



**CITY COUNCIL MEETING OF JUNE 18, 2013  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
July 16, 2013 AS WRITTEN.**

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**CALL TO ORDER:**

6:00 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 Grant Wehrli  
Councilman David Wentz**

**Absent**

**Also Present**

**City Manager, Doug Krieger  
Deputy City Manager, Marcie Schatz  
City Attorney, Margo Ely  
City Clerk, Pam LaFeber  
Police Chief, Robert Marshall  
Fire Chief, Mark Puknaitis  
Director of Finance, Karen DeAngelis  
Assistant Finance Director, Chris Smith  
Director of T.E.D., Bill Novack  
T.E.D. Operations Manager, Allison Laff  
Transportation Team Leader, Karyn Robles  
Public Works Operations Team Leader, Christine Schwartzhoff  
Electric Distribution Manager, Lucy Hynes  
Director of Public Utilities-Water, Jim Holzapfel**

**Press**

**Chicago Sun Times, Daily Herald, Naperville Sun**

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**B CLOSED SESSION:**

Wehrli moved to recess to Closed Session to discuss 5ILCS/120(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; (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; (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:05 P.M.  
CLOSED SESSION ENDED AT 6:47 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, Wehrli, Wentz

**Absent:** None

**C PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D AWARDS AND RECOGNITIONS:**

**D1 Team Award**

TEAM AWARD

Councilwoman Brodhead presented the Team Award for June to Fire and Police Department staff who planned and facilitated the City Network Upgrade on April 20.

**E PUBLIC FORUM:**

**E1 Sanitary Sewer**

Dale Bryson, 1425 Briergate Drive, discussed basement backups as a result of the recent flooding.

**E2 Sanitary Sewer**

Rob Neufelder, 1441 Briergate Drive, discussed basement backups as a result of the recent flooding.

**E3 Joe Naper Statue**

Mary Lou Wehrli, 916 W. Jefferson, discussed the design and placement of the statue.

Ely will provide information on what entity has the decision making authority for this property.

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**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, Hinterlong.

**VOICE VOTE:**           Motion declared carried.

**I     **CONSENT AGENDA:****

Krause moved to approve the Consent Agenda with the exception of items  
I14, and I18. Second, Chirico.

**ROLL CALL:**

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

**Nays:**   None  
          Motion declared carried.

**I1    Cash Disbursements – 6/5/13**

Council moved to approve the 6/5/13 cash disbursements in the amount of  
\$11,070,816.09.

CASH DISBURSEMENTS –  
6/5/13

**I2    Regular City Council Minutes**

Council moved to approve the Regular City Council Minutes of June 4,  
2013.

REGULAR CITY COUNCIL  
MINUTES

**I3    Bid14-004, Washington Street Watermain Crossings**

Council moved to approve the award of utility funded Bid 14-004,  
Washington Street Watermain Crossings – Hillside and Martin, to  
Copenhaver Construction for an amount not to exceed \$397,274.00 plus a  
5% contingency.

BID14-004, WASHINGTON  
ST. WATERMAIN  
CROSSINGS

**I4    Procurement 14-035, Excess General Liability Insurance**

Council moved to approve the award of Procurement 14-035, city's excess  
general liability insurance to Aliant Insurance Services for an amount not to  
exceed \$148,520.00 for coverage from July 1, 2013 thru July 1, 2014.

PROCUREMENT 14-035,  
EXCESS GENERAL  
LIABILITY INSURANCE

**I5    Procurement 14-034, Property Insurance Coverage**

Council moved to approve the award of Procurement 14-034, city's  
property, boiler and machinery insurance to Aliant Insurance Services for an  
amount not to exceed \$233,604.32 for the policy period July 1, 2013 – July  
1, 2014.

PROCUREMENT 14-034,  
PROPERTY INSURANCE  
COVERAGE

**I6    Century Walk SECA Allocation**

Council moved to allocate an additional \$25,000 from FY13 SECA fund  
balance to the Century Walk Corporation for the "Spirit of the American  
Navy" sculpture at Burlington Square.

CENTURY WALK SECA  
ALLOCATION



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- I7 RibFest 2013 Fireworks Display RIBFEST 2013 FIREWORKS DISPLAY  
Council moved to approve Exchange Club of Naperville's permit request to hold a fireworks display on July 4, 2013.
- I8 Naperville Marathon and Half Marathon NAPERVILLE MARATHON AND HALF MARATHON  
Council moved to approve the revised route for the Naperville Marathon and Half Marathon scheduled for Sunday, November 10, 2013.
- I9 Ordinance No. 13-058, Naperville Sprint Triathlon ORDINANCE NO. 13-058, NAPERVILLE SPRINT TRIATHLON  
Council moved to pass Ordinance No. 13-058, establishing the temporary traffic controls and issue a special event permit for the Naperville Sprint Triathlon on Sunday, August 4, 2013.
- I10 Ordinance No. 13-059, DuPage County Stormwater and Floodplain ORDINANCE NO. 13-059, DUPAGE COUNTY STORMWATER AND FLOODPLAIN  
Council moved to waive first reading and pass Ordinance No. 13-059, adopting the amended DuPage County Stormwater and Floodplain Ordinance and amend Section 5-6-1 of the Naperville Municipal Code.
- I11 Ordinance No. 13-060, Ascertaining Prevailing Wage ORDINANCE NO. 13-060, ASCERTAINING PREVAILING WAGE  
Council moved to pass Ordinance No. 13-060, ascertaining prevailing wages in the City of Naperville.
- I12 Resolution No. 13-020, Illinois Department of Transportation for Traffic Signal Improvements RESOLUTION NO. 13-020, IDOT TRAFFIC SIGNAL IMPROVEMENTS  
Council moved to adopt Resolution No. 13-020, approving an addendum to an intergovernmental agreement with the Illinois Department of Transportation for engineering services and construction of improvements to various traffic signals located on Illinois Route 59 in Will County.
- I13 Intergovernmental Agreements with Illinois Department of Transportation
- I13a Resolution No. 13-021, appropriating funds for improvement of Illinois Route 59 RESOLUTION NO. 13-021, APPROPRIATING FUNDS FOR IMPROVEMENT OF ILLINOIS RTE. 59  
Council moved to adopt Resolution No. 13-021, appropriating funds for the improvement of Illinois Route 59 pursuant to agreements with the State of Illinois Department of Transportation.
- I13b Resolution No. 13-022, Improvement of Illinois Route 59 RESOLUTION NO. 13-022, IMPROVEMENT OF ILLINOIS RTE. 59 –DIEHL RD. –NORTH AURORA RD.  
Council moved to adopt Resolution No. 13-022, approving an Intergovernmental Agreement between the City of Naperville and the State of Illinois Department of Transportation for the improvement of Illinois Route 59 from Diehl Road to North Aurora Road.
- I13c Resolution No. 13-023, Improvement of Illinois Route 59 RESOLUTION NO. 13-023, IMPROVEMENT OF ILLINOIS RTE. 59 – NORTH AURORA RD. – AURORA AVE.  
Council moved to adopt Resolution No. 13-023, approving an intergovernmental agreement between the City of Naperville and the State of Illinois Department of Transportation for the improvement of Illinois Route 59 from North Aurora Road to Aurora Avenue





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**L      REPORTS AND RECOMMENDATIONS:**

**L1      City Council Meeting Schedule**

**CITY COUNCIL MEETING  
SCHEDULE**

Fieseler moved to approve and hold the Strategic Plan workshop at 5:00 p.m. Second, Brodhead.

Wehrli made a Motion in Substitution to hold the Strategic Plan Workshop at 5:00 p.m. on a date and time to be determined and to cancel the August 6 City Council meeting. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:**       None  
                  Motion declared carried.

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**BREAK:       7:56 p.m.**  
**Mayor Pradel called the meeting back to order at 8:07 p.m.**

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**L2      Sustainable Grant and Rebate Initiatives**

**SUSTAINABLE GRANT  
AND REBATE INITIATIVES**

Chirico moved to endorse use of the IMEA Grant Funds as proposed to provide resources to residential and commercial users and the City of Naperville and endorse the Renewable Energy Grant Program, such that staff may proceed with targeted outreach and an application process for both programs. Second, Krause.

**ROLL CALL:**

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

**Nays:**       None  
                  Motion declared carried.

**L3      Action Plan from 2013 Flood**

**ACTION PLAN FROM 2013  
FLOOD**

Holzappel discussed the watershed and explained that the Warrenville flow goes to a pump station at River and Ogden, not the Cress Creek subdivision.

Council discussed changing the bidding process and possibly contracting with plumbers for a bulk price.

Wehrli moved to approve \$110,000.00 for flood-related engineering of the 95<sup>th</sup> Street Gabion Dam, Naper Boulevard, Porter Avenue, and the 87<sup>th</sup> Street Bridge. Approve the use \$3,195,000.00 DPU-Water Fund Balance to expand the Sanitary Sewer Backflow Prevention Program citywide and the Sanitary Sewer Lining Program in the Cress Creek area. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:**       None  
                  Motion declared carried.



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**L4**     Economic Incentive Agreement – Freedom Plaza

**FREEDOM PLAZA**

Russ Whitaker, Petitioner's Attorney and 23 W. Jefferson, discussed the development and reviewed the economic incentive proposal.

Council discussed previous developments and associated incentive terms, property tax generation, waiving development fees, shopping local, appraisals, and that lodging overflow is directed to other hotels in Naperville.

Krieger explained that this project is unique, has been desired by the City for a decade, and that some issues can be viewed as diminimus. He also said that he has no concern with setting precedent regarding incentives.

Wehrli moved to direct staff to prepare an economic incentive agreement to induce the construction of a hotel conference center at Freedom Plaza in accordance with a \$7.5M total incentive package based on 75% of sales tax and 100% of hotel/motel tax and is reduced by an amount no more than \$28,000 for the transaction of the cul-de-sac. Second, McElroy.

Dick Furstenau, 709 Zaininger, spoke in favor of an incentive agreement.

Wehrli moved to Amend the Motion and direct staff to prepare an economic incentive agreement to induce the construction of a hotel conference center at Freedom Plaza in accordance with a \$7.5M total incentive package based on 75% of sales tax and 100% of hotel/motel tax and is reduced by an amount no more than \$28,000 for the transaction of the cul-de-sac, a \$500,000 option for shopping local during construction, and no waiver of development fees. Second, Wentz.

**ROLL CALL:**

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

**Nays:**       None  
                  Motion declared carried.

**M**     **PUBLIC HEARINGS:**

**M1**     2012 CDBG (Comprehensive Annual Performance and Evaluation Report (CAPER))     2012 CDBG (CAPER)

**M1a**    Public Hearing

Pradel opened the public hearing at 9:04 p.m.

Krause moved to close the public hearing at 9:04 p.m. Second, Wehrli.

**VOICE VOTE:**       Motion declared carried.

Public hearing held.

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**M1b Accept the 2012 CDBG CAPER**

Chirico moved to accept the 2012 CDBG Comprehensive Annual Performance and Evaluation Report (CAPER). Second, Krause.

**ROLL CALL:**

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

**Nays:** None  
Motion declared carried.

**M2 Ashwood Pointe, PZC 13-1-020**

**ASHWOOD POINTE, PZC  
13-1-020**

Kathy West, 123 Water Street and Attorney for Petitioner, requests approval of a preliminary plat of subdivision for Ashwood Pointe in order to create 238 single-family lots ranging in size from 6,840 square feet to 15,799 square feet.

**M2a Public Hearing -First Amendment to Annexation Agreement**

**PUBLIC HEARING**

Pradel opened the public hearing at 9:10 p.m.

Chirico moved to close the public hearing at 9:11 p.m. Second, Krause.

**VOICE VOTE:** Motion declared carried.

Public Hearing held.

**M2b Ordinance No. 13-066, execution of first amendment to annexation agreement**

**ORDINANCE NO. 13-066,  
FIRST AMENDMENT TO  
ANNEXATION  
AGREEMENT**

Krause moved to pass Ordinance No. 13-066, authorizing execution of the first amendment to the annexation agreement for Ashwood (a/k/a 248<sup>th</sup> Assemblage North). Second, Hinterlong.

**ROLL CALL:**

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

**Nays:** None  
Motion declared carried.

Wehrli moved to create an Omnibus Ordinance to approve items M2c, M2d, and M2e. Second, Krause.

**ROLL CALL:**

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

**Nays:** None  
Motion declared carried.

Wehrli moved to pass Ordinance No's 13-067, 13-068, and 13-069. Second, Krause.

**ROLL CALL:**

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

**Nays:** None  
Motion declared carried.

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**M2c**    Ordinance No. 13-067, Rezoning

Council moved to pass Ordinance No. 13-067, approving rezoning from R1a (low density single-family residence district) and R2a (medium density multi-family residence district) to R2 (single-family and low density multi-family residence district) for the property on the property generally located west of 248<sup>th</sup> Avenue and south of Wolf's Crossing Road.

ORDINANCE NO. 13-067,  
REZONING

**M2d**    Ordinance No. 13-068, Preliminary Subdivision Plat – Ashwood Pointe

Council moved to pass Ordinance No. 13-068, approving a preliminary subdivision plat for Ashwood Pointe.

ORDINANCE NO. 13-068,  
PRELIMINARY  
SUBDIVISION PLAT –  
ASHWOOD POINTE

**M2e**    Ordinance No. 13-069, Final Subdivision Plat – Ashwood Pointe

Council moved to pass Ordinance No. 13-069, approving a final subdivision plat for Ashwood Pointe Phase 1A and a final subdivision plat for Ashwood Pointe Phase 1B.

ORDINANCE NO. 13-069,  
FINAL SUBDIVISION PLAT  
– ASHWOOD POINTE

**N**    **ORDINANCES AND RESOLUTIONS:**

**O**    **NEW BUSINESS**

**O1**    Police Department

Brodhead discussed a recent conversation with a resident that went to the Police Department and was disturbed when she found it dark and unwelcoming.

Marshall said he would look at signage and lighting and clarified that when the front desk is not staffed, visitors are instructed to use the phone located in the Police Department vestibule to call the Dispatch Center.

**O2**    Parking Ticket

Chirico stated that residents needs relief with overnight parking accommodations.

Marshall explained that a work group is being put together to find overnight solutions for those residents that cannot park in their driveway.

**P**    **CLOSED SESSION:**

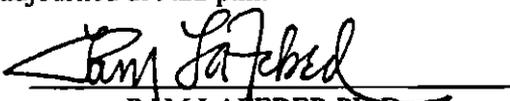
**Q**    **ADJOURNMENT:**

Wehrli moved to adjourn the Regular City Council meeting of June 18, 2013 at 9:22 p.m. Second, Krause.

ADJOURNMENT

**VOICE VOTE:**            Motion declared carried.

The Regular City Council Meeting of June 18, 2013 officially adjourned at 9:22 p.m.

  
PAM LAFERBER PH.D.  
CITY CLERK

PL: BK

