

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, SEPTEMBER 10, 2019**

I. CALL TO ORDER

Mayor Ragucci called the September 10, 2019, 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, Esposito, Greco, Przychodni, Rada, Vlach, and Mayor Ragucci

Absent: None

Also, in attendance were City Clerk M. Shadley, City Administrator A. Marrero, City Engineer D. Lynch, 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 August 27, 2019

Motion to approve the minutes of the August 27, 2019 Regular City Council and Committee of the Whole as presented was made by Alderman Esposito and seconded by Alderman Barbari.

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

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

Resident Bruce Almeroth thanked the Council for the Comar Drive street improvements. Almeroth also thanked the owner of BP Amoco for installing additional light standards.

Bob Shanahan, of the Oakbrook Terrace Historical Society, provided an update of the Historical Society's activities. Shanahan indicated he is working with John Dispensa III (the grandson of the original Dispensa family) to bring in a special exhibit in November for the

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Dispensa's Castle of Toys and Kiddie Kingdom Amusement Park. Shanahan said Dispensa III will be making a special presentation at City Hall regarding the new exhibit. Shanahan also noted the front entry portico is completed and about 80 bricks have been purchased for the Society's walkway paver program. Shanahan said the Historical Society appreciates the support from the City Council.

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: September 10, 2019 In The Amount Of \$97,124.94.
2. Ordinance No. 19-45: An Ordinance Granting A Variance From The Requirements Of The Zoning Ordinance Of The City Of Oakbrook Terrace For 1S551 Marshall Road (Wanda Land And Stanley Lane) In The City Of Oakbrook Terrace, Illinois.

Motion to approve all the items contained on the Consent Agenda as presented for September 10, 2019 was made by Alderman Rada and seconded by Alderman Vlach.

**Ayes: Barbari, Esposito, Greco, Przychodni, Rada, 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 Greco and seconded by Alderman Przychodni.

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

Motion passed.

X. MAYOR RAGUCCI

Mayor Ragucci invited everyone to attend the Dance Hub ribbon cutting on Friday, September 13, 2019 at 5PM.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Presentation From The Hotel Commission.

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Mayor Ragucci indicated Don Hill of the Hilton Hotels and Chair of the City's Hotel Commission was unable to attend tonight's meeting and will make his presentation at the next Council meeting on Tuesday, September 24, 2019.

2. Approval Of A Contract With Cerniglia Company For The Midwest Road Water Main Extension Project.

City Engineer D. Lynch said the proposed project extends the watermain from Midwest Road east to Dorothy Drennon Park and loops the water main. This loop provides an important link and improves both the pressure and the flow reliability of the water system. City Engineer D. Lynch said Cerniglia Company provided a fair price, which was in line with the initial estimates. Mayor Ragucci said the City will be saving \$14,000 through using the unit pricing from the current resurfacing program with Orange Crush.

The Council concurred to approve this during the reconvened meeting.

3. Approval Of The FY 2021 Budget Action Calendar.

City Administrator Marrero said the budget calendar provides an outline of budget process. Budget packets will be distributed to departments in October and budget meetings are scheduled for Wednesday March 4, 2020 and Wednesday, March 11, 2020. City Administrator Marrero asked the Council to get back to her if these dates work.

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

4. Authorizing The Filing Of A Petition To Amend Chapter 156 Of The Code Of Oakbrook Terrace, Amending The Official Zoning Map To Regulate The Location Of A Cannabis Business Establishments.

City Attorney Ramello said at the last meeting the Council discussed to either opt-in or opt-out of regulating the sale of recreational cannabis in Oakbrook Terrace and the consensus was to allow the sale. Under the statute passed by the State of Illinois, the City can enact zoning ordinances to regulate the dispensary location. In order to proceed with this, the City must file a petition before the Planning and Zoning Commission to amend the Zoning Code to allow dispensaries and designate a location for a dispensary. The proposed resolution authorizes the City Attorney to file the petition with the Building and Zoning Department and get the process started. A public hearing will take place before the Planning and Zoning Commission where public comments will be invited. Once the public hearing concludes, an ordinance regulating sale of cannabis and the Planning and Zoning Commission's recommendation will then come before the Council for approval.

Alderman Greco asked if the Council will be providing and guidance to the Planning and Zoning Commission. City Attorney Ramello replied a draft ordinance will be reviewed by staff and then after approved it will be presented to the Planning and Zoning

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Commission. Alderman Greco asked that the proposed ordinance be provided to the Council as well. Mayor Ragucci asked if the draft ordinance can include a specified area where the cannabis sales will be allowed. City Attorney Ramello responded yes there will be an overlay district where a dispensary location will become part of the Zoning Map. Alderman Greco said there will be a focused discussion at the Planning and Zoning Commission. Mayor Ragucci said the City has to be very strict and only allow retail sales. City Attorney Ramello said the consensus of municipal attorneys is that consumption on the premises will be allowed, because the Illinois statute does not prohibit this. City Attorney Ramello added there will be strict regulations about what can be consumed on the premises. Alderman Rada asked that the Council be provided a copy of the draft ordinance and be informed of the public hearing date.

Alderman Przychodni asked what the City can charge in terms of licensing fees. City Attorney Ramello replied licensing fees must be reasonably related to the cost of regulation and added \$1,000 would be appropriate. Alderman Esposito inquired about how the neighboring communities are handling this new law. Mayor Ragucci said it looks like Lombard and Villa Park will be allowing recreational sales, while the Village of Oak Brook will not. Mayor Ragucci indicated the City will be really strict and only allow one dispensary in a stand-a-lone building. Alderman Esposito asked if the City will have any recourse if there are problems with the dispensary. Mayor Ragucci replied the City can monitor, discipline, and suspend the license. Alderman Vlach said he opposed the sale of medical and recreational cannabis and does not want the City associated with the sale of cannabis.

The Council concurred to approve the resolution and permit the City Council to file a petition to the Planning and Zoning Commission during the reconvened meeting.

5. Imposing A Municipal Cannabis Retailers' Occupation Tax.

Mayor Ragucci explained with cannabis sales the City can collect a 1% municipal retailers occupation tax, a 1% home rule sales tax, and can assess an additional 3% municipal cannabis tax for a total of 5%. Mayor Ragucci projected that the City could receive up to \$600,000 in annual revenues if a dispensary is located within the City. Alderman Greco said he would like to see some of the taxes from the cannabis sales be dedicated to a separate fund benefitting residents. Mayor Ragucci said this tax could help pay for marijuana education and enforcement. Alderman Greco indicated he would like to see it be its own program. Mayor Ragucci indicated we can put something together. Alderman Greco said he would like to see a line item created and a program developed which dedicates a portion of the cannabis taxes towards this. Alderman Rada said the taxes could be earmarked for the Police Department. City Administrator Marrero said this could be addressed during the budget meetings.

The Council concurred to place this on the next agenda.

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XII. COUNCIL MEMBER COMMENTS

None.

XIII. CITY ATTORNEY RAMELLO

None.

XIV. CITY CLERK SHADLEY

None.

XV. CITY ADMINISTRATOR A. MARRERO

City Administrator Marrero said a local photographer will be taking professional pictures on Tuesday, October 22, 2019 before the Council meeting. City Administrator Marrero asked the Council to let her know if this date works and if so, she will inform the Council of the specific time as the date gets closer.

XVI. RECONVENE THE CITY COUNCIL MEETING

Motion to reconvene the City Council meeting was made by Alderman Przychodni and seconded by Alderman Greco.

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

Nays: None

Motion passed.

XVII. OLD BUSINESS

1. Ordinance No. 19-46: An Ordinance To Approve And Authorize The Execution Of A Contract Between The City Of Oakbrook Terrace, Illinois And Cerniglia Company For The Midwest Water Main Extension Project For The City Of Oakbrook Terrace.

Motion To Approve Ordinance No. 19-46: An Ordinance To Approve And Authorize The Execution Of A Contract Between The City Of Oakbrook Terrace, Illinois And Cerniglia Company For The Midwest Water Main Extension Project For The City Of Oakbrook Terrace was made by Alderman Rada and seconded by Alderman Barbari.

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

Nays: None

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Motion passed.

2. Resolution No. 19-14: A Resolution To Authorize The Filing Of A Petition To Amend Chapter 156 Of The Code Of Oakbrook Terrace, Illinois, Entitled “The Zoning Ordinance Of The City Of Oakbrook Terrace” And To Amend The Official Zoning Map Of The City Of Oakbrook Terrace, Illinois, To Regulate The Location Of Cannabis Business Establishments.

Motion To Approve Resolution No. 19-14: A Resolution To Authorize The Filing Of A Petition To Amend Chapter 156 Of The Code Of Oakbrook Terrace, Illinois, Entitled “The Zoning Ordinance Of The City Of Oakbrook Terrace” And To Amend The Official Zoning Map Of The City Of Oakbrook Terrace, Illinois, To Regulate The Location Of Cannabis Business Establishments was made by Alderman Greco and seconded by Alderman Przychodni.

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

Nays: Vlach

Motion passed.

ADJOURN

Motion to adjourn was made by Alderman Rada and seconded by Alderman Vlach at 7:49PM.

Motion carried unanimously.

Submitted,

Aileen Haslett, Recording Secretary