



**CITY COUNCIL MEETING OF JANUARY 6, 2009
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
January 20, 2009 AS WRITTEN.**

CALL TO ORDER

A ROLL CALL:

Mayor A George Pradel
Councilman James Boyajian
Councilman Joe Dunn – Arrived at 7 10 p m
Councilman Robert Fieseler
Councilman Richard R Furstenau
Councilman Douglas Krause
Councilman Kenn Miller
Councilman John Rosanova
Councilman Grant Wehrl

Absent

None

Also Present

City Manager, Doug Krieger
Assistant City Manager, Robert Marshall
Records Management Team Leader, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Police Chief, David Dial
Acting Finance Director, Chris Smith
Human Resources Team Leader, Diane DiGangi
Director of Public Utilities, Allan Poole
Director of Public Works, David Van Vooren
Director Mgmt Svcs Business Group, Don Carlsen
Director of T E D Business Group, Marcie Schatz
T E D Planning Team Leader, Suzanne Thorsen
T E D Engineering Team Leader, Bill Novack
T E D Transportation Team Leader, Karyn Robles
T E D Development Team Leader, Dick Dublinski

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B CLOSED SESSION – 6:07 p.m.

Wehrli moved to recess to Closed Session to discuss 5ILCS/120/2(c)
1, 21, 11, 7, 2 Second, Furstenau

ROLL CALL:

Ayes: Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller,
Rosanova, Wehrli

Nays: None
Motion declared carried

**THE MEETING RECESSED TO CLOSED SESSION AT 6:07
P.M.**

CLOSED SESSION ENDED AT 7:03 P.M.

OPEN SESSION

Mayor Pradel called the meeting back to order at 7 08 p m

ROLL CALL to determine Quorum:

Present: Pradel, Boyajian, Fieseler, Furstenau, Krause, Miller,
Rosanova, Wehrli

Absent: Dunn

Clerk's Note: Councilman Dunn returned to the dais at 7 10 p m

C. PLEDGE TO THE FLAG:

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month for January 2009 – Patti Magnus,
Compensation and Benefits Manager, Human Resources

EMPLOYEE OF THE
MONTH - JANUARY

Councilman Miller presented the Employee of the Month for January
2009 award to Patti Magnus, Compensation and Benefits Manager,
Human Resources

D2 Swearing-In of New Councilmember – Joe Dunn

SWEARING IN OF NEW
COUNCILMAN

Mayor Pradel swore in Joe Dunn as a new Councilman

E PUBLIC FORUM:

E1 Hearts for Heroes

Amy Berger of 1429 Sequoia Road asked that people send valentines
to soldiers stationed overseas, the main drop off point is Naper Nuts
and Sweets

E2 Dangers of cell phone use while driving

Joe Fay of 1162 Almond Court stated that cell phone distractions
while driving is as dangerous as driving drunk Mr Fay asked the
City Council to ban cell phone use while driving in Naperville

Mayor Pradel stated that there is a cell phone ban for city employees

F HOLDOVER ITEMS:

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G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

G1 Sound Wall Design Changes – Maplebrook I

**MAPLEBROOK I – SOUND
WALL DESIGN**

Novack presented the history of the project and reiterated that staff recommends a 12 foot wall which is more cost effective and a performance based method of delivery

Timothy Roland of 53 Bunting Lane stated his concern that sound and visual needs will not be satisfactorily addressed, he is unsure about the placement of the wall and would like someone from the city to show residents where the wall will located

Steve Gaza of 33 Bunting Lane stated his property backs up to 75th Street, that the residents developed a list of questions for the city but did not get many answers, and that the homeowners were not involved in the process

Pamela Bunyea of 25 Bunting Lane stated that only a properly designed sound wall will allow for a reduction in sound

Novack stated that the team designed for the worst-case scenario and recommends a 12 foot wall

Ed Bunyea of 25 Bunting Lane stated he is looking forward to the construction of the sound wall, that he was part of the working group and believes the wall will be both effective in reducing sound and will be aesthetically pleasing, and that a solution would be to put the wall closer to the roadway and include 12 foot panels

Tom Anderson of 21 Tupelo Drive stated he was part of the working group, that the group refined the goals as they learned more, and would like to revisit the wall width and sound mitigation issues

Joanne Martino of 8 Tupelo Drive discussed the history of the project regarding a decorative wall verses sound wall

Lyle Hagen of 1520 Swallow Street was the team leader of the Working Wall Group and reviewed the project goals, he stated that the group has a plan to balance all of the goals, but does have a problem with the utility relocation

Novack explained the construction phases, the \$300,000-\$500,000 estimate of the wall the residents are requesting, and the movement of utilities

Council discussed making this a two-bid process, easements and marking where the wall will be located

Novack stated that an easement would have to be granted by all of the affected residents

Furstenau moved to direct staff to locate the wall for the residents, to partner with each of the affected homeowners to obtain an easement that would allow the wall to be located at a higher elevation, investigate initiating a two-bid process, and report the findings to the City Council on February 3 Second, Boyajian

VOICE VOTE: Motion declared carried



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BREAK: 8:55 P.M.

Mayor Pradel called the meeting back to order at 9:05 p.m.

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

Miller moved to create an Omnibus to approve the Consent Agenda Second, Furstenau

VOICE VOTE: Motion declared carried

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of item I10 Second, Furstenau

ROLL CALL:

Ayes: Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller, Rosanova, Wehrl

Nays: None
Motion declared carried

- I1** Approve December 11, 2008 Cash Disbursements in the amount of \$8,408,202 24 CASH DISBURSEMENTS -- 12/11/08
Council moved to approve the December 11, 2008 cash disbursements in the amount of \$8,408,202 24
- I2** Approve the Regular City Council Meeting Minutes of December 16, 2008 REGULAR CITY COUNCIL MEETING MINUTES -- 12/16/08
Council moved to approve the Regular City Council Meeting minutes of December 16, 2008
- I3** Approve the award of Change Order #1 to Contract 08-204, Upgrade of Street Lighting System SL129, to Groundhog Utility Construction for an extension to the contract period of eighty three working days with no change to the contract amount CONTRACT 08-204, UPGRADE STREET LIGHTING SYSTEM SL129
Council moved to approve the award of Change Order #1 to Contract 08-204, upgrade of street lighting system SL-129, to Groundhog Utility Construction for an extension to the contract period of eighty three working days with no change to the contract amount
- I4** Approve the award of Change Order #2 to Contract 07-209, Landscape Maintenance and Mowing, to Green Horizons, Inc , for an amount not to exceed \$25,000 00 CONTRACT 07-209, LANDSCAPE MAINTENANCE AND MOWING
Council moved to approve the award of Change Order #2 to Contract 07-209, landscape maintenance and mowing to Green Horizons, Inc , for an amount not to exceed \$25,000 00



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- I5** Approve Mayoral appointments to the Advisory Commission on Disabilities, Downtown Advisory Commission and the Fair Housing Advisory Commission MAYORAL APPOINTMENTS TO COMMISSIONS
- Council moved to approve the Mayoral appointments of Mary Wright to the Advisory Commission on Disabilities, Sherman Nean to the Fair Housing Advisory Commission, and Steve Grosskopf, Mary Junkroski and Dwight Yackley to the Downtown Advisory Commission (formerly known as DPIC)
- I6** Approve Mayoral reappointments to the Downtown Advisory Commission, Police Pension Board and the Public Utilities Advisory Commission MAYORAL REAPPOINTMENTS TO BOARDS & COMMISSIONS
- Council moved to approve the Mayoral reappointments to the Downtown Advisory Commission, Police Pension Board and the Public Utilities Advisory Commission
- I7** Accept the public improvements and authorize the City Clerk to reduce the corresponding letters of credit for 1301 Frontenac Road (Suncraft Warehouse Expansion) PUBLIC IMPROVEMENTS – 1301 FRONTENACE RD
- Council moved to accept the public improvements and authorize the City Clerk to reduce the corresponding letters of credit for 1301 Frontenac Road
- I8** Ordinance No 09-001, establishing a one-way stop of Leeds Court for Coach Drive, and amending the existing one-way yield of Leamington Court for Coach Drive to a one-way stop ORDINANCE NO 09-001, ONE WAY STOP OF LEEDS CT FOR COACH DR
- Council moved to pass Ordinance No 09-001, establishing a one-way stop of Leeds Court for Coach Drive, and amending the existing one-way yield of Leamington Court for Coach Drive to a one-way stop
- I9** Ordinance No 09-002, establishing two additional “handicapped parking spaces on Benton Avenue and Ellsworth Street adjacent to Ss Peter & Paul Church ORDINANCE NO 09-002, HANDICAPPED PARKING SPACES ON BENTON AVE
- Council moved to pass Ordinance No 09-002, establishing two additional “handicapped parking” spaces on Benton Avenue and Ellsworth Street adjacent to Saints Peter & Paul Church
- I11** Resolution No 09-001, authorizing the City Manager to execute the attached agreement with UPG Communications, LLC allowing the placement of a computer kiosk in the Municipal Center lobby RESOLUTION NO 09-001, AGREEMENT - PLACEMENT OF A COMPUTER KISCK
- Council moved to adopt Resolution No 09-001, authorizing the City Manager to execute the agreement with UPG Communications, LLC to allow for the placement of a kiosk in the Municipal Center lobby

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- I12** Schedule a public hearing for February 3, 2009 to consider a variance request from the DuPage Countywide Stormwater Ordinance for the Washington Street and 75th Street intersection improvement DUPAGE COUNTYWIDE STORMWATER ORDINANCE VARIANCE
- Council moved to schedule a public hearing for February 3, 2009 to consider a variance request from the DuPage Countywide Stormwater Ordinance for the Washington Street and 75th Street intersection improvements
- I13** Direct staff to prepare a resolution and intergovernmental agreement with the Wheatland Township Road District for the proposed Quiet zone along the EJ&E Railroad INTERGOVERNMENTAL AGREEMENT – QUIET ZONE – EJ&E RAILROAD
- Council moved to direct staff to prepare a resolution and intergovernmental agreement with the Wheatland Township Road District for the proposed Quiet Zone along the EJ&E Railroad
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- I10** Ordinance No 09-, to establish “no parking, stopping or standing on the West side of Cherry Blossom Lane, Sundays, 7 a m – 12 00 p m from Robin Hill Drive to Elmwood Drive ” NO PARKING – CHERRY BLOSSOM LANE
- Dunn stated that the church was not informed about the ordinance being placed on the agenda
- Dunn moved to table to January 20, 2009 to establish no parking, Sundays, 7 a m – 12 p m on the west side of Cherry Blossom Lane from Robin Hill Drive to Elmwood Drive Second, Furstenau
- VOICE VOTE:** Motion declared carried
- J** **OLD BUSINESS:**
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** Approve the City Council Meeting Schedule for January, February and March 2009 CITY COUNCIL MEETING SCHEDULE
- Boyajian moved to approve the City Council Meeting Schedule for January, February and March 2008 Second, Wehrli
- VOICE VOTE:** Motion declared carried
- L2** Accept the Fuel Futures background report FUEL FUTURES BACKGROUND REPORT
- Boyajian moved to accept the report on fuel futures options Second, Furstenau
- VOICE VOTE:** Motion declared carried

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M PUBLIC HEARING:

- M1** Annexation and rezoning of the property at 8S116 Shamrock Court, PC 1762 8S116 SHAMROCK COURT, PC 1762
- M1a** Conduct the public hearing to consider the annexation agreement for Kannry Subdivision located at 8S226 Shamrock, Court PUBLIC HEARING
- The public hearing opened at 9 08 p m
Rosanova moved to close the public hearing at 9 09 p m Second, Krause
- VOICE VOTE:** Motion declared carried
- M1b** Ordinance No 09-003, approving the annexation agreement for 8S116 Shamrock Court ORDINANCE NO 09-003, ANNEXATION AGREEMENT
- Furstenau moved to pass Ordinance 09-003, authorizing execution of the annexation agreement for 8S116 Shamrock Court Second, Rosanova
- ROLL CALL:**
Ayes: Krause, Miller, Rosanova, Wehrli, Pradel, Boyajian, Dunn, Fieseler, Furstenau
Nays: None
Motion declared carried
- M1c** Ordinance No 09-004, approving the annexation of the property at 8S116 Shamrock Court ORDINANCE NO 09-004, ANNEXING - 8S116 SHAMROCK CT
- Rosanova moved to waive first reading and pass Ordinance No 09-004, annexing the property at 8S116 Shamrock Court Second, Furstenau
- ROLL CALL:**
Ayes: Miller, Rosanova, Wehrli, Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause
Nays: None
Motion declared carried
- M1d** Ordinance No 09-005, approving the zoning of the property at 8S116 Shamrock Court to E2 (medium density Estate District) upon annexation ORDINANCE NO 09-005, ZONING - 8S1116 SHAMROCK CT
- Schatz explained that the address will change to 1157 Shamrock Court
- Rosanova moved to pass Ordinance No 09-005 approving the zoning for the property at 8S116 Shamrock Court to E2, medium density Estate District, upon annexation Second, Furstenau
- ROLL CALL:**
Ayes: Rosanova, Wehrli, Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller
Nays: None
Motion declared carried

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N ORDINANCES AND RESOLUTIONS:

N1 Resolution No 09-002, supporting legislation to create a right of recall of statewide and local elected officials

RESOLUTION NO 09-002 –
RIGHT TO RECALL OF
STATEWIDE & LOCAL
ELECTED OFFICIALS

Wehrli moved to adopt Resolution No 09-002, supporting legislation to create a right of recall of statewide and local elected officials
Second, Miller

ROLL CALL:

Ayes: Wehrli, Pradel, Boyajian, Dunn, Fieseler, Krause, Miller, Rosanova

Nays: Furstenau
Motion declared carried

O NEW BUSINESS:

O1 Economic Development

Council asked staff to research Naperville Development Partners' (NDP) request to consider the waiving the road impact fee for 12 months to encourage economic development to Naperville and report back to Council

O2 Omnia

Council asked when a report would be ready on the Omnia proposal, stated that the project would follow the normal process and the findings of the 5th Avenue Study would impact any consideration

Schatz stated that the Omnia submission was incomplete Council will get a copy of the materials submitted to date and a copy of the letter to Omnia outlining information that is still needed

O3 Parking near the downtown train station

Council asked for information about property by the train station that allows parking on it and whether it is in violation of any city ordinances

P CLOSED SESSION:

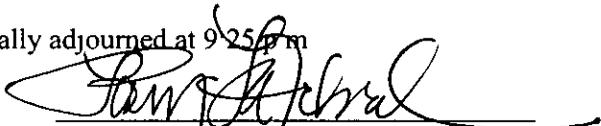
Q ADJOURNMENT:

ADJOURNMENT – 9 25
P M

Rosanova moved to adjourn the Regular City Council meeting of January 6, 2009 at 9 25 p m Second, Furstenau

VOICE VOTE: Motion declared carried

The Regular City Council Meeting of January 6, 2009 officially adjourned at 9 25 p m


PAM LA FEBER
CITY CLERK