trees at other locations in the City. The donation shall be \$10 per 1 point.

Building and Zoning Administrator Dragan stated new construction requires that landscaping points must be met. The Zoning Committee felt a donation to City for a tree planting in an alternate location would be a good idea. Alderman Greco said the petitioner must show a hardship on why they cannot meet the required landscape points. Alderman Greco added the City would need to approve the donation in lieu landscaping. Alderman Greco said these new provisions serve as an incentive for the property owner to install landscaping.

16. Parking Spaces

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The Zoning Committee recommends modification to the Zoning Ordinance concerning the required number of parking spaces as follows:

For fine dining restaurant. 12 parking spaces per 1,000 square feet of gross floor area for all new restaurants when the space was not previously used for a restaurant.

For fast food, fast casual, take-out restaurants, video gaming café, one (1) parking space per 250 square feet of gross floor area.

Building and Zoning Administrator Dragan said if the Council is okay we will schedule a public hearing and after the public hearing, the Council will receive a Planning and Zoning Commission Letter or Recommendation. Building and Zoning Administrator Dragan stated she will highlight changes (if any) recommended by the Planning and Zoning Commission.

Resident Bob Shanahan asked if flashing on the digital signs is restricted. Building and Zoning Administrator Dragan replied the digital sign proposal is as follows, a sign that can accommodate frequent message change composed of, characters, letters, or illustrations that can change electronically. Building and Zoning Administrator Dragan said after the meeting she will show Shanahan all the proposed digital sign provisions. Shanahan confirmed that flashing is restricted and Building and Zoning Administrator Dragan replied yes. Shanahan asked if the City requires the landscaping plan to be maintained through the use of the business so if a planting dies does the City require the businesses to replace it. Building and Zoning Administrator Dragan replied if the City receives a complaint then staff investigates and then compares the existing landscaping against the original plan. Shanahan asked if the City can enforce the landscape plan and Building and Zoning Administrator Dragan replied yes. Shanahan inquired if the City still allows compact car spaces. Building and Zoning Administrator Dragan said the City allows them for the pre-existing spots at JRC Plaza and the use compact parking spots was eliminated.

Resident Bruce Almeroth stated he is okay with the zoning changes. Almeroth asked what illumination the Anyways sign has because he felt this is a standard for other signs to follow. Building and Zoning Administrator Dragan said she was not aware on the illumination factor but could find out and report back. Alderman Greco said Building and Zoning Administrator Dragan is an asset to the City.

The City Council concurred to direct the Building and Zoning Administrator Dragan to schedule a public hearing before the Planning and Zoning Commission to discuss the proposed amendments.

XII. COUNCIL MEMBER COMMENTS

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None.

XIII. CITY ATTORNEY RAMELLO

None.

XIV. CITY CLERK SHADLEY

None.

XV. CITY ADMINISTRATOR A. MARRERO

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene the City Council meeting was made by Alderman Vlach and seconded by Alderman Rada.

Ayes: Barbari, Esposito, Greco, Przychodni, Rada, and Vlach

Nays: None

Motion passed.

XVII. OLD BUSINESS

None.

ADJOURN

Motion to adjourn was made by Alderman Barbari and seconded by Alderman Greco at 8:21PM.

Motion carried unanimously.

Submitted,

Aileen Haslett, Recording Secretary