



**CITY COUNCIL MEETING OF JULY 16, 2013
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
August 20, 2013 AS REVISED.**

CALL TO ORDER:

5:00 P.M.

**A Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause – Arrived at 5:05 p.m.
Councilman Joe McElroy
Councilman Grant Wehrli
Councilman David Wentz**

Absent

Also Present

**City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
City Attorney, Margo Ely
City Clerk, Pam LaFeber
Police Chief, Robert Marshall
Fire Chief, Mark Puknaitis
Director of Finance, Karen DeAngelis
Assistant Finance Director, Chris Smith
Director of T.E.D., Bill Novack
T.E.D. Operations Manager, Allison Laff
Transportation Team Leader, Karyn Robles
Director of Public Works, Dick Dublinski
Strategic Services Manager, Beth Lang
Director of Public Utilities-Water, Jim Holzapfel
Director of Public Utilities-Electric, Mark Curran**

Press

Chicago Sun Times, Daily Herald, Naperville Sun

A handwritten signature in black ink, appearing to be the initials 'GJ' or similar, located at the bottom left of the page.

FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 2

B CLOSED SESSION:

Wehrli moved to recess to Closed Session to discuss 5ILCS/120(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; (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; (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, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; (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. Second, Wentz.

ROLL CALL:

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

Nays: None

Absent: Krause

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 5:05 P.M.

CLOSED SESSION ENDED AT 6:52 P.M.

Clerk's Note: Krause arrived at 5:05 p.m.

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:02 p.m.

ROLL CALL to determine Quorum:

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

Absent: None

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month – July

Councilwoman Brodhead recognized Fire Lieutenant Thomas Vandervliet as July's Employee of the Month.

EMPLOYEE OF THE MONTH - JULY

D2 North Central College Vocal Jazz Week

Councilwoman Brodhead proclaimed July 21 – 27, 2013 as Vocal Jazz Week and presented the Proclamation to Janice Borla, North Central College Director of Vocal Jazz.

NORTH CENTRAL COLLEGE VOCAL JAZZ WEEK

**FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 3**

- D3** Sister Cities International 2013 Young Artists Showcase
Sister Cities International recognized Neuqua Valley High School sophomore Faith Tsou as the Grand Prize Winner of the 2013 Young Artists Showcase.

**SISTER CITIES
INTERNATIONAL 2013
YOUNG ARTISTS
SHOWCASE**

E **PUBLIC FORUM:**

- E1** 84th District – Introduction to Council
Rep. Stephanie Kifowit, 1677 Montgomery Rd, introduced herself to the City Council.

- E2** Naperville Utility Collection Policy
Jason Patrinos, 1501 W. Jefferson, requested an explanation of why delinquent utility bill payments are passed on to the property owner.

DeAngelis explained policy per the ordinance and will send the ordinance to the speaker.

- E3** Stormwater Detention Ponds
Carol Jablonsky, 2016 Fulham Drive, asked the City to evaluate area ponds and determine life safety hazards

Novack explained wet pond basins, safety shelf, and natively planted basins.

- E4** Abortion Protestors on Route 59
Oscar Zepeda, 755 Inland Circle #302, discussed the recent protesters in the area.

F **HOLDOVER ITEMS:**

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

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 item I20. Second, Chirico.

ROLL CALL:

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

Nays: None
Motion declared carried.

- I1** Cash Disbursements – 6/19/13
Council moved to approve the 6/19/13 cash disbursements in the amount of \$20,941,370.75.

**CASH DISBURSEMENTS –
6/19/13**

- I2** Regular City Council Minutes
Council moved to approve the Regular City Council Minutes of June 18, 2013.

**REGULAR CITY COUNCIL
MINUTES**

**FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 4**

- I3** Procurement 14-026, Smart 9-1-1 Services Agreement
Council moved to approve the award of sole source Procurement 14-026, Smart 9-1-1 Services Agreement with Rave Wireless, Inc., for an amount not to exceed \$155,000.00 for a five-year agreement. **PROCUREMENT 14-026,
SMART 9-1-1 SERVICES
AGREEMENT**
- I4** Procurement 14-054, Uninterrupted Power Supply for Police Department
Council moved to accept the Record of the Emergency Award of Procurement 14-054 uninterrupted power supply (UPS) for NPD, to Nationwide Power Solutions, Inc., for an amount not to exceed \$27,283.00. **PROCUREMENT 14-054,
UNINTERRUPTED POWER
SUPPLY FOR POLICE
DEPARTMENT**
- I5** Procurement 14-055, Naper Settlement Mansion Tall Chimney Repairs
Council moved to accept the Record of the Emergency Award of Procurement 14-055 Mansion Tall Chimney Repairs at Naper Settlement, to Berglund Construction for an amount not to exceed \$69,125.49, plus a 5% contingency. **PROCUREMENT 14-055,
NAPER SETTLEMENT
MANSION TALL CHIMNEY
REPAIRS**
- I6** Bid 14-038, Substation Automation Materials
Council moved to approve the award of utility funded Bid 14-038, substation automation materials to A Star Electric, for an amount not to exceed \$260,147.00. **BID 14-038, SUBSTATION
AUTOMATION
MATERIALS**
- I7** Bid 14-018, Contract Meter Reading Services
Council moved to approve the award of Bid 14-018, Contract Meter Reading Services, to Rickman Contracting Services for an amount not to exceed \$670,000.00 for the two-year contract period. **BID 14-018, CONTRACT
METER READING
SERVICES**
- I8** Contract 13-082, Tree Trimming
Council moved to approve the award of Change Order #1 to Contract 13-082, tree trimming, to Autumn Savatree for an amount not to exceed \$50,000.00 for a total award of \$148,500.00. **CONTRACT 13-082, TREE
TRIMMING**
- I9** Bid 14-032, 8" Diameter CIPP
Council moved to approve the award of utility funded Bid 14-032, sanitary sewer main rehabilitation, 8" diameter cured-in-place-pipelining, to Pipeline Solutions, LLC/American Pipeliners for an amount not to exceed \$396,777.00, plus a 5% contingency. **BID 14-032, 8" DIAMETER
CIPP**
- I10** Bid 14-028, Aggregate Materials
Council moved to approve the award of Bid 14-028, aggregate materials, to Boughton Materials, for an amount not to exceed \$167,404.25. **BID 14-028, AGGREGATE
MATERIALS**
- I11** Contract 12-144, SOC Pumps & Controls Replacement
Council moved to approve Change Order #2 to Contract 12-144 in the amount of \$13,373.74, plus a 90-day time extension to the final completion date, for a total contract award not to exceed \$503,349.74. **CONTRACT 12-144, SOC
PUMPS & CONTROLS
REPLACEMENT**
- I12** Advisory Commission On Disabilities
Council moved to approve Mayoral appointment of Jorgen Phillips to the Advisory Commission On Disabilities. **ADVISORY COMMISSION
ON DISABILITIES**



**FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 7**

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

Wehrli moved to approve the City Council meeting schedule for July, August, September and October 2013. Second, Krause.

VOICE VOTE: Motion declared carried.

Clerk's Note: McElroy recused himself due to a conflict of interest and left the dais at 7:34 p.m.

L2 Mayfair Phase 2, PZC 12-1-154

**MAYFAIR PHASE 2, PZC
12-1-154**

Greg Collins, Petitioner, 400 E. Diehl, discussed the proposed development of 138 townhome dwelling units on the subject property as an extension to the existing Mayfair development, the creation of a new street and various conditional uses and municipal code deviations.

Santo Albanese, 1850 Princeton Circle, spoke against the proposed rezoning.

Giuseppe Barbarotta, 8S530 Oxford Lane, spoke against the proposed rezoning.

Council discussed student generation tables and that the highest/best use is no longer commercial and that Naperville is different now from when the property was developed in 2005-06. It said by building now construction jobs will come to the area and that the developer has reduced density, the plan meets PUD standards, and is a good product. Council went on to say that the area has not been developed as commercial property for seven years and that it is the last B2 parcel in Naperville. It said that commercial would be hidden in this location and that the residents that will live here will shop at the new commercial developments in that area.

Wehrli moved to direct staff to complete technical reviews of all submittal items and draft ordinances approving petitioner's request. Second, Hinterlong.

ROLL CALL:

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

Nays: Krause, Pradel

Recuse: McElroy

 Motion declared carried.

Clerk's Note: McElroy returned to the dais at 8:36 p.m.

L3 Residential Recycling Cart Program

**RESIDENTIAL RECYCLING
CART PROGRAM**

Dublinski reviewed the proposal and highlighted the cost, resident support for a recycling program, and a payback strategy for the cost and delivery of the carts.

Council discussed payment for multiple carts, waiving the Procurement Code, the value of waste, program management, and concerns over awarding an eight-year contract.

L3 Residential Recycling Cart Program

RESIDENTIAL RECYCLING



FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 8

Krieger outlined disadvantages with rebidding the program and that a long-term contract benefits the hauler because the business is capital intensive (trucks) and a longer contract will minimize their risk.

CART PROGRAM

Council further discussed bidding, the size of the carts, garbage/recycling pick up days, how to charge the residents, materials that would be accepted, and the wait time at the HAZMAT drop off site.

Wehrli moved to table to August 20. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

L3a Mandatory Recycling Cart Program

L3b Use of General Fund for procurement of Recycling Carts

M **PUBLIC HEARINGS:**

M1 2013 CDBG Annual Action Plan (AAP)

2013 CDBG ANNUAL
ACTION PLAN (AAP)

M1a Amendment to Program Year 2013 Community Development Block Grant (CDBG) Annual Action Plan (AAP)

Pradel opened the public hearing at 9:07 p.m.

Krause moved to close the public hearing at 9:07 p.m. Second, Wentz.

VOICE VOTE: Motion declared carried.

M1b 2013 amended Annual Action Plan

Wehrli moved to approve the 2013 amended Annual Action Plan (AAP) allocating a total of \$558,464.00. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

N **ORDINANCES AND RESOLUTIONS:**

N1 Ordinance No. 13-079, Embassy Suite Hotel and Conference Center at Freedom Commons

ORDINANCE NO. 13-079,
EMBASSY SUITE HOTEL
AND CONFERENCE
CENTER AT FREEDOM
COMMONS

Chirico moved to pass Ordinance No. 13-079, approving an economic incentive agreement to induce the development of an Embassy Suites Hotel and Conference Center at Freedom Plaza. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

N2 Resolution No. 13-024, Electric Utility Recommendations

RESOLUTION NO. 13-024,
ELECTRIC UTILITY

Wehrli moved to adopt Resolution No. 13-024, approving electric utility



FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 9

recommendations pursuant to the Public Utility Regulatory Policies Act of 1978 as amended. Second, Chirico.

RECOMMENDATIONS

ROLL CALL:

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

Nays: None

Motion declared carried.

N3 Ordinance No. 13-080, Special Event

ORDINANCE NO. 13-080,
SPECIAL EVENT

Wehrli moved to pass Ordinance No. 13-080, amending Article C (special events) of Chapter 4 (amusements) in Title 3 (business and License regulations) of the Naperville Municipal Code. Second, Brodhead.

ROLL CALL:

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

Nays: None

Motion declared carried.

N4 Ordinance No. 13-081, 600 Industrial Drive

ORDINANCE NO. 13-081,
SPRINKLER
INSTALLATION
VARIANCES

Wehrli moved to concur with the Building Review Board (BRB) and staff to pass Ordinance No. 13-081, approving a variance to Section 3401.3.1 of the Naperville Municipal Code, requiring sprinklers to be installed in the building within 15 years with an agreement to be recorded against the property. Second, Chirico.

ROLL CALL:

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

Nays: None

Motion declared carried.

O **NEW BUSINESS**

O1 Land Use Plan

Wehrli asked about updating the current plan.

Laff explained that the plan should be updated on a case-by-case basis when a development proposal has been submitted and public input on that specific property can be received.

O2 Ribfest Safety

Fieseler complimented first responders, and city staff generally, for taking steps to ensure a safe Ribfest event.

O3 Sidewalk and Landscaping Maintenance

Hinterlong asked who is responsible for maintaining weeds, specifically along Columbia Avenue.

Dublinski said either DPW or the contractor depending on the location.

O4 Electrical Box at Ogden and Columbia

FINAL AGENDA
CITY COUNCIL MEETING
JULY 16, 2013
PAGE 10

Chirico asked about the status of moving the electrical box.

Novack said that the City has been in contact with the property owner who is amenable to moving the box, however based on the contract the tenant must also approve.

Curran said the Agreement has been prepared for the tenant's signature.

O5 Emerald Ash Borer

Chirico asked about the statistics on successful treatments.

Dublinski explained that two-thirds of the ash trees are healthy, and of the 15,000 remaining trees, 3% will come down.

P **CLOSED SESSION:**

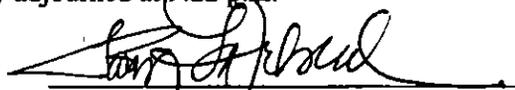
Q **ADJOURNMENT:**

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of July 16, 2013 at 9:22 p.m. Second, Wentz.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of July 16, 2013 officially adjourned at 9:22 p.m.


PAM LA FEBER PH.D.
CITY CLERK

PL: BK

