



**CITY COUNCIL MEETING OF NOVEMBER 17, 2015
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
December 1, 2015 AS WRITTEN.**

CALL TO ORDER:

5:00 P.M.

A Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judy Brodhead
Councilman Kevin M. Coyne – Arrived at 5:09 p.m.
Councilman Kevin Gallaher – Arrived at 5:06 p.m.
Councilwoman Patricia A. Gustin
Councilman John J. Krümmen
Councilwoman Rebecca Boyd-Obarski

Absent

Councilman Paul Hinterlong

Also Present

City Manager, Doug Krieger
Legal Director, Jill Pelka-Wilger
Deputy City Manager, Marcie Schatz
Deputy City Clerk, Nancy A. Bright
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Deputy Fire Chief, Richard Sander
Fire Chief, Mark Puknaitis
Director of Human Resources, James Sheehan
Director of Finance, Rachel Mayer
Director of TED, Bill Novack
Transportation Team Leader, Jennifer Louden
Planning Services Team Leader, Allison Laff
Director Public Utilities – Electric, Mark Curran
Director of Public Works, Dick Dublinski
Director of Public Utilities-Water, Jim Holzapfel

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B ROLL CALL:

C CLOSED SESSION:

Gustin 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; (2) Collective negotiating matters between the public body and its employees or their representatives; (5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussion whether a particular parcel should be acquired; (6) Setting of a price for sale or lease of property owned by 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 or semi-annual review of the minutes as mandated by Section 2.06. Second, Krummen.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Krummen, Obarski

Nays: None

Absent: Hinterlong

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 5:06 P.M.
CLOSED SESSION ADJOURNED AT 6:01 P.M.

D ROLL CALL:

Mayor Chirico called the meeting back to order at 7:00 p.m.

ROLL CALL to determine Quorum:

Present: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Krummen, Obarski

Absent: Hinterlong

E PLEDGE TO THE FLAG:

PLEDGE GIVEN

F AWARDS AND RECOGNITIONS:

F1 Fire Chief's Award

FIRE CHIEF'S AWARD

Fire Chief Puknaitis presented an award to Michael Roberson and John Vose for their selfless actions and assistance in the respective emergency situations.

G PUBLIC FORUM:

G1 Naperville Historic Moment

Macarena (Rena) Tamayo-Calabrese (Naper Settlement) discussed Naperville History and showed a video about Judd Kendall.

G2 Special Census

David Wentz (Naperville) requested a Special Census because of the completion of new housing developments.

Krieger said that the City was waiting until after Fall 2016 when Springfield passes a budget and sets the per person tax amount so that Census costs and return could be evaluated.

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G2 Special Census Continued

Novack stated that a Special Census can only be done twice in a ten year period. More developments are scheduled to be completed in 2016 and should be included.

H **CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR REMAINING ITEMS:**

Brodhead moved to use the Omnibus method to approve the Consent Agenda. Second, Gallaher.

VOICE VOTE: Motion declared carried.

Absent: Hinterlong

I **CONSENT AGENDA:**

Brodhead moved to approve the Consent Agenda. Second, Gallaher.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Krümmen, Obarski

Nays: None

Absent: Hinterlong

Motion declared carried.

I1 Regular City Council Minutes

Council moved to approve the Regular City Council Meeting Minutes of November 3, 2015.

REGULAR CITY COUNCIL
MINUTES

I2 Bid 16-024, Power Assist Lift and Load Cot System

Council moved to approve the award of Bid 16-024, power assist lift and load cot system, to Stryker Sales Corporation for an amount not to exceed \$430,579.00.

BID 16-024, POWER ASSIST
LIFT AND LOAD COT
SYSTEM

I3 Bid 16-098, 103rd Street and 248th Avenue Traffic Signal Installation

Council moved to approve the award of Bid 16-098, 103rd Street and 248th Avenue traffic signal installation to H & H Electric Co., for an amount not to exceed \$254,792.40 plus a 5% contingency.

BID 16-098, 103RD STREET
& 248TH AVENUE TRAFFIC
SIGNAL INSTALLATION

I4 Bid 16-109, 2015-16 small diameter sanitary sewer main cured-in-place pipelining rehabilitation

Council moved to approve the award of Bid 16-109, 2015-2016 small diameter sanitary sewer main cured-in-place pipelining rehabilitation, to Michels Corporation, for an amount not to exceed \$298,293.50, plus a 5% contingency.

BID 16-109, 2015-16 SMALL
DIAMETER SANITARY
SEWER MAIN CURED-IN-
PLACE PIPELINING
REHABILITATION

I5 Contract 13-082, Tree Trimming

Council moved to approve the award of option year 3 to Contract 13-082, tree trimming, to Autumn Savatree for an amount not to exceed \$125,000.00.

CONTRACT 13-082, TREE
TRIMMING

FY16 Annual Operating Budget

Council moved to schedule a public hearing for the CY2016 Annual Operating budget on December 1, 2015.

FY16 ANNUAL
OPERATING BUDGET

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I7 Ashwood Park North, Phase II
Council moved to accept the public underground improvements at Ashwood Park North, Phase II and authorize the City Clerk to reduce the corresponding public improvement surety.

ASHWOOD PARK NORTH,
PHASE II

I8 Ordinance No. 15-179, Amendment to the Plumbing Code
Council moved to waive the first reading and pass Ordinance No. 15-179, amending Title 5 (building regulations), Chapter 1 (building codes), Article E (plumbing code) incorporating WaterSense plumbing fixtures into the City's plumbing code.

ORDINANCE NO. 15-179,
AMENDMENT TO THE
PLUMBING CODE

I9 Ordinance No. 15-180, Water Conservation Code
Council moved to waive the first reading and pass Ordinance No. 15-180, amending Title 8 (public utilities), Chapter 2 (municipal water and sewer), Article A (water connections, regulations), Section 7 (water conservation), removing language that conflicts with the Illinois State Plumbing Code.

ORDINANCE NO. 15-180,
WATER CONSERVATION
CODE

J **PUBLIC HEARINGS:**

Clerk's Note: Chirico and Obarski recused themselves due to a conflict of interest and left the dais at 7:22 p.m.

Councilwoman Brodhead served as Mayor Pro Tem.

Hidden Creek, PZC 14-1-084

Patti A. Bernhard (Naperville), petitioner, spoke in favor of the project.

J1a Public Hearing - 10S413 and 10S423 248th Avenue

Mayor Pro Tem Brodhead opened the public hearing at 7:23 p.m.

Gallaher moved to close the public hearing at 7:27 p.m. Second, Krummen.

VOICE VOTE: Motion declared carried.

Absent: Hinterlong

Recused: Chirico, Obarski

J1b Ordinance No. 15-181, Annexation Agreement

Gallaher moved to pass Ordinance No. 15-181, authorizing execution of the annexation agreement. Second, Anderson.

ORDINANCE NO. 15-181,
ANNEXATION
AGREEMENT

ROLL CALL:

Ayes: Anderson, Brodhead, Coyne, Gallaher, Gustin, Krummen

Nays: None

Recused: Obarski, Chirico

Absent: Hinterlong

Motion declared carried.

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J1c

Ordinance No. 15-182, Annexing 10S413 and 10S423 248th Avenue

Gallaher moved to pass Ordinance No. 15-182, annexing the subject property located at 10S413 and 10S423 248th Avenue. Second, Anderson.

ROLL CALL:

Ayes: Brodhead, Coyne, Gallaher, Gustin, Krummen, Anderson
Nays: None
Recused: Obarski, Chirico
Absent: Hinterlong
Motion declared carried.

ORDINANCE NO. 15-182,
ANNEXING

J1d

Ordinance No. 15-183, Rezoning to R1a

Gallaher moved to pass Ordinance No. 15-183, rezoning the subject property to R1a (low density single-family residence district) upon annexation. Second, Anderson.

ROLL CALL:

Ayes: Coyne, Gallaher, Gustin, Krummen, Anderson, Brodhead
Nays: None
Recused: Obarski, Chirico
Absent: Hinterlong
Motion declared carried.

ORDINANCE NO. 15-183,
REZONING TO R1a

J1e

Ordinance No. 15-184, Preliminary/final plat of subdivision

Gallaher moved to pass Ordinance No. 15-184, approving the preliminary/final plat of subdivision for Hidden Creek of Naperville. Second, Anderson.

ROLL CALL:

Ayes: Gallaher, Gustin, Krummen, Anderson, Brodhead, Coyne
Nays: None
Recused: Obarski, Chirico
Absent: Hinterlong
Motion declared carried.

ORDINANCE NO. 15-184,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION

Clerk's Note: Chirico and Obarski returned to the dais at 7:30 p.m.

J2

Special Service Area No. 28

Chirico opened the public hearing at 7:31 p.m.

Gallaher moved to close the public hearing at 7:31 p.m. Second, Gustin.

VOICE VOTE: Motion declared carried.

Absent: Hinterlong

SPECIAL SERVICE AREA
NO. 28

K

OLD BUSINESS:

L

ORDINANCES AND RESOLUTIONS:

L1

Sleep Clinic, PZC 15-01-108

First reading held.

SLEEP CLINIC, PZC 15-01-
108

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L2

Ordinance No. 15-185, Elimination of City Health Insurance Benefit Coverage for City Council Members

Council discussed when to phase in the elimination of City health insurance benefit.

Wilger stated that the Council may not change its compensation during its term. Four Council Members are serving a two year term and four are serving a four year term.

Gustin moved to waive the first reading and pass Ordinance No. 15-185, amending Title 1 (administrative) Chapter 5 (Mayor and City Council) Section 3 (Salaries), to have a staggered elimination of health benefits for the two year Council Members terms 2017 and four year Council Members in 2019. Second, Obarski.

ROLL CALL:

Ayes: Gustin, Krummen, Obarski, Anderson, Brodhead, Coyne, Gallaher
Nays: Chirico
Absent: Hinterlong
Motion declared carried.

ORDINANCE NO. 15-185,
ELIMINATION OF CITY
HEALTH INSURANCE
BENEFIT COVERAGE FOR
CITY COUNCIL MEMBERS

L3

Ordinance No. 15-186, Council Workshop Schedule Revision

Obarski moved to waive the first reading and pass Ordinance No. 15-186, amending Title 1 (administrative), Chapter 5 (mayor and city council), Section 6 (council rules) Subsection 3 (meetings) revising the start time of Council Workshops from 7:00 p.m. to 6:00 p.m. Second, Anderson.

ROLL CALL:

Ayes: Krummen, Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin
Nays: None
Absent: Hinterlong
Motion declared carried.

ORDINANCE NO. 15-186,
COUNCIL WORKSHOP
SCHEDULE REVISION

L4

Ordinance No. 15-187, Zoning Amendments, PZC 15-1-103

Brodhead moved to pass Ordinance No. 15-187, adopting amendments to address common variance requests in Title 5 (building regulations), Title 6 (zoning regulations), and Title 7 (subdivision ordinance) improving the development process by removing existing code shortfalls and inefficiencies, and increasing staff's administrative approval authority, PZC 15-1-103. Second, Gustin.

ROLL CALL:

Ayes: Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Krummen
Nays: None
Absent: Hinterlong
Motion declared carried.

ORDINANCE NO. 15-187,
ZONING AMENDMENTS,
PZC 15-1-103

MB.

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L5

Ordinance No. 15-188, Zoning Amendments – Process Improvements, PZC 15-1-102

ORDINANCE NO. 15-188,
ZONING AMENDMENTS –
PROCESS
IMPROVEMENTS, PZC 15-
1-102

Jim Ruhl (Naperville), West Side Homeowner's Association President, spoke against changing the ninety percent (90%) rule and wants to retain the average lot size.

Kathy Benson (Naperville), spoke against changing the ninety percent (90%) rule and wants to keep the 500 foot radius.

Council discussed the experience with the current ninety percent (90%) rule calculation and its impact on neighborhoods, preference for reflecting the predominant character of the neighborhood, and support to reduce the radius to 300.

Gallaher moved to modify the change to the ninety percent (90%) rule to remove the word median and use the word average or mean. Second, Obarski.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Krummen, Obarski

Nays: None

Absent: Hinterlong

Motion declared carried.

Gallaher moved to pass Ordinance No. 15-188, approving various process improvements to Title 6 (zoning ordinance) and Title 7 (subdivision ordinance) improving the development process by removing existing code shortfalls and inefficiencies, and increasing staff's administrative approval authority, with the amendment to use the word average or mean, PZC 15-1-102. Second, Anderson.

ROLL CALL:

Ayes: Anderson, Brodhead, Coyne, Gallaher, Gustin, Krummen, Obarski, Chirico

Nays: None

Absent: Hinterlong

Motion declared carried.

M AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

N PETITIONS AND COMMUNICATIONS:

O REPORTS AND RECOMMENDATIONS:

O1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Anderson moved to approve the City Council Meeting Schedule for November and December 2015 and January 2016 with the amended date of February 8, 2015 for the Strategic Plan Meeting. Second, Gustin.

VOICE VOTE: Motion declared carried.

Absent: Hinterlong

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O2

2015 Property Tax Levy for Special Service Area SSA 21, SSA 23, SSA 25, and SSA 26

2015 PROPERTY TAX
LEVY FOR SPECIAL
SERVICE AREAS

Brodhead moved to approve the estimated 2015 property tax levies for Special Service Area (SSA) 21, SSA 23, SSA 25, and SSA 26 and direct staff to publish notice for Truth in Taxation hearings on December 15, 2015.
Second, Gallaher.

ROLL CALL:

Ayes: Coyne, Gallaher, Gustin, Krummen, Obarski, Chirico,
Anderson, Brodhead

Nays: None

Absent: Hinterlong
Motion declared carried.

O3

2015 Property Tax Levy for the City of Naperville

2015 PROPERTY TAX
LEVY FOR THE CITY OF
NAPERVILLE

Brodhead moved to approve the estimated 2015 property tax levy for the City of Naperville, including the Naperville public library, and direct staff to publish notice for a Truth-in-Taxation hearing on December 15, 2015.
Second, Gallaher.

ROLL CALL:

Ayes: Gallaher, Gustin, Krummen, Obarski, Chirico, Anderson,
Brodhead, Coyne

Nays: None

Absent: Hinterlong
Motion declared carried.

P

NEW BUSINESS:

P1

Refine East Sector Plan

Council discussed areas that may be included in the scope of the project and stakeholders to include in the process.

Q

ADJOURNMENT:

ADJOURNMENT

Gustin moved to adjourn the Regular City Council meeting of November 17, 2015 at 8:31 p.m. Second, Gallaher.

VOICE VOTE: Motion declared carried.

Absent: Hinterlong.

The Regular City Council Meeting of November 17, 2015 officially adjourned at 8:31 p.m.



NANCY A. BRIGHT
DEPUTY CITY CLERK

NAB: bk