



**CITY COUNCIL MEETING OF JUNE 2, 2015
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
June 16, 2015 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

- A** Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judy Brodhead – Arrived at 6:15 p.m.
Councilman Kevin M. Coyne
Councilman Kevin Gallaher
Councilwoman Patricia A. Gustin
Councilman Paul Hinterlong
Councilman John J. Krummen
Councilwoman Rebecca Boyd-Obarski

Absent

Also Present

City Manager, Doug Krieger
Asst. City Manager, Marcie Schatz
Legal Director, Jill Pelka-Wilger
Asst. to City Manager, Amy Emery-Graunke
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 Transportation and Engineering, Bill Novack
T.E.D. Operations Manager, Allison Laff
Transportation Team Leader, Jennifer Loudon
Operations Team Leader, Christine Schwartzhoff
Director Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B CLOSED SESSION:

Obarski moved to recess to Closed Session to discuss 5 ILCS 120/2(c)(2) Collective negotiating matters between the public body and its employees or their representatives; 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. Second, Gallaher.

ROLL CALL:

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

Nays: None

Absent: Brodhead

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:03 P.M.
CLOSED SESSION ADJOURNED AT 6:50 P.M.**

Clerk's Note: Brodhead arrived at 6:15 p.m.

OPEN SESSION:

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, Hinterlong, Krummen, Obarski

Absent: None

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month – June

EMPLOYEE OF THE MONTH

Brodhead recognized Bryn Wildman, Code Enforcement Officer, as the Employee of the Month for June.

E PUBLIC FORUM:

E1 Uber and e-cigarettes

James Haselhorst, spoke in favor of the City regulating ride sharing programs and the labeling of e-cigarette products.

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

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

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

VOICE VOTE: Motion declared carried.



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I CONSENT AGENDA:

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

ROLL CALL:

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

Nays: None
Motion declared carried.

- | | |
|--|---|
| <p>I1 <u>Cash Disbursements – 5/13/15</u>
Council moved to approve the 5/13/15 cash disbursements in the amount of \$12,631,585.14.</p> | <p>CASH DISBURSEMENTS –
5/13/15</p> |
| <p>I2 <u>Cash Disbursements – 5/14/15</u>
Council moved to approve the 5/14/15 cash disbursements in the amount of \$2,508,333.03.</p> | <p>CASH DISBURSEMENTS –
5/14/15</p> |
| <p>I3 <u>Regular City Council Minutes</u>
Council moved to approve the Regular City Council Minutes of May 19, 2015.</p> | <p>REGULAR CITY COUNCIL
MINUTES</p> |
| <p>I4 <u>Bid 16-011, Street Sweeping</u>
Council moved to approve the award of Bid 16-011, street sweeping, to Waste Management of Illinois for an amount not to exceed \$489,210.00 for the three year contract term.</p> | <p>BID 16-011, STREET
SWEEPING</p> |
| <p>I5 <u>Naperville Country Club 2015 Fireworks Display</u>
Council moved to approve the Naperville Country Club's permit request to hold a fireworks display on June 28, 2015.</p> | <p>NAPERVILLE COUNTRY
CLUB 2015 FIREWORKS
DISPLAY</p> |
| <p>I6 <u>Exchange Club's RibFest 2015 Fireworks Display</u>
Council moved to approve Exchange Club of Naperville's permit request to hold a fireworks display on July 4, 2015.</p> | <p>EXCHANGE CLUB'S
RIBFEST 2015 FIREWORKS
DISPLAY</p> |
| <p>I7 <u>Ordinance No. 15-090, 2015 Scott S'Cool Scoot</u>
Council moved to pass Ordinance No. 15-090, to establish temporary street closures and issue a Special Event and Amplifier permit for the Scott S'cool Scoot on Saturday, August 29, 2015.</p> | <p>ORDINANCE NO. 15-090,
2015 SCOTT S'COOL
SCOOT</p> |
| <p>I8 <u>Ordinance No. 15-091, Downtown Naperville Car Show</u>
Council moved to pass Ordinance No. 15-091, to establish temporary street closures and issue a Special Event permit for the Downtown Naperville Car Show to be held on Saturday, June 20, 2015.</p> | <p>ORDINANCE NO. 15-091,
DOWNTOWN
NAPERVILLE CAR SHOW</p> |
| <p>I9 <u>Ordinance No. 15-092, 2015 Freedom 5K</u>
Council moved to pass Ordinance No. 15-092, establishing temporary traffic controls for the inaugural 2015 Freedom 5K and issue a Special Event and Amplifier permit for the event.</p> | <p>ORDINANCE NO. 15-092,
2015 FREEDOM 5K</p> |

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I10 Resolution No. 15-017, License Agreement – Greyhound Lines
Council moved to adopt Resolution No. 15-017, approving a License Agreement between the City of Naperville and Greyhound Lines, Inc. for a bus stop at the Route 59 Metra Station.

RESOLUTION NO. 15-017,
LICENSE AGREEMENT –
GREYHOUND LINES

J **OLD BUSINESS:**

K **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

K1 Contract 11-082, Job Order Contract

CONTRACT 11-082, JOB
ORDER CONTRACT

Mayer explained the JOC program as an alternative vehicle for the procurement and award of construction service contracts and work. JOC has proven to be a low cost, efficient and effective solution for multiple trade projects because the JOC contractor proposes based on the fixed prices stated in the contract. If the proposed quantities and pricing are acceptable, the work is ordered and the normal procedures for approval are followed.

Brodhead moved to approve the award of the second two-year renewal option to Contract 11-082, Job Order Contract, to F. H. Paschen in an amount not to exceed \$2,000,000. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

K2 Bid 16-008, Electric Utility Distribution

BID 16-008, ELECTRIC
UTILITY DISTRIBUTION

Brodhead moved to approve the award of utility-funded Bid 16-008, electric utility distribution, to Meade, Inc. for an amount of \$2,097,786.00 plus a 3% contingency. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Hinterlong moved to approve the City Council Meeting Schedule for June, July and August 2015. Second, Gustin.

VOICE VOTE: Motion declared carried.

B

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ZONING AMENDMENTS

L2 Zoning Amendments

Laff discussed the five process improvement recommendations and specifically highlighted the different thresholds for changing PUD and/or conditional use and stated that staff recommends the threshold for administrative approvals be increased to amendments that result in less than a 10% change. She also explained the 90% rule, how it is calculated using the average and that staff recommends using the median as the basis to eliminate any outlier lots.

Council discussed possibly using the mode as a method of calculation and that the radius should be narrowed when evaluating minimum lot size requirements.

Laff explained that temporary use timelines and that staff is recommending language to change staff approval of a temporary use for a period of up to 1 year in duration.

By consensus Council agreed with the proposed process improvements and directed staff to draft text amendments for review and approval.

Council discussed the proposed common variance requests and, by consensus, directed staff to draft ordinance changes and begin the process of Commission review and public hearings in order to bring fully vetted changes to Council.

L3 Good Health Pharmacy Variance, PZC 15-01-031

Russ Whitaker (Naperville), explained that the Petitioner is seeking to install a wall sign in a location where his business does not have frontage along a public roadway. The proposed sign would be located on the building's rear elevation, along another tenant's façade, in order to achieve additional visibility along Route 59.

Brodhead moved to grant the petitioner's request for a variance from Section 5-4-5:1 (Commercial Signs; Wall Signs) of the Naperville Municipal Code in order to install a wall sign in a location not permitted by Code at 1999 Springbrook Square Drive, Suite 105, PZC 15-01-031 and direct staff to prepare an ordinance for Council approval. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

L4 324 S. Julian Street Variance, PZC 15-1-040

Dean Batogowski, Petitioner, explained the proposal of adding to the existing, non-conforming circular driveway. The driveway is brick paver with a concrete apron. The driveway will provide a second access point on Julian Street. The Municipal Code states that a circular driveway is permitted if a car can be parked behind the front yard. The petitioner is requesting a variance from the Code to permit parking within the required 35' front yard.

GOOD HEALTH
PHARMACY VARIANCE,
PZC 15-01-031

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L4 324 S. Julian Street Variance, PZC 15-1-040 Continued

324 S. JULIAN STREET
VARIANCE, PZC 15-1-040

Laff explained that non-conforming driveways exist but would have been constructed without a permit and that the presentation is improved from the option that was presented to Plan Commission. She further explained that the reduction of pavers is helpful, but the number of cars that can park in the proposed driveway is against the Code.

Council discussed hardship, other driveways in the area, use of permeable pavers, tree removal, and input from the neighbors.

Laff stated that hardships are typically found regarding existing garage access and that the Plan Commission did not find that a hardship existed in the present case.

Gallaher moved to grant the petitioner's request for a variance from Section 6-9-2:12.2 (Residential Driveway Design) to permit parking within the required front yard at the subject property located at 324 S. Julian Street, to direct the petitioner to replace parkway trees at his own expense, and direct staff to prepare an ordinance for Council approval. Second, Brodhead

ROLL CALL:

Ayes: Gallaher

Nays: Gustin, Hinterlong, Krummen, Obarski, Chirico, Anderson,
Brodhead, Coyne

Motion declared not carried.

M **PUBLIC HEARINGS:**

N **ORDINANCES AND RESOLUTION:**

O **NEW BUSINESS**

O1 Mayor Emeritus Position

Chirico discussed creating a Mayor Emeritus position that would be non-paid, receive no benefits, and serve for the length of his term.

By consensus, Council directed staff to draft a resolution for the creation of a Mayor Emeritus position.

P **CLOSED SESSION:**

Q **ADJOURNMENT:**

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of June 2, 2015 at 8:22 p.m. Second, Anderson.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of June 2, 2015 officially adjourned at 8:22 p.m.


PAM LA FEBER
CITY CLERK