



**CITY COUNCIL MEETING OF JUNE 21, 2011
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
JULY 19, 2011 AS WRITTEN.**

CALL TO ORDER:

5:00 P.M.

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

Absent

Also Present

City Manager, Doug Krieger
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, Suzanne Thorsen
Development Services Team Leader, Dick Dublinski
T.E.D. Engineering Team Leader, Bill Novack
Transportation Team Leader, Karen Robles
Electrical Engineering Manager, Olga Geynisman
Director of Public Utilities-Water, Jim Holzapfel
Records Specialist, Lynn Zilinsky

Press

Chicago Sun Times, Daily Herald, Naperville Sun

A handwritten signature in black ink, appearing to be a stylized 'J' or 'G' followed by a flourish.

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B. CLOSED SESSION:

Wehrli moved to recess to Closed Session to discuss 5ILCS/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; (5) The purchase or lease of real property for the use of the public body; (21) Discussion of minutes of meetings lawfully closed under this Act, whether for the purposes of approval by the body of the minutes.
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 6:35 P.M.

Clerk's Note: Councilmen Brodhead and Krause arrived at 5:05 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 Donna Dziedzic Day Proclamation

PROCLAMATION

Councilman Brodhead proclaimed June 21, 2011 as Donna Dziedzic Day and presented the Proclamation to Donna Dziedzic, Naperville Public Library Executive Director.

D2 June Team Award

JUNE TEAM AWARD

Councilman Brodhead recognized Officers Spencer-Hale and Bissegger and presented them with the Team Award for June.

D3 Fire Chief's Citizen Award

FIRE CHIEF'S CITIZEN AWARD

Fire Chief Puknaitis acknowledged the actions taken by Jack Mayor, Louis Miller, Maurey Sage and Lisa Lichtman and presented them with the Fire Chief's Award.

E PUBLIC FORUM:

E1 Protest

Scott Huber, Burlington and Ogden, discussed his protest issues.



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- | | | |
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| I5 | <u>Appointments to Boards and Commissions</u>
Council moved to approve the Mayoral appointments of Kalah Considine to the Emergency Telephone System Board; J. Patrick Benton and Andy Schmitt to the Financial Advisory Board; Kevin Coyne and Robert Williams to the Plan Commission; John Krummen and John Damusis to the Public Utilities Advisory Board; and Jack Amberg to the Transportation Advisory Board. | APPOINTMENTS TO
BOARDS AND
COMMISSIONS |
| I6 | <u>White Eagle Homeowners Association Fireworks Display</u>
Council moved to approve the White Eagle Homeowners Association permit request to hold a fireworks display on June 25, 2011. | WHITE EAGLE
HOMEOWNERS
ASSOCIATION FIREWORKS
DISPLAY |
| I7 | <u>Public Improvements</u>
Council moved to accept the public underground improvements in Hampton Park Unit 1, Subdivision, public street and street light improvements in Forest View Estates Subdivision and authorize the City Clerk to reduce the corresponding public improvement sureties. | PUBLIC IMPROVEMENTS |
| I8 | <u>Unfulfilled Annexation Agreement Obligations</u>
Council moved to continue to delay the enforcement of Section 5-2B-4:4.1 requiring the installation of sidewalk within three (3) years of platting and the requirement that annexation fees be paid within one year; for a period of one year. | UNFULFILLED
ANNEXATION AGREEMENT
OBLIGATIONS |
| I9 | <u>Ordinance No. 11-085, Jackson Avenue Handicapped Parking</u>
Council moved to pass Ordinance No. 11-085, to revise Schedule XXI, "Handicapped Parking" and Section VIIC-2, "2-Hour Limited Parking 6 AM to 6 PM, Monday through Saturday: in the Naperville Municipal Code relating to the handicapped parking space on the north side of Jackson Avenue adjacent to the Rubin Center. | ORDINANCE NO. 11-085,
JACKSON AVENUE
HANDICAPPED PARKING |
| I10 | <u>Resolution No. 11-032, Five Year Agreement with NCTV 17</u>
Council moved to adopt Resolution No. 11-032, authorizing the execution of the five-year agreement between the City of Naperville and NCTV17 and direct staff to disburse additional funds in the amount of \$123,000.00 per previous budget workshop Council direction. | RESOLUTION NO. 11-032,
FIVE YEAR AGREEMENT
WITH NCTV 17 |
| I14 | <u>Resolution No. 11-033, Tier 2 Benefit Program</u>
Council moved to adopt Resolution No. 11-033, directing the City Manager to implement a Tier 2 Benefit Program for employees hired after July 1, 2011. | RESOLUTION NO. 11-033,
TIER 2 BENEFIT PROGRAM |

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I15 Ordinance No. 11-086, Ascertaining Prevailing Wage in the City of Naperville ORDINANCE NO. 11-086, PREVAILING WAGE IN THE CITY OF NAPERVILLE

Council moved to pass Ordinance No. 11-086, ascertainning prevailing wages in the City of Naperville.

I3 Bid 12-022, Aggregate Materials BID 12-022, AGGREGATE MATERIALS

Miller moved to approve the award of Bid 12-022, Aggregate Materials, to Nagel Trucking, Inc., in the amount of \$27,368.90, and to Heritage Logistics, Inc., in the amount of \$170,048.80 for a combined award of \$197,417.15. Second, Hinterlong.

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

I11 Amending Chapter 8 (Taxicab Services) if Title 3 Business and License Regulations) TAXI CAB SERVICES

Council discussed requiring the drivers to accept credit cards and mandating that drivers not use cell phones while driving. Council also asked how often the vehicles are inspected.

Zilinsky explained the licensing process, that the city requires the vehicles be inspected by a city-approved company on an annual basis and some companies require a six-month inspection schedule. She also explained that each vehicle has its own non-transferrable sticker.

Fieseler moved to table to July 19, 2011. Second, Hinterlong.

VOICE VOTE: Motion declared carried.
First reading held.

BREAK: 8:08 P.M.
Mayor Pradel called the meeting back to order at 8:49 p.m.

I12 Ordinance No. 11-087, Naperville Woman's Club – Application for Landmark Designation, HPC #11-0857 ORDINANCE NO. 11-087, 14 S. WASHINGTON ST., HPC #11-0857

Georgiann Baldero, 2007 Tee Girl Court, urged Council to approve the requested landmark status for the Naperville Women's Club.

Chirico moved to pass Ordinance No. 11-087, to designate a building located at 14 S. Washington Street, (Naperville Woman's Club) as a landmark. Second, Hinterlong.

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



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I13

Ordinance No. 11-088, Delegated Sale of General Obligation Bonds

ORDINANCE NO. 11-088,
DELEGATED SALE OF
GENERAL OBLIGATION
BONDS

Jeff Perkins, 1356 Middleburg Road, spoke against approving the \$11M for the SMART Grid infrastructure included in the proposed general obligation bond ordinance and stated that the annual interest the city will pay is approximately \$700,000.

Alice Whaley, 511 Aurora Avenue #316, urged the residents to read the Comprehensive Annual Financial Report (CAFR).

DeAngelis explained that assuming a 4% interest rate, the city would pay back \$2M over the life of the 18-year loan.

Kreiger stated that the city's rates are 20-23% below ComEd's rates.

Geynisman stated that transmission lines must be relocated on Route 59 because of the IDOT widening project and the cost of the relocation is included in the proposed bond amount.

Council discussed the city's energy rate, resident energy spending habits, the duties of the public relations firm, and holding a town hall meeting.

Chirico moved to pass Ordinance No. 11-088, authorizing a delegated sale of general obligation bonds for an amount not to exceed \$19 million. Second, Miller.

ROLL CALL:

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

Nays: Krause

Motion declared carried.

I16

Ordinance No. 11-089, Staffing Levels in Police and Fire Departments

ORDINANCE NO. 11-089,
STAFFING LEVELS IN
POLICE & FIRE
DEPARTMENTS

Wehrli moved to pass Ordinance No. 11-089, amending Section 1-8A-1 of the Naperville Municipal Code to delete the sworn personnel staffing levels and insert the rank of Commander in the Police Department and Section 1-8B-1 to delete the sworn personnel staffing levels in the Fire Department. Chirico.

ROLL CALL:

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

Nays: None

Motion declared carried.

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- J4** Ordinance No. 11-090, Donation Boxes, PC 11-1-016 ORDINANCE NO. 11-090,
Miller moved to pass Ordinance No. 11-090, amending Title 6 DONATION BOXES, PC 11-1-
(Zoning Regulations) of the Municipal Code pertaining to 016
donation boxes. Second, Chirico.
- ROLL CALL:**
Ayes: Pradel, Brodhead, Chirico, Fieseler, Hinterlong,
 Krause, McElroy, Miller
Nays: Wehrli
 Motion declared carried.
- J5** Fox River Commons Shopping Center, ZBA 11-1-005 FOX RIVER COMMONS
Chirico moved to adopt the resolution approving variances for SHOPPING CENTER, ZBA 11-
three monument signs for Fox River Commons Shopping Center at 1-005
the northeast corner of Route 59 and Ogden Avenue. Second,
Brodhead.
- Council discussed sign clutter, the number of variances, and the
proposed location of the electronic message board sign.
- Hinterlong made a Motion in Substitution to deny the variance for
Sign A located at Route 59 and LaFox. Second, McElroy.
- ROLL CALL:**
Ayes: Fieseler, Hinterlong, McElroy, Miller, Wehrli
Nays: Pradel, Brodhead, Chirico, Krause
 Motion declared carried.
- Krause invoked Council rules on the remaining two variances for
Sign B at Ogden Avenue and Sign C at the Route 59 entrance.
- K** **AWARD OF BIDS AND OTHER ITEMS OF**
EXPENDITURE:
- K1** Award of Bid 11-132, 2011 Roadway Renovation Program – MFT BID 11-132, 2011 ROADWAY
RENOVATION PROGRAM -
MFT
- K1a** Award of Bid 11-132, 2011 Roadway Renovation Program-MFT
- K1b** Adopt IDOT Resolution to allow expenditure of State Motor Fuel
Tax IDOT RESOLUTION –
EXPENDITURE OF STATE
MOTOR FUEL TAX
- Miller moved to approve the award of Bid 11-132, 2011 Roadway
Renovation Program-MFT, CIP#MP009, to K-Five Construction,
for an amount of \$2,697,493.00, plus a 3% contingency and
adopted the IDOT resolution in the amount of \$2,697,493.00 in
order to allow the expenditure of State Motor Fuel Tax dollars to
fully fund this project. Second, Wehrli.
- ROLL CALL:**
Ayes: Brodhead, Chirico, Fieseler, Hinterlong, Krause,
 McElroy, Miller, Wehrli, Pradel
Nays: None
 Motion declared carried.

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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 and September 2011. Second, Chirico.

VOICE VOTE: Motion declared carried.

L2 Energy Efficiency and Conservation Block Grant Update

**ENERGY EFFICIENCY AND
CONSERVATION BLOCK
GRANT UPDATE**

Wehrli moved to reallocate \$72,000.00 unencumbered Energy Efficiency and Conservation Block Grant funds from the Home Energy Savings Program to the Parking Guidance System project. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

L3 Recruit externally – Electrical Engineer-Substations position – DPU-E

**RECRUIT EXTERNALLY –
ELECTRICAL ENGINEER-
SUBSTATIONS POSITION –
DPU-E**

Geynisman clarified that while this is a critical city position, to outsource or hire someone with more experience they city would need to pay approximately \$150/hour. She said that the new hire will be a Tier 2 employee and will be paid a lower salary than the outgoing employee.

Fieseler moved to grant approval to recruit externally and fill one vacant Electrical Engineer-Substations position in the Department of Public Utilities-Electric. Second, Hinterlong.

ROLL CALL:

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

Nays: Krause
Motion declared carried.

L4 Valet Parking Transfer Zone – Jefferson Avenue

**VALET PARKING
TRANSFER ZONE –
JEFFERSON AVENUE**

Jim Shanchuk, Petitioner at 16766 Winding Creed Road, Plainfield, supports the establishment of the proposed valet parking transfer zone.

Robles explained that the city has notified business and property owners in the area of the proposed zone and all concerns have been addressed.

Council requested that staff report back when requests are submitted that require the city to mark the street and provide signage in order to include a service fee in the permit process.

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L4 Valet Parking Transfer Zone – Jefferson Avenue Continued
Fieseler moved to approve the recommendation to establish a valet parking transfer zone on the south side of Jefferson Avenue from a point 146 feet east of Washington Street to a point 183 feet east of Washington Street for Kuma’s Asian Bistro. Second, Krause.

VALET PARKING
TRANSFER ZONE –
JEFFERSON AVENUE

ROLL CALL:

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

Nays: None

 Motion declared carried.

L5 Luna Carpet, ZBA 11-1-028

LUNA CARPET, ZBA 11-1-
028

Clerk’s Note: Chirico recused himself due to a business competition conflict and left the dais at 9:57 p.m.

Morrie DeZara, 1320 N. Route 59, urged the Council to reconsider his application for the temporary banner.

Council discussed a comprehensive signage plan on Route 59 due to upcoming IDOT construction plans, stated that the circumstances in this area are unusual, and requested a signage strategy be developed and applied during the construction project.

Schatz stated that the Code Enforcement Team will inspect the conditions of the parking lot at 1320 N. Route 59.

Wehrli moved to approve the request to install a series of 65-square-foot temporary banners for one year, which will be rotated out, on the west elevation of the building for the business located at 1320 N. Route 59, Suite 100. Second, Brodhead.

ROLL CALL:

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

Nays: Miller

Abstain: Chirico

 Motion declared carried.

Clerk’s Note: Chirico returned to the dais at 10:12 p.m.

M **PUBLIC HEARINGS:**

M1 CDBG Comprehensive Annual Performance Evaluation Report (CAPER)

CDBG COMPREHENSIVE
ANNUAL PERFORMANCE
EVALUATION REPORT

M1a Conduct public hearing on the Program Year 2010 CDGB Block Grant Comprehensive Annual Performance Evaluation Report

Pradel opened the public hearing at 10:12 p.m.

Wehrli moved to close the public hearing at 10:12 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

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M1b Accept the 2010 Community Development Block Grant CAPER

Wehrli moved to accept the 2010 CDBG Block Grant Comprehensive Annual Performance Evaluation Report. Second, Krause.

ROLL CALL:

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

Nays: None
 Motion declared carried.

N **ORDINANCES AND RESOLUTIONS:**

N1 Term Limits for Council and Boards and Commissions

Council discussed the current term limit provisions for boards/commissions, institutional knowledge, the risk of losing institutional knowledge, and the benefits of member turnover.

Ely clarified that the language in the code states that once a member has served two consecutive terms they cannot be reappointed to that board or commission.

N1a Ordinance No. 11-091, Term Limits for Council

Miller moved to waive first reading and pass Ordinance No. 11-091, and codify Mayor and City Council term limits approved by referendum. Second, Hinterlong.

ORDINANCE NO. 11-091,
TERM LIMITS FOR
COUNCIL

ROLL CALL:

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

Nays: Krause
 Motion declared carried.

N1b Revision to term limits for Boards and Commissions

Krause moved to grant the mayor the prerogative to appoint a prior board/commission member to fill an unexpired term of a vacant seat. Second, Wehrli.

TERM LIMITS FOR BOARDS
& COMMISSIONS

ROLL CALL:

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

Nays: Chirico, Miller
 Motion declared carried.

N2 Ordinance No. 11-092, Electric Energy Efficiency Credit Program Reimbursements Extension

Patrick Skarr, Chamber of Commerce at 55 S. Main, urged Council to permanently extend this incentive program.

ORDINANCE NO. 11-092,
ELECTRIC ENERGY
EFFICIENCY CREDIT
PROGRAM
REIMBURSEMENTS
EXTENSION

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- N2** Ordinance No. 11-092, Electric Energy Efficiency Credit Program Reimbursements Extension **Continued** **ORDINANCE NO. 11-092, ELECTRIC ENERGY EFFICIENCY CREDIT PROGRAM REIMBURSEMENTS EXTENSION**
- Miller moved to pass Ordinance No. 11-092, concerning the Electric Energy Efficiency Program Reimbursements Extension for Primary Metered Industrial Customer Accounts. Second, Krause.
- ROLL CALL:**
Ayes: Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli
Nays: None
Motion declared carried.
- N3** Resolution No. 11-035, Gas Use Tax Rebate Program Reimbursements **RESOLUTION NO. 11-035, GAS USE TAX RETATE PROGRAM REIMBURSEMENTS**
- Patrick Skarr, Chamber of Commerce at 55 S. Main, urged Council to permanently extend this incentive program.
- Chirico moved to adopt Resolution No. 11-035, extending the per therm gas use tax rebate program reimbursements. Second, Hinterlong.
- ROLL CALL:**
Ayes: Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel
Nays: None
Motion declared carried.
- O** **NEW BUSINESS:**
- O1** Board/Commission Residency Requirement
- Councilman Miller asked staff to provide a report showing those boards/commissions that allow exceptions to the member residency requirement.
- O2** Citizen's Academy
- Councilman Brodhead announced that the Naperville Citizen's Academy program, and specifically Jan Bradley, was given the Rosemary Martin Democracy in Action award by the League of Women Voters.
- O3** Recognition of Dan DiSanto, Assistant to the City Manager
- Council thanked Dan DiSanto for his years of service at the City of Naperville.

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P **CLOSED SESSION:**

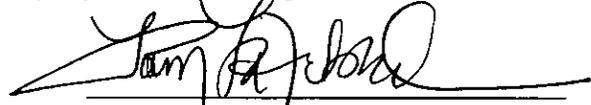
Q **ADJOURNMENT:**

ADJOURNMENT – 10:42 P.M.

Wehrli moved to adjourn the Regular City Council meeting of
June 21, 2011 at 10:42 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of June 21, 2011 officially adjourned at 10:42 p.m.



PAM LAFEBER PH.D.
CITY CLERK

PL: BK

