

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MARCH 10, 2020**

I. CALL TO ORDER

Acting Mayor Esposito called the March 10, 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, Greco, Przychodni, Vlach, and Acting Mayor Esposito

Absent: Rada

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

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 February 25, 2020

Motion to approve the minutes of the February 25, 2020 Regular City Council and Committee of the Whole as presented was made by Alderman Przychodni and seconded by Alderman Greco.

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

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment Of City Bills: March 10th, 2020 In The Amount Of \$ 248,168.27

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2. Approval Of Final Payout For Orange Crush, LLC For The 2019 Street Resurfacing Program (Job Code 92-32B119) In The Amount Of \$160,444.69 Per Ordinance 19-35.

Motion to approve all the items contained on the Consent Agenda as presented for March 10, 2020 was made by Alderman Przychodni and seconded by Alderman Barbari.

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

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

Motion passed.

X. ACTING MAYOR ESPOSITO

1. Fiscal Year 2021 Budget Meeting At 6:00 PM On Wednesday March 11th, 2020.
2. Easter Spring Event And Kite Fly, Swartz School, Noon, Saturday April 4th, 2020.
3. Acting Mayor Esposito offered his condolences to the family of longtime resident Joanne McDonald on her passing.
4. Acting Mayor Esposito shared the coronavirus public health response from the DuPage Mayors and Managers Conference. Acting Mayor Esposito said this should be posted in the City offices and on the City's website.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Approval Of The 2020 Zoning Map.

Building and Zoning Administrator Dragan said the State of Illinois law requires the City to update the Zoning Map annually on or before March 31. Building and Zoning Administrator Dragan referred to the 2019 Zoning Map and the proposed 2020 Zoning

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Map and discussed the changes including: address updates, the adult use cannabis dispensary overlay district, and the redevelopment of the Midwest Office Center. The Council concurred to place this on the next consent agenda.

2. Food And Beverage Ordinance (Food).
3. Food And Beverage Ordinance (Alcohol).

These two (2) items were discussed together.

City Administrator Marrero referenced the two (2) proposed ordinances included in the agenda packet regarding the food and beverage tax that was discussed at last week's budget meeting. The first ordinance imposes a 1.5% tax on places for eating and is for food and alcohol for immediate consumption. The second ordinance imposes a 1.5% tax on packaged liquor. City Administrator Marrero recommended a 1.5% food and beverage tax, which was included in the FY 2021 budget. City Administrator Marrero said staff felt that since there is already a 1% Business District tax that we could possibly exempt the Business District from the food and beverage tax. However, City Attorney Ramello instructed the City that the food and beverage tax must be unified.

City Attorney Ramello said under municipal tax law; a tax must be applied uniformly. In order to be a valid tax it cannot apply to certain businesses and not to others. City Attorney Ramello said the ordinances include a credit for the sales taxpayers in the business district that they can claim on their tax return for the tax that they pay as a 1% sales tax in the Business District. City Attorney explained the food and beverage tax will still apply in the Business District, but they will get a credit for already paying the Business District sales tax. City Administrator Marrero expressed concern that the credit is not going back to the consumer.

City Administrator Marrero asked the Council about the credit provision for the Business District. Alderman Greco said for him to approve this he would have to have this provision included in the ordinance. Acting Mayor Esposito said he agrees that the provision needs to be included. Alderman Vlach said most City residents shop at Pete's and he would not like to see the tax on Pete's. City Administrator Marrero explained the proposed food and beverage tax does not apply to groceries, but will apply to the hot bar buffet and packaged alcohol.

Ramello explained both ordinances are needed because they are derived from two (2) different authorities. The authority for the alcoholic beverage tax comes from the Illinois Constitution, while the places for eating tax comes from the Illinois Municipal Code.

City Administrator Marrero discussed the proposed timeframe for the proposed food and beverage tax. A letter will be mailed to the applicable businesses next week inviting them to attend the March 24, 2020 City Council meeting where they can provide input regarding the proposed food and beverage tax. If everything goes well the proposed food and

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beverage tax will take effect June 1, 2020. Alderman Greco indicated he would like to give the businesses an opportunity to provide input, before the City Council approves the ordinance. Acting Mayor Esposito said we can table this until the next meeting on March 24, 2020.

XII. COUNCIL MEMBER COMMENTS

Alderman Vlach mentioned the City may want to consider canceling the July 4th events given the coronavirus. Acting Mayor Esposito indicated the July 4th is currently in the budget and this is something to think about. Alderman Vlach said with the recently annexed homes, the City has to decide whether they receive free garbage pickup, discounted water rates, and other City services. Alderman Vlach noted the City also needs to make sure that these properties are now paying City utility taxes. Alderman Greco inquired about attending the upcoming police union negotiations as a silent observer. City Attorney Ramello said City administration will inform Greco about the negotiation date and times.

XIII. CITY ATTORNEY RAMELLO

None.

XIV. CITY CLERK SHADLEY

None.

XV. CITY ADMINISTRATOR A. MARRERO

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

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

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

Nays: None

Motion passed.

XVII. OLD BUSINESS

None.

ADJOURN

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Motion to adjourn was made by Alderman Vlach and seconded by Alderman Barbari at 7:30PM.

Motion carried unanimously.

Submitted,

Aileen Haslett, Recording Secretary