

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

I. CALL TO ORDER

Mayor Esposito called the May 25, 2021, 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, Beckwith, Fitzgerald, Greco, Rada, Vlach, and Mayor Esposito

Absent: None

Also, in attendance were City Clerk M. Shadley, City Administrator A. Marrero, Assistant to the Mayor and Administrator M. Sarallo, Police Chief C. Calvello, Deputy Police Chief D. Clark, Building and Zoning Administrator M. Dragan, and City Attorney R. Ramello.

III. PLEDGE OF ALLEGIANCE

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 May 11, 2021

Motion to approve the minutes of the May 11, 2021 Regular City Council and Committee of the Whole as presented was made by Alderman Vlach and seconded by Alderman Beckwith.

Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach

Nays: None

Motion passed.

VI. PUBLIC PARTICIPATION

None.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

VII. ACTION ITEMS/CONSENT AGENDA

1. Payment of City Bills: May 25, 2021 In The Amount Of \$181,850.79.
2. Personnel & Payroll Report April 2021.
3. Treasurer's Report April 2021.
4. Ordinance No. 21-18: An Ordinance Granting A Variation From The Requirements Of The Zoning Ordinance Of The City Of Oakbrook Terrace For One Oakbrook Terrace (EFN OBT1, LLC) In The City Of Oakbrook Terrace, Illinois.
5. Ordinance No. 21-19: An Ordinance Amending Section 33.006 Entitled "Applications; Appointments" Of Chapter 33 Entitled "Departments, Boards And Commissions," Of Title III Entitled "Administration" Of The Code Of Oakbrook Terrace, Illinois.

Mayor Esposito asked the Council for a motion to approve all the items contained on the consent agenda. Alderman Rada requested item number five (5) Ordinance No. 21-19 be removed from the consent agenda for further discussion.

See discussion below.

Mayor Esposito asked for a motion to approve the consent agenda as amended with only items 1-4.

Motion to approve all the items contained on the Consent Agenda as amended with items 1-4 for May 25, 2021 was made by Alderman Rada and seconded by Alderman Greco.

Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach

Nays: None

Motion passed.

VIII. ITEMS REMOVED FROM THE CONSENT AGENDA

Motion to Discuss Ordinance No. 21-19: An Ordinance Amending Section 33.006 Entitled "Applications; Appointments" Of Chapter 33 Entitled "Departments, Boards And Commissions," Of Title III Entitled "Administration" Of The Code Of Oakbrook Terrace, Illinois was made by Alderman Rada and seconded by Alderman Barbari.

Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach

Nays: None

Motion passed.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

Alderman Rada said he was looking for clarification regarding the proposed lateral hiring program. City Attorney Ramello indicated there will be two (2) parallel lists for eligible candidates including a traditional list with new candidates and a lateral list with certified and trained officers who have already worked in another community. Alderman Rada said the Police Commission assembles both lists. City Attorney Ramello said the City Administrator recommends which list should be selected to fill a police vacancy. The Police Commission will continue to proceed with the normal hiring process and create a list of potential applicants. Alderwoman Fitzgerald inquired about the role of the Police Commission in the hiring process. City Attorney Ramello responded the Police Commission is the testing authority with certifying eligible candidates and creating a list of possible candidates.

Alderman Beckwith noted a lot of other municipalities are utilizing the lateral hiring approach to attract quality candidates. Alderman Greco asked how a lateral hire would impact the City's police pension. City Administrator Marrero replied the municipality the officer is coming from will fund the City's pension fund with the officer's pension contributions as well as the municipality's pension portion plus interest. These monies will then be transferred to the City's police pension fund. City Administrator Marrero added the City's police pension fund will need to hire an actuary to provide a true-cost calculation. If the amount transferred is less than the true cost calculation, then it would be up to the officer to pay the difference, or the officer can opt for a reduced period of service. City Administrator Marrero said there is no cost to the City for this.

Alderman Greco inquired if a lateral hire would receive seniority. Deputy Police Chief Clark replied lateral hires do not gain seniority. Deputy Police Chief Clark noted the lateral hiring process will help the City because a new recruit spot at the police academy is not available until March 2022. Police Commissioner Bob Shanahan said a new list of eligible police candidates will be posted June 1, 2021 and on this list there are two (2) certified candidates. Regulations allow the City to jump to the certified candidate. Police Commissioner Shanahan suggested offering the vacant positions to these candidates before moving to the lateral list.

Mayor Esposito asked for a motion to approve Ordinance No. 21-19.

Motion to Approve Ordinance No. 21-19: An Ordinance Amending Section 33.006 Entitled "Applications; Appointments" Of Chapter 33 Entitled "Departments, Boards And Commissions," Of Title III Entitled "Administration" Of The Code Of Oakbrook Terrace, Illinois was made by Alderman Rada and seconded by Alderwoman Fitzgerald.

**Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach
Nays: None**

Motion passed.

IX. RECESS TO THE COMMITTEE OF THE WHOLE

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

Motion to recess to the Committee of the Whole portion of this meeting was made by Alderman Barbari and seconded by Alderman Greco.

Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach

Nays: None

Motion passed.

X. MAYOR ESPOSITO

1. Re-appointment Of Doug Jackson To The Planning & Zoning Commission For A Term To Expire June 1, 2023.
2. Re-appointment Of Robert J. Shanahan To The Police Commission For A Term To Expire June 1, 2024.
3. Re-appointment Of James Kleinow To The Police Pension Board For A Term To Expire June 1, 2023.
4. Reminder: City Hall Closed On Monday May 31st In Observance Of Memorial Day.
5. Reminder: Summer Hours Begin The Week Of June 7th.
6. Reminder: City Wide Garage Sale June 11th & 12th.
7. Reminder: Wednesday, May 26, 2021 - Driftwood Grand Opening 5PM – 8PM

Mayor Esposito thanked the City Council for attending the Red Effect Fitness grand opening this past weekend.

XI. COMMITTEE OF THE WHOLE CONSIDERATIONS

1. Audit Proposal For FY Ending 4/30/2021.

Financial Analyst Haslett noted the FY 2021 audit quote came in at \$45,200, representing a \$5,700 increase over last year. For last year's audit, BKD granted the City a one-time discount (due to COVID) in the amount of \$7,600, which is also why this year's pricing is higher. The auditing fee includes additional charges for the implementation of the new Government Accounting Standards Board Statement number 84.

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

2. Proposed Gaming Café 1S055 Summit Avenue.

Mayor Esposito noted a liquor license for the Winnie's gaming was approved café back in May of 2018. However, the former Winnie's gaming café located at the 1S055 Summit Avenue was not able to move forward with the Illinois Gaming Board and the property has been vacant now for several years.

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

Jay Mehra, prospective owner of the 1S055 Summit Avenue gaming café, addressed the Council and detailed why he would like to open a gaming café at this location. Mehra said it is difficult to attract tenants to the shopping center along Summit Road and the previous owners spent about \$100,000 renovating the site. Mehra indicated he currently owns Ellie's Coffee Bar along 14th Street in Oakbrook Terrace. Mehra indicated he is dedicated business owner and takes a lot of pride in the community.

Mayor Esposito said Mehra has been a great partner to the City and the City is looking for the right mix of business at this location. Mayor Esposito noted the City currently has 16 gaming locations and 93 machines. Discussion ensued regarding an additional gaming café within the City of Oakbrook Terrace. Mayor Esposito indicated the majority of the City Council do not favor an additional gaming café at this time.

The Council concurred to not grant an additional gaming license at this time.

3. Proposed Amendment To Section 152 Of The City Code.

Building and Zoning Administrator Dragan noted staff is finalizing a Building and Zoning permitting submittal book, to show requirements for residential and commercial permits. Building and Zoning Administrator Dragan said she asked City Engineer Dan Lynch if he had any modifications to the City Code specifically related to the grading plan. Currently the City Code requires a grading plan be submitted if there is an increase of 2,500 square feet or more in new impervious change, or if 5,000 square feet or more of land is disturbed. Building and Zoning Administrator Dragan said for example a grading plan is mandatory if you construct a new 2,500 square feet house with a driveway. Neighbors are often concerned about the stormwater run-off. In order to prevent flooding to adjacent properties other communities require a grading plan to be submitted for additions and new garages ranging from 300 to 500 feet. City Engineer Lynch recommended an amendment to the City Code as follows, "An engineered grading plan may be required for projects that include 500 square feet of disturbed area, at the discretion of the Building and Zoning Administrator."

Mayor Esposito inquired about the current threshold. Building and Zoning Administrator Dragan replied the current threshold is at 2,500. Mayor Esposito asked how much would it cost to have a property regraded. Building and Zoning Administrator Dragan replied approximately \$1,000. Building and Zoning Administrator Dragan noted if the land is flat no regrading will be necessary which is why it is proposed that the grading requirement be at the discretion of B&Z.

Discussion continued regarding the proposed City Engineer's recommendation. Alderman Greco suggested creating an interdepartmental inspection form for when the Building and Zoning determines that a grading plan is not necessary. Mayor Esposito asked if Building and Zoning Administrator Dragan would prefer to leave the code as is. Building and Zoning Administrator Dragan replied that she asked Lynch if it is right the

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

way the City is reviewing this process now, in light of how other municipalities are handling this. Alderman Greco suggested instead of stating square footage using the terms garage or driveway. Alderman Greco said he would be for a little less and still liked the discretionary component. Discussion ensued regarding the threshold. The Council concurred with the 500 square feet threshold.

The Council concurred to direct City Attorney Ramello to prepare an amendment to City Code for the next consent agenda.

4. Discussion Of Annexation-1S560 Luther Avenue.

Mayor Esposito stated a development approved by DuPage County at 1S560 Luther never took off and there is garbage and landscaping in poor condition at the site. Mayor Esposito indicated this property should be part of Oakbrook Terrace. Currently, the City must rely on DuPage County inspectors to inspect the site and enforce County codes. Alderman Rada noted this an unkept and blighted property located within Berkshire subdivision. Alderman Rada estimated it would cost about \$3,000 in legal fees to annex the property into the City. Alderman Rada projected about \$27,000 in building permit fees could be generated for the City if a new housing development were built on the property. Alderwoman Fitzgerald indicated this property is in the heart of the Berkshire subdivision and there has been a lot of concern about water run-off from proposed developments at the site. Alderwoman Fitzgerald said the City of Oakbrook Terrace guidelines would be more appropriate at the site.

All of the City Council members supported the annexation of this property. Mayor Esposito inquired about the next steps for annexation. City Attorney Ramello replied the City must notify the taxpayer of record, York Township, and DuPage County of its intention to annex the property. The final step is for the Council to approve an ordinance to annex the property. Alderwoman Fitzgerald thanked the Council for their support on this.

The Council concurred to direct staff to proceed with the annexation for 1S560 Luther Avenue.

5. Request To Extend Digital Sign Variation-Insurhaus 17W045 Hodges Road.

Mayor Esposito noted this is the second extension request for the wall sign at 17W045 Hodges Road. Roland Rauduve, property owner, addressed the Council, and asked for an additional year to install the wall sign. Rauduve indicated that some of the sign materials were coming from overseas and during the pandemic, this was a problem. Rauduve indicated he started looking for new materials for the sign and assured the Council, the sign would be constructed by the May 28, 2022 deadline.

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

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

6. Proposed Local Fuel Tax.

Financial Analyst Haslett said the City Council discussed the possibility of imposing a local fuel tax during the FY 2022 budget meetings. Only home-rule communities may impose a local fuel tax. A local fuel tax will provide a stable revenue source for the city especially in light of recent revenue reductions due to COVID. Some of the City's comparable communities impose a local fuel tax including Countryside, Elmhurst, and Warrenville. However, Villa Park and Lombard do not impose a local fuel tax because they are not home rule communities.

Rehan Hashmi, owner of 7-11 located at 17W619 Roosevelt Road, addressed the Council and stated he purchased this business on April 27, 2021. Mayor Esposito welcomed Hashmi to the City of Oakbrook Terrace. Hashmi indicated the proposed tax will create an additional \$72,000 in business costs per year that he did not factor this into the business purchase. Hashmi also indicated he offers competitive pricing, and this tax would impact his per gallon rate especially considering the gas station across the street in Villa Park will not have to collect a similar tax. Mayor Esposito indicated the difficult part for him with the tax is DuPage County is increasing their local fuel tax to 4 cents per gallon effective July 1, 2021. Discussion ensued regarding the proposed fuel tax.

Alderman Greco motioned to table discussions on the proposed local fuel tax and Alderman Rada seconded.

**Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach
Nays: None**

Motion passed.

The Council concurred to not impose a fuel tax at this time.

7. Proposed Business District Bank Transfer.

Financial Analyst Haslett discussed the proposed bank transfer between the 2010 Business District and the 2012 Business District. The City closed out the 2010 Business District Fund when the bonds were paid-off in December 2019. Transferring the 2010 Business District's Fund bank balance of \$40,167 into the 2012 Business District Fund will assist in paying down the principal and interest. A formal ordinance is needed to transfer monies between City funds.

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

XII. COUNCIL MEMBER COMMENTS

**CITY OF OAKBROOK TERRACE
MINUTES OF THE REGULAR CITY COUNCIL AND
COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 25, 2021**

Alderman Greco suggested formally acknowledging items that are sent to one of the City's Commission's for review. Alderman Rada inquired if only residents will be allowed to attend the July 4th activities. Mayor Esposito replied yes, and wrist bands are available for pickup at City Hall. Alderman Rada thanked the Council for proceeding with the 1S560 Luther Avenue annexation.

XIII. CITY ATTORNEY RAMELLO

None.

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 Vlach and seconded by Alderwoman Fitzgerald.

Ayes: Barbari, Beckwith, Fitzgerald, Greco, Rada, and Vlach

Nays: None

Motion passed.

XVII. OLD BUSINESS

None.

ADJOURN

Motion to adjourn was made by Alderman Barbari and seconded by Alderman Rada at 9:10PM.

Motion carried unanimously.

Submitted,

Aileen Haslett, Recording Secretary