

**CITY OF OAKBROOK TERRACE
MINUTES OF THE
SPECIAL COUNCIL AND COMMITTEE OF THE WHOLE MEETING
TUESDAY, MARCH 31, 2020**

I. CALL TO ORDER

Acting Mayor Esposito called the March 31, 2020, Special and Committee of the Whole Meeting of the City Council to order at 3:00P.M.

II. ROLL CALL

Roll call indicated the following Council members were in attendance:

Present: Barbari, Greco, Przychodni, Rada, Vlach, and Acting Mayor Esposito

Absent: None

Also, in attendance were City Clerk M. Shadley, City Administrator A. Marrero, Assistant to the Mayor and Administrator M. Sarallo, 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. Budget Meeting Minutes of March 4, 2020
2. Regular Meeting Minutes of March 10, 2020
3. Budget Meeting Minutes of March 11, 2020

Motion to approve the minutes of the March 4, 2020 Budget Meeting, the March 10, 2020 Regular City Council and Committee of the Whole, and the March 11, 2020 Budget Meeting as presented was made by Alderman Barbari and seconded by Alderman Przychodni.

Ayes: Barbari, Esposito, Greco, Przychodni, 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: March 31, 2020 In The Amount Of \$206,196.09
2. Treasurer's Report February 2020.
3. Personnel & Payroll Report February 2020.
4. Ordinance No. 20-6: An Ordinance Approving and Authorizing The Publication Of A Revised Official Zoning District Map For The City of Oakbrook Terrace, Illinois.

Motion to approve all the items contained on the Consent Agenda as presented for March 31, 2020 was made by Alderman Barbari and seconded by Alderman Vlach.

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

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

Motion passed.

X. ACTING MAYOR ESPOSITO

1. Easter Spring Event And Kite Fly, at Swartz School on Saturday April 4th, 2020 has been canceled.
2. Acting Mayor Esposito said Karl Mirkes passed away and offered his condolences to his family. Acting Mayor Esposito said Mirkes served the City's Police Department for 14 years.
3. Acting Mayor Esposito provided an update on the COVID-19 facing the country. The stay-at-home order has been extended through April 30, 2020. The DuPage County Health Department website is continually updated and provides a map detailing the number of coronavirus cases by municipality. The best way to contain the virus is to stay-at-home. The City is following Governor Pritzker's and the DuPage County Health Department's guidance on this matter.

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XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Declaring an Emergency Oakbrook Terrace, Illinois.

Acting Mayor Esposito referenced Ordinance No. 20-7 included in the agenda packet which declares an emergency in Oakbrook Terrace due to the COVID-19 outbreak. This declaration empowers the Acting Mayor to authorize, direct, and exercise authority for the emergency's day-to-day functions deemed necessary to operate and maintain the City's obligations. City Attorney Ramello said in order for Acting Mayor Esposito to exercise powers and respond swiftly to this pandemic it is necessary to declare an emergency within the City. This ordinance allows the Mayor to take necessary actions to protect the City employees and the City itself. This ordinance also allows the Mayor to direct the City Administrator to enter into emergency contracts without having to convene a City Council meeting. This ordinance gives the Mayor some flexibility to respond quickly to the emergency. The original emergency declaration proclamation was good for seven (7) days and this proclamation extends the emergency for 21 days.

Alderman Przychodni requested a paper copy of the agenda packet be provided to him. City Administrator Marrero said she will do this going forward. Alderman Greco asked for clarification regarding the timeframe for the emergency declaration. City Attorney Ramello explained that in three (3) weeks from now if the declaration needs to be extended then the City Council will need to meet again and renew this ordinance to an appropriate timeframe.

The Council concurred to approve this during the reconvened meeting.

2. An Ordinance Amending Chapter 39 Entitled "Comprehensive Emergency Management and Operations Plan".

Acting Mayor Esposito said the current City code for emergency operations is intended for riots and natural disasters. Due to the COVID-19 staff felt it was best to amend this part of the code to include outbreaks, epidemics, pandemics of infectious diseases. City Attorney Ramello said the City Code's emergency response efforts are geared towards tornados and snow storms and does not deal with this type of infectious disease situation. This code amendment provides for the City to respond to this situation.

The Council concurred to approve this during the reconvened meeting.

3. A Resolution Excluding Emergency Responders – Families First Coronavirus Response Act (FFCRA).

Acting Mayor Esposito said the proposed resolution excludes emergency responders from the Families First Coronavirus Response Act. City Attorney Ramello said the Federal Government passed the Family First Response Act (FFCRA), which provides two (2)

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weeks of automatic sick leave pay if an employee contracts the coronavirus, or the employee has to be stay home because someone else contracted it, or has to stay home to take care of their child who is not attending school. Under the Act, the City can exclude certain emergency responders because the concern is that if a large number take advantage of the FFCRA then we would not have any officers to protect the City during this outbreak. The first responders will be handled on an individual case by case basis. This will give the City more flexibility to deal with individual personnel matters.

Alderman Greco inquired on why the City does not extend this to dispatchers, the community service officer and staff. City Attorney Ramello replied the Department of Labor just issued guidance on what is an emergency responder and other staff would not qualify as an emergency responder. Firefighters and police officers are considered emergency responders. Alderman Greco inquired as to what happens if a police officer tests positive for the virus. City Attorney Ramello said the officer would be instructed to isolate. Alderman Greco then asked what happens if all the police officers contract the virus. City Attorney Ramello said the City would seek assistance from DuPage County, the State Police, and other mutual aid.

The Council concurred to approve this during the reconvened meeting.

4. An Ordinance To Permit Attendance At Meetings By Means Other Than Physical Presence

Acting Mayor Esposito referenced Ordinance 20-9 included in the agenda packet and explained this ordinance will allow the City Council to meet through audio or video conferencing. City Attorney Ramello said this was an amendment to the Open Meetings Act from several years ago and the coronavirus has emphasized the need to have this provision in the City Code.

The Council concurred to approve this during the reconvened meeting.

XII. COUNCIL MEMBER COMMENTS

Alderman Przychodni inquired about the proposed food and beverage tax discussed at the last Council meeting. City Administrator Marrero said due to COVID-19, this tax has been placed on hold until the COVID-19 is done and the restaurants are up and running. Alderman Greco said he is available to help-out during this emergency. Alderman Vlach asked if the City has made any July 4, 2020 commitments or deposits. Assistant to the Mayor and Administrator Sarallo replied the City does have some commitments and they have spoken to all the vendors and they are all in the same position and are understanding. Assistant to the Mayor and Administrator Sarallo said the only contract the City may have an issue with is the Melrose fireworks contract. The contract includes a provision that the fireworks can be held anytime within six (6) months of the July 4 date. Assistant to the Mayor and Administrator Sarallo said the City could possibly find a date after everything is safe. Alderman Vlach questioned if the

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City even wants to do the fireworks after July 4th. City Administrator Marrero said at the next special meeting there will be a discussion about the City's budget and where we are at with the COVID-19. City Administrator Marrero suggested at the next meeting the Council can discuss July 4th and how to proceed. Acting Mayor Esposito said most municipalities have postponed these events. Assistant to the Mayor and Administrator Sarallo indicated he will provide at the next meeting the cancelation charge for the July 4th fireworks. Alderman Rada said the Berkshire community has really been pulling together with this COVID-19. Alderman Rada said he has spoken with the Mayor about expanding these efforts to the entire town.

XIII. CITY ATTORNEY RAMELLO

City Attorney Ramello wished everyone to stay safe and healthy.

XIV. CITY CLERK SHADLEY

Shadley wished everyone to stay safe and healthy.

XV. CITY ADMINISTRATOR A. MARRERO

City Administrator Marrero said the next meeting will be about the budget and July 4th. Alderman Barbari asked when the next meeting will be. City Administrator Marrero said the meeting will take place sometime in the middle of April.

XVI. RECONVENE THE CITY COUNCIL MEETING

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

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

Nays: None

Motion passed.

XVII. OLD BUSINESS

1. Ordinance No. 20-7: An Ordinance Declaring An Emergency And Declaring The City Of Oakbrook Terrace, Illinois A Disaster Area Due To the Coronavirus (COVID-19) Outbreak.

Motion To Approve Ordinance No. 20-7: An Ordinance Declaring An Emergency And Declaring The City Of Oakbrook Terrace, Illinois A Disaster Area Due To the Coronavirus (COVID-19) Outbreak was made by Alderman Vlach and seconded by Alderman Przychodni.

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

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Nays: None

Motion passed.

2. Ordinance No. 20-8: An Ordinance Amending Chapter 39 Entitled “Comprehensive Emergency Management And Operations Plan” Of The Code Of Oakbrook Terrace, Illinois.

Motion To Approve Ordinance No. 20-8: An Ordinance Amending Chapter 39 Entitled “Comprehensive Emergency Management And Operations Plan” Of The Code Of Oakbrook Terrace, Illinois was made by Alderman Przychodni and seconded by Alderman Barbari.

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

Nays: None

Motion passed.

3. Resolution No. 20-1: A Resolution Excluding Emergency Responders Of The City Of Oakbrook Terrace From Certain Provisions Of The Families First Coronavirus Response Act.

Motion To Approve Resolution No. 20-1: A Resolution Excluding Emergency Responders Of The City Of Oakbrook Terrace From Certain Provisions Of The Families First Coronavirus Response Act was made by Alderman Rada and seconded by Alderman Przychodni.

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

Nays: None

Motion passed.

4. Ordinance No. 20-9: An Ordinance Amending The Provisions Of Chapter 30 Entitled “General Provisions” Of Title III Entitled “Administration” Of the Code Of Oakbrook Terrace, Illinois, Regarding Attendance At Meetings By A Means Other Than Physical Presence.

Motion To Approve Ordinance No. 20-9: An Ordinance Amending The Provisions Of Chapter 30 Entitled “General Provisions” Of Title III Entitled “Administration” Of the Code Of Oakbrook Terrace, Illinois, Regarding Attendance At Meetings By A Means Other Than Physical Presence was made by Alderman Barbari and seconded by Alderman Greco.

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

Nays: None

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Motion passed.

ADJOURN

Motion to adjourn was made by Alderman Greco and seconded by Alderman Vlach at 3:48PM.

Motion carried unanimously.

Submitted,

Aileen Haslett, Recording Secretary