

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, JANUARY 27, 2015**

**I. CALL TO ORDER**

The Mayor called the January 27, 2015, 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, Swartz, Thomas, Vlach, and Mayor Ragucci  
Absent: None

Also in attendance were City Clerk D. Greco, 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 13, 2015.

**Motion to approve the minutes of the January 13, 2015 Regular City Council and Committee of the Whole as presented was made by Alderman Thomas and seconded by Alderman Przychodni.**

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

**Motion passed.**

**VI. PUBLIC PARTICIPATION**

None.

**VII. ACTION ITEMS/CONSENT AGENDA**

1. Payment Of City Bills: January 27, 2015 In The Amount Of \$693,178.49.

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2. Personnel & Payroll Report for December 2014.
3. Treasurer's Report For December 2014.
4. Approval Of Payout Number 21: Harbour Contractor's Inc. In The Amount Of \$47,209.77 For The New Police Station And City Hall Renovation.
5. Approval Of Payout Number Three (3): Midwest Masonry, Inc. In The Amount Of \$115,155 For The New Police Station And City Hall Renovation.
6. Approval Of Payout Number Three (3): Cameo Electric, Inc. In The Amount Of \$19,134 For The New Police Station And City Hall Renovation.
7. Approval Of Payout Number Three (3): Unique Plumbing Co, Inc. In The Amount Of \$9,676.57 For The New Police Station And City Hall Renovation.
8. Approval Of Payout Number One (1): Champion Drywall, Inc. In The Amount Of \$233,447.40 For The New Police Station And City Hall Renovation.
9. Approval Of Payout Number One (1): Mercedes Section Five Installations, Inc. In The Amount Of \$23,400 For The New Police Station And City Hall Renovation.
10. Approval Of Payout Number One (1): Westside Mechanical, Inc. In The Amount Of \$22,206.30 For The New Police Station And City Hall Renovation.
11. Ordinance No. 15-5: An Ordinance Approving And Authorizing The Execution Of An Agreement By And Between The City Of Oakbrook Terrace And Clarke Environmental Mosquito Management, Inc. For Mosquito Abatement Services For The City Of Oakbrook Terrace, Illinois.

**Motion to approve all the items contained on the Consent Agenda as presented for January 27, 2015 was made by Alderman Swartz and seconded by Alderman Esposito.**

**Ayes: Esposito, 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 made by Alderman Thomas and seconded by Alderman Przychodni.**

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

**Motion passed.**

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**X. MAYOR RAGUCCI**

1. Recognition Plaque Presentation to Michael Sarallo

Ragucci presented a recognition plaque to former Alderman Michael Sarallo for his 15 years of service on the City Council from 1999 through 2014. Sarallo thanked the Council and said he was honored to serve with them as well as past councils. Sarallo said when you decide to run for office you don't know what is expected. Sarallo said you learn through watching and listening. Sarallo said the decisions made affect all residents, not only in Oakbrook Terrace, but surrounding communities. Sarallo stated the Council does what they think is best for Oakbrook Terrace because that is what they signed on for. Sarallo said the City's boards and commissions work for what is best in the City.

Sarallo said he is very lucky to have been part of such a great group that has Oakbrook Terrace in their hearts and minds. Sarallo shared a line from Keanu Reeves from the movie *The Replacements*, "Gentlemen and ladies, it's been an honor sharing the field of battle with you."

**XI. COMMITTEE OF THE WHOLE CONSIDERATIONS**

1. Request To Renew The Service Contract With The Villa Park Library

Sandra Hill, the Library Director for the Villa Park Library, shared some library statistics for the period of January 2014 through December 2014 regarding Oakbrook Terrace residents. Hill reported there are currently 138 Oakbrook Terrace cardholders and 9,027 items were checked out by Oakbrook Terrace residents.

Hill said the library is focusing on outreach and will be attending many Oakbrook Terrace Park District events this year. Hill said the library is transitioning to more digital services and added two (2) self-checkouts this year. Hill stated the library is currently conducting a building analysis. Hill indicated she would like to see a free public library location in Oakbrook Terrace that would not require much space. Ragucci said when the City Hall remodeling project is complete some space will be available for this.

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

2. Ordinance To Approve And Authorize The Execution Of Contracts Between The City Of Oakbrook Terrace, Illinois And Cain Millwork, Inc. For The Furnishing Of Cabinets and Millwork (Bid Package 06B) For The New Police Facility And Renovation Of City Hall.

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Ragucci referenced the proposed trade contract for Cain Millwork Inc. for cabinets and millwork. Ragucci said a purchase order was approved at the last meeting, but a trade contract is needed. Ragucci said the proposed ordinance repeals Ordinance No. 15-4 approved at the last meeting. Marrero said since this contract includes labor a trade contract is necessary.

The Council concurred to approve this during the reconvened meeting.

3. Ordinance To Approve And Authorize The Execution Of Contracts Between The City Of Oakbrook Terrace, Illinois And Menconi Terrazzo, LLC. For The Furnishing Of Fluid Applied Flooring (Bid Package 09G) For The New Police Facility And Renovation Of City Hall.

Ragucci referenced the proposed trade contract for Menconi Terrazzo, LLC. for epoxy flooring in the amount of \$58,276. The Council concurred to approve this during the reconvened meeting.

4. Midwest Masonry's Winter Conditions \$30,857 Change Order

Marrero referenced Midwest Masonry's Winter Conditions Change Order in the amount of \$30,857. Marrero said since the change order exceeded \$20,000, it requires City Council approval. Marrero recommended denial of the change order because the contract already included provisions for winter conditions.

Ramello stated if the Council were to approve this under the Change Order Act, the Council would have to make a finding that the changes were not reasonably foreseen, or in the best interest of the City. Ramello noted the scope of work section in the contract provides that the contractor is responsible for protections of his work as well as the masonry installed each day. Ramello said the specifications provide for temporary facilities and controls, which requires the contractor to provide temporary heating and cooling for the construction activities necessary for the curing and drying of completed installations from adverse temperatures or high humidity.

Ramello added the contract also requires the contractor to provide temporary enclosures for the protections of construction in progress from exposure from weather conditions. Ramello noted the specifications reference national standards which require the masonry be protected against cold weather using heated enclosures and infrared lamps.

Ramello explained the master project schedule prepared by Harbour Contractors is used as a basis for contractors bidding on a contract. Ramello stated this schedule calls for masonry to go from October 2014 through March 2015. Ramello said the contractor was well aware when bidding on this project that

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winter conditions should have been included in the original contract price. Ramello said he agrees with the City Administrator that the contract provides for winter conditions and the change order should be denied.

Esposito asked if the contractor concluded their work. Ragucci said the contractor is still working on the building. Esposito asked if the City has a back-up contractor to complete this project where the contractor left off. Chris Kozak, of Harbour Contractors, replied at this point the City is denying a change order not terminating the contractor. Kozak said he will communicate back to Midwest that the City is denying the change order. Ramello said Midwest has a right to file a complaint to the City Administrator. Ramello added if Midwest disagrees with the City Administrator's handling of the complaint, then Midwest can appeal to the City Council. Ramello noted if Midwest disagrees with the City Council finding, then Midwest can file a lawsuit through the Circuit Court.

Vlach stated it stands to reason Midwest would have been working in the winter. Ragucci said Midwest Masonry needs to correct their paperwork to reflect Oakbrook Terrace. The Council concurred to deny the change order and place this denial on the next consent agenda.

5. Letter of Recommendation:17W745 Butterfield Road Suites A&B

Dragan stated a public hearing was held before the Planning and Zoning Commission on January 6, 2015 to consider the request for a special use permit to allow for physical therapy on the first floor of a building in the B-3 General Retail district at 17W745 Butterfield Road. Dragan noted the business space is approximately 2,200 square feet and will consist of massage therapists, a personal golf trainer, which are both permitted uses, and a physical therapist which requires a special use permit. Dragan noted the Planning and Zoning Commission recommended approval of this request.

Dragan said as the City Council is aware from the previous meeting, in the near future, the Planning and Zoning Commission will discuss various text amendments including a modification to the current code to allow physical therapists in one story office buildings zoned B-3 General Retail. Ragucci said this is long overdue.

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

6. Appointment Of Illinois Municipal Retirement Fund (IMRF) Authorized Agent

Ragucci referenced the resolution designating Michael Sarallo as the authorized IMRF agent for the City. Marrero noted the City is required to appoint an

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employee as the IMRF Authorized Agent to handle all the pension requirements for non-union staff.

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

7. Proposed Code Amendment: Sealing of Supplemental Wells

Ragucci referenced the proposed code amendment requiring the sealing of a well within 30 days of a property transfer. Vlach indicated the issue regarding the sealing of supplemental wells arose when a house recently sold. Vlach suggested a system be implemented so that when homes are sold, the City can check to see if there is a well on the property. Vlach recommended the seller be required to seal the well, not the buyer when a property is transferred. Vlach also recommended if a house with a well becomes a rental, that the well be sealed before it can be rented out.

Thomas felt he made a mistake by capping his well and added it would have been nice for irrigation purposes. Ragucci said there are not many wells remaining in the City. Ragucci said it is more of a safety issue and original owners are grandfathered in. Ragucci asked for a list of properties within the City that still contain wells.

Esposito said 10 years ago people had the option to keep or cap their well and some were contaminated so the wells were capped. Greco stated if you buy a home with a well, DuPage County requires the capping of the well. Greco said DuPage County does not allow homeowners to have a City water connection and a well. Sarallo said DuPage County is requiring the capping of wells.

Ragucci suggested staff gather additional information about these wells and report back to the Council at the next meeting.

8. An Ordinance To Decrease The Number Of Video Gaming Location Licenses And The Number Of Video Gaming Terminals – Volare West d/b/a Volare 1919 South Meyers Road.

Ragucci said Volare pulled their machines a while ago because they were not doing very well. The Council concurred to place this item on the next consent agenda.

**XII. COUNCIL MEMBER COMMENTS**

None.

**XIII. CITY ATTORNEY RAMELLO**

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Ramello stated former Governor Quinn did not approve any medical marijuana dispensaries or cultivation centers. Ramello noted Governor Rauner will be reviewing the applications and it will be several months before the applications are approved.

**XIV. CITY CLERK GRECO**

Greco indicated it was privilege to serve with Sarallo on the Council.

**XV. CITY ADMINISTRATOR MARRERO**

Marrero asked the Council for their consideration on staff submitting the budget books at the February 24, 2015 meeting rather than the February 10, 2015 meeting. Marrero explained that due to staff shortages, the budget process has been delayed. The Council agreed to receive the budget books on February 24, 2015 instead.

**XVI. RECONVENE THE CITY COUNCIL MEETING**

**Motion to reconvene was made by Alderman Przychodni and seconded by Alderman Esposito.**

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

**Motion passed.**

**XVII. NEW BUSINESS**

1. Ordinance No. 15-6: An Ordinance To Approve and Authorize The Execution Of Contracts Between The City Of Oakbrook Terrace, Illinois And Cain Millwork, Inc. For Cabinets and Millwork (Bid Package 06B) For The New Police Facility And Renovation Of City Hall.

**Motion To Approve Ordinance No. 15-6: An Ordinance To Approve and Authorize The Execution Of Contracts Between The City Of Oakbrook Terrace, Illinois And Cain Millwork, Inc. For Cabinets and Millwork (Bid Package 06B) For The New Police Facility And Renovation Of City Hall was made by Alderman Thomas and seconded by Alderman Vlach.**

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

**Motion passed.**

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2. Ordinance No. 15-7: An Ordinance To Approve And Authorize The Execution Of Contracts Between The City Of Oakbrook Terrace, Illinois And Menconi Terrazzo, LLC. For Fluid Applied Flooring (Bid Package 09G) For The New Police Facility And Renovation Of City Hall.

**Motion To Approve Ordinance No. 15-7: An Ordinance To Approve And Authorize The Execution Of Contracts Between The City Of Oakbrook Terrace, Illinois And Menconi Terrazzo, LLC. For Fluid Applied Flooring (Bid Package 09G) For The New Police Facility And Renovation Of City Hall was made by Alderman Thomas and seconded by Alderman Vlach.**

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

**Motion passed.**

**ADJOURN**

**Motion to adjourn was made by Alderman Przychodni and seconded by Alderman Esposito at 7:35PM.**

**Motion carried unanimously.**

Submitted,

Aileen Haslett  
Recording Secretary