



**CITY COUNCIL MEETING OF NOVEMBER 3, 2015
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
November 17, 2015 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

- A** Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judy Brodhead
Councilman Kevin M. Coyne
Councilman Kevin Gallaher
Councilwoman Patricia A. Gustin
Councilman Paul Hinterlong
Councilman John J. Krummen
Councilwoman Rebecca Boyd-Obarski

Absent

Also Present

City Manager, Doug Krieger
Legal Director, Jill Pelka-Wilger
Deputy City Manager, Marcie Schatz
City Prosecutor, Kavita Athanikar
Asst. to City Manager, Amy Emery
City Clerk, Pam LaFeber
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Deputy Fire Chief, Richard Sander
Fire Chief, Mark Puknaitis
Director of Human Resources, James Sheehan
Director of Finance, Rachel Mayer
Director of TED, Bill Novack
Transportation Team Leader, Jennifer Loudon
Planning Services Team Leader, Allison Laff
Director Public Utilities – Electric, Mark Curran
Director of Public Works, Dick Dublinski
Deputy Director of Public Utilities-Water, Amy Ries

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B ROLL CALL:

C CLOSED SESSION:

Gallaher 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; (11) Litigation, when action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal; (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; (6) Setting of a price for sale or lease of property owned by the public body. Second, Obarski.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski

Nays: None

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.
CLOSED SESSION ADJOURNED AT 6:58 P.M.

D ROLL CALL:

Mayor Chirico called the meeting back to order at 7:01 p.m.

ROLL CALL to determine Quorum:

Present: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski

Absent: None

E PLEDGE TO THE FLAG:

PLEDGE GIVEN

F AWARDS AND RECOGNITIONS:

F1 Homelessness Awareness Week

PROCLAMATION

Councilwoman Brodhead proclaimed November 2 - November 7, 2015 as Homelessness Awareness Week in the City of Naperville and presented the Proclamation to Chad Pedigo, Bridge Communities.

F2 Don't Be An Accidental Drug Dealer

PROCLAMATION

Councilwoman Brodhead proclaimed November 2015 as Don't be an Accidental Drug Dealer Month and presented the Proclamation to IdaLynn Wenhold - KidsMatter Executive Director, Police Chief Bob Marshall and Fire Chief Mark Puknaitis.

F3 Pancreatic Cancer Day

PROCLAMATION

Councilwoman Brodhead proclaimed November 13, 2015 as Pancreatic Cancer Day and presented the Proclamation to Ann Zediker, Lillian Pagano and Lindsey Bialek with the Pancreatic Cancer Walk.

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G PUBLIC FORUM:

G1 2015 Healing Field

Marty Walker (Naperville) discussed Veteran's Day activities and the sale of American flags.

G2 Meeting Rooms

H. Tom O'Hale (Naperville) spoke against the meeting room policy to charge a reservation fee.

G3 School District #204 Thank you!

Karen Sullivan (Naperville) thanked members of the Police and Fire departments for their assistance in a recent school safety management assessment and training.

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

Brodhead moved to use the Omnibus method to approve the Consent Agenda. Second, Gallaher.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Brodhead moved to approve the Consent Agenda. Second, Hinterlong.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski

Nays: None
Motion declared carried.

II RFQ 16-103, Transformer Qualified Vendors

Council moved to approve the award of RFQ 16-103, transformer qualified vendors, for the spot purchases of single and three-phase transformers, based on quotations solicited from respondents qualified, for an amount not to exceed \$654,588.00.

**RFQ 16-103,
TRANSFORMER
QUALIFIED VENDORS**

I2 Regular City Council Minutes

Council moved to approve the Regular City Council Meeting Minutes of October 20, 2015.

**REGULAR CITY COUNCIL
MINUTES**

I3 Appointment of Student to Boards and Commissions

Council moved to appoint Janani Kalyan as a Student Representative on the Sister Cities Commission.

**APPOINTMENT OF
STUDENT TO BOARDS
AND COMMISSIONS**

I4 Hartmann Woods Subdivision

Council moved to accept the public underground and street light improvements for Hartmann Woods Subdivision and authorize the City Clerk to reduce the corresponding public improvement surety.

**HARTMANN WOODS
SUBDIVISION**

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**ORDINANCE NO. 15-176,
INCREASE CLASS M
RECREATIONAL LICENSE**

I5 Ordinance No. 15-176, Increase Class M Recreational License

Council moved to waive the first reading and pass Ordinance No. 15-176, amending Section 3-3-13:5 of the Naperville Municipal Code to increase the Class M license limit from eight to nine in order to allow Painting with a Twist to be eligible for a Class M license.

J **PUBLIC HEARINGS:**

J1 Bauer Place, PZC 15-1-026

J1a Public Hearing - Bauer Place, PZC 15-1-026

Chirico opened the public hearing at 7:27 p.m.

Len Monson (Naperville), attorney for the Petitioner, discussed the request to annex the subject property, rezone the property to R3 upon annexation, and approve a preliminary/final plat of subdivision and a deviation in order to construct six 4-unit townhome buildings for a total of 24 units. The Petitioner is also requesting a variance to the design of the proposed stormwater detention basin onsite.

Council discussed the reduction in units, the PZC vote, resulting density, and that it may have been more appropriate for the altered proposal to go to PZC prior to the Council meeting.

David Shang (Naperville) spoke against the proposed development.

Mike Marek (Naperville) spoke against the proposed development.

Phil Stafford (Naperville) spoke against the proposed development.

Jan Lechowicz (Naperville) spoke against the proposed development.

Kevin Hynes (Naperville) spoke against the proposed development.

Patricia Hurt (Naperville) spoke against the proposed development.

Dale Dionesotes (Naperville) spoke against the proposed development.

Margaret Mills (Naperville) spoke against the proposed development.

Josh Louis (Naperville) spoke against the proposed development.

Brian Cheng (Naperville) spoke against the proposed development.

Steven Paul (Naperville) spoke against the proposed development.

Bruce Hupp spoke against the proposed development.

Monson responded to the speakers' comments about standards, density, development trend, existing multi-family developments, and stated that staff supports the proposal as a transitional buffer between commercial and single family.

Council discussed further reducing the number of units, the impact of traffic, appropriateness of being developed as R1, that the proposed development borders Naperville neighborhoods, that the location would be difficult to be developed as single family homes, not a development for seniors, that there is support from residents for the development, and the need for a clear statement from the PZC.

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L2

Ordinance No. 15-178, Liquor Confinement and Display

Jeremy Komar (Naperville) spoke in favor of the proposed text amendment.

Katy Leclair (Naperville) spoke against the proposed text amendment.

Colin Dalough (Standard Market) spoke in favor of the proposed text amendment.

Council discussed restricting end cap displays, existing confined areas, the percent increase of the proposal changes, that the Liquor Commissioner must review any expansion of the confined areas, the number of thefts reported, placing a sunset on the change, store security, and the image of Naperville.

Connie Zaio, Jewel, discussed liquor theft in stores with confined and non-confined displays.

Brodhead moved to pass Ordinance No. 15-178, amending Sections 11 and 17 of Chapter 3, Title 3 of the Naperville Municipal Code allowing displays of packaged beer and wine only, no spirits, outside the designated confined liquor display area with the following restrictions: (1) Liquor displays located outside the designated confined liquor display area shall not be located within ten (10) feet of any sales counter or any public entrance; (2) The confined liquor display area shall not exceed twenty percent of the total retail floor area of the licensed premises. A display outside of the confined liquor display area is permitted, but shall be limited in size to 20 percent of the confined liquor display area. In no event shall the confined liquor display area and the outside liquor display area exceed twenty percent of the total retail floor area of the licensed premises except for the Class V license whose total displayed liquor shall not exceed five (5%) percent of the total retail floor area of the licensed premises and Class G1 license holders whose total displayed liquor shall not exceed three (3%) percent of the total retail floor area of the licensed premises and in no event shall exceed five hundred (500) square feet; (3) All tastings as provided for in this Chapter shall take place in the confined liquor display area. Second, Gallaher.

ROLL CALL:

Ayes: Coyne, Gallaher, Krummen, Chirico, Anderson, Brodhead

Nays: Gustin, Hinterlong, Obarski

Motion declared carried.

L3

Zoning Amendments – Common Variance Requests (PZC 15-1-103)

Council discussed chimneys, parking spaces for guests, patios, and asked staff to bring back examples of where the changes would be applied.

First reading held.

L4

Zoning Amendments – Process Improvements (PZC 15-1-102)

Council discussed temporary uses, public input requirements, 90% Rule variance, increasing staff authority will make the development process better, and asked staff to bring back examples of where the changes would be applied.

First reading held.

ORDINANCE NO. 15-178,
LIQUOR CONFINEMENT &
DISPLAY

ZONING AMENDMENTS –
COMMON VARIANCE
REQUESTS (PZC 15-1-103)

ZONING AMENDMENTS –
PROCESS
IMPROVEMENTS (PZC 15-
1-102)

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M AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

N PETITIONS AND COMMUNICATIONS:

O REPORTS AND RECOMMENDATIONS:

O1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Anderson moved to approve the City Council Meeting Schedule for November and December 2015 and January 2016 with a 6:00 p.m. start time for the workshops. Second, Coyne.

VOICE VOTE: Motion declared carried.

Clerk's Note: Chirico and Obarski recused themselves due to a conflict of interest and left the dais at 10:29 p.m.

Councilwoman Brodhead served as Mayor Pro Tem.

O2 Hidden Creek, PZC 14-1-083

HIDDEN CREEK, PZC 14-1-083

Patti Bernhard (Naperville) requested annexation of the subject property, rezoning of the property to R1A upon annexation, and approval of a preliminary plat of subdivision.

Council discussed the homeowner's association and its responsibility, the appropriateness of reserving the lot for future development, the presence of flood plain, and the difficulty of developing the area.

Novack explained that the area was reserved for a period of time and the opportunities for resident input.

Option A Approving Hidden Creek Subdivision, including reservation of Lot 5a

Option B Approving Hidden Creek Subdivision with no right-of-way reservation

Gallaher moved to concur with the Petitioner and direct staff to prepare ordinances approving Hidden Creek Subdivision with no right-of-way reservation, PZC 14-1-083. Second, Hinterlong.

ROLL CALL:

Ayes: Gallaher, Hinterlong, Krummen, Anderson, Coyne

Nays: Gustin, Brodhead

Recused: Obarski, Chirico

Motion declared carried.

Clerk's Note: Chirico and Obarski returned to the dais at 10:52 p.m.

P NEW BUSINESS:

P1 Workshop Times

By consensus, Council directed staff to bring back a text amendment to change workshop start times to 6:00 p.m.

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P2

Liquor Code

Chirico informed Council that he has asked staff to form a task force to review and update the Liquor Code.

Q

ADJOURNMENT:

ADJOURNMENT

Gustin moved to adjourn the Regular City Council meeting of November 3, 2015 at 10:56 p.m. Second, Gallaher.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of November 3, 2015 officially adjourned at 10:56 p.m.


PAM LA FEBER
CITY CLERK

PL: bk

