



**CITY COUNCIL MEETING OF JANUARY 17, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
February 7, 2012 AS WRITTEN:**

CALL TO ORDER:

7:00 P.M.

- A** Mayor A. George Pradel
Councilman 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

Wehrli moved to allow Councilman McElroy to participate via teleconference. Second, Miller.

VOICE VOTE: Motion declared carried.

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 E. Dial
Finance Director, Karen DeAngelis
T.E.D. Business Group Director, Marcie Schatz
T.E.D. Operations Manager, Allison Laff
Director of Public Works, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel
I.T. Team Leader, Larry Gunderson

Press

Chicago Sun Times, Daily Herald, Naperville Sun

B **CLOSED SESSION:**

NONE

OPEN SESSION:

C **PLEDGE TO THE FLAG:**

PLEDGE GIVEN

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D AWARDS AND RECOGNITIONS:

D1 January and February 2012 – Naperville Reads 2012 Proclamation

Councilman Fieseler proclaimed January and February, 2012 as Naperville Reads 2012 and presented the proclamation to Becky Anderson, Marie Bartolotta, Sue Faber, Susan Greenwood and Karen Hutt.

JANUARY AND FEBRUARY
2012 – NAPERVILLE READS
2012 PROCLAMATION

D2 Employee of the Month – January

Councilman Brodhead recognized LiLin Lo, Business Systems Team Leader for the Information Technology Department, and the Employee of the Month for January 2012.

EMPLOYEE OF THE MONTH
- JANUARY

E PUBLIC FORUM:

E1 Zoning for 619 S. Washington Street

Vince Marrone, 23837 W. Royal Worlington, requested that zoning be changed, and a Temporary Occupancy permit issued, for his tenant so she may operate her business while going through the zoning process.

Laff said photography is an appropriate conditional use and staff does not object to the use, however the site plan would still need to be reviewed.

Wehrli moved to direct the City Manager to facilitate the speaker's request with the TED Business Group. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

E2 Vending Location

Joe Hornbaker, 2124 Neff Court, Lisle, requested his location for 2012 be changed and the permit year be changed from 18 months to 12 months.

Council discussed the bid process, vendors that were awarded the three remaining locations, and involving the Downtown Naperville Alliance (DNA) to find other possible locations.

Laff stated that this matter will be added to the upcoming DNA meeting agenda.

E3 95th Street Bridge Project

Debra Holscher, 2708 Modaff Road, spoke against the project

E4 95th Street Bridge Extension

Katherine Havel, 2616 Springdale Circle, urged Council to put the project on hold until actual need is demonstrated.

E5 City Bond, Snow & Hotel

Richard Backer, 733 Chesterfield Ave, requested clarification on a \$25M bond, spoke about the Freedom Plaza decision and DPW's efforts during the most recent snow storm.

F HOLDOVER ITEMS:

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**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.

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of item I11. Second, Wehrli.

ROLL CALL:

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

Nays: None

 Motion declared carried.

I1 Cash Disbursements – 12/21/11

Council moved to approve the 12/21/11 cash disbursements in the amount of \$16,897,904.93.

**CASH DISBURSEMENTS –
12/21/11**

I2 Cash Disbursements – 01/04/12

Council moved to approve the 1/4/12 cash disbursements in the amount of \$6,024,962.26.

**CASH DISBURSEMENTS –
01/04/12**

I3 Regular City Council Meeting Minutes of December 19, 2011

Council moved to approve the Regular City Council Meeting Minutes of December 19, 2011.

**REGULAR CITY COUNCIL
MEETING MINUTES –
12/19/11**

I4 2012 Special Events Calendar

Council moved to approve the 2012 Special Events Calendar and designate the calendar as closed to all new major events.

**2012 SPECIAL EVENTS
CALENDAR**

I5 Contract 09-092 Pre-Employment Physicals and Drug & Alcohol Testing

Council moved to approve the extension to Contract 09-092, pre-employment physicals, annual police and fire department physical examinations and drug and alcohol testing, to Edward Health Services Corporation for a two-year contract extension not to exceed \$252,300. Includes no price increase from 2011 rates and has one remaining two-year option for renewal.

**CONTRACT 09-092 PRE-
EMPLOYMENT PHYSICALS
AND DRUG & ALCOHOL
TESTING**

I6 Bid 12-109, Panasonic Toughbooks

Council moved to approve the award of Bid 12-109, Panasonic Toughbooks to Tallgrass Systems Ltd. for an amount not to exceed \$125,264.55.

**BID 12-109, PANASONIC
TOUGHBOOKS**

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- I7** Procurement 12-143, Police Patrol Vehicle Replacements
Council moved to approve the award of procurement 12-143, police patrol vehicle replacements to Currie Motors through a Joint Purchasing Contract with Suburban Purchasing Cooperative for an amount not to exceed \$164,562.00.
- I8** Contract 07-204, Depository Banking Services
Council moved to approve a one-year extension to Contract 07-204, depository banking services, lockbox and safekeeping.
- I9** Bid 12-118, South Operations Center Channel Grinder Replacement
Council moved to approve Bid 12-118, South Operations Center channel grinder replacement to Manusos General Contracting, Inc. for an amount not to exceed \$147,800 plus a 5% contingency.
- I10** Ordinance No. 12-001, Liquor and Tobacco Control, Class S – Specialty Wine Shop
Council moved to waive first reading and pass Ordinance No. 12-001, amending Section 3-3-11.20 (Business and License Regulations, Liquor and Tobacco Control, Class S – Specialty Wine Shop) of the Naperville Municipal Code to remove the sunset clause and permanently allow the sale of craft beer.
- I12** Ordinance No. 12-002, Kidz Kabaret (Fair Lady Productions, Inc.)
Council moved to pass Ordinance No. 12-002, approving a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of off-street-parking requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space at 1665 Quincy Avenue subject to conditions.
- I13** Resolution No. 12-001, 2012 Interim Pace Paratransit Local Share Agreement
Council moved to adopt Resolution No. 12-001, authorizing the city manager to execute the agreement with Pace for the 2012 Interim Pace Paratransit Local Share Agreement for the operation of the Ride DuPage Program.
- I14** Ordinance No. 12-003, Expansion of SSA 21
Council moved to pass Ordinance No. 12-003, and approve the proposed enlargement of Special Service Area Number 21 and provide a public hearing for its establishment.
- PROCUREMENT 12-143,
POLICE PATROL VEHICLE
REPLACEMENTS
- CONTRACT 07-204,
DEPOSITORY BANKING
SERVICES
- BID 12-118, SOUTH
OPERATIONS CENTER
CHANNEL GRINDER
REPLACEMENT
- ORDINANCE NO. 12-001,
CLASS S (SPECIALTY WINE
SHOP)
- ORDINANCE NO. 12-002,
KIDZ KABARET
- RESOLUTION NO. 12-001,
2012 INTERIM PACE
PARATRANSIT LOCAL
SHARE AGREEMENT
- ORDINANCE NO. 12-003,
EXPANSION OF SSA 21

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I11 CityGate Grille – PCS #11-1-149

CITYGATE GRILLE, PCS 11-1-149

Option A Approve a variance request to increase the size of existing multi-tenant monument sign

Option B Concur with staff and deny variance to increase size of multi-tenant monument sign

Miller moved to approve Option B to concur with staff and deny the requested variance to increase the size of the existing multi-tenant monument sign. Second, Brodhead.

Laff explained that a comprehensive sign package specifically related to Calamos and City Gate is in place. This package is greater than what the code allows because of the location and size of the campus. The request exceeds what has been approved and that the existing panel can be enlarged without increasing the overall size of the monument sign.

Council discussed interior signs, electronic signs, change interval, the movement happening within the signs, and asked the Chamber of Commerce to self police electronic signs.

Wehrli made a Motion in Substitution to approve Option A and concur with the Planning & Zoning Commission and direct staff to prepare resolution paperwork approving a variances requested by Calamos Real Estate LLC to increase the size of the existing multi-tenant monument sign located at the intersection of Westings Avenue & Calamos Court. Second, Hinterlong.

ROLL CALL:

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

Nays: Miller
 Motion declared carried.

J **OLD BUSINESS:**

J1 Regulating Fowl in Residential Districts

REGULATING FOWL IN
RESIDENTIAL DISTRICTS

David Laird, 202 Rivanna Court, asked Council to not change the ordinance and discussed the changes he has made to improve the property sight line.

Susan Borghesi, 198 Rivanna Court, spoke in favor of an ordinance to regulate fowl.

Dennis Groenenboom, 206 Rivanna Court, spoke in favor of an ordinance to regulate fowl.

Ronald Borghesi, 198 Rivanna Court, spoke in favor of an ordinance to regulate fowl.



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J1

Regulating Fowl in Residential Districts Continued

REGULATING FOWL IN
RESIDENTIAL DISTRICTS

Council discussed the report, the proposed number of allowable fowl, grandfathering current residents, and a grace period to come into compliance.

McElroy moved to accept recommendations but increase allowable chickens to 12.

Chirico moved to amend Section 10-4-6 of the Municipal Code (Fowl and Livestock) and limit the number of chickens to eight (8), prohibit roosters, and require a 30' building setback for the coop. Second, McElroy.

ROLL CALL:

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

Nays: Krause, Miller, Wehrli
Motion declared carried.

BREAK: 8:38 P.M.

Mayor Pradel called the meeting back to order at 8:48 p.m.

J2

Ordinance No. 12-004, Redefining Class B-Restaurant and Tavern definition

ORDINANCE NO. 12-004,
REDEFINING CLASS B-
RESTAURANT AND
TAVERN DEFINITION

Council discussed the level of enforcement, benefit to liquor establishments of having a Late Night permit, and how the cap will be determined.

Schatz explained that the recommendation for caps will be based on the survey included in the Class B liquor license renewal application that will be sent out on January 20 and due February 29.

Chirico moved to pass Ordinance No. 12-004, amending Title 3 (Business and License Regulations), Chapter 3 (Liquor and Tobacco Control), Sections 3-3-1, 3-3-11, 3-3-13, and 3-3-17 of the Naperville Municipal Code redefining the Class B-Restaurant and Tavern definition, modifying the Class-B Restaurant and Tavern kitchen hours, menu requirements, and closing hours, defining and establishing the Late Night Permit, and requiring a supermajority vote to revise the Class C license limit. Second, Wehrli.

ROLL CALL:

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

Nays: Krause
Motion declared carried.

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J3

Ordinance No. 12-005, amending Chapter 10 of the Municipal Code to provide for PUAB to hear certain Privacy Complaints

ORDINANCE NO. 12-005,
PUAB TO HEAR CERTAIN
PRIVACY COMPLAINTS

Council discussed their role on commissions, whether or not it is appropriate for them to vote on issues that they will eventually hear.

Wehrli moved to pass Ordinance No. 12-005, amending Chapter 10 (Public Utility Advisory Board) of Title 2 (Boards and Commissions) of the Naperville Municipal Code to provide for the PUAB to hear certain privacy complaints. Second, Chirico.

ROLL CALL:

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

Nays: Krause
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 January, February and March 2012. Second, Miller.

VOICE VOTE: Motion declared carried.

L2

Recruit Externally Network Support Specialist

NETWORK SUPPORT
SPECIALIST - IT

Gunderson explained the history of the position, the benefit of having a full-time position, and described position responsibilities.

Miller moved to grant approval to recruit externally and fill one vacant Network Support Specialist position in the Information Technology Department. Second, Brodhead.

ROLL CALL:

Ayes: McElroy, Miller, Wehrli, Pradel, Brodhead

Nays: Krause, Chirico, Fieseler, Hinterlong
Motion declared carried.

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L3 Recruit Externally – TED Electrical Inspector

Council questioned outsourcing opportunities and filling the position with a part-time employee.

Schatz explained that consistency is critical in inspections and contract or part-time inspectors will not provide for consistent code application.

Chirico moved to grant approval to recruit externally and fill one vacant full-time TED Electrical Inspector. Second, Hinterlong.

ROLL CALL:

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

Nays: Fieseler, Krause
 Motion declared carried.

RECRUIT EXTERNALLY –
TED ELECTRICAL
INSPECTOR

M **PUBLIC HEARINGS:**

N **ORDINANCES AND RESOLUTIONS:**

O **NEW BUSINESS**

O1 Changeable Message Signs

Krause suggested reviewing the timing on changeable message signs.

Schatz explained that messages are to be static for 10 seconds and that reminder letters and education materials will be sent to establishments with changeable message signs:

P **CLOSED SESSION:**

CLOSED SESSION

Q **ADJOURNMENT:**

ADJOURNMENT – 9:15 P.M.

Wehrli moved to adjourn the Regular City Council meeting of January 17, 2012 at 9:15 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of January 17, 2012 officially adjourned at 9:15 p.m.



PAM LAFERBER PH.D.
CITY CLERK

PL: BK

