



**CITY COUNCIL MEETING OF MAY 15, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
June 5, 2012 AS WRITTEN.**

CALL TO ORDER:

7:01 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

None

Also Present

City Manager, Doug Krieger
Assistant City Manager, Robert Marshall
City Clerk, Pam LaFeber
Senior Assistant City Attorney, Pat Lord
Fire Chief, Mark Puknaitis
Deputy Police Chief, John Gustin
Finance Director, Karen DeAngelis
T.E.D. Operations Manager, Allison Laff
T.E.D. Team Leader, Karyn Robles
T.E.D. Development Manager, Anastasia Urban
Public Works Operations Manager, Christine Schwartzhoff
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel

Press

Chicago Sun Times, Daily Herald, Naperville Sun

- B** **CLOSED SESSION:**

CLOSED SESSION

OPEN SESSION:

- C** **PLEDGE TO THE FLAG:**

PLEDGE GIVEN

- D** **AWARDS AND RECOGNITIONS:**

- DI** Advisory Commission on Disabilities Recognition Awards

ADVISORY COMMISSION
ON DISABILITIES
RECOGNITION AWARDS

Mayor A. George Pradel acknowledged the High School Student Recognition Award winners and presented Certificates of Appreciation.

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 3**

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items I16, and I19. Second, Wehrli.

ROLL CALL:

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

Nays: None
Motion declared carried.

- | | | |
|-------------|---|--|
| I11 | <u>Cash Disbursements – 4/11/12</u>
Council moved to approve the 4/11/12 cash disbursements in the amount of \$7,539,140.18 | CASH DISBURSEMENTS
4/11/12 |
| I12 | <u>Cash Disbursements – 4/19/12</u>
Council moved to approve the 4/19/12 cash disbursements in the amount of \$919,466.52. | CASH DISBURSEMENTS
4/19/12 |
| I13 | <u>Cash Disbursements – 4/25/12</u>
Council moved to approve the 4/25/12 cash disbursements in the amount of \$16,648,045.38. | CASH DISBURSEMENTS
4/25/12 |
| I14 | <u>Regular City Council Meeting Minutes of April 17, 2012</u>
Council moved to approve the Regular City Council Meeting Minutes of April 17, 2012. | REGULAR CITY
COUNCIL MEETING
MINUTES – 4/17/12 |
| I15 | <u>Reappointment to a Board or Commission</u>
Council moved to approve the Mayoral appointment of Glenn Rabinak to the Financial Advisory Board. | REAPPOINTMENT -
BOARD OR COMMISSION |
| I16 | <u>Appointment to a Board or Commission</u>
Council moved to approve the Mayoral appointment of Gerald O'Connor and J. Warren Green to the Public Utilities Advisory Board. | APPOINTMENT - BOARD
OR COMMISSION |
| I17 | <u>Naperville North High School Graduation Fireworks</u>
Council moved to approve the Naperville North High School's permit request to hold a fireworks display on May 21, 2012. | NAPERVILLE NORTH
HIGHSCHOOL
GRADUATION
FIREWORKS |
| I18 | <u>Naperville Central High School Graduation Fireworks</u>
Council moved to approve the Naperville Central High School's permit request to hold a fireworks display on May 21, 2012. | NAPERVILLE CENTRAL
HIGH SCHOOL
GRADUATION
FIREWORKS |
| I19 | <u>Naperville Country Club Fireworks Display</u>
Council moved to approve Naperville Country Club's permit request to hold a fireworks display on June 24, 2012. | NAPERVILLE COUNTRY
CLUB FIREWORKS
DISPLAY |
| I110 | <u>Ordinance No. 12-048, 2012 Naperville Jazz Festival</u>
Council moved to pass Ordinance No. 12-048, establishing temporary traffic controls and issue a special event permit for the 2012 Naperville Jazz Festival. | ORDINANCE NO. 12-048,
2012 NAPERVILLE JAZZ
FESTIVAL |

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 4**

- | | | |
|------------|---|---|
| I11 | <u>BB Gun Program at Von Oven Scout Reservation</u>
Council moved to approve the Three Fires Council of the Boy Scouts of America BB Gun Program at Von Oven Scout Reservation between June 6 and July 29, 2012. | BB GUN PROGRAM -VON
OVEN SCOUT
RESERVATION |
| I12 | <u>Ordinance No. 12-049, SheRox Triathlon</u>
Council moved to pass Ordinance No. 12-049, establishing temporary traffic controls and issue a Special Event Permit for the SheRox Triathlon on June 10, 2012. | ORDINANCE NO. 12-049,
SHE ROX TRIATHLON |
| I13 | <u>Ordinance No. 12-050, McDonald's – 516 N. River Road, PZC #12-1-028</u>
Council moved to pass Ordinance No. 12-050, approving a minor change to the Old River Marketplace PUD to establish controlling plans for the McDonald's at 516 N. River Road. | ORDINANCE NO. 12-050,
MCDONALD'S – 516 N.
RIVER ROAD, PZC #12-1-
028 |
| I14 | <u>Ordinance No. 12-051, FY12 Year End Budget Amendments</u>
Council moved to pass Ordinance No. 12-051, approving the amended balanced FY12 Annual Operating Budget. | ORDINANCE NO. 12-051,
FY12 YEAR END BUDGET
AMENDMENTS |
| I15 | <u>Ordinance No. 12-052, 912 Queensbury Court, PCZ 12-1-032</u>
Council moved to pass Ordinance No. 12-052, granting a variance from Section 6-6A-7:1 (R1a low-density single-family residence district: yard requirements) of the Naperville Municipal Code to reduce the 30' rear yard setback requirement in order to construct a four season room at a distance of 24.5' from the rear lot line for the property located at 912 Queensbury Court, PCZ 12-1-032. | ORDINANCE NO. 12-052,
912 QUEENSBURY
COURT, PCZ 12-1-032 |
| I17 | <u>Resolution No. 12-015, Pembroke Commons, PCS #12-1-035</u>
Council moved to adopt Resolution No. 12-015, granting a variance from Section 5-4-3:11 (prohibited signs, right-of-way signs) and Section 5-4-8:3-3 (residential signs; residential development identification signs; sign height) of the Naperville Municipal Code to install a 24-square foot, 48-inch tall residential development identification sign that will be located in the median on Johnson Drive just north of Hobson Road for Pembroke Commons, PCS 12-1-035. | RESOLUTION NO. 12-015,
PEMBROKE COMMONS,
PCS #12-1-035 |
| I18 | <u>Resolution No. 12-016, Marketplace Fairness Act</u>
Council moved to adopt Resolution No. 12-016, supporting the Marketplace Fairness Act. | RESOLUTION NO. 12-016,
MARKETPLACE
FAIRNESS ACT |
| I20 | <u>Extend Outdoor Seating Permits to Class C-Tavern liquor permits</u>
First Reading held | EXTEND OUTDOOR
SEATING PERMITS TO
CLASS C-TAVERN
LIQUOR PERMITS |
| I21 | <u>Class R – Legitimate Theater House liquor license</u>
First Reading held | CLASS R – LEGITIMATE
THEATER HOUSE
LIQUOR LICENSE |

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 5**

- | | | |
|------------|---|---|
| I22 | <u>Class M – Recreational Facility liquor license</u>
First Reading held | CLASS M –
RECREATIONAL
FACILITY LIQUOR
LICENSE |
| I23 | <u>Liquor Code - Late Night Permits</u>
First Reading held | LIQUOR CODE – LATE
NIGHT PERMITS |
-
- | | | |
|------------|---|--|
| I16 | <u>Ordinance No. 12-053, 904 Stanton Court, PCZ 12-1-025</u>
Laff explained that the proposed fence is requesting the same variance as what was granted at 903 Stanton.
Council discussed the different fence style in the neighborhood.
Wehrli moved to pass Ordinance No. 12-053, granting a variance from Section 6-2-12:1.7 (fences) of the Naperville Municipal Code in order to construct a 6' tall cedar fence (30% open) along Hobson Road on the property located at 904 Stanton Court, PCZ 12-1-025. Second, Miller.
ROLL CALL:
Ayes: Brodhead, Chirico, Fieseler, Hinterlong, Krause, Miller, Wehrli, Pradel
Nays: McElroy
Motion declared carried. | ORDINANCE NO. 12-053,
904 STANTON COURT,
PCZ 12-1-025 |
| I19 | <u>Ordinance No. 12-054, First Community Bank of Joliet, PZC 12-1-023</u>
Clerk's Note: Wehrli recused himself to avoid the appearance of impropriety and left the dais at 7:53 p.m.
Clerk's Note: Chirico recused himself to avoid the appearance of impropriety and left the dais at 7:53 p.m.
Miller moved to pass Ordinance No. 12-054, granting the following variances and deviations to allow construction of a drive-through facility for a proposed bank in the building located at 24 W Gartner Road:
<ol style="list-style-type: none">1) A variance from Sections 6-2-14 (major arterial setback requirements) and 6-9-2:4.6 (off-street parking facilities) to allow the proposed drive-through facility to encroach 20' into the 20' required major arterial setback along Washington Street.2) A variance from Section 6-9-2:4.3.1 (off-street parking facilities) and Section 6-9-6:2.3 (supplemental standards for drive-through stacking lanes: Standards) to allow to drive-through facility to encroach 30' into the 30' required front yard setback along Washington Street.3) A deviation to allow the drive-through facility to encroach 35' into the 35' platted building setback line along Washington Street in accordance with provisions of Section 7-1-13 (platted setbacks and building lines). | ORDINANCE NO. 12-054,
FIRST COMMUNITY
BANK OF JOLIET, PZC 12-
1-023 |

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 6**

I19 Ordinance No. 12-054, First Community Bank of Joliet, PZC 12-1-023
Continued

**ORDINANCE NO. 12-054,
FIRST COMMUNITY
BANK OF JOLIET, PZC 12-
1-023**

- 4) A variance from Section 6-9-6:2.1 (supplemental standards for drive-through stacking lanes: Standards) to allow the proposed drive-through facility to locate 24' from a residential area (i.e. apartment community to the east), which is less than the required 40' minimum distance.
- 5) A variance from Section 6-9-6:2.2 (supplemental standards for drive-through stacking lanes: standards) to reduce the width of the bypass lane from 10' to 9.9'.
- 6) A variance from Section 6-9-6:2.3 (supplemental standards for drive-through stacking lanes: Standards) to reduce the width of the single stacking lane from 12' to 9.9'.
- 7) A variance from Section 5-10-3:5.2.1 (perimeter parking lot landscaping: area) to reduce the required landscaping setback from 5' to 0' along Washington Street. Second, Hinterlong.

ROLL CALL:

Ayes: Fieseler, Hinterlong, Krause, McElroy, Miller, Pradel,
 Brodhead
Nays: None
Recuse: Wehrli, Chirico
 Motion declared carried.

Clerk's Note: Wehrli and Chirico returned to the dais at 7:56 p.m.

J **OLD BUSINESS:**

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

K1 Contract 09-144, Bill Print and Mail Services

**CONTRACT 09-144, BILL
PRINT AND MAIL
SERVICES**

Chirico moved to approve the award of additional spending authority to Contract 09-144, bill print and mail services to A.B. Data (d/b/a Data Services) for an additional not-to-exceed amount of \$930,000.00. Second, Brodhead.

ROLL CALL:

Ayes: Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel,
 Brodhead, Chirico, Fieseler
Nays: None
 Motion declared carried.

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

Chirico moved to approve the City Council Meeting Schedule for June, July & August 2012. Second, Miller.

VOICE VOTE: Motion declared carried.

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 7**

L2 Intern – City Manager’s Office

**INTERN – CITY
MANAGER’S OFFICE**

Chirico moved to grant approval to fill vacant Graduate Intern position in the City Manager’s office and extend the position for one additional year (from May 2012 – May 2014). Second, Wehrli.

ROLL CALL:

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

Nays: None
 Motion declared carried.

Council discussed the hiring of family members and possibly giving the City Manager authority to fill vacated positions without Council approval.

Council directed Krieger to present a proposal for evaluating and approving new hires.

L3 Vacant – Code Enforcement Officer positions

**VACANT – CODE
ENFORCEMENT OFFICER
POSITIONS**

Miller moved to grant approval to recruit externally and fill two vacant Code Enforcement Officer positions in the Department of Transportation, Engineering and Development. Second, Chirico.

ROLL CALL:

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

Nays: None
 Motion declared carried.

L4 Vacant – Engineering Technician position

**VACANT –
ENGINEERING
TECHNICIAN POSITION**

Chirico moved to grant approval to recruit externally and fill a vacant Engineering Technician position in the Department of Transportation Engineering and Development. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

L5 Vacant – Utility Technician III position

**VACANT – UTILITY
TECHNICIAN III
POSITION**

Wehrli moved to grant approval to recruit externally and fill one vacant Utility Technician III position in the Department of Public Utilities – Water. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 8**

M PUBLIC HEARINGS:

M1 Special Service Area 25 – Traffic Signal Improvements

**SPECIAL SERVICE AREA
25**

Pradel opened the public hearing at 8:07 p.m.

Scott Jensen, 101 N. Wacker #101, discussed the funding methodology for the proposed traffic light.

Novack explained that the City has funded public improvements through SSAs and that the proposed funding methodology is currently in place and has been utilized in the past.

Miller moved to close the public hearing at 8:12 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

O1 Landscaping

Chirico discussed mandating professional landscaping services for foreclosed properties and properties with absentee landlords.

O2 Professional Landscape Services

Chirico discussed implementing restrictions on landscaping hours.

P CLOSED SESSION:

CLOSED SESSION

Q ADJOURNMENT:

**ADJOURNMENT –8:16
P.M.**

Wehrli moved to adjourn the Regular City Council meeting of May 15, 2012 at 8:16 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of May 15, 2012 officially adjourned at 8:16 p.m.

**PAM LAFEVER PH.D.
CITY CLERK**

PL: BK

**FINAL AGENDA
CITY COUNCIL MEETING
MAY 15, 2012
PAGE 8**

M PUBLIC HEARINGS:

M1 Special Service Area 25 – Traffic Signal Improvements

**SPECIAL SERVICE AREA
25**

Pradel opened the public hearing at 8:07 p.m.

Scott Jensen, 101 N. Wacker #101, discussed the funding methodology for the proposed traffic light.

Novack explained that the City has funded public improvements through SSAs and that the proposed funding methodology is currently in place and has been utilized in the past.

Miller moved to close the public hearing at 8:12 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

O1 Landscaping

Chirico discussed mandating professional landscaping services for foreclosed properties and properties with absentee landlords.

O2 Professional Landscape Services

Chirico discussed implementing restrictions on landscaping hours.

P CLOSED SESSION:

CLOSED SESSION

Q ADJOURNMENT:

**ADJOURNMENT –8:16
P.M.**

Wehrli moved to adjourn the Regular City Council meeting of May 15, 2012 at 8:16 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of May 15, 2012 officially adjourned at 8:16 p.m.



**PAM LAFERBER PH.D.
CITY CLERK**

PL: BK