



**CITY COUNCIL MEETING OF APRIL 8, 2015
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
April 21, 2015 AS WRITTEN.**

CALL TO ORDER:

6:01 P.M.

A Mayor A. George Pradel
Councilwoman Judy Brodhead - Arrived at 6:10 p.m.
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Doug Krause
Councilman Joe McElroy
Councilman David Wentz

Absent

Councilman Tom Miers

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Legal Director, Jill Pelka-Wilger
Deputy City Attorney, Mike DiSanto
City Clerk, Pam LaFeber
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Deputy Fire Chief, Richard Sander
Fire Chief, Mark Puknaitis
Director of Finance, Rachel Mayer
Director of Human Resources, James Sheehan
Director of T.E.D., Bill Novack
T.E.D. Operations Manager, Allison Laff
Transportation Team Leader, Jennifer Louden
Director of Public Works, Dick Dublinski
Director Public Utilities-Electric, Mark Curran
Deputy Director of Public Utilities-Water, Amy Ries

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B. CLOSED SESSION:

Chirico 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.
Second, Krause.

ROLL CALL:

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

Nays: None

Absent: Brodhead, Miers

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.
CLOSED SESSION ADJOURNED AT 7:01 P.M.**

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:06 p.m.

ROLL CALL to determine Quorum:

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

Absent: Miers

C. PLEDGE TO THE FLAG:

PLEDGE GIVEN

D. AWARDS AND RECOGNITIONS:

D1 Fair Housing Month

FAIR HOUSING MONTH

Councilman Wentz proclaimed April 2015 as Fair Housing Awareness Month and presented the Proclamation to Laura Ellman, Naperville Fair Housing Commissioner.

D2 Naperville Public Library Volunteer Week

NAPERVILLE PUBLIC
LIBRARY VOLUNTEER
WEEK

Councilman Wentz proclaimed April 12 – 18, 2015 as Naperville Public Library Volunteer Week and presented the Proclamation to Amy Grimse, Naperville Public Library.

E. PUBLIC FORUM:

E1 R1a Text Amendment

R1a TEXT AMENDMENT

Matt Koupal (Naperville) requested a text amendment be written to allow for independent living space on the same residential property for a special needs child.

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E1 R1a Text Amendment Continued

R1a TEXT AMENDMENT

Laff explained that the Municipal Code allows for a residential care home by right, however the speaker wants a separate living unit on his property which is not allowed. A variance would not be appropriate and boarding rooms are allowed but the boarders must use the same services as the owner.

Council discussed the need for creative solutions as the need for different arrangement increases.

E2 Residential Zoning Text Amendment

Kristi A. Landorf (Naperville) President of Little Friends discussed statistics on housing for special needs individuals as they age out of school systems and do not qualify for Medicare.

Council discussed having Fair Housing Commission and the Senior Advisory Commission provide input as to the growing needs for diverse living arrangements. By consensus, staff was directed to begin drafting a text amendment.

Laff further added that public input will also be vetted through the Plan Commission process.

E3 Election results

Brand Bobosky (Naperville) thanked the Mayor and council members for their service.

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, Fieseler.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Krause moved to approve the Consent Agenda items. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Absent: Miers

Motion declared carried.

I1 Cash Disbursements 3/5/15

Council moved to approve the 3/5/15 cash disbursements in the amount of \$2,228,687.05.

CASH DISBURSEMENTS –
3/5/15

I2 Cash Disbursements – 3/11/15

Council moved to approve the 3/11/15 cash disbursements in the amount of \$4,048,306.73.

CASH DISBURSEMENTS –
3/11/15

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- | | | |
|-----|---|---|
| I3 | <u>Cash Disbursements – 3/18/15</u>
Council moved to approve the 3/18/15 cash disbursements in the amount of \$1,667,213.68. | CASH DISBURSEMENTS –
3/18/15 |
| I4 | <u>Regular City Council Minutes</u>
Council moved to approve the Regular City Council Meeting Minutes of March 17, 2015. | REGULAR CITY COUNCIL
MINUTES |
| I5 | <u>RFP 15-159, Consultant Services related to Microsoft Office 365</u>
Council moved to approve the award of RFP 15-159, consultant services related to Microsoft Office 365, to Vire Technologies for an amount not to exceed \$318,490.00. | RFP 15-159, CONSULTANT
SERVICES RELATED TO
MICROSOFT OFFICE 365 |
| I6 | <u>Bid 15-119, Tree Removal and Stump Grinding</u> | BID 15-119, TREE
REMOVAL AND STUMP
GRINDING |
| I6a | <u>Tree Removal</u>
Council moved to approve the award of Bid 15-119, Contract for Bid A: tree removal including stump grinding and restoration for a not to exceed amount of \$140,000.00 to JPC Tree Care, LLC and Contract for Bid B: additional stump grinding for a not to exceed amount of \$30,855.00 to Grounds Keeper Landscape Care LLC for a total amount not to exceed \$170,855.00. | TREE REMOVAL |
| I6b | <u>Bid 15-119, Supplemental Contract for Bid A</u>
Council moved to approve the award of Bid 15-119, supplemental contract for Bid A: tree removal including stump grinding and restoration for a not to exceed amount of \$60,000.00 to Steve Piper & Sons, Inc. | BID 15-119,
SUPPLEMENTAL
CONTRACT FOR BID A |
| I7 | <u>Bid 15-154, Liquid Cationic Emulsion Polymer</u>
Council moved to approve the award of Bid 15-154, liquid cationic emulsion polymer for centrifuge dewatering, to BASF Corporation for an amount not to exceed \$248,788.00 for a 24-month period, plus one one-year option for renewal. | BID 15-154, LIQUID
CATIONIC EMULSION
POLYMER |
| I8 | <u>Bid 15-146, 2015 Street Crackfill Program</u>
Council moved to approve the award of Bid 15-146, 2015 Street Crackfill Program, CIP #MP009, to Denler Inc., for an amount not to exceed \$797,505.00 plus a 3% contingency. | BID 15-146, 2015 STREET
CRACKFILL PROGRAM |
| I9 | <u>Bid 15-147, Street Patching Program</u>
Council moved to approve the award of Bid 15-147, 2015 Street Patching Program, CIP #MP009, to K-Five Construction for an amount not to exceed \$787,000.00 plus a 3% contingency. | BID 15-147, STREET
PATCHING PROGRAM |
| I10 | <u>Bid 15-149, 2015 Sidewalk and Curb Replacement Program</u>
Council moved to approve the award of Bid 15-149, 2015 Sidewalk and Curb Replacement Program, to G.A. Paving, LLC for an amount not to exceed \$433,825.00 plus a 5% contingency. | BID 15-149, 2015
SIDEWALK AND CURB
REPLACEMENT
PROGRAM |



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- I20** Ordinance No. 15-045, 1044 S. Route 59, PZC 14-1-152
Council moved to pass Ordinance No. 15-045, approving the preliminary/final plat of subdivision for 1044 South Route 59 Subdivision located at 1044 S. Route 59, PZC 14-1-152. ORDINANCE NO. 15-045, 1044 S. ROUTE 59, PZC 14-1-152
- I21** Ordinance No. 15-046, Freedom Commons Lot 1 (1715 Freedom Drive), PZC 14-1-151
Council moved to pass Ordinance No. 15-046, approving a minor change to the planned unit development for Lot 1 of Freedom Commons for the alteration of site circulation, PZC 14-1-151. ORDINANCE NO. 15-046, FREEDOM COMMONS, LOT 1, PZC 14-1-151
- I22** Fox Run Square, PZC 14-1-145
- I22a** Ordinance No. 15-047, rezoning 1212 S. Naper Blvd.
Council moved to pass Ordinance No. 15-047, rezoning the subject property located at 1212 S. Naper Blvd. From R1a (low density single-family residence district) to B2 (community shopping center district) zoning, PZC 14-1-145. ORDINANCE NO. 15-047, REZONING 1212 S. NAPER BLVD.
- I22b** Ordinance No. 15-048, revocation of the planned unit development
Council moved to pass Ordinance No. 15-048, approving the revocation of the planned unit development on the subject property as it relates to Lot 4 of Fox Run Square, PZC 14-1-145. ORDINANCE NO. 15-048, REVOCATION OF THE PLANNED UNIT DEVLEOPMENT
- I22c** Ordinance No. 15-049, variances, PZC 14-1-145
Council moved to pass Ordinance No. 15-049, approving variances to Section 6-9-3 (schedule of off-street parking requirements), Section 6-2-14 (major arterial setback requirements), Section 6-7b-4:3, Section 6-7b-4:4 (required conditions) and Section 5-10-3:5 (parking lot landscaping) of the Naperville Municipal Code, PZC 14-1-145. ORDINANCE NO. 15-049, VARIANCES, PZC 14-1-145
- I23** Ordinance No. 15-050, DAC Term Limits
Council moved to waive first reading and pass Ordinance No. 15-050, amending Section 2-20-3 (downtown advisory commission: terms). ORDINANCE NO. 15-050, DAC TERM LIMITS
- I24** Ordinance No. 15-051, Reserve of 2015 Volume Cap
Council moved to pass Ordinance No. 15-051, reserving the City's 2015 Volume Cap. ORDINANCE NO. 15-051, RESERVE OF 2015 VOLUME CAP
- J** **OLD BUSINESS:**
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- K1** Bid 15-144, 2015 Street Resurfacing – City
Chirico moved to approve the award of Alternative 1 of Bid 15-144, 2015 Street Resurfacing-City, to K-Five Construction Company for an amount not to exceed \$4,579,818.00, plus a 3% contingency. Second, Wentz. BID 15-144, 2015 STREET RESURFACING - CITY

ROLL CALL:

Ayes: Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wentz, Pradel
Nays: None
Absent: Miers
Motion declared carried.



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K2 Bid 15-145, 2015 Street Resurfacing Program-MFT

BID 15-145, 2015 STREET
RESURFACING PROGRAM-
MFT

K2a Bid 15-145, 2015 Street Resurfacing Program

BID 15-145, 2015 STREET
RESURFACING PROGRAM

Chirico moved to approve the award of Bid 15-145, 2015 Street Resurfacing Program-MFT, CIP MP009 to K-Five Construction Company, for an amount not to exceed \$4,350,001.50 plus a 3% contingency. Second, Brodhead.

ROLL CALL:

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

Nays: None

Absent: Miers
 Motion declared carried.

K2b Expenditure of State Motor Fuel Tax

EXPENDITURE OF STATE
MOTOR FUEL TAX

Chirico moved to adopt the IDOT resolution in the amount of \$3,500,000.00 in order to allow the expenditure of State Motor Fuel Tax dollars to partially fund this project. Second, Brodhead.

ROLL CALL:

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

Nays: None

Absent: Miers
 Motion declared carried.

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Krause moved to approve the City Council Meeting Schedule for April, May and June 2015 and change the City Council Orientation date to April 30 at 5:00 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

L2 2014 Special Events Report

2014 SPECIAL EVENTS
REPORT

Council discussed the recommendation for specific day tickets for the Ribfest sponsor area, the role of the Advisory Cultural Commission (ACC) in the report, and whether event organizers have been involved in the discussions.

LaFeber explained that other large events have successfully implemented date specific tickets and the Special Events Team has recommended this method for the Ribfest sponsor area for years, that the Special Events Report is developed by the staff that supports the events and is based on staff observations and feedback from the resident survey, that the recommendations are outside the authority of the ACC, and that this ticket recommendation had been discussed with the 2015 Ribfest chairman.

Krause moved to receive the 2014 Special Events report and approve the recommendations. Second, Chirico.

VOICE VOTE: Motion declared carried.



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L3 Mitchell Resubdivision, PZC 14-1-148

MITCHELL
RESUBDIVISION, PZC 14-1-
148

L3a Mitchell Resubdivision

MITCHELL
RESUBDIVISION

Betsy Carlson (Naperville) urged council to concur with Planning and Zoning Commission (PZC) and not require an improved cul-de-sac.

Tom Broz (Naperville) urged council to concur with PZC and not require an improved cul-de-sac.

Pete Adamovich (Naperville) urged council to concur with PZC and not require an improved cul-de-sac.

Paul Mitchell (Petitioner) stated he is requesting annexation of the subject property, rezoning to R1A (Low Density Single-Family Residence District) upon annexation, approval of a Preliminary/Final Subdivision Plat to establish the property as a legal lot of record, and variances related to building height and cul-de-sac design. He stated that he has included the proposed cul-de-sac at the request of the City, but would prefer not to have it as a requirement.

Council discussed utility connectivity, burden on the property owner, service and emergency vehicle access, and discussion at the PZC.

Laff explained the discussion at PZC including members who noted their concerns regarding the proposed cul-de-sac, including adverse impact on the character of the neighborhood, loss of additional trees, and being overly burdensome on the property owner.

Laff stated that the recommendation to include a standard cul-de-sac is based on a customary design requirement that is enforced City-wide to avoid the creation or continuation of dead end streets. The inclusion of a cul-de-sac allows for ease of access and turn-around without additional maneuvers, which is particularly useful for service vehicles (snow plows, garbage trucks, delivery vehicles) and emergency vehicles (fire trucks).

Chirico moved to concur with Planning and Zoning Commission and the petitioner and direct staff to prepare ordinances approving the Mitchell Resubdivision without the water main and the requirement that the petitioner construct an improved cul-de-sac adjacent to the subject property. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Absent: Miers

Motion declared carried.

L3b Prepare Ordinances approving Mitchell Resubdivision

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M PUBLIC HEARINGS:

M1 Fiscal Year 2015-16 Annual Budget

FISCAL YEAR 2015-16
ANNUAL BUDGET

Mayor Pradel opened the public hearing at 8:33 p.m.

Chirico moved to close the public hearing at 8:33 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

N ORDINANCES AND RESOLUTION:

N1 Ordinance No. 15-052, adopting the FY2015-16 Annual Budget

ORDINANCE NO. 15-052,
ADOPTING THE FY2015-16
ANNUAL BUDGET

Krause moved to pass Ordinance No. 15-052, adopting the FY2015-16 Annual Budget in the amount of \$445,886,184.00. Second, Wentz.

ROLL CALL:

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

Nays: McElroy

Absent: Miers

Motion declared carried.

N2 Resolution No. 15-011, 2016-2020 Capital Improvement Program

RESOLUTION NO. 15-011,
2016-2020 CAPITAL
IMPROVEMENT
PROGRAM

Chirico moved to adopt Resolution No. 15-011, approving the FY2016-2020 Capital Improvement Program (CIP). Second, Wentz.

ROLL CALL:

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

Nays: None

Absent: Miers

Motion declared carried.

N3 Ordinance No. 15-053, Abatement - Special Service Area No. 23 2014 Property Tax Levy

ORDINANCE NO. 15-053,
ABATEMENT - SPECIAL
SERVICE AREA NO. 23
2014 PROPERTY TAX
LEVY

Chirico moved to pass Ordinance No. 15-053, abating a portion of the Special Service Area #23 (Naper Main) 2014 Property Tax Levy. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Absent: Miers

Motion declared carried.

N4 Liquor Code Regulations related to Public Officials

LIQUOR CODE
REGULATIONS RELATED
TO PUBLIC OFFICIALS

Jimmy Bergeron (Naperville) requested that the item be tabled for discussion by the incoming Council.

Kevin K. McQuillan (Naperville) discussed the State ruling, that the ordinance is a conflict of interest ordinance, that if passed as written could result in litigation, and requested that the item be tabled for the incoming Council.

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N4

Liquor Code Regulations related to Public Officials Continued

LIQUOR CODE
REGULATIONS RELATED
TO PUBLIC OFFICIALS

Council discussed tabling the item, approving as written, and remanding it back to the new Liquor Commission.

Chirico moved to direct staff to remand the text amendment to the Liquor Commission for further review. Second, Wentz

ROLL CALL:

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

Nays: None

Absent: Miers

Motion declared carried.

O

NEW BUSINESS

P

CLOSED SESSION:

Q

ADJOURNMENT:

ADJOURNMENT

Krause moved to adjourn the Regular City Council meeting of April 8, 2015 at 8:48 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of April 8, 2015 officially adjourned at 8:48 p.m.


PAM LA FEBER
CITY CLERK

PL:bk

