



**CITY COUNCIL MEETING OF DECEMBER 4, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
December 18, 2012 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

A Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Joe McElroy
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Asst. to City Manager, Amery Emery-Graunke
City Attorney, Margo Ely
City Clerk, Pam LaFeber
Police Chief, Robert Marshall
Deputy Police Chief, Vince Gortner
Fire Chief, Mark Puknaitis
T.E.D. Director, Bill Novack
T.E.D. Operations Manager, Allison Laff
T.E.D. Operations Manager, John Rutkowski
Development Services Manager, Anastasia Urban
Project Engineer, Andy Hynes
Asst. Finance Director, Chris Smith
Public Works Director, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel
Chief Information Officer, Larry Gunderson

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B CLOSED SESSION:

Miller moved to recess to Closed Session to discuss 5ILCS/120(c) (2) Collective negotiating matters between the public body and its employees or their representatives; (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, Krause.

ROLL CALL:

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

Nays: None
Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:05 P.M.
CLOSED SESSION ENDED AT 6:38 P.M.**

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:00 p.m.

ROLL CALL to determine Quorum:

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

Absent: None

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month - December

Councilwoman Brodhead recognized Jeff Gumm, Network Support Specialist, as the December Employee of the Month

EMPLOYEE OF THE
MONTH - DECEMBER

D2 Retirement Recognition Proclamation

Councilman Miller presented a Proclamation to Peggy Frank, Executive Director of Naper Settlement.

RETIREMENT
RECOGNITION
PROCLAMATION

D3 December Team Award

Councilwoman Brodhead recognized the Municipal Parking Lots Improvement Team Award as the recipient of the Team Award for December

DECEMBER TEAM
AWARD

E PUBLIC FORUM:

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

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

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

VOICE VOTE: Motion declared carried.

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I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items 110, 112, 118, and 119. Second, Wehrli.

ROLL CALL:

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

Nays: None
Motion declared carried.

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| <p>I1 <u>Cash Disbursements – 11/20/12</u>
Council moved to approve the 11/20/12 cash disbursements in the amount of \$16,623,140.52.</p> | <p>CASH DISBURSEMENTS -
11/20/12</p> |
| <p>I2 <u>Regular City Council Minutes</u>
Council moved to approve the Regular City Council Meeting Minutes of November 20, 2012.</p> | <p>REGULAR CITY
COUNCIL MINUTES</p> |
| <p>I3 <u>RFP 13-053, Fire Alarm System Monitoring & Maintenance</u>
Council moved to approve the award of RFP 13-053, fire alarm system monitoring & maintenance to Chicago Metropolitan Fire Prevention (CMFP), for a five year term for an amount not to exceed \$1,300,000.00.</p> | <p>RFP 13-053, FIRE ALARM
SYSTEM MONITORING &
MAINTENANCE</p> |
| <p>I4 <u>Bid 13-069, Sanitary Sewer Main Rehab</u>
Council moved to approve the award of utility funded Bid 13-069, CIP #WWU06 sanitary sewer main rehab 6" – 15" diameter – CIPP, to Insituform Technologies USA, LLC for an amount not to exceed \$623,513.90 plus a 3% contingency.</p> | <p>BID 13-069, SANITARY
SEWER MAIN REHAB</p> |
| <p>I5 <u>RFP 13-016, Core Network Replacement</u>
Council moved to approve Change Order #1 to RFP 13-016, core network replacement, to Sentinel Technologies, for an amount not to exceed \$99,677.00 for a total award of \$442,157.25.</p> | <p>RFP 13-016, CORE
NETWORK
REPLACEMENT</p> |
| <p>I6 <u>Contract 13-030, Roof Replacement</u>
Council moved to approve Change Order #1 for Contract 13-030, roof replacement at Electric Service Center to Anthony Roofing Tecta America, LLC for an amount not to exceed \$24,806.48 for a total award of \$237,106.48.</p> | <p>CONTRACT 13-030, ROOF
REPLACEMENT</p> |
| <p>I7 <u>Procurement 13-099, SCADA RTU Upgrade</u>
Council moved to approve the award of sole source procurement 13-099, SCADA RTU Upgrade to EFACECACS for an amount not to exceed \$148,925.00.</p> | <p>PROCUREMENT 13-099,
SCADA RTU UPGRADE</p> |
| <p>I8 <u>2013 Special Events Calendar</u>
Council moved to approve the 2013 Special Events Calendar and designate the calendar as closed to all new major events.</p> | <p>2013 SPECIAL EVENTS
CALENDAR</p> |



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| I9 | <u>Public Improvements</u>
Council moved to accept the public street improvements along Horseguards Court in Cotswold Manor Subdivision and authorize the City Clerk to reduce the corresponding public improvement surety. | PUBLIC IMPROVEMENTS |
| I11 | <u>Standard Market, PZC 12-1-103</u> | STANDARD MARKET,
PZC 12-1-103 |
| I11a | <u>Ordinance No. 12-145, Off-premise Sign Variance</u>
Council moved to pass Ordinance No. 12-145, approving a sign variance to permit an off-premise sign at 1384-1394 Aurora Avenue. | ORDINANCE NO. 12-145,
OFF-PREMISE SIGN
VARIANCE |
| I11b | <u>Resolution No. 12-036, Encroachment License Agreement</u>
Council moved to adopt Resolution No. 12-036, approving an Encroachment License Agreement to permit the location of a commercial sign on city property at 1384-1394 Aurora Avenue. | RESOLUTION NO. 12-036,
ENCROACHMENT
LICENSE AGREEMENT |
| I13 | <u>Ordinance No. 12-146, 12 North Webster Street</u>
Council moved to pass Ordinance No. 12-146, extending the effective period of variances granted for 12 North Webster Street. | ORDINANCE NO. 12-146,
12 NORTH WEBSTER
STREET |
| I14 | <u>Resolution No. 12-037, Computer Aided Dispatch and Radio Communication Services</u>
Council moved to adopt Resolution No. 12-037, to approve the Intergovernmental Agreement between the City of Naperville and the Naperville Park District for Computer Aided Dispatch and Radio Communication Services. | RESOLUTION NO. 12-037,
COMPUTER AIDED
DISPATCH AND RADIO
COMMUNICATION
SERVICES |
| I15 | <u>Resolution No. 12-038, Millennium Carillon, Moser Tower and Visitor Center Agreement</u>
Council moved to adopt Resolution No. 12-038, authorizing a one-year renewal of the Millennium Carillon Agreement between the City of Naperville the Millennium Carillon Foundation and the Naperville Park District to expire on December 31, 2013. | RESOLUTION NO. 12-038,
MILLENNIUM
CARILLON, MOSER
TOWER AND VISITOR
CENTER AGREEMENT |
| I16 | <u>Resolution No. 12-039, Naperville Riverwalk Maintenance Agreement</u>
Council moved to adopt Resolution No. 12-039, approving the second amendment to the Intergovernmental Agreement and Lease between the City of Naperville and Naperville Park District for the Naperville Riverwalk to expire on December 31, 2013. | RESOLUTION NO. 12-039,
NAPERVILLE
RIVERWALK
MAINTENANCE
AGREEMENT |
| I17 | <u>Resolution No. 12-040, Resurfacing of Rickert Drive</u>
Council moved to adopt Resolution No. 12-040, approving a local agency agreement for federal participation with the Illinois Department of Transportation for the Rickert Drive Local Agency Functional Overlay (LAFO) project. | RESOLUTION NO. 12-040,
RESURFACING OF
RICKERT DRIVE |



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- I10** Electric Utility Public Hearing ELECTRIC UTILITY
PUBLIC HEARING
- Council discussed whether the hearing should be scheduled at 10 a.m. on January 15, 2013.
- Ely explained options that the Council could consider including imposing reasonable time limitations on the public hearing. She said Council would not vote at the time of the public hearing, but would rather consider a formal agenda item at a regular meeting.
- Miller moved to schedule a public hearing on January 15, 2013 at 7:00 p.m. to consider new federal energy standards for the City's electric utility pursuant to the Public Utility Regulatory Policies Act of 1978 as amended. Second, Wehrli.
- ROLL CALL:**
- Ayes:** Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel
- Nays:** None
- Motion declared carried.
- I12** Springbrook Square Lot 2, PZC 12-1-134 SPRINGBROOK SQUARE
LOT 2, PZC 12-1-134
- Chirico moved to table a major change to the planned unit development (PUD), revised final PUD plat, and associated development plans to develop a medical office at Springbrook Square Lot 2. Second, Krause.
- VOICE VOTE:** Motion declared carried.
- I18** Police Towing Ordinance Amendment POLICE TOWING
ORDINANCE
AMENDMENT
- George Garbis, Jr., 2436 Blue Spruce Lane, Aurora, spoke against the proposed towing ordinance.
- Gortner clarified the proposed language regarding storage fees, passengers, and winching from the roadway.
- First Reading Held.
- I19** Class E and Class L Liquor Code Text Amendments CLASS E AND CLASS L
LIQUOR CODE
- Tom Antonelli, 1835 Ione Court, Aurora, spoke against the proposed fee increase.
- Mike Manly, 3104 Seiler Court, spoke against the proposed fee increase and suggested a graduated structure.
- Keith Brown, 1464 Lantern Circle, spoke against the proposed fee increase.
- DiSanto explained the license classifications and the processes involved when considering an event.
- Council discussed keeping the fee at \$50 for smaller events/ organizations, increasing the fee to \$200 for larger events, or having a fee schedule based on the size of event and number of attendees.



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- I19** Class E and Class L Liquor Code Text Amendments Continued CLASS E AND CLASS L LIQUOR CODE
- Wehrli moved to direct staff to bring back an ordinance increasing the number of Class L – Special Event licenses per applicant from (1) to (2). Second, Hinterlong.
- ROLL CALL:**
- Ayes:** Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead
- Nays:** None
- Motion declared carried.
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** City Council Meeting Schedule CITY COUNCIL MEETING SCHEDULE
- Wehrli moved to approve the City Council meeting schedule for December 2012 and January and February 2013. Second, Krause.
- VOICE VOTE:** Motion declared carried.
- M** **PUBLIC HEARINGS:**
- M1** Property Tax Levy PROPERTY TAX LEVY
- Pradel opened the public hearing at 7:49 p.m.
- Richard Furstenau, 709 Zaininger, spoke against the proposed levy.
- Krause moved to close the public hearing at 7:54 p.m. Second, Wehrli.
- VOICE VOTE:** Motion declared carried.
- M2** Special Service Area 21 Property Tax Levy SSA 21 PROPERTY TAX LEVY
- Pradel opened the public hearing at 7:55 p.m.
- Krause moved to close the public hearing at 7:55 p.m. Second, Chirico.
- VOICE VOTE:** Motion declared carried.
- M3** Special Service Area 24 Property Tax Levy SSA 24 PROPERTY TAX LEVY
- Pradel opened the public hearing at 7:55 p.m.
- Krause moved to close the public hearing at 7:55 p.m. Second, Chirico
- VOICE VOTE:** Motion declared carried.
- M4** Special Service Area 25 Property Tax Levy SSA 25 PROPERTY TAX LEVY
- Pradel opened the public hearing at 7:56 p.m.
- Krause moved to close the public hearing at 7:56 p.m. Second, Hinterlong.
- VOICE VOTE:** Motion declared carried.
- N** **ORDINANCES AND RESOLUTIONS:**

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BREAK: 8:47 p.m.

Mayor Pradel called the meeting back to order at 9:01 p.m.

J1

Water Street District – North Phase/South Phase, PZC 12-1-039 and PZC 12-1-040 Continued

WATER STREET
DISTRICT – PZC 12-1-039
& PZC 12-1-040

Kathy West, 123 Water Street and Petitioner's Attorney, stated that it would not be appropriate to make a presentation and would rather continue the discussion due to the number of questions. She said that the developer would prefer to not go back to PZC.

Paula Dulli, 881 Appomattox, spoke against the development as presented.

Chuck Lesnik, 519 S. Main, spoke against the development as presented.

Thom Higgins, 725 N. Ellsworth, spoke against the development as presented.

Richard Furstenau, 709 Zaininger, spoke against the development as presented.

Dick Galitz, 1017 Bailey, spoke against the development as presented.

Council discussed whether TIF dollars could be used to buy property.

Jacalyn Green, 834 Diane, spoke against the development as presented.

Bob Tschirahart, 834 Diane, spoke against the development as presented.

H. Tom O'Hale, 620 Gartner, spoke against the development as presented.

Daniel Krush, 543 Main, spoke against the development as presented.

Don Avjean, 957 Heathrow, spoke against the development as presented.

John Krummen, 2640 Haddassah, spoke against the development as presented.

Council discussed the timeline if the project were sent to PZC and TAB and suggested waiving fees, submitting final plans only, and expediting the process.

Miller moved to table the item to January 15, 2013. Second, Chirico.

Council explained some items it would like PZC to consider including, but not limited to, height, parking, and traffic plans.

West stated that the Petitioner will evaluate the feasibility of Council's direction and discuss the proposed timeline.

Fieseler made a Motion in Substitution to direct staff to schedule the development for consideration by the Planning and Zoning Commission and the Transportation Advisory Board. At such time when deliberations have concluded, staff is to place the item on the Council agenda for consideration. Second, Wehrli.

ROLL CALL:

Ayes: Hinterlong, Krause, Wehrli, Brodhead, Fieseler

Nays: McElroy, Miller, Pradel, Chirico

Motion declared carried.

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O NEW BUSINESS

P CLOSED SESSION:

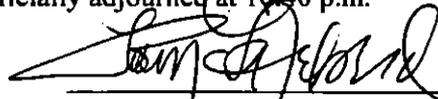
Q ADJOURNMENT:

ADJOURNMENT

Miller moved to adjourn the Regular City Council meeting of December 4, 2012 at 10:40 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of December 4, 2012 officially adjourned at 10:40 p.m.



PAM LAFERBER PH.D.
CITY CLERK

PL: BK

