



**CITY COUNCIL MEETING OF MAY 17, 2011  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
June 7, 2011 AS WRITTEN.**

**CALL TO ORDER:**

5:00 P.M.

**A** Mayor A. George Pradel  
Councilman Judy Brodhead - Arrived at 5:10 p.m.  
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  
Assistant City Manager, Robert Marshall  
City Clerk, Pam LaFeber  
City Attorney, Margo Ely  
Fire Chief, Mark Puknaitis  
Police Chief, David Dial  
Finance Director, Karen DeAngelis  
Director of Public Works, David Van Vooren  
Director of T.E.D., Marcie Schatz  
Community Planner, Amy Emery-Graunke  
T.E.D. Development Team Leader, Dick Dublinski  
T.E.D. Engineering Team Leader, Bill Novack  
Assistant Director-Public Utilities, Mark Curran  
Director of Public Utilities-Water, Jim Holzapfel

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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**B. CLOSED SESSION:**

Krause moved to recess to Closed Session to discuss 5ILCS/120/2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for the purposes of approval by the body of the minutes; (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body; (2) Collective negotiating matters between the public body and its employees or their representatives; (6) Setting of a price for sale or lease of property owned by the public body. Second, Miller.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Brodhead

Motion declared carried.

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

**CLOSED SESSION ENDED AT 6:26 P.M.**

**Clerk's Note:** Councilman Brodhead arrived at 5:10 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 Buddy Poppy Days, May 23<sup>rd</sup> – May 30<sup>th</sup>, 2011**

Councilman Brodhead proclaimed the week of May 23 - 30, 2011 as VFW Buddy Poppy Days in Naperville and presented the Proclamation to Mike Barbour, Poppy Committee Chairman and Scott Holley, VFW Post Commander.

**BUDDY POPPY DAYS, MAY 23<sup>RD</sup> – MAY 30<sup>TH</sup>, 2011**

**D2 City Newsletter Renaming/Nameplate Design Contest**

Mayor Pradel announced Maria Andrade of Oswego as the winner of the City Newsletter Renaming/Nameplate Design Contest.

**CITY NEWSLETTER RENAMING/NAMEPLATE DESIGN CONTEST**

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**E PUBLIC FORUM:**

**E1 Smart Grid**

John Whaley, 511 Aurora Avenue #316, opposes wireless SMART meter installation.

Joanne St. Yves, 2315 Lexington, stated that many states have proclaimed May 2011 as Electromagnetic Radiation Awareness Month and urged Council to find an alternative way to upgrade the utility.

Jennifer Stahl, 1427 Westglen Dr., opposes wireless SMART meter installation.

**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, Krause.

**VOICE VOTE:** Motion declared carried.

**I CONSENT AGENDA:**

Miller moved to approve the Consent Agenda with the exception of items I4, I5, I6, and I8. Second, Krause.

**ROLL CALL:**

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

**Nays:** None  
Motion declared carried.

**I1 Cash Disbursements – 4/27/2011**

Council moved to approve the April 27, 2011 cash disbursements in the amount of \$13,384,647.04.

**CASH DISBURSEMENTS –  
4/27/11**

**I2 Regular City Council Meeting Minutes of May 3, 2011**

**REGULAR CITY COUNCIL  
MEETING MINUTES-5/3/11**

**I3 Contract 08-081, Outsourced Ambulance Billing Services**

Council moved to approve the award of option year one extension to Contract 08-081, outsourced ambulance billing services to Paramedic Billing Services, for an annual commission fee of 5.50% for initial \$1,000,000 of collected payments, 6.00% for collected payments over \$1,000,000 to \$2,000,000 and 6.5% for collected payments over \$2,000,000.

**CONTRACT 08-081,  
OUTSOURCED  
AMBULANCE BILLING  
SERVICES**



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- I7      Public improvements – Danada Professional Center Subdivision      PUBLIC IMPROVEMENTS –  
Council moved to accept the public underground and street      DANADA PROFESSIONAL  
improvements in Danada Professional Center Subdivision, and      CENTER SUBDIVISION  
authorize the City Clerk to reduce the corresponding public  
improvement surety.
- I9      Ordinance No. 11-074, Hope Community United Church of Christ,      ORDINANCE NO. 11-074,  
PC 11-1-034      HOPE COMMUNITY UNITED  
Council moved to pass Ordinance No. 11-074, approving a      CHURCH OF CHRIST, PC 11-  
conditional use for a religious facility in the "I" (Industrial)      1-034  
District for the property located at 1701 Quincy Avenue.
- I11     Ordinance No. 11-075, Naperville Marriott – Temporary Banner      ORDINANCE NO. 11-075,  
Council moved to pass Ordinance No. 11-075, approving a      NAPERVILLE MARRIOTT –  
temporary use allowing Marriott to display a temporary banner for      TEMPORARY BANNER  
a period of 18 months.
- 
- I4      RFP 11-105, Audio Visual Upgrade of Council Chambers      RFP 11-105, AUDIO VISUAL  
Wehrli moved to table indefinitely. Second, Miller.      UPGRADE  
**VOICE VOTE:**      Motion declared carried.
- I5      FY12 Strategic Plan Initiative Workplans      FY12 STRATEGIC PLAN  
Fieseler moved to approve the FY12 Strategic Plan Initiative      INITIATIVE WORKPLANS  
Workplans. Second, Wehrli.  
**ROLL CALL:**  
**Ayes:**      Brodhead, Chirico, Fieseler, Hinterlong, Krause,  
                 McElroy, Miller, Wehrli, Pradel  
**Nays:**      None  
                 Motion declared carried.
- I6      Planning Services Team FY 11-12 Work Program – PC #11-1-037      PLANNING SERVICES  
Schatz explained that the Plan Commission requested the Tree      TEAM FY 11-12 WORK  
Preservation text amendment be part of the work program. She      PROGRAM – PC #11-1-037  
recommended that another item be removed from the work plan, or  
postponed to start later in the fiscal year, if Council approves the  
inclusion of this text amendment.  
Council discussed the number of Plan Commission meetings that  
have been cancelled, the process by which another project of the  
work program should be removed, matching the housing stock  
with changing demographics, and where the Emerald Ash Borer  
project is scheduled.

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- I6**      Planning Services Team FY 11-12 Work Program – PC #11-1-037  
**Continued**
- Chirico moved to approve the proposed FY 11-12 Planning Team Work Program. Second, Miller.
- ROLL CALL:**  
**Ayes:**      Chirico, McElroy, Miller, Pradel Brodhead  
**Nays:**      Fieseler, Hinterlong, Krause, Wehrli  
                 Motion declared carried.
- I8**      Resolution No. 11-027, Walgreens, ZBA 11-1-20
- Miller moved to adopt Resolution No. 11-027, granting a variance from Section 5-4-5:2.5 (Monument Signs Setback, Front Property Line) of the Naperville Municipal Code to reduce the required front yard setback for a monument sign from 10' to 5'9 ¾", ZBA 11-1-020 for Walgreens located at 63 W. 87<sup>th</sup> Street. Second, Hinterlong.
- ROLL CALL:**  
**Ayes:**      Fieseler, Hinterlong, Krause, McElroy, Wehrli, Pradel Brodhead, Chirico  
**Nays:**      Miller  
                 Motion declared carried.
- I10**      Pfieffer Hall Loading Zone Encroachment Agreement
- Clerk's Note:** Brodhead recused herself and left the dais at 7:40 p.m.
- I10a**      Ordinance No. 11-076, Establish a Loading Zone on Brainard Street
- I10b**      Resolution No. 11-028, Encroachment License and Covenant Agreement – North Central College
- Paul Loscheider, Vice President for Business Affairs at NCC, explained how pedestrian traffic is being addressed in this area as a result of the proposed loading zone.
- Chirico moved to pass Ordinance No. 11-076, to establish a loading zone on Brainard Street, and adopt Resolution No. 11-028, authorizing the City Manager to execute the Encroachment License and Covenant Agreement between the City of Naperville and North Central College. Second, Hinterlong.
- ROLL CALL:**  
**Ayes:**      Hinterlong, Krause, Miller, Wehrli, Pradel, Chirico, Fieseler.  
**Nays:**      McElroy  
**Abstain:**    Brodhead  
                 Motion declared carried.
- PLANNING SERVICES  
TEAM FY 11-12 WORK  
PROGRAM – PC #11-1-037
- RESOLUTION NO. 11-027,  
WALGREENS, ZBA 11-1-20
- ORDINANCE NO. 11-076,  
LOADING ZONE ON  
BRAINARD ST.
- RESOLUTION NO. 11-028,  
ENCROACHMENT LICENSE  
& COVENANT  
AGREEMENT – NORTH  
CENTRAL COLLEGE
- 

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**Clerk's Note:** Brodhead returned to the dais at 7:48 p.m.

I12

Donation Boxes

ORDINANCE NO. 11-,  
DONATION BOXES

Emery explained that the proposed ordinance permits only one box per location, dictates size restriction, states that the box must not present a sight obstruction, and that it must be out of the setback and parking areas. She said that the ordinance was recommended by Plan Commission with a vote of 5-0.

Ely stated the city can require for-profit organizations to designate that donations will not be given to charities but rather sold for profit.

Dublinski explained that the Miscellaneous Sign portion of the Sign Code would apply to the drop boxes.

Chirico moved to pass Ordinance 11-, amending Title 6 ( Zoning Regulations) of the Municipal Code pertaining to donation boxes. Second, Krause.

Miller made a Motion in Substitution to table to the June 21, 2011 meeting. Second, Wehrli.

**ROLL CALL:**

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

**Nays:** Chirico  
Motion declared carried.

I13

Ordinance No. 11-077, Water Street Temporary Parking Lot – PC 11-1-060

ORDINANCE NO. 11-077,  
WATER STREET  
TEMPORARY PARKING LOT  
– PC 11-1-060

Kathy West, 123 Water Street and Petitioner's Attorney, explained that the project will not go forward in August and may be started in August 2012. She stated that she is requesting a five-year extension instead of coming back for annual extensions.

Council discussed whether or not a temporary asphalt lot should be used, asked about storm water issues, and questioned any letters of credit.

Miller moved to pass Ordinance No. 11-077, granting an extension to the temporary use allowing for the operation of a temporary parking facility on the properties commonly known as 134 and 140 Water Street with a term expiring upon commencement of construction of the Water Street Project or October 1, 2013, whichever occurs first. Second, Chirico.

**ROLL CALL:**

**Ayes:** McElroy, Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause

**Nays:** Miller, Wehrli  
Motion declared carried.

J

**OLD BUSINESS:**



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**K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

**K1 Bid 12-004, Storm Sewer Rehab-CIPP**

BID 12-004, STORM SEWER REHAB-CIPP

Wehrli moved to approve the award of Bid 12-004, CIP SW017, Storm Sewer Rehab-CIPP, to Kenny Construction for an amount not to exceed \$1,000,000 plus a 3% contingency. Second, Miller.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

**L REPORTS AND RECOMMENDATIONS:**

**L1 City Council Meeting Schedule**

CITY COUNCIL MEETING SCHEDULE

Wehrli moved to approve the City Council Meeting Schedule for May, June, July and August 2011. Second, Miller.

**VOICE VOTE:** Motion declared carried.

**L2 Special City Council Meeting Minutes – May 1, 2011**

SPECIAL CITY COUNCIL MEETING MINUTES – MAY 1, 2011

Wehrli moved to approve the Special City Council Meeting Minutes of May 1, 2011. Second, Hinterlong.

**VOICE VOTE:** Motion declared carried.

**Abstain:** Fieseler

**L3 Fox River Commons Shopping Center, ZBA 11-1-005**

FOX RIVER COMMONS SHOPPING CENTER, ZBA 11-1-005

**Option A Concur with Zoning Board of Appeals and petitioner approving variances for monument signs – Fox River Commons Shopping Center**

**Option B Concur with staff and deny requested variances for monument signs – Fox River Commons Shopping Center**

John Doyle, 204 Gary, Wheaton, urged Council to approve the sign request.

Laurie Bachleda, 760 S. Rt 59 #104 and owner of Galleria Lighting, supports the sign request.

Michael Mallon, 501 N. Garfield St., Lombard, present to answer any technical questions regarding LED lights.

Tom Niemira, 285 N. Dundee Road, Palatine, supports the sign request

Mike Isaac, 720 S. Rt 59 #112 and owner of PetLand, supports the sign request.

Dublinski explained that there are 24 electronic message board signs in the city and that they are way to reduce sign clutter.

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- L3**      Fox River Commons Shopping Center, ZBA 11-1-005 Continued      FOX RIVER COMMONS SHOPPING CENTER, ZBA 11-1-005  
Council discussed how the businesses are recessed from the street, the number of variances in this proposal and asked if the petitioner, property owners and staff could work together to arrive at a solution that works for everyone.  
Wehrli moved to table this item to June 21, 2011. Second, McElroy.  
**ROLL CALL:**  
**Ayes:**      Wehrli, Pradel, Brodhead, McElroy, Miller  
**Nays:**      Chirico, Fieseler, Hinterlong, Krause  
Motion declared carried.
- L4**      DPU-E Automation and Communication Electrical Engineering Technician      DPU-E AUTOMATION AND COMMUNICATION ELECTRICAL ENGINEERING TECHNICIAN  
Miller moved to authorize the City Manager to recruit externally and fill the vacancy for a DPU-E Automation and Communication Electrical Engineering Technician. Second, Wehrli.  
**ROLL CALL:**  
**Ayes:**      Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli  
**Nays:**      None  
Motion declared carried.
- L5**      Transportation Project Manager & Public Information Coordinator      TRANSPORTATION PROJECT MANAGER & PUBLIC INFORMATION COORDINATOR  
Schatz explained the need for the part-time PIO, how this is not duplicative with Community Relations efforts, and that management of Special Events has been moved to the City Clerk's Office.  
Wehrli moved to authorize the City Manager to recruit externally and fill one vacant Transportation Project Manager position and one part-time Public Information Coordinator in TED. Second, Miller.  
**ROLL CALL:**  
**Ayes:**      Brodhead, Chirico, Fieseler, Hinterlong, McElroy, Miller, Wehrli, Pradel  
**Nays:**      Krause  
Motion declared carried.
- L6**      FY11/12 Work Program for the Comprehensive Transportation Plan and FY 11/12 Bicycle and Pedestrian Work Program
- L6a**      FY 11/12 Work Program – Comprehensive Transportation Plan

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**L6b**      FY 11/12 Bicycle and Pedestrian Work Program

Miller moved to approve the FY 11/12 Work Program for the Comprehensive Transportation Plan excluding the Chicago Avenue Corridor Study and the FY 11/12 Bicycle and Pedestrian Work Program. Second, Wehrli.

**ROLL CALL:**

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

**Nays:**      None  
Motion declared carried.

**L7**      Metropolitan Asian Family Services – ZBA 11-1-014

Dublinski said this is an example of the sign problems along Ogden Avenue, staff recommends denial of the request because of the height and size of the sign and its current location is in a handicap parking space. He said this needs to be replaced with a monument sign.

An architect from MODE Architects P. C., 363 W. Erie St. Suite 400W, Chicago, Illinois and Metropolitan Asian Family Services, spoke about what the organization does and urged Council to approve the request.

Council stated that the vision is to improve Ogden Avenue and that this is how to get businesses to locate in that area.

Krause moved to allow the petitioner to replace the face panels on an existing, nonconforming pole sign without bringing the sign into compliance with the current monument-sign regulations for the property located at 1032 E. Ogden Avenue for a period of time not to exceed two years. Second, Chirico.

**ROLL CALL:**

**Ayes:**      Fieseler, Krause, McElroy, Pradel, Brodhead, Chirico

**Nays:**      Hinterlong, Miller, Wehrli  
Motion declared carried.

**L8**      Mayfair Subdivision, ZBA 11-1-025

**Clerk's Note:** Chirico recused himself and left the dais at 9:23 p.m.

Council explained the history of the development, stated that signs will direct people to the subdivision and that signs will not be a detriment to the area.

Robert Meiborg, 400 E. Diehl Road, stated that a 12-month temporary period is appropriate.

Wehrli moved to direct staff to prepare an ordinance approving the request to install a Model Home Area for Mayfair Subdivision that will not be located on the subdivision's property for a period of time not to exceed 12 months, ZBA #11-1-025. Second, Krause.



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L8 Mayfair Subdivision, ZBA 11-1-025 Continued

**ROLL CALL:**

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

**Nays:** None

**Abstain:** Chirico

Motion declared carried.

**Clerk's Note:** Chirico returned to the dais at 9:27 p.m.

M **PUBLIC HEARINGS:**

N **ORDINANCES AND RESOLUTIONS:**

O **NEW BUSINESS:**

O1 Districts

Krause asked if districts could be implemented in 2013 instead of waiting until 2015.

Ely responded that districts cannot be implemented in 2013, that an appeal can be filed if Council would like to challenge the decision, and that all resident concerns should be directed to the Legal Department.

P **CLOSED SESSION:**

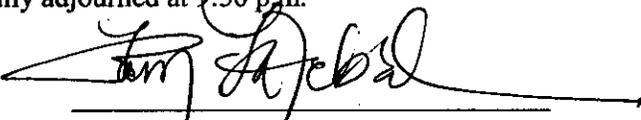
Q **ADJOURNMENT:**

ADJOURNMENT – 9:30 P.M.

Wehrli moved to adjourn the Regular City Council meeting of May 17, 2011 at 9:30 p.m. Second, Miller.

**VOICE VOTE:** Motion declared carried.

The Regular City Council Meeting of May 17, 2011 officially adjourned at 9:30 p.m.

  
PAM LAFERBER PH.D.  
CITY CLERK

PL: BK

