

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, NOVEMBER 28, 2017**

I. CALL TO ORDER

The Mayor called the November 28, 2017, 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, Swartz, Thomas, Vlach, and Mayor Ragucci

Absent: None

Also in attendance were City Clerk M. Shadley (*arrived at 7:13P.M.*), 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 November 14, 2017.

Motion to approve the minutes of the November 14, 2017 Regular City Council and Committee of the Whole as presented was made by Alderman Thomas and seconded by Alderman Vlach.

Alderman Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach

Alderman Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: November 28, 2017 In The Amount Of \$87,960.19.

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2. Treasurer Report October 2017
3. Personnel and Payroll Report October 2017
4. Ordinance 17-26: (Corrected) An Ordinance Amending Chapter 121 Entitled “Rental Dwellings” of the Code of Oakbrook Terrace, Illinois
5. Approval Of Road Salt Purchase With The Illinois Department Of Central Management Services Joint Purchasing Program For 250 Tons Of Road Salt At \$45.97 per Ton (\$11,492.50) For The 2017-2018 Winter Season
6. Ordinance 17-27: An Ordinance To Renew the Agreement for Risk Management And Insurance Brokerage Services And To Accept The Proposal For Property And Casualty Insurance For The City of Oakbrook Terrace, Illinois.
7. Ordinance 17-28: An Ordinance To Renew The Agreement For Risk Management And Insurance Brokerage Services And To Accept The Proposal For Workers’ Compensation And Employers’ Liability Insurance For The City Of Oakbrook Terrace, Illinois
8. Motion to Grant an Extension of one Year of the Redevelopment of 1S722 Midwest Road (Former Burger King Site) to January 26, 2019

Motion to approve all the items contained on the Consent Agenda for November 28, 2017 as presented was made by Alderman Przychodni and seconded by Alderman Esposito.

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

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

Motion passed.

X. MAYOR RAGUCCI

1. Reminder: Children’s Holiday Party And Christmas Tree Lighting On Friday December 8, 2017 At 6:00 p.m.
2. Cancellation Of The Tuesday, December 26, 2017 City Council Meeting.

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3. Mayor Ragucci recommended that the City begin enforcing a no solicitor program for activities other than charities. Mayor Ragucci said City Attorney Ramello will be working on this and bringing the measure before the Council for their consideration.
4. Mayor Ragucci offered his condolences to the friends and family of Officer Frank Gomez who served the Oakbrook Terrace Police Department for 30 years.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Presentation Of The 2017 Comprehensive Financial Report (CAFR)

City Administrator Marrero stated in FY 2017 General Fund revenues outpaced expenditures by \$508,717 increasing the year end fund balance to \$6.6 million. City Administrator Marrero reported the unassigned fund balance in the General Fund was \$6,379,449 which represents 85% of General Funds budgeted revenues and reflects that the City continues to surpass the 40% budget reserve criteria. Since FY 2013, the City has completed \$12.3 million in capital improvements with current reserves and without issuing debt. The Capital Improvement Fund experienced a surplus of \$1.2 million thereby increasing the fund balance from \$516,753 last year to \$1.7 million this year. In FY 2019 a complete road resurfacing project is planned and will be financed with cash on hand and without issuing debt. City Administrator Marrero indicated the Water Fund ended FY 2017 with a \$32,886 surplus thereby increasing the net position to \$4.8 million.

The City's Auditor, Kim Marshall, Director at BKD, thanked the Council for the opportunity to provide auditing services to the City. Marshall also thanked the Finance Department for their timely response to the auditor's requests. Marshall indicated her firm issued a clean unmodified opinion, which is the highest rating possible. Marshall reported the overall change in net position was \$1.9 million, resulting in a year end net position of \$21 million. Marshall noted the City complied with the new GASB 72 accounting pronouncement, which aims to fairly value the City's investments in the note disclosures.

Mayor Ragucci thanked staff and said the City is moving in the right direction financially. Mayor Ragucci said he could not be prouder of the City and the new businesses improve the City's finances as well. Mayor Ragucci said the City is very fortunate in this economy.

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

2. Letter Of Recommendation-17W531 Roosevelt Road

Building and Zoning Administrator Dragan noted the petitioner, Bella Bianca, purchased the adjacent property formerly known as A to Z for the expansion of Bella Bridesmaids. Bella Bianca plans to remodel both the interior and exterior of the

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building. An addition of 500 square feet is also proposed at the newly purchased property. Building and Zoning Administrator Dragan noted the petitioner is requesting eight (8) variations from the Zoning Ordinance that reflect existing and new conditions in order to bring the property up to code. The Planning and Zoning Commission voted in favor this request.

Steve Bauer, the petitioner's attorney, addressed the Council and stated the petitioner is requesting eight (8) variations of which six (6) represent existing conditions. Bauer noted the proposed architecture for the newly purchased property is consistent with the Bella Bianca property. Bauer stated he appreciates the Council's review and asked for their favorable consideration.

Alderman Vlach asked if the driveway will be improved. Ted Rofalikos, property owner, said the driveway will be replaced. Alderman Greco stated he was glad Bella Bianca was presenting this building improvement for the City and noted his comments are more towards the business owners. Alderman Greco expressed disappointment over how the Bella Bianca staff has treated City staff in the past. Alderman Greco explained on two (2) occasions Bella Bianca staff requested police personnel to not utilize their parking lot for routine stops. Alderman Greco indicated he wants businesses to thrive in our City, but also wants businesses to be part of our City as well.

Melissa Russell responded to Alderman Greco's concerns and said she respects the Police Department and these examples were not indicative of how they run their business or how they feel about the City. Russell indicated parking is a concern and when the Police Department pulls cars over in their lot; their customers experience problems entering and exiting the facility. Russell noted Dunkin Donuts customers also often utilize their parking lot. Alderman Greco said he will convey this to the City's police officers. Alderman Greco said he will support this proposal and noted he is committed to this City and he pays attention and he keeps score and he hopes if they have another proposal before the Council that he hears nothing but positive things.

Ted Rofalikos ensured the Council that this will not happen again and that he was hoping for their support on this measure. Rofalikos indicated he is very proud to be part of the Oakbrook Terrace business community. Mayor Ragucci said he supports the proposal and added the project is an improvement over the existing building. Alderman Esposito said this will be a major improvement and welcomed the new addition. Alderman Thomas said the City tries to get along with you and asked the business continue to get along with the City.

The Council concurred to approve this request during the reconvened meeting.

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3. An Ordinance To Increase The Number of Video Gaming Terminals – VIP’s Café 1S722 Summit, Unit B, Oakbrook Terrace, Illinois
4. An Ordinance To Increase The Number of Class “E” Liquor Licenses - VIP’s Café 1S722 Summit, Unit B, Oakbrook Terrace, Illinois
5. An Ordinance To Increase The Number of Class “I” Liquor Licenses – Olivia’s Market 1S722 Summit, Unit A, Oakbrook Terrace, Illinois

Mayor Ragucci asked the petitioner’s attorney, Mark Daniel, to discuss agenda items 3, 4, and 5 together since they were all related. Daniel explained the proposal to the Council and thanked staff for their efforts to place the proposed ordinances on the agenda. Daniel noted the Planning and Zoning Commission unanimously approved the proposal. Daniel said the proposal includes a car wash, video gaming café, and a gasoline and convenience store. Daniel said the video gaming café will have five (5) gaming terminals and will sell beer and wine only. Daniel said there will be one employee in both the convenience store and in the café. Daniel noted the terminals will be located away from the windows.

Daniel said he knows in the past the Council expressed concern over saturating the video gaming market, but according to his analysis, every time the City has increased the number of video gaming terminals revenues have increased. Daniel said the video gaming cafes are doing well in Oakbrook Terrace and it helps that nearby communities currently do not allow them.

Alderman Thomas said he did not think there was sufficient space on the former Burger King site for this proposed development. Daniel said the property is similar in size to the Mobile gas station along Roosevelt Road. Alderman Greco said in the past he has stated how he feels about increasing the number of video gaming establishments within the City, but given that the property is such an eyesore, he would support this proposal. Alderman Esposito indicated the lot has been vacant for seven (7) years and expressed some traffic concerns about making a left out of the property. Daniel responded their consultants predict there will be more gaps, which will allow two-step left turns.

Mayor Ragucci asked if there will be an entrance into the gaming café from the convenience store. Daniel said there will be a common area between the convenience store and VIP’s Café. Mayor Ragucci expressed concern about packaged liquor being brought into the gaming café from the convenience store. Daniel said staff will be trained to not allow this activity and they have not had problems at the petitioner’s other facilities. Mayor Ragucci said the City will keep an eye on this.

The Council concurred to approve these ordinances during the reconvened meeting.

XII. COUNCIL MEMBER COMMENTS

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None.

XIII. CITY ATTORNEY RAMELLO

City Attorney Ramello said the City previously reached a settlement with the online travel companies to collect the City's hotel tax. City Attorney Ramello reported that the other cities involved in the lawsuit did not settle their cases and recently the Seventh Circuit Court of Appeals ruled in favor of the online hotel companies and against the municipalities, so they will no longer be able to collect local hotel taxes from the online travel companies. Oakbrook Terrace will continue to collect taxes from the online hotel companies due to the earlier settlement reached. Going forward Oakbrook Terrace and Rosemont will be the only municipalities in Illinois collecting local taxes from the online hotel companies. Mayor Ragucci thanked City Attorney Ramello for his efforts on this.

XIV. CITY CLERK SHADLEY

None.

XV. CITY ADMINISTRATOR MARRERO

None.

XVI. RECONVENE THE CITY COUNCIL MEETING

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

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

Motion passed.

XVII. OLD BUSINESS

1. Ordinance No. 17-29: An Ordinance Granting Variations From The Requirements Of The Zoning Ordinance Of The City Of Oakbrook Terrace For 17W531 Roosevelt Road (TCR Venture LLC) In The City Of Oakbrook Terrace, Illinois

Motion To Approve Ordinance No. 17-29: An Ordinance Granting Variations From The Requirements Of The Zoning Ordinance Of The City Of Oakbrook Terrace For 17W531 Roosevelt Road (TCR Venture LLC) In The City Of Oakbrook Terrace, Illinois was made by Alderman Vlach and seconded by Alderman Swartz.

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Alderman Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, Vlach and Mayor Ragucci

Alderman Nays: None

Motion passed.

2. Ordinance No. 17-30: 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 (Naper Management d/b/a VIP's Cafe).

Motion To Approve Ordinance No. 17-30: 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 (Naper Management d/b/a VIP's Cafe) was made by Alderman Esposito and seconded by Alderman Przychodni.

Alderman Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, Vlach and Mayor Ragucci

Alderman Nays: None

Motion passed.

3. Ordinance No. 17-31: An Ordinance Increasing The Number of Class "E" Liquor Licenses By One (1) Pursuant To The Provisions Of Title XI (Business Regulations); Chapter 111 (Food and Beverages); *Subchapter Alcoholic Liquor*, Section 111.012 (Number of Licenses In Each Classification), Of The Code Of Ordinances Of The City Of Oakbrook Terrace (Naper Management, Inc. d/b/a VIP's Café).

Motion To Approve Ordinance No. 17-31: An Ordinance Increasing The Number of Class "E" Liquor Licenses By One (1) Pursuant To The Provisions Of Title XI (Business Regulations); Chapter 111 (Food and Beverages); *Subchapter Alcoholic Liquor*, Section 111.012 (Number of Licenses In Each Classification), Of The Code Of Ordinances Of The City Of Oakbrook Terrace (Naper Management, Inc. d/b/a VIP's Café) was made by Alderman Thomas and seconded by Alderman Swartz.

Alderman Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, Vlach and Mayor Ragucci

Alderman Nays: None

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Motion passed.

4. Ordinance 17-32: An Ordinance Increasing The Number of Class “I” Liquor Licenses By One (1) Pursuant To The Provisions Of Title XI (Business Regulations); Chapter 111 (Food and Beverages); Subchapter *Alcoholic Liquor Control*, Section 111.012 (Number of Licenses In Each License Classification), Of The Code Of Ordinances Of The City of Oakbrook Terrace (Meadows Group Management Inc. d/b/a Olivia’s Market 1S722 Summit Unit A).

Motion To Approve Ordinance 17-32: An Ordinance Increasing The Number of Class “I” Liquor Licenses By One (1) Pursuant To The Provisions Of Title XI (Business Regulations); Chapter 111 (Food and Beverages); Subchapter *Alcoholic Liquor Control*, Section 111.012 (Number of Licenses In Each License Classification), Of The Code Of Ordinances Of The City of Oakbrook Terrace (Meadows Group Management Inc. d/b/a Olivia’s Market 1S722 Summit Unit A) was made by Alderman Greco and seconded by Alderman Esposito.

Alderman Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, Vlach and Mayor Ragucci

Alderman Nays: None

Motion passed.

ADJOURN

Motion to adjourn was made by Alderman Esposito and seconded by Alderman Przychodni at 8:00 PM.

Motion carried unanimously.

Submitted,

Aileen Haslett
Recording Secretary