

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, JANUARY 26, 2016**

**I. CALL TO ORDER**

The Mayor called the January 26, 2016, 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: Greco, Przychodni, Swartz, Thomas, Vlach, and Mayor Ragucci

Absent: Esposito

Also in attendance were City Clerk M. Shadley, City Administrator A. Marrero, Building and Zoning Administrator M. Dragan, Assistant to the Mayor and Administrator M. Sarallo, 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 January 12, 2016.

**Motion to approve the minutes of the January 12, 2016, Regular City Council and Committee of the Whole as presented was made by Alderman Przychodni and seconded by Alderman Greco.**

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

**VI. PUBLIC PARTICIPATION**

None.

**VII. ACTION ITEMS/CONSENT AGENDA**

1. Payment of City Bills: January 26, 2016 In The Amount Of \$645,493.21

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2. Treasurer's Report December 2015.
3. Personnel & Payroll Report December 2015.
4. Ordinance No. 16-3: An Ordinance Granting Variations And Amending The Previously Approved Ordinances For The Planned Unit Development For TR Mid America Plaza Corporation At One And Two Mid America Plaza, Route 83 And 22<sup>nd</sup> Street, In The City Of Oakbrook Terrace, Illinois.
5. Ordinance No. 16-4: An Ordinance Granting Variations From The Requirements Of The Time Limit Imposed On The Variations Granted For 1S635 Halsey Road In The City Of Oakbrook Terrace, Illinois.
6. Resolution No. 16-3: A Resolution For Maintenance Of Streets And Highways By Municipality Under the Illinois Highway Code For The Fiscal Year 2014.
7. Resolution No. 16-4: A Resolution For Maintenance Of Streets And Highways By Municipality Under the Illinois Highway Code For The Fiscal Year 2015.
8. Resolution No. 16-5: A Resolution For Maintenance Of Streets And Highways By Municipality Under the Illinois Highway Code For The Fiscal Year 2016.
9. Approval Of Payout Number Two (2) For B&B Networks, Inc. The Amount Of \$20,786.96.
10. Approval Of Final Payout For Harbour Contractors Inc. In The Amount Of \$323,968.82.
11. Approval Of Final Payout For Unique Plumbing Inc. In The Amount Of \$81,044.49.
12. Approval Of Final Payout For Caliber Construction Company In The Amount Of \$37,579.90.
13. Approval Of Final Payout For Caliber Construction Company In The Amount Of \$2,801.80.
14. Approval Of Final Payout For Caliber Construction Company In The Amount Of \$6,403.40.

**Motion to approve all the items contained on the Consent Agenda for January 26, 2016 as presented was made by Alderman Swartz and seconded by Alderman Vlach.**

**Ayes: Greco, Przychodni, Swartz, 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**

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made by Alderman Vlach and seconded by Alderman Thomas.

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

**X. MAYOR RAGUCCI**

None.

**XI. COMMITTEE OF THE WHOLE CONSIDERATIONS**

**1. Proposed Natural Gas Franchise Ordinance**

Haslett stated the Consortium has been working on the updated franchise agreement since 2009 and approved the model ordinance back in December of 2015. Haslett stated the franchise agreement grants public right-of-way (ROW) access to Nicor. Haslett stated Nicor will still need to obtain permits to work in the ROW and restore the property. Haslett explained for this access, Nicor will either provide 7,682 in free therms or pay the City a cash equivalent of \$4,366 annually. Haslett noted the agreement is for a 25 year period expiring on January 1, 2041. Haslett recommended the City continue to receive free therms. Haslett stated the agreement also calls for Nicor to provide a one (1) time payout of \$3,274 to reimburse a portion of the costs the City paid into for the Consortium.

Harlan Spiroff who negotiated the franchise for the City said the City will most likely be reimbursed for all of the costs paid into the consortium. Greco asked if the City is renewing this contract. Spiroff replied the City's 50 year franchise expired and Nicor just proceeded these last few years with the old franchise. Greco asked why the consortium was created. Spiroff explained the consortium was formed to draft a new model franchise agreement. Spiroff added Nicor would be more likely to negotiate with multiple municipalities rather than just one on one. Ragucci thanked Spiroff for his efforts at renegotiating the Nicor franchise agreement.

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

**2. Request To Renew The Service Contract With The Villa Park Library**

Marrero said the number of library cards purchased continues to remain the same as in past years. Marrero said the City pays about \$25,000 for library services, which is offset by the \$5,000 in revenues that the City collects for library cards.

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Thomas asked if we distinguish between the renters and homeowners. Haslett replied single families currently pay \$50 per card, while the multi-families pay \$41 per card. Haslett said there is no distinction between homeowners and renters.

Greco asked if the fees the City pays to the library are based upon the number of library cards issued to Oakbrook Terrace residents. Haslett replied the library invoices the City monthly and details the number of single family and multi-family library cards that were issued. Ragucci said residents pay about 20% of the library fee cost to the City. Vlach noted years ago the residents did not pay anything for a library card, and then he suggested that a fee be imposed. Vlach added if the City had a library, it would be more expensive.

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

3. Proposed Amendments To Chapter 121: Rental Dwellings

Dragan stated at the last meeting the City Council discussed the proposed amendments to the City Code for rental dwellings. Dragan stated the first code amendment is for the annual licensing fee to be increased to \$250 from \$150. Dragan explained this revised fee includes the initial inspection and one (1) re-inspection. Dragan added if the landlord does not cooperate; then the license will be revoked and tickets will be issued. Dragan noted fines ranging from \$150 to \$1,000 per day will be imposed dependent upon the violation. Dragan said under the proposed Code amendments the \$75 re-inspection fee will be eliminated.

Thomas asked if the rental property does not pass the re-inspection, then what happens. Ragucci said the landlord has 30 days to fix the violations and in extreme cases the landlord will have 60 days. Ragucci said if the violations are still not fixed, then tickets will be issued. Dragan explained the fine will depend upon the violation.

Thomas said many of the homeowners are just as guilty as many of the landlords are. Ragucci said beginning this spring there will be stricter enforcement. Ragucci shared some recommendations that Alderman Esposito made because he could not attend the meeting tonight. Ragucci said Esposito would like to see a re-inspection fee charged when the tenant turns over during the year. Ragucci also shared that Esposito believes the goal of this program is for homeowners to find quality tenants that maintain the property. Ragucci said his goal is for stricter and consistent enforcement and for these new guidelines to not be confusing for the Building and Zoning Department

Collins said the City has 52 rental properties with seven (7) located in the Berkshire subdivision and 45 in the residential subdivision. Collins indicated he has three (3) outstanding rental inspections. Collins said hopefully the City will

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get more responses with the increase in fees and fines. Greco asked if there is enough bite in the proposed Code changes to weed out the bad landlords. Collins replied increasing the fees is what needs to be done and the City will hear about it. Collins said most landlords fix the violations within 30 days.

Ragucci took a consensus and the Council concurred as indicated below.

1. Increase the licensing fee to \$250.
2. Assess a \$100 tenant turnover inspection fee.
3. Allow landlords 30 days or 60 days in extreme cases to gain compliance with violations.
4. Eliminate the \$75 re-inspection fee.
5. Require landlords to show proof of property liability insurance.

Ragucci said this is a learning curve year and the City can amend the fees next year or change it. Ragucci said this is a good way to start and staff will closely track citations and the Code will be strictly enforced.

Marrero said at the next meeting Dragan will provide the inspection report to see where we can add or remove items that would make it stricter. Marrero said this is the next step in this process.

The Council concurred to place the proposed code amendments on the next consent agenda.

4. Status Report Final Payout: Maher Lumber

Ragucci referenced the final payout to Maher Lumber in the amount of \$5,913.25 for the new Police Station. The Council concurred to place this on the next consent agenda.

5. Status Report Final Payout: Carroll Seating Company

Ragucci referenced the final payout to Carroll Seating Company in the amount of \$10,442.82 for the new Police Station. The Council concurred to place this on the next consent agenda.

6. Status Report Final Payout: Cain Millwork, Inc.

Ragucci referenced the final payout to Cain Millwork, Inc. in the amount of \$36,442.20 for the new Police Station. The Council concurred to place this on the next consent agenda.

7. Status Report Final Payout: Action Flag Co.

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Ragucci referenced the final payout to Action Flag Co. in the amount of \$326.90 for the new Police Station. The Council concurred to place this on the next consent agenda.

8. Status Report Final Payout: Nelson Fire Protection

Ragucci referenced the final payout to Nelson Fire Protection in the amount of \$21,236.80 for the new Police Station. The Council concurred to place this on the next consent agenda.

9. Status Report Final Payout: CAD Contract Glazing

Ragucci referenced the final payout to CAD Contract Glazing in the amount of \$21,536.50 for the new Police Station. The Council concurred to place this on the next consent agenda.

Haslett stated the City still owes one (1) final payout to Midwest Masonry in the amount of \$1,500.

**XII. COUNCIL MEMBER COMMENTS**

None.

**XIII. CITY ATTORNEY RAMELLO**

Ramello stated he would like to discuss a matter during Executive Session.

**XIV. CITY CLERK SHADLEY**

None.

**XV. CITY ADMINISTRATOR MARRERO**

None.

**XVI. RECONVENE THE CITY COUNCIL MEETING**

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

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

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**XVII. RECESS TO EXECUTIVE SESSION**

**Motion to recess to Executive Session to discuss the employment, compensation, discipline, performance, or dismissal of specific employees of the City and pending litigation was made by Alderman Vlach and seconded by Alderman Thomas.**

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

**XVIII. EXECUTIVE SESSION**

1. The Employment, Compensation, Discipline, Performance, Or Dismissal Of Specific Employees Of The City.
2. Closed Session Pursuant To Section 2(c) (11) Of The Open Meetings Act To Discuss Pending Litigation.

*See separate minutes.*

**XIX. RECONVENE THE CITY COUNCIL MEETING**

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

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

**XX. OLD BUSINESS**

1. Ordinance No. 16-5: An Ordinance To Approve And Authorize The Execution Of Termination Agreements Among The City Of Oakbrook Terrace, Illinois, And Robert K. Finnell, The Bird Law Group, P.C., The Crongeyer Law Firm, P.C., And The Clifford Law Offices And Storino, Ramello, And Durkin

**Motion To Approve Ordinance No. 16-5: An Ordinance To Approve And Authorize The Execution Of Termination Agreements Among The City Of Oakbrook Terrace, Illinois, And Robert K. Finnell, The Bird Law Group, P.C., The Crongeyer Law Firm, P.C., And The Clifford Law Offices And Storino, Ramello, And Durkin was made by Alderman Greco and seconded**

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**by Alderman Swartz.**

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

2. Ordinance No. 16-6: An Ordinance To Approve And Authorize The Execution Of Settlement Agreements By And Between Expedia, Inc., Hotels.com, L.P., Hotwire, Inc., And Egencia, (Collectively, The “Expedia Defendants”); Orbitz, LLC, Trip Network, Inc. And Internetnetwork Publishing Corp. (Collectively, The “Orbitz Defendants”); Priceline.com And Travelweb LLC (Collectively, The “Priceline Defendants”); Travelocity.com LP And Site59.com LLC (Collectively, The “Travelocity Defendants”) And The City Of Oakbrook Terrace, Illinois

**Motion To Approve Ordinance No. 16-6: An Ordinance To Approve And Authorize The Execution Of Settlement Agreements By And Between Expedia, Inc., Hotels.com, L.P., Hotwire, Inc., And Egencia, (Collectively, The “Expedia Defendants”); Orbitz, LLC, Trip Network, Inc. And Internetnetwork Publishing Corp. (Collectively, The “Orbitz Defendants”); Priceline.com And Travelweb LLC (Collectively, The “Priceline Defendants”); Travelocity.com LP And Site59.com LLC (Collectively, The “Travelocity Defendants”) And The City Of Oakbrook Terrace, Illinois was made by Alderman Przychodni and seconded by Alderman Greco.**

**Ayes: Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

**ADJOURN**

**Motion to adjourn was made by Alderman Thomas and seconded by Alderman Swartz at 8:35PM.**

**Motion carried unanimously.**

Submitted,

Aileen Haslett  
Recording Secretary