



**CITY COUNCIL MEETING OF SEPTEMBER 18, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
October 2, 2012 AS WRITTEN.**

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 Kenn Miller
Councilman Grant Wehrli

Absent

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
City Clerk, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Police Chief, Robert Marshall
Finance Director, Karen DeAngelis
T.E.D. Director, Bill Novack
T.E.D. Operations Manager, Allison Laff
T.E.D. Development Services Manager, Anastasia Urban
T.E.D. Team Leader, John Rutkowski
T.E.D. Team Leader, Karyn Robles
Project Manager, Paul Felstrup
Public Works Director, Dick Dublinski
Director of 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:

CLOSED SESSION

Miller moved to recess to Closed Session to discuss 5ILCS/120(c).
(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; (5) The purchase or lease of real property for the use of the public body; (4) Deliberations concerning salary schedules for one or more classes of employees; (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body. Second, Wehrli.

ROLL CALL:

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

Nays: None

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.
CLOSED SESSION ENDED AT 6:55 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

C1 Brownie Troop from Naper Elementary School will lead the pledge.

D AWARDS AND RECOGNITIONS:

D1 Exchange Club of Naperville 25th Anniversary

Councilman Kenn Miller proclaimed September 25, 2012 as Exchange Club of Naperville Day in honor of the Exchange Club's 25th Anniversary and presented the proclamation to Jennifer Odin Cavalier, President of the Exchange Club of Naperville.

EXCHANGE CLUB OF
NAPERVILLE 25TH
ANNIVERSARY

D2 Your Digital Footprint Matters Month

Councilman Kenn Miller proclaimed October 2012 as Your Digital Footprint Matters Month and presented the proclamation to Idalynn Wenhold and Bridget Hatch-KidsMatter, Mark Kreiter-District 204, John David Son-District 203, Kamala Martinez- NCTV, Mike Skarr-TrueCare and Police Chief Bob Marshall.

YOUR DIGITAL
FOOTPRINT MATTERS
MONTH

D3 Fire Department Legacy Accreditation Award

Fire Chief Puknaitis accepted the award presented to the Naperville Fire Department and the City of Naperville as a Legacy Accredited Agency as designated by the Commission on Fire Accreditation International and the Center for Public Safety Excellence.

FIRE DEPARTMENT
LEGACY
ACCREDITATION
AWARD



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E12 Water Street Development

Julie McCutcheon, 1812 Arabian, urged Council to consider appropriateness of fit in the downtown when reviewing the proposed development.

F **HOLDOVER ITEMS:**

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, Krause.

VOICE VOTE: Motion declared carried.

I **CONSENT AGENDA:**

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

ROLL CALL:

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

Nays: None
 Motion declared carried.

I1 Cash Disbursements – 8/15/12

Council moved to approve the 8/15/12 cash disbursements in the amount of \$9,038,418.77.

**CASH DISBURSEMENTS
– 8/15/12**

I2 Cash Disbursements – 8/29/12

Council moved to approve the 8/29/12 cash disbursements in the amount of \$25,569,209.97.

**CASH DISBURSEMENTS
– 8/29/12**

I3 Contract 13-045, Roadway Snow Removal

Council moved to waive the applicable provisions of the Naperville Procurement Code and set prices for FY 12-13 and award Contract 13-045, roadway snow removal, to various contractors, for an amount not to exceed \$383,250.00 for the period of October 1, 2012 through April 30, 2013.

**CONTRACT 13-045,
ROADWAY SNOW
REMOVAL**

I4 Bid 13-033, Specialty Winter Operations

Council moved to approve the award of Bid 13-033, specialty winter operations to Tim's Snow Plowing Inc. for an amount not to exceed \$409,356.00 or \$204,678.00 per year.

**BID 13-033, SPECIALTY
WINTER OPERATIONS**

I5 Extend Contract 08-054, Alarm Monitoring Equipment Maintenance

Council moved to approve the Change Order #1 award to extend Contract 08-054, alarm monitoring equipment maintenance, to Chicago Metropolitan Fire Prevention (CMFP), for ninety days, for an amount not to exceed \$36,833.00.

**EXTEND CONTRACT 08-
054, ALARM
MONITORING
EQUIPMENT
MAINTENANCE**

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- I6** Bid 13-001, Fire Dress and Work Uniforms **BID 13-001, FIRE DRESS
AND WORK UNIFORMS**
- Council moved to approve the award of Bid 13-001, fire dress and work uniforms and shoes, to Uniformity, Inc. for Group #1: work/dress uniforms, shoes, and boots, for a not to exceed amount of \$160,800.00 to Witmer Public Safety Group for Group #2: tee shirts and sweatshirts, for an amount not to exceed \$42,480.00 and Lawmen's and Shooters Supply for Group #3 badges, collar brass and other insignia, for a not to exceed amount of \$35,500.00 for a total award of \$238,780.00 for a two-year period with three additional extension years available.
- I7** Contract 12-132, Emerald Ash Borer Treatment **CONTRACT 12-132,
EMERALD ASH BORER
TREATMENT**
- Council moved to approve the award of Change Order #1 to Contract 12-132, emerald ash borer treatment to The Care of Trees for an amount not to exceed \$12,814.15 for a total award of \$187,615.11.
- I8** Procurement 13-067, Mobile Broadband Data Services **PROCUREMENT 13-067,
MOBILE BROADBAND
DATA SERVICES**
- Council moved to approve the award of Procurement 13-067, mobile broadband data services, through the State of Illinois Joint Purchasing Contract to Verizon for an amount not to exceed \$113,800.00.
- I9** Procurement 13-071, Cellular Phone Services **PROCUREMENT 13-071,
CELLULAR PHONE
SERVICES**
- Council moved to approve the award of Procurement 13-071, cellular phone services through a State of Illinois Joint Purchasing Contract to Verizon Wireless for a period of two years for an amount not to exceed \$414,136.00.
- I10** Contract 10-069, Elevator Inspections **CONTRACT 10-069,
ELEVATOR
INSPECTIONS**
- Council moved to approve the award of a two-year extension to Contract 10-069, elevator inspections, to Thompson Elevator Inspection Service, Inc. for an amount of \$114,420.00.
- I11** Procurement 13-070, SunGard Public Sector Software Maintenance and Support **PROCUREMENT 13-070,
SUNGARD PUBLIC
SECTOR SOFTWARE
MAINTENANCE &
SUPPORT**
- Council moved to approve sole source Procurement 13-070, SunGard Public Sector Software Maintenance and Support to SunGard for public administration (\$134,420.45) and public safety (\$174,937.55) modules for a combined not to exceed amount of \$309,358.00.
- I12** "Sleep Out Saturday for the Homeless" Event **"SLEEP OUT SATURDAY
FOR THE HOMELESS"
EVENT**
- Council moved to approve the recommendation to allow Bridge Communities to place temporary special-event signage at designated off-premise locations in Naperville to promote its 9th Annual "Sleep Out Saturday for the Homeless" event.
- I13** FY13 Strategic Plan Initiative Workplans **FY13 STRATEGIC PLAN
INITIATIVE WORKPLANS**
- Council moved to approve the FY13 Strategic Plan Initiative Workplans.



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| I14 | <u>Marriott Hotel, 1801 N. Naper Blvd., Public Watermain Improvements</u>
Council moved to accept the public watermain improvements for the Marriott Hotel (1801 N. Naper Blvd.) and authorize the City Clerk to reduce the corresponding public improvement surety. | PUBLIC WATERMAIN
IMPROVEMENTS |
| I15 | <u>Reappointments to City of Naperville Boards and Commissions</u>
Council moved to approve Mayoral reappointments of Dr. Herman B. White, Jr. and Water Johnson to the Board of Fire and Police Commissioners; Rick Mattioda and William Habel to the Building Review Board; Steve Rubin and Rick Hitchcock to the Downtown Advisory Commission; Joy Rosenberg and Tom Miers to the Fair Housing Advisory Commission; Kris Hartner, Tom Ryan and Tim Ory to the Historic Preservation Commission; Ron Davidson to the Naperville Public Library Board; Patricia Gustin and Robert Williams to the Planning and Zoning Commission; William Epp to the Riverwalk Commission; Eva Polites and Wayne Floegel to the Transportation Advisory Board. | REAPPOINTMENTS TO
CITY OF NAPERVILLE
BOARDS AND
COMMISSIONS |
| I16 | <u>CDBG and Social Services Grant Program Modifications</u>
Council moved to approve the short-term recommendations for the Community Development Block Grant (CDBG) and Social Services Grant programs. | CDBG AND SOCIAL
SERVICES GRANT
PROGRAM
MODIFICATIONS |
| I17 | <u>2013 Run For Reading Route</u>
Council moved to approve the new route for the 2013 Run for Reading. | 2013 RUN FOR READING
ROUTE |
| I18 | <u>Ordinance No. 12-112, Crime Stoppers 5k</u>
Council moved to pass Ordinance No. 12-112, establishing temporary traffic controls and issue a special event permit for the 2012 Crime Stoppers 5k on October 27, 2012. | ORDINANCE NO. 12-112,
CRIME STOPPERS 5K |
| I21 | <u>Ordinance No. 12-113, Plumbing, Electrical and Sidewalk Contractor Requirements</u>
Council moved to pass Ordinance No. 12-113, amending Title 3 (Business & License Regulations), Chapter 5 (Contractors), Article A (Electrical Contractors), Article B (Plumbing Contractors), and Article C (Sidewalk Contractors) to reflect changes to state contractor registration requirements and definitions. | ORDINANCE NO. 12-113,
PLUMBING, ELECTRICAL
AND SIDEWALK
CONTRACTOR
REQUIREMENTS |
| I22 | <u>Ordinance No. 12-114, Quick Service Auto Center (1199 E. Ogden), PZC 12-1-101</u>
Council moved to pass Ordinance No. 12-114, granting a variance from Section 5-4-5:1 (commercial signs) to allow a 99 square-foot secondary business wall sign for Quick Service Auto Center, subject to conditions. | ORDINANCE NO. 12-114,
QUICK SERVICE AUTO
CENTER (1199 E.
OGDEN), PZC 12-1-101 |



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- I24** Ordinance No. 12-115, Disputed Boundaries for Knoch Knolls Road and Knoch Knolls Park ORDINANCE NO. 12-115, DISPUTED BOUNDARIES FOR KNOCH KNOLLS ROAD AND KNOCH KNOLLS PARK
Council moved to pass Ordinance No. 12-115, authorizing execution of an intergovernmental agreement between the Naperville Park District and the City of Naperville settling disputed boundaries for Knoch Knolls Road and Knoch Knolls Park.
- I26** Ordinance No. 12-116, Municipal Mowing Violations ORDINANCE NO. 12-116, MUNICIPAL MOWING VIOLATIONS
Council moved to waive first reading and pass Ordinance No. 12-116, amending Title 4 (health and sanitation), Chapter 3 (trees, plants, weeds and composting), Section 2 (plants and weeds) of the Naperville Municipal Code to add a \$90 administrative and processing cost for all code violations that result in the City's contractor mowing the tall grass.
- I27** Ordinance No. 12-117, FY13 Annual Operating Budget ORDINANCE NO. 12-117, FY13 ANNUAL OPERATING BUDGET
Council moved to pass Ordinance No. 12-117, amending the FY13 annual operating budget to account for the FY12 Encumbrance rolls.
- I28** Resolution No. 12-027, Naperville Fire Protection District RESOLUTION NO. 12-027, NAPERVILLE FIRE PROTECTION DISTRICT
Council moved to adopt Resolution No. 12-027, authorizing execution of the first amendment to agreement between the Naperville Fire Protection District and the City of Naperville.
- I29** Ordinance No. 12-118, 619 N. Eagle Street, PZC 12-1-112 ORDINANCE NO. 12-118, 619 N. EAGLE STREET, PZC 12-1-112
Council moved to pass Ordinance No. 12-118, granting a deviation to a 40' platted building line per Section 7-1-13 (platted setbacks and building lines) of the Municipal Code to allow for the construction of a covered front porch at a distance of 32' from the front lot line for the property located at 619 N. Eagle Street, PZC 12-1-112.
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- I19** McDonald's on Washington Street, PZC 12-1-018 MCDONALD'S ON WASHINGTON STREET, PZC 12-1-018
Council discussed the importance of public input on the project and that denying the tabling would send the case back to Planning and Zoning Commission (PZC) for a full review with public comment. Council said that PZC unanimously approved the project as originally submitted, that Council unanimously denied the project, and that tabling the item will allow the Petitioner to address the concerns raised by Council.
Hank Stillwell – Petitioner, 300 E. Roosevelt Road, Suite 300, stated that because PZC had no concerns McDonald's is utilizing the tabling process to address Council concerns and that resubmission is costly.
Council said that if the project was resubmitted, it may confuse the PZC since they unanimously approved the development. Council reiterated that the public needs to be included in the process.
Laff reviewed the timeline once a final plan is submitted and stated that the Petitioner has been amenable to additional neighborhood meetings and other public outreach tactics to discuss the revised plans



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I19 McDonald's on Washington Street, PZC 12-1-018 Continued

MCDONALD'S ON
WASHINGTON STREET,
PZC 12-1-018

Miller moved to table reconsideration of this case to the October 16, 2012 City Council meeting. Second Chirico.

ROLL CALL:

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

Nays: Fieseler, Wehrli
 Motion declared carried.

BREAK: 8:42 P.M.

Mayor Pradel called the meeting back to order at 8:54 p.m.

Clerk's Note: Fieseler recused himself due to a conflict of interest and left the dais at 8:54 p.m.

I20 Ordinance No. 12-119, Kiddie Academy on North Aurora, PZC 12-1-041

ORDINANCE NO. 12-119,
KIDDIE ACADEMY ON
NORTH AURORA, PZC 12-
1-041

Bill Virkus, 2829 Bond, explained his concern regarding the increased use of Patriots Lane and requested that street be designated "no-parking." He also requested no garbage collection before 8:00 a.m.

Council discussed landscaping, parking, public safety access, property owner agreement, and what could be made a condition of approval.

Mike Roth, 2300 Cabot Drive, Lisle, discussed the design of the private drive, that property rights cannot be restricted without a waiver from the owners, and that there have not been issues with emergency vehicle access.

Carl Skrabacz, 2883 Bond, stated that this area will become a cut through to Rt. 59.

Chirico moved to pass Ordinance No. 12-119, granting a conditional use for a daycare center and nursery school; a major change to the Lots 6 & 11 Flynn-Lauth Lot 2 PUD; and deviations for signage, landscaping, and required parking lot setback resulting from a IDOT right-of-way taking to allow a Kiddie Academy child care learning center at 2828 Patriots Lane subject to property owner's agreement to parking restriction at the boundaries on Texas Roadhouse and Kiddie Academy. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Recused: Fieseler
 Motion declared carried.

Clerk's Note: Fieseler returned to the dais at 9:24 p.m.



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I23 Ordinance No.12-120, Temporary Parking Lot for Bill Jacobs
Volkswagen (2155 Aurora Avenue), PZC 12-1-117

Chirico moved to pass Ordinance No. 12-120, granting approval of a temporary use to allow Bill Jacobs Volkswagen to operate a temporary parking facility on a portion of the property located at 2155 Aurora Avenue until December 31, 2014. Second, Miller.

ROLL CALL:

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

Nays: None
 Motion declared carried.

Clerk's Note: Brodhead recused herself to avoid the appearance of impropriety and left the dais at 9:25 p.m.

ORDINANCE NO.12-120,
TEMPORARY PARKING
LOT FOR BILL JACOBS
VOLKSWAGEN (2155
AURORA AVENUE), PZC
12-1-117

I25 Ordinance No. 12-121, Conveyance of a Strip Parcel to North Central
College

Miller moved to pass Ordinance No. 12-121, authorizing conveyance of a strip parcel to North Central College and approving a revised plat of easement grant and vacation. Second, Wehrli.

ROLL CALL:

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

Nays: None

Recused: Brodhead
 Motion declared carried.

Clerk's Note: Brodhead returned to the dais at 9:26 p.m.

ORDINANCE NO. 12-121,
CONVEYANCE OF A
STRIP PARCEL TO
NORTH CENTRAL
COLLEGE

I30 Ordinance No. 12-122, 533 N. Main Street, PZC 12-1-121

Curt Schillerstrom – Petitioner, 533 N. Main, requested approval of the setback deviation.

Nanci Meyer, 605 N. Main, requested assurance that changes cannot happen without Council approval.

Mark Slick, 525 N. Main, does not want the proposed garage to restrict his view.

Council discussed that many houses in the area currently exceed the setback requirements and that approval is consistent with what exists in the neighborhood.

ORDINANCE NO. 12-122,
533 N. MAIN STREET,
PZC 12-1-121

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I30 Ordinance No. 12-122, 533 N. Main Street, PZC 12-1-121 **Continued**
Chirico moved to pass Ordinance No. 12-122, granting a deviation to a 40' platted building line based on the provisions contained in Section 7-1-13 (platted setbacks and building lines) of the Municipal Code to allow for the construction of a single family home at a distance of 30.65' from the front lot line for the property located at 533 N. Main Street, PZC 12-1-121. Second Hinterlong.

**ORDINANCE NO. 12-122,
533 N. MAIN STREET,
PZC 12-1-121**

ROLL CALL:

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

J **OLD BUSINESS:**

J1 Ordinance No. 12-123, City Council Election Districts

**ORDINANCE NO. 12-123,
CITY COUNCIL
ELECTION DISTRICTS**

Dean Reschke, 729 Prairie, wants to overturn the decision to go to districts and urged voters to get involved in the movement.

David Sinker, 21 Bunting, spoke against overturning districts.

Dick Furstenau, 709 Zaininger, urged Council to direct staff to change the districts to make them more equal.

Council discussed the population differential, the interruption in contiguity of the map due to the Springbrook Prairie Path and pockets of unincorporated areas, and the upcoming elections.

Wehrli moved to pass Ordinance No. 12-123, amending Title 1 (General Provisions) of the Naperville Municipal Code creating City Council Election Districts. Second, Chirico.

ROLL CALL:

Ayes: Miller, Wehrli, Pradel, Brodhead, Chirico, Fieseler,
 Hinterlong,
Nays: McElroy, Krause
 Motion declared carried.

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

K1 Procurement 13-065, City's Medical Insurance

**PROCUREMENT 13-065,
CITY'S MEDICAL
INSURANCE**

Miller moved to award the renewal of City's medical insurance contract to Blue Cross Blue Shield of Illinois for one year for an amount not to exceed \$17,132,510.00. Second, Chirico.

ROLL CALL:

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

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Clerk's Note: Wehrli left the dais at 9:55 p.m. and returned at 10:00 p.m.

K2 Procurement 13-064, Dental Insurance

**PROCUREMENT 13-064,
DENTAL INSURANCE**

Miller moved to award Procurement 13-064, to Blue Cross Blue Shield of Illinois, for the city's managed dental plan for a three year period January 1, 2013 through December 31, 2015 for an amount not to exceed \$2,992,171.00. Second, Chirico.

ROLL CALL:

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

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

Miller moved to approve the City Council Meeting Schedule for October, November and December 2012 with the deletion of the October 22 Workshop. Second, Chirico.

ROLL CALL:

Ayes: Pradel, Brodhead, Chirico, Fieseler, Hinterlong, McElroy,
 Miller, Wehrli
Nays: Krause
 Motion declared carried.

L2 City Council Meeting Minutes

**CITY COUNCIL MEETING
MINUTES**

Wehrli moved to approve the Regular City Council Meeting Minutes of August 21, 2012. Second, Chirico.

VOICE VOTE: Motion declared carried.

L3 Special City Council Meeting Minutes

**SPECIAL CITY COUNCIL
MEETING MINUTES**

Wehrli moved to approve the Special City Council Meeting Minutes of August 27, 2012. Second, Chirico

VOICE VOTE: Motion declared carried.

Abstain: Miller, Wehrli

L4 2012 International Building Code

**2012 INTERNATIONAL
BUILDING CODE**

Rutkowski gave a brief presentation regarding the 12-month update process.

Council discussed specific code amendments, that inspections will be performed against the code cycle in place during the time of construction, the recommendation from the Building Review Board, and tabling the item to provide more review time.

Miller moved to table the item to October 2, 2012. Second, Brodhead.

VOICE VOTE: Motion declared carried.

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M PUBLIC HEARINGS:

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

O1 Driving Habits

Hinterlong discussed methods to increase bicycle awareness for drivers and asked about cell phone use in school zones.

Marshall said cell phone use in school zones is illegal, that enforcement will be increased and that the Police Department will discuss how to improve bicycle awareness.

O2 Councilmember Meetings with Petitioners/Residents

Hinterlong asked the Council to clarify if it is appropriate to discuss issues with petitioners/residents outside of public meetings.

Council discussed the benefits of meeting privately with individuals, stated that the public will not be removed from the process, and that members should be cognizant of the perception of participating in private meetings.

P CLOSED SESSION:

CLOSED SESSION

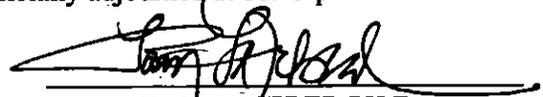
Q ADJOURNMENT:

ADJOURNMENT

McElroy moved to adjourn the Regular City Council meeting of September 18, 2012 at 10:43 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of September 18, 2012 officially adjourned at 10:43 p.m.


PAM LAFERBER PH.D.
CITY CLERK

PL: BK

