

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, APRIL 23, 2019**

I. CALL TO ORDER

Mayor Ragucci called the April 23, 2019, 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, Greco, Przychodni, Vlach, and Mayor Ragucci.

Absent: Thomas

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

Mayor Ragucci 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 April 9, 2019.

Motion to approve the minutes of the April 9, 2019 Regular City Council and Committee of the Whole as presented was made by Alderman Esposito and seconded by Alderman Greco.

Aldermen Ayes: Esposito, Greco, Przychodni, and Vlach

Aldermen Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

VII. RECESS TO FISCAL YEAR 2019-2020 BUDGET HEARING

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Motion To Recess To The Fiscal Year 2019-2020 Budget Hearing was made by Alderman Vlach and seconded by Alderman Przychodni.

**Aldermen Ayes: Esposito, Greco, Przychodni, and Vlach
Aldermen Nays: None**

Motion passed.

The Regular Meeting recessed to the Fiscal Year 2019-20 Budget Hearing.

VIII. FISCAL YEAR 2019-2020 BUDGET HEARING

Mayor Ragucci called the Budget Hearing to order. City Clerk Shadley took the roll call, which indicated the following Aldermen were in attendance:

Present: Esposito, Greco, Przychodni, Vlach, and Mayor Ragucci
Absent: Thomas

Financial Analyst Haslett referenced the legal notice published in the *Daily Herald* newspaper on Friday, April 5, 2019, which is required by the Illinois Budget Law. The budget has been available for viewing at the front counter as required by the Illinois Budget Law. The total budget is \$15,628,869. Both the FY 2020 Budget Ordinance and the Five (5) Year Capital Improvement Fund Plan Resolution need to be adopted tonight during the reconvened meeting.

Mayor Ragucci asked if there were any questions regarding the budget, hearing none he asked for a motion to adjourn the budget hearing.

Motion to adjourn the Budget Hearing was made by Alderman Greco, and seconded by Alderman Esposito.

**Aldermen Ayes: Esposito, Greco, Przychodni, and Vlach
Aldermen Nays: None**

Motion passed.

IX. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills April 9, 2019 In The Amount Of \$82,524.89.
2. Personnel & Payroll Report March 2019.
3. Treasurer's Report March 2019.
4. Ordinance No. 19-15: An Ordinance Granting A Special Use Permit To Allow The Use Of The First Floor Of A Multi-Tenant Building As A Dental Office In The B-3

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General Retail District For The Property Commonly Known As 17W615 Butterfield Road In The City Of Oakbrook Terrace, Illinois.

5. Resolution No. 19-3: A Resolution To Approve And Authorize The Execution Of An Amendment To The Economic Incentive Agreement Between The City Of Oakbrook Terrace And Oakbrook Terrace Holdings LLC.
6. Resolution No. 19-4: A Resolution Relating To Participation By Elected Officials In The Illinois Municipal Retirement Fund.
7. Resolution No. 19-5: A Resolution Relating To Participation By Elected Officials In The Illinois Municipal Retirement Fund.

Motion to approve all the items contained on the Consent Agenda for April 23, 2019 as presented was made by Alderman Przychodni and seconded by Alderman Esposito.

**Aldermen Ayes: Esposito, Greco, Przychodni, and Vlach
Aldermen Nays: None**

Motion passed.

X. ITEMS REMOVED FROM THE CONSENT AGENDA

None.

XI. 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 Esposito.

**Aldermen Ayes: Esposito, Greco, Przychodni, and Vlach
Aldermen Nays: None**

Motion passed.

XII. COMMITTEE OF THE WHOLE CONSIDERATIONS

None.

XIII. RECONVENE THE CITY COUNCIL MEETING

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

**Alderman Ayes: Esposito, Greco, Przychodni, and Vlach
Alderman Nays: None**

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Motion passed.

XIV. OLD BUSINESS

1. Ordinance No. 19-16: An Ordinance Approving The Budget For The City Of Oakbrook Terrace For The Fiscal Year Commencing On May 1, 2019 And Ending On April 30, 2020.

Motion To Approve Ordinance No. 19-16: An Ordinance Approving The Budget For The City Of Oakbrook Terrace For The Fiscal Year Commencing On May 1, 2019 And Ending On April 30, 2020 was made by Alderman Vlach and seconded by Alderman Przychodni.

**Alderman Ayes: Esposito, Greco, Przychodni, and Vlach
Alderman Nays: None**

Motion passed.

2. Resolution No. 19-6: A Resolution Approving The Five Year Capital Improvement Plan Beginning In 2019 For The City Of Oakbrook Terrace.

Motion To Approve Resolution No. 19-6: A Resolution Approving The Five Year Capital Improvement Plan Beginning In 2019 For The City Of Oakbrook Terrace was made by Alderman Vlach and seconded by Alderman Esposito.

**Alderman Ayes: Esposito, Greco, Przychodni, and Vlach
Alderman Nays: None**

Motion passed.

XV. ADJOURN THE CITY COUNCIL SINE DIE

Motion To Adjourn The City Council Sine Die was made by Alderman Przychodni and seconded by Alderman Greco.

**Aldermen Ayes: Esposito, Greco, Przychodni, and Vlach
Aldermen Nays: None**

Motion passed.

XVI. SWEARING-IN OF NEW CITY COUNCIL MEMBERS

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Mayor Ragucci administered the oath of office to Alderman Barbari, Alderman Greco, and Alderman Rada.

XVII. CONVENE THE MEETING OF THE NEW CITY COUNCIL

Motion to convene the meeting of the new City Council was made by Alderman Esposito and Alderman Greco.

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

Motion passed.

XVIII. CALL TO ORDER

Mayor Ragucci called the April 23, 2019, Regular and Committee of the Whole Meeting of the City Council to order.

XIX. ROLL CALL

Roll call indicated the following Aldermen were in attendance:

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

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

XX. RECESS TO THE COMMITTEE OF THE WHOLE

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

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

Motion passed.

XXI. MAYOR RAGUCCI

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Mayor Ragucci thanked everyone for attending the meeting. Mayor Ragucci said he looks forward to working with Council and offered congratulations to the newly elected aldermen.

XXII. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Letter Of Recommendation – Midwest Office Center Phase 2 And Phase 3 18W100 22nd Street.

Mark Daniel, the petitioner's attorney, addressed the Council and stated the redevelopment of the property is located at the southern portion of Midwest Office Center along 22nd Street. Lou Malnati's will be located on the western portion of the property and another restaurant on the eastern part of the property. Daniel indicated the City Council originally approved the subdivision of the property through Ordinance No. 19-3. The City Council also approved the planning and development of the project on a preliminary basis under Ordinance No. 19-4.

Daniel indicated the Planning and Zoning Commission voted six (6) to one (1) in favor of the proposed text amendment. The proposed text amendment provides a higher level of consistency for the City's accessible parking standards. With the text amendment two (2) accessible parking spaces can be located next to each other. The new guidelines are also more consistent with federal regulations.

Daniel indicated the only modification made to the lot design was to shift the lot line about four (4) feet between the proposed Malnati's and Noodles. Daniel indicated the Planning and Zoning Commission unanimously recommended the final PUD. Daniel noted signs in Oakbrook Terrace must be below the roof line, but the proposed Malnati's signage stems more than four (4) feet from the building in some respects horizontally and in another respect above the roof line. Daniel said the smokestack is important to the petitioner because it lets customers know where the restaurant is located. Daniel said the monument sign is intended for a digital sign, but the digital portion will be installed at a later date. Daniel noted tonight's request is consistent with Ordinance 19-4, except for signage, the adjustment to the lot line, and the smoke stack. These three (3) components changed since Ordinance No. 19-4 was approved.

Alderman Esposito asked for clarification about each lot. Daniel noted Lot 1 is zoned for retail, but will remain an office use until the development is ready for the transition. Lot 2 is slated for Lou Malnati's and there are no occupancy plans as of yet for Lot 3. Alderman Greco indicated he is normally not a fan of text amendments but he was glad Daniel brought this to the Council's attention. Alderman Greco asked if the Lou Malnati's smoke stack signage will be lit-up. Daniel replied no, but there may a light at the bottom. Alderman Greco inquired about the digital sign. Daniel responded the digital sign was already included in the original sign package under Ordinance No. 19-4. Alderman Greco asked for clarification regarding the barrier for

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outdoor liquor service. Daniel explained a restaurant is required to fence-in an outdoor area where liquor is served. Alderman Rada asked about the estimated timeframe for the project. Daniel replied the demolition permit has been applied for and the City is waiting on more information before they release the demolition permit. The buyer of the property, Vequity, has to waive some contingencies with the seller, so the building can be demolished. Daniel estimated that Malnati's will open in late 2020.

The Council concurred to approve this during the reconvened meeting.

2. Regency Development Water Bill Refund – Interfund Loan From The General Fund To The Water Fund.

City Administrator Marrero referenced the ordinance included in the agenda packet for the interfund loan from the General Fund to the Water Fund for a water fund liability. City Administrator Marrero noted that Alderman Vlach suggested that the City should pay back pack the customer with interest. City Administrator Marrero distributed some interest calculations to the City Council. City Administrator Marrero said in speaking with the customer he did not inquire about any interest and is in agreement with the amount owed.

Discussion ensued regarding paying the customer interest for the over charges. Alderman Vlach said the customer deserves interest. Alderman Barbari said the customer accepted the refund amount without interest. Mayor Ragucci asked for the City Attorney's opinion on this matter. City Attorney Ramello said the City is not legally obligated to pay him interest and it is up to the City Council to determine the policy they want to follow. Alderman Greco said the City should refund him the overbilling amount without interest. Alderman Esposito said this was an honest miscalculation and if the customer is not asking for interest, then the City should only refund the overcharges. Alderman Przychodni said if the customer is not asking for interest then the City should refund the only the overcharges. Alderman Rada suggested whether or not the City refunds the overcharges with interest, that we secure in writing from the customer, that the City does not owe any additional monies. City Attorney Ramello said the City can have the customer sign a release.

Mayor Ragucci said as it stands now, it would appear that the refund should not include interest. Mayor Ragucci suggested City Administrator Marrero contact the customer. City Attorney Ramello said the Council can direct City Administrator Marrero to contact the customer regarding the overcharges and she has the authority to include interest if it becomes necessary to settle the overcharges.

The Council concurred to approve this during the reconvened meeting.

3. Approval Of A Video Gaming Location License And Increasing The Number Of Video Gaming Terminals – Disho Corporation, d/b/a 7-Eleven 17W602 14th Street.

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Mayor Ragucci indicated this video gaming license was already discussed by the Council and 7-Eleven recently received approval from the Illinois Gaming Board.

The Council concurred to approve this during the reconvened meeting.

XXIII. COUNCIL MEMBER COMMENTS

The Council offered their congratulations to Alderman Barbari, Alderman Greco, and Alderman Rada. Alderman Barbari said he is looking forward to working with the Council and it is a privilege to work for the City. Alderman Rada said he looks forward to representing the citizens of Oakbrook Terrace and working with the Council and staff.

XXIV. CITY ATTORNEY RAMELLO

City Attorney Ramello congratulated the newly elected Aldermen.

XXV. CITY CLERK SHADLEY

City Clerk Shadley congratulated the newly elected Aldermen.

XXVI. CITY ADMINISTRATOR MARRERO

City Administrator Marrero congratulated the newly elected Aldermen.

XXVII. RECONVENE THE CITY COUNCIL MEETING

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

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

Motion passed.

XXVIII. OLD BUSINESS

1. Ordinance No. 19-17: An Ordinance Regarding Accessible Parking Standards In The City Of Oakbrook Terrace, Amending Section 156.101(D)(2) Of Chapter 156 Entitled The "The Zoning Ordinance Of The City Of Oakbrook Terrace" Of Title XV Entitled "Land Usage" Of The Code Of Oakbrook Terrace, Illinois.

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Motion To Approve Ordinance No. 19-17: An Ordinance Regarding Accessible Parking Standards In The City Of Oakbrook Terrace, Amending Section 156.101(D)(2) Of Chapter 156 Entitled The “The Zoning Ordinance Of The City Of Oakbrook Terrace” Of Title XV Entitled “Land Usage” Of The Code Of Oakbrook Terrace, Illinois was made by Alderman Greco and seconded by Alderman Esposito.

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

Motion passed.

2. Ordinance No. 19-18: An Ordinance Designating An Amended Planned Unit Development Special Use, Granting Amended Approval Of Preliminary And Final Development Plans For Phase One, Granting Approval Of Preliminary And Final Development Plans For Phase Two And Phase Three, Granting Exceptions From The Requirements Of The Zoning Ordinance, And Approving Amended Redevelopment Of 18W100 22nd Street In The City Of Oakbrook Terrace, Illinois

Motion To Approve Ordinance No. 19-18: An Ordinance Designating An Amended Planned Unit Development Special Use, Granting Amended Approval Of Preliminary And Final Development Plans For Phase One, Granting Approval Of Preliminary And Final Development Plans For Phase Two And Phase Three, Granting Exceptions From The Requirements Of The Zoning Ordinance, And Approving Amended Redevelopment Of 18W100 22nd Street In The City Of Oakbrook Terrace, Illinois was made by Alderman Vlach and seconded by Alderman Barbari.

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

Motion passed.

3. Ordinance No. 19-19: An Ordinance Approving An Amended Preliminary Plat Of Subdivision And Final Plat Of Subdivision For The Property Located At 18W100 22nd Street In the City Of Oakbrook Terrace, Illinois.

Motion To Approve Ordinance No. 19-19: An Ordinance Approving An Amended Preliminary Plat Of Subdivision And Final Plat Of Subdivision For The Property Located At 18W100 22nd Street In the City Of Oakbrook Terrace, Illinois was made by Alderman Przychodni and seconded by Alderman Esposito.

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

Motion passed.

4. Ordinance No. 19-20: 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 Increase The Maximum Number Of Video Gaming Location Licenses And The Maximum Number Of Video Gaming Terminal Licenses. (Disho Corporation, d/b/a 7-Eleven 17W602 14th Street)

Motion To Approve Ordinance No. 19-20: 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 Increase The Maximum Number Of Video Gaming Location Licenses And The Maximum Number Of Video Gaming Terminal Licenses. (Disho Corporation, d/b/a 7-Eleven 17W602 14th Street) was made by Alderman Przychodni and seconded by Alderman Esposito.

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

Motion passed.

5. Ordinance No. 19-21: An Ordinance Authorizing An Interfund Loan From The General Fund To The Water Operating Fund.

Motion To Approve Ordinance No. 19-21: An Ordinance Authorizing An Interfund Loan From The General Fund To The Water Operating Fund was made by Alderman Vlach and seconded by Alderman Barbari.

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

Motion passed.

ADJOURN

Motion to adjourn was made by Alderman Rada and seconded by Alderman Barbari at 7:40P.M.

Motion carried unanimously.

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Submitted,

Aileen Haslett
Recording Secretary