



**CITY COUNCIL MEETING OF SEPTEMBER 16, 2014
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
October 7, 2014 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

- A** Mayor A. George Pradel - Arrived at 6:04 p.m.
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong - Arrived at 6:01 p.m.
Councilman Doug Krause – Arrived at 6:04 p.m.
Councilman Joe McElroy
Councilman Grant Wehrli
Councilman David Wentz

Absent

Also Present

City Manager, Doug Krieger
Asst. to City Manager, Amy Emery-Graunke
Interim Legal Director, Jill Pelka-Wilger
Asst. City Attorney, Mike DiSanto
City Clerk, Pam LaFeber
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Detective, Mark English
Deputy Fire Chief, Rich Sander
Director of Finance, Rachel Mayer
Director of T.E.D., Bill Novack
T.E.D. Operations Manager, Allison Laff
Transportation Team Leader, Jennifer Louden
Operations Team Leader, Christine Schwartzhoff
Director of Public Utilities, Electric, Mark Curran
Director of Public Utilities, Jim Holzapfel
Interim HR Director, Jim Sheehan

Press

Chicago Sun Times, Daily Herald, Naperville Sun

A handwritten signature in black ink is located at the bottom left of the page. The signature is stylized and appears to be the initials 'JG'.

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 2

B **CLOSED SESSION:**

Wehrli moved to recess to Closed Session to discuss 5 ILCS 120/2(c) (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; (6) Setting of a price for sale or lease of property owned by the public body; (21) Discussion of minutes of meetings lawfully closed under this Act, whether for the purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; (5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussion whether a particular parcel should be acquired. Second, Chirico.

ROLL CALL:

Ayes: Brodhead, Chirico, Fieseler, Hinterlong, McElroy, Wehrli, Wentz

Nays: None

Absent: Pradel, Krause

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.
CLOSED SESSION ADJOURNED AT 7:03 P.M.**

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:07 p.m.

ROLL CALL to determine Quorum:

Present: Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause,
McElroy, Wehrli, Wentz

C **PLEDGE TO THE FLAG:**

PLEDGE GIVEN

D **AWARDS AND RECOGNITIONS:**

E **PUBLIC FORUM:**

E1 Clown Cab Company

Gregg Morris, Clown Cab, requested his vehicle be grandfathered into taxi service.

Krieger stated that staff will review the situation and make a recommendation. The Council will be informed of the decision via a Friday Manager's Memorandum.

F **HOLDOVER ITEMS:**

G **PETITIONS AND COMMUNICATIONS TO THE COUNCIL:**

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 3

**H CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR
REMAINING ITEMS:**

Krause moved to use the Omnibus method to approve the Consent Agenda.
Second, Wehrli.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Krause moved to approve the Consent Agenda with the exception of items
II and I8. Second, Wehrli.

ROLL CALL:

Ayes: Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy,
Wehrli, Wentz

Nays: None

Motion declared carried.

I2 Regular City Council Minutes

Council moved to approve the Regular City Council Meeting Minutes of
September 2, 2014.

REGULAR CITY COUNCIL
MINUTES

I3 Contract 14-132, 2014 Crackfill Program

Council moved to approve the award of Change Order 2 to Contract 14-132,
2014 Crackfill Program, CIP #MP009, to SKC Construction for an amount
of \$38,225.00 for a total contract award amount of \$383,267.17.

CONTRACT 14-132, 2014
CRACKFILL PROGRAM

I4 Contract 11-094, sanitary sewer flow monitors

Council moved to approve the award of utility funded change order #1 to
Contract 11-094, sanitary sewer flow monitors, to ADS LLC, for an amount
not to exceed \$32,615.58 and a total contract amount not to exceed
\$173,615.51.

CONTRACT 11-094,
SANITARY SEWER FLOW
MONITORS

I5 Procurement 15-108, Road Salt

Council moved to approve the award of Procurement 15-108, road salt, to
Cargill Salt, through a State of Illinois Joint Purchasing Contract, for an
amount not to exceed \$906,508.80.

PROCUREMENT 15-108,
ROAD SALT

I6 Monarch Landing Health Care Center

Council moved to accept the public watermain improvements at Monarch
Landing Health Care Center and authorize the City Clerk to reduce the
corresponding public improvement surety.

MONARCH LANDING
HEALTH CARE CENTER

I7 Ordinance No. 14-136, North Central College Homecoming Parade

Council moved to pass Ordinance No. 14-136, to establish temporary traffic
controls and issue a special event permit for the North Central College
Homecoming Parade on October 18, 2014.

ORDINANCE NO. 14-136,
NORTH CENTRAL
COLLEGE HOMECOMING
PARADE

I9 Ordinance No. 14-137, 2014 Turkey Trot

Council moved to pass Ordinance No. 14-137, to establish temporary traffic
controls and issue a special event permit for the Turkey Trot on November
27, 2014.

ORDINANCE NO. 14-137,
2014 TURKEY TROT

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 4

- I10** Ordinance No. 14-138, 2014 Hometown Holidays and Downtown Naperville Holiday Sculptures ORDINANCE NO. 14-138, 2014 HOMETOWN HOLIDAYS AND DOWNTOWN NAPERVILLE HOLIDAY SCULPTURES
- Council moved to pass Ordinance No. 14-138, to establish temporary traffic controls and issue a special event permit for the Hometown Holidays Parade on November 30, 2014 and approve the placement of the annual Downtown Holiday Sculptures.
- I11** Ordinance No. 14-139, Amending the FY2015 Annual Budget ORDINANCE NO. 14-139, AMENDING THE FY2015 ANNUAL BUDGET
- Council moved to pass Ordinance No. 14-139, amending the FY2015 Annual Budget to account for the FY2014 encumbrance carry-overs and the SECA project previously approved by Council.
- I12** Ordinance No. 14-140, Olesen Farm Subdivision, PZC 14-1-011 ORDINANCE NO. 14-140, OLESEN FARM SUBDIVISION, PZC 14-1-011
- Council moved to pass Ordinance No. 14-140, approving a preliminary/final plat of subdivision for Olesen Farm and the Owner's Acknowledgement and Acceptance Agreement for the property located at 7S251 Olesen Drive.
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- II** Cash Disbursements 8/27/14 CASH DISBURSEMENTS – 8/27/14
- Fieseler discussed the e-portal project and the data that can be mined.
- Fieseler moved to approve the 8/27/14 cash disbursements in the amount of \$9,057,696.19. Second, Wentz.
- ROLL CALL:**
- Ayes:** Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli, Wentz, Pradel
- Nays:** None
- Motion declared carried.
- I8** Ordinance No. 14-141, Downtown Naperville Trick-or-Treat ORDINANCE NO. 14-141, DOWNTOWN NAPERVILLE TRICK-OR-TREAT
- Council discussed safety concerns and requested additional patrol and signage along Washington Street.
- Wentz moved to pass Ordinance No. 14-141, to establish temporary traffic controls and issue a special event permit for the Downtown Naperville Trick-or-Treat event on October 26, 2014. Second, Chirico.
- ROLL CALL:**
- Ayes:** Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli, Wentz, Pradel, Brodhead
- Nays:** None
- Motion declared carried.
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- J** **OLD BUSINESS:**
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 5

L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

Chirico moved to approve the City Council meeting schedule for October, November and December 2014 and rescheduled the Five-Year Plan Workshop to October 27. Second, Hinterlong.

ROLL CALL:

Ayes: Fieseler, Hinterlong, Krause, McElroy, Wehrli, Wentz, Pradel,
 Brodhead, Chirico

Nays: None
 Motion declared carried.

L2 Naperville Senior Task Force

**NAPERVILLE SENIOR
TASK FORCE**

Council commended staff on the report and stated that the City is receiving applications.

Chirico moved to receive the report on the status of the Naperville Senior Task Force. Second, Krause.

VOICE VOTE: Motion declared carried.

L3 Pet license registration and review of animal fees

**PET LICENSE
REGISTRATION AND
REVIEW OF ANIMAL FEES**

Council discussed the process and fee for pet license and registration and the potential for more people to sign up if the fee is eliminated.

Wentz moved to direct staff to prepare an ordinance eliminating the pet license registration fee and to also complete a review of boarding, impounding and enforcement fees. Second, Brodhead.

VOICE VOTE: Motion declared carried.

L4 Nightlife Activity Metrics

**NIGHTLIFE ACTIVITY
METRICS**

DiSanto presented the metrics and stated that they were created with input from, but not limited to, the Downtown Naperville Alliance, the Restaurant Association, the Chamber of Commerce, and the Police and Fire Departments. He clarified that the metrics target over service issues versus underage issues.

Marshall explained how DUI metrics could be problematic, the benefit of video evidence and the status of body cameras in law enforcement.

Chirico moved to concur with the recommendations for nightlife activity metrics and direct staff to report said metrics to Council on a quarterly basis. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 6

M PUBLIC HEARINGS:

M1 Hartmann Woods, PZC 14-1-068

HARTMANN WOODS, PZC
14-1-068

M1a Ordinance No. 14-142, rezoning 2701 and 2717 S. Washington Street
Wehrli moved to pass Ordinance No 14-142, rezoning the properties located at 2701 and 2717 S. Washington Street from E1 (low density estate district) to R1a (low density single-family residence district). Second, Chirico.

ORDINANCE NO. 14-142,
REZONING 2701 AND 2717
S. WASHINGTON ST.

ROLL CALL:

Ayes: Hinterlong, Krause, McElroy, Wehrli, Wentz, Pradel,
Brodhead, Chirico, Fieseler

Nays: None
Motion declared carried.

M1b Vacate Washington Street right-of-way at 2710 and 2717 S. Washington Street

VACATE WASHINGTON
ST. RIGHT-OF-WAY AT
2710 & 2717 S.
WASHINGTON ST.

Pradel opened the public hearing at 7:51 p.m.

Bakhtiar Hafeez, Naperville, discussed issues with the proposed development including fencing, tree coverage, and increased traffic.

Atul Akhand, Naperville, discussed issues with the proposed development including traffic, speeding and safety of the children.

Council discussed width of street, parking, speeding, and traffic control.

Wehrli moved to close the public hearing at 8:00 p.m. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

Russ Whittaker, Petitioner, explained the process, plan commission, concerns about Ford Lane, and the installation of additional landscaping.

M1c Ordinance No. 14-143, Vacate Washington Street right-of-way at 2710 and 2717 S. Washington Street

ORDINANCE NO. 14-143,
VACATE WASHINGTON
ST. RIGHT-OF-WAY AT
2710 & 2717 S.
WASHINGTON ST.

Wehrli moved to pass Ordinance No. 14-143, vacating a portion of the Washington Street right-of-way along the east side of the properties located a 2710 and 2717 S. Washington Street. Second, Hinterlong.

ROLL CALL:

Ayes: Krause, McElroy, Wehrli, Wentz, Pradel, Brodhead, Chirico,
Fieseler, Hinterlong

Nays: None
Motion declared carried.

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 7

M1d Ordinance No. 14-144, preliminary/final plat of subdivision – Hartmann Woods

ORDINANCE NO. 14-144,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION –
HARTMANN WOODS

Wehrli moved to pass Ordinance No. 14-144, approving the preliminary/final plat of subdivision and Owners Acknowledgement & Acceptance (OAA) for Hartmann Woods and a subdivision variance to Section 7-4-4:2.4 (ninety percent rule) of the Municipal Code. Second, Hinterlong.

ROLL CALL:

Ayes: McElroy, Wehrli, Wentz, Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause

Nays: None
Motion declared carried.

M2 Burlington Meadows-PZC 14-1-088

Pradel opened the public hearing at 8:01 p.m.

Wehrli moved to continue the public hearing to October 7, 2014. Second, Chirico.

VOICE VOTE: Motion declared carried.

M3 Ashwood Heights Subdivision, PZC 14-1-097

M3a Public Hearing – first amendment to annexation agreement

Pradel opened the public hearing at 8:02 p.m.

Chirico moved to close the public hearing at 8:02 p.m. Second, Hinterlong

VOICE VOTE: Motion declared carried.

M3b Ordinance No. 14-145, Ashwood Heights, first amendment – annexation agreement

ORDINANCE NO. 14-145,
ASHWOOD HEIGHTS,
FIRST AMENDMENT –
ANNEXATION
AGREEMENT

Chirico moved to pass Ordinance No. 14-145, authorizing execution of the first amendment to the annexation agreement for Ashwood Park (aka 248th Assemblage Center). Second, Hinterlong.

ROLL CALL:

Ayes: Wehrli, Wentz, Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy

Nays: None
Motion declared carried.

M3c Ordinance No. 14-146, preliminary/final plat of subdivision

ORDINANCE NO. 14-146,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION

Chirico moved to pass Ordinance No. 14-146, approving a preliminary/final plat of subdivision and Owner's Acknowledgement and Acceptance for Ashwood Heights. Second, Hinterlong.

ROLL CALL:

Ayes: Wentz, Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli

Nays: None
Motion declared carried.

FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 8

N **ORDINANCES AND RESOLUTION:**

NI Ordinance No. 14-147, Liquor Service Regulations

ORDINANCE NO. 141-147,
LIQUOR SERVICE
REGULATIONS

Dan Gustafson, Naperville Marriott Hotel, Naperville, spoke against the restriction on re/entry of any patron one hour before closing.

Council discussed how restrictions should apply to different classes of license holders, the appropriateness of applying regulations to the downtown only, the appropriateness of applying regulations based on license classification, the Best Practices manual that establishments should be following, and the need to change the environment in the downtown.

Marshall stated that there have been fewer fights in the recent weeks.

Council discussed seasonality of the metrics, ease of enforcement, patrons moving to non-downtown establishments at closing time, regulating craft/non-craft beers, closing 30-minutes early, and when the text amendments should be approved.

Roger McDonald, Naperville, spoke in favor of closing the establishments at 1:00 a.m. on the weekends and surveying the community.

Ben Baggett, World of Beer, Naperville, discussed how the regulations will affect his establishment.

James Bergeron, Naperville, discussed the regulations and how to fairly enforce them.

Jeffrey Coakley, Buffalo Wild Wings, Naperville, discussed how the regulations would affect the BWW franchise.

McElroy moved to pass Ordinance No. 14-147, amending Sections 1, 17 and 20 of the Title 3, Chapter 3 of Naperville Municipal Code adding liquor service regulations limiting late night entry, price reductions for liquor, the service of shots, and requiring BASSET training for security personnel. Second, Brodhead.

Wehrli made a motion of substitution to pass Ordinance No. 14-147, amending Section 1, 17 and 20 of the Title 3, Chapter 3 of Naperville Municipal Code adding price reductions for liquor and requiring BASSET training for security personnel. Second, Chirico.

ROLL CALL:

Ayes: Pradel, Chirico, Fieseler, Hinterlong, Krause, Wehrli, Wentz

Nays: Brodhead, McElroy

Motion declared carried.

DiSanto stated that comments regarding late night entry, maximum beer size and the service of shots will be incorporated into the next ordinance draft.



FINAL AGENDA
CITY COUNCIL MEETING
SEPTEMBER 16, 2014
PAGE 9

O NEW BUSINESS

O1 New Employees

Krieger introduced Jim Sheehan as the Interim HR Director. Novack introduced Jen Louden as the Transportation Team Leader.

O2 Parents Matter Too

Fieseler discussed the program's Conversation Circles that are designed to assist parents.

O3 No U-turn sign

Krause asked about an accident on Champion.

Novack informed Council that he has been in contact with the resident who is in dialogue with the State of Illinois.

O4 Public Nuisance Fines

Chirico discussed increasing the minimum fine amount.

P CLOSED SESSION:

Q ADJOURNMENT:

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of September 16, 2014 at 9:37 p.m. Second, Wentz.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of September 16, 2014 officially adjourned at 9:37 p.m.



PAM LA FEBER, PH.D.
CITY CLERK

PL:BK

