

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

I. CALL TO ORDER

Acting Mayor Esposito called the July 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, Rada, Vlach, and Acting Mayor Esposito

Absent: Greco and Przychodni

Also, in attendance were City Administrator A. Marrero, City Clerk M. Shadley, 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 July 14, 2020

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

Ayes: Barbari, Esposito, Rada, and Vlach

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

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VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: July 28, 2020 In The Amount Of \$268,282.49.
2. Treasurer's Report June 2020.
3. Personnel Report June 2020.
4. Ordinance No. 20-27: An Ordinance Amending The Provisions Of Chapter 35 Entitled "Taxes" Of Title III Entitled "Administration" Of The Code Of Oakbrook Terrace, Illinois, By Imposing An Amusement Tax On Sports Wagering

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

Alderman Vlach asked for clarification regarding some of the bills to be paid this evening. City Administrator Marrero responded to his inquiries.

**Ayes: Barbari, Esposito, 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 Barbari and seconded by Alderman Vlach.

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

Motion passed.

X. ACTING MAYOR ESPOSITO

Acting Mayor Esposito shared get well wishes for Alderman Przychodni. Acting Mayor Acting Mayor Esposito stated about 600-700 anti-virus safety kits were distributed on Friday, July 17, 2020. The Oakbrook Terrace Eats voucher program letter was mailed to residents last week. Acting Mayor Esposito noted Governor Pritzker extended the State of Emergency through August 22, 2020. Acting Mayor Esposito updated the Council on the recent COVID-19 statistics and noted DuPage County has about a 4.5% positivity rate, which is lower than Cook County. Acting Mayor Esposito said the State of Illinois will remain in Phase 4 until a vaccine is available.

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XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Letter Of Recommendation – Proposed Text Amendments.

Building and Zoning Administrator Dragan stated the City Council directed a public hearing before the Planning and Zoning Commission to further discuss the text amendments that were originally presented at the January 28, 2020 meeting. Building and Zoning Administrator Dragan noted she met with City Attorney Peter Pacione to review the proposed text amendments for clarification and corrections prior to sending the legal notice for publication.

On February 20, 2020 the Zoning Committee met to review the final draft memo concerning the proposed text amendments. The Zoning Committee recommended a definition for fine dining restaurants and a fee in the amount of \$150 for real estate signs installed in the multi-family and commercial districts after 90 days. The Zoning Committee finalized their review of various regulations from the Zoning Ordinance and the Zoning Committee proposed several modifications to the current code.

Building and Zoning Administrator Dragan summarized the Planning and Zoning Commission's recommended modifications to the Zoning Ordinance as detailed below.

1. **Solar panels** - Roof solar panels in the R-1 single family detached district are proposed to be permitted without a public hearing. A special use is required for roof solar panels in the R-2 single family attached district, while solar panels on the ground are prohibited. Acting Mayor Esposito noted more people are moving towards solar panels.
2. **Fencing** – A fence or wall of eight (8) feet will be required between non-residential and residential uses instead of the current six (6) feet. This requirement will apply towards new businesses, new buildings, or additions when commercial uses abut the residential zone.
3. **Signage** – Several sign modifications are recommended as detailed below.
 - a) A definition for digital signs will be added to the code. New digital sign regulations are recommended including: only one (1) digital sign per zoning lot and a digital sign is limited to a freestanding sign and shall not exceed 50% of the freestanding sign area permitted for the zoning lot.
 - b) Multi-tenant buildings will be required to pro-rate a share of the allowable wall signage for the entire building. This proposed requirement will apply to newly constructed buildings. Acting Mayor Esposito referenced the formula on how this pro-rata share will be calculated.
 - c) To delete the existing language regarding additional signs for shopping centers.
 - d) To amend the current ordinance relating to the maximum surface area of a single sign.

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- e) To amend the current ordinance relating to the maximum surface area of a free-standing sign per the table discussed at the January 28, 2020 meeting. Building and Zoning Administrator Dragan noted only one free-standing sign will be allowed per property. Acting Mayor Esposito indicated the Zoning Committee made an effort through these changes to eliminate the need for future variances from the sign code.
- f) It is also proposed to not include window signs when calculating the total amount of allowable signage on a zoning lot.
- g) To add a definition for roof signs and more specifically the regulations for roof signs shall be similar to wall signs. Roof signs shall not project more than four (4) feet from the building or structure.
- h) The current code allows temporary signage to advertise special events in certain business districts up to four (4) times per year and to delete the requirement for the \$15 daily fee.

4. **Landscaping** – to add language if the required amount of landscaping points is unable to be met, the City of Oakbrook Terrace may accept a monetary contribution of \$10 per landscaping point in lieu of the required amount of landscaping points for landscaping elsewhere in the City of Oakbrook Terrace. Building and Zoning Administrator Dragan explained the City Council will need to determine how to allocate these monetary contributions. Building and Zoning Administrator Dragan noted this provision will discourage developers from requesting variations. Alderman Rada inquired if a developer could pay enough money to get away with all landscaping requirements. Building and Zoning Administrator Dragan replied no because a public hearing would still be required. Acting Mayor Esposito confirmed that the monetary contributions would be based upon City Council approval. Acting Mayor Esposito said he was okay with these provisions as long as they are based upon City Council approval.

Acting Mayor Esposito said he agreed with Alderman Rada that he does not want a proposed building to walk away from all landscaping. Acting Mayor Esposito noted buildings still need to be aesthetically pleasing. Building and Zoning Administrator Dragan stated she will make sure the ordinance does not void the public hearing requirement and this will be the City Council’s decision on a case-by-case basis.

5. **Restaurant Parking** – The current code does not require sufficient parking for fine dining restaurants and based upon this the Planning and Zoning Commission recommends a modification to the current code. Accordingly, for fine dining restaurants, 12 parking spaces per 1,000 square feet of gross floor area will be required for all new restaurants when the space was not previously used for a restaurant. For fast food restaurants and video gaming café one parking space per 250 square feet of gross floor area will be required.

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Building and Zoning Administrator Dragan noted the Planning and Zoning Commission recommends the City adopt a definition for fine dining restaurants and a \$150 fee for real estate signs in certain districts after 90 days. There is no charge for the first 90 days.

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

2. Extending The State Of Emergency In The City Of Oakbrook Terrace.

Acting Mayor Esposito referenced proposed Ordinance Number 20-28 which extends the State of Emergency through August 25, 2020.

The Council concurred to approve this during the reconvened meetings.

3. Amendment To The Alcohol Liquor Control Code.

Acting Mayor Esposito noted recently there have been some liquor control changes at the State level that require some modifications to the City Code. City Attorney Ramello indicated about a year and half ago there were some statutory changes to the Illinois liquor code along with more recently some new Executive Orders aimed at helping restaurants during COVID. These new laws allow craft breweries to sell their beer for outside consumption in sealed containers. Changes to the City Code will encourage these craft breweries to locate in the City. The new state laws also allows distilling pubs to sell their hard liquor (manufactured on-site) for outside consumption in sealed containers. Also Governor Pritzker issued an Executive Order allowing curbside pick-up of to-go-cocktails. There is also an amendment to the City Code that allow restaurants to serve alcoholic liquor outside at times other than a special event, which coincides with Governor Pritzker's Executive Order. The proposed changes will bring the City's regulations up to current State of Illinois allowances.

Alderman Rada inquired if the cocktails-to-go guidelines were permanent or only be allowed during the crises. City Attorney Ramello said the cocktail-to-go requirements were approved under a sunset provision. City Administrator Marrero noted the amendments create three (3) new liquor license classes. City Administrator Marrero noted surrounding communities charge between \$900 to \$5,000 for brew pubs licenses. City Administrator Marrero recommended a fee of \$4,200 per new classification because there is more involved for issuing these licenses.

The City Council concurred to place these on the next consent agenda and recommended the license fee for the new classifications be set at \$4,200.

XII. COUNCIL MEMBER COMMENTS

None.

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XIII. CITY ATTORNEY RAMELLO

City Attorney Ramello shared his wishes that everyone stay safe and healthy.

None.

XIV. CITY CLERK SHADLEY

None.

XV. CITY ADMINISTRATOR A. MARRERO

City Administrator Marrero shared her well wishes for Alderman Przychodni.

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, Rada, and Vlach

Nays: None

Motion passed.

XVII. OLD BUSINESS

1. Ordinance No. 20-28: An Ordinance Extending The State Of Emergency In The City Of Oakbrook Terrace, Illinois, Due To The Coronavirus (COVID-19) Outbreak.

Motion to approve Ordinance No. 20-28: An Ordinance Extending The State Of Emergency In The City Of Oakbrook Terrace, Illinois, Due To The Coronavirus (COVID-19) Outbreak was made by Alderman Rada and seconded by Alderman Barbari.

Ayes: Barbari, Esposito, Rada and Vlach

Nays: None

ADJOURN

Motion to adjourn was made by Alderman Rada and seconded by Alderman Vlach at 8:06PM.

Motion carried unanimously.

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Submitted,

Aileen Haslett, Recording Secretary