



**CITY COUNCIL MEETING OF JANUARY 20, 2015  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
February 3, 2015 AS WRITTEN.**

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**CALL TO ORDER:**

6:15 P.M.

- A** Mayor A. George Pradel  
Councilwoman Judy Brodhead  
Councilman Steve Chirico  
Councilman Robert Fieseler  
Councilman Paul Hinterlong  
Councilman Doug Krause  
Councilman Joe McElroy  
Councilman David Wentz

**Absent**

**Also Present**

City Manager, Doug Krieger  
Deputy City Manager, Marcie Schatz  
Asst. to the City Manager, Amy Emery-Graunke  
Legal Director, Jill Pelka-Wilger  
City Clerk, Pam LaFeber  
Communications Manager, Linda LaCloche  
Police Chief, Robert Marshall  
Fire Chief, Mark Puknaitis  
Deputy Fire Chief, Richard Sander  
Director of Finance, Rachel Mayer  
Director of T.E.D., Bill Novack  
T.E.D. Operations Manager, Allison Laff  
Transportation Team Leader, Jennifer Louden  
Director of Public Works, Dick Dublinski  
Director of Public Utilities-, Jim Holzapfel  
Deputy Director of Public Utilities-Water, Amy Ries  
Director of Public Utilities-Electric, Mark Curran

**Press**

Chicago Sun Times, Daily Herald, Naperville Sun

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**B CLOSED SESSION:**

Wentz moved to recess to Closed Session to discuss 5 ILCS 120/2(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; (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body; (6) Setting of a price for sale or lease of property owned by the public body. Second, Krause.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:19 P.M.  
CLOSED SESSION ADJOURNED AT 6:56 P.M.**

**OPEN SESSION:**

Mayor Pradel called the meeting back to order at 7:01 p.m.

**ROLL CALL to determine Quorum:**

**Present:** Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wentz

**Absent:** None

**C PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D AWARDS AND RECOGNITIONS:**

**D1 January Team Award**

Councilwoman Brodhead recognized the Naper Notify Team as the recipient of the Team Award for January 2015.

**D2** Pradel announced John Paul Dwyer as the first baby born in Naperville in 2015.

**E PUBLIC FORUM:**

**E1 Snow Removal**

Kathy Benson, discussed snow removal efforts on sidewalks.

**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, Wentz.

**VOICE VOTE:** Motion declared carried.

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I

**CONSENT AGENDA:**

Krause moved to approve the Consent Agenda items with the exception of item I13. Second, Wentz.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

- |    |  |  |
|----|--|--|
| I1 | <u>Cash Disbursements 12/29/14</u><br>Council moved to approve the 12/29/14 cash disbursements in the amount of \$3,978,859.84.  | CASH DISBURSEMENTS –<br>12/29/14                             |
| I2 | <u>Cash Disbursements – 1/7/15</u><br>Council moved to approve the 1/7/15 cash disbursements in the amount of \$3,781,751.81.  | CASH DISBURSEMENTS –<br>1/7/15                               |
| I3 | <u>Cash Disbursements – 1/12/15</u><br>Council moved to approve the 1/12/15 cash disbursements in the amount of \$88,758.33.   | CASH DISBURSEMENTS –<br>1/12/15                              |
| I4 | <u>Regular City Council Minutes</u><br>Council moved to approve the Regular City Council Meeting Minutes of January 6, 2015,   | REGULAR CITY COUNCIL<br>MINUTES                              |
| I5 | <u>Statutory Review of Closed Session Minutes</u><br>Council moved to approve the release of Not Restricted (NR) items and to concur with the need to maintain Restricted (R) items confidential at this time.   | STATUTORY REVIEW OF<br>CLOSED SESSION<br>MINUTES             |
| I6 | <u>Appointments to Boards and Commissions</u><br>Council moved to approve the Mayoral appointments of Peter Crawford to the Planning and Zoning Commission, and Kevin Piket to the Transportation Advisory Board.  | APPOINTMENTS TO<br>BOARDS AND<br>COMMISSIONS                 |
| I7 | <u>Contract 15-010, Royce Road Lift Station Improvements</u><br>Council moved to approve the award of Change Order #1 to Contract 15-010, Royce Road Lift Station, to Marc Kresmery Construction, LLC for a contract extension of 134 Days.                  | CONTRACT 15-010, ROYCE<br>ROAD LIFT STATION<br>IMPROVEMENTS  |
| I8 | <u>Contract 15-023, Loomis Street Water Main Improvements</u><br>Council moved to approve the award of Change Order #1 to Contract 15-023, Loomis Street water main improvements, to A Lamp Concrete Contractors, Inc. for a contract extension of 157 days. | CONTRACT 15-023,<br>LOOMIS STREET WATER<br>MAIN IMPROVEMENTS |
| I9 | <u>Main Street Promenade East</u><br>Council moved to accept the public underground, street lights and streetscape improvements at Main Street Promenade East and authorize the City Clerk to reduce the corresponding public improvement surety.            | MAIN STREET<br>PROMENADE EAST                                |

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- I10**      Ordinance No. 15-006, Temporary Use Edward Hospital Mobile MRI Unit      ORDINANCE NO. 15-006,  
Council moved to pass Ordinance No. 15-006, approving a temporary use      TEMPORARY USE  
to allow for a mobile MRI unit to be located on the Edward Hospital      EDWARD HOSPITAL  
Campus at 801 Washington Street through December 31, 2016.      MOBILE MRI UNIT
- I11**      475 Office Suites, PZC 14-1-135      475 OFFICE SUITES, PZC  
14-1-135
- I11a**      Ordinance No. 15-007, rezoning 475 River Bend Road      ORDINANCE NO. 15-007,  
Council moved to pass Ordinance No. 15-007, rezoning the property at 475      REZONING 475 RIVER  
River Bend Road from R1a PUD to OCI (office commercial and      BEND ROAD  
institutional district) PUD.
- I11b**      Ordinance No. 15-008, major change to planned unit development      ORDINANCE NO. 15-008,  
Council moved to pass Ordinance No. 15-008, approving the major change      MAJOR CHANGE TO  
to the planned unit development granting a conditional use in the OCI      PLANNED UNIT  
(office commercial and institutional district) for a hair salon, in accordance      DEVELOPMENT  
with Section 6-7f-3 of the Naperville Municipal Code for the subject  
property.
- I12**      Commemorative Naming of Webster Street      COMMEMORATIVE  
Council moved to designate Webster Street between Jackson Avenue and      NAMING OF WEBSTER  
Jefferson Avenue as "Patzcuaro Way", a commemorative parkway, and      STREET  
permit installation of commemorative signage on Webster Street and at key  
entrance points to the City.
- 
- I13**      2015/2016 Downtown Vending Permits      2015/2016 DOWNTOWN  
Council discussed impact to downtown businesses, the appropriateness of      VENDING PERMITS  
vendors sharing space, the historical use of vendor space, competition, and  
payment of the Food and Beverage tax.  
Laff explained the vendor RFP, the selection committee, and the rating  
system. She explained staff's positive recommendation to have two  
vendors share one location and discussed Downtown Advisory  
Commission's (DAC) unanimous recommendation against location  
sharing.  
Chirico moved to direct staff to issue one downtown vending permit for the  
Main Street vending location for the 2015/2016 vending cycle. Second,  
Brodhead.  
**ROLL CALL:**  
**Ayes:**      Brodhead, Chirico, Fieseler, Hinterlong, McElroy, Wentz  
**Nays:**      Krause, Pradel  
Motion declared carried.

**J**      **OLD BUSINESS:**

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



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**L** **REPORTS AND RECOMMENDATIONS:**

**L1** City Council Meeting Schedule

CITY COUNCIL MEETING  
SCHEDULE

Krause moved to approve the City Council Meeting Schedule for February, March and April 2015. Second, Hinterlong.

**VOICE VOTE:** Motion declared carried.

**L2** City Council Vacancy

CITY COUNCIL VACANCY

Pradel announced the appointment of Tom Miers to the City Council vacancy.

Hinterlong moved to direct staff to prepare a Resolution filling the vacancy on the Naperville City Council. Second, Chirico.

**VOICE VOTE:** Motion declared carried.

**M** **PUBLIC HEARINGS:**

**N** **ORDINANCES AND RESOLUTION:**

**N1** City Manager Settlement Authority

CITY MANAGER  
SETTLEMENT  
AUTHORITY

Dick Furstenuau, spoke against the recommendation.

Council discussed importance of oversight and that strict fiscal control saw the City through the economic downturn.

First reading held.

**N2** Ordinance No. 15-009, North Downtown Special Planning Area Overlay District, PZC 14-1-125

ORDINANCE NO. 15-009,  
NORTH DOWNTOWN  
SPECIAL PLANNING AREA  
OVERLAY DISTRICT, PZC  
14-1-125

Kathy Benson, spoke against the proposed ordinance and the conditional use for single family homes.

Jim Ruhl, spoke against the proposed ordinance and the conditional use for single family homes.

Laff explained the conditional use requirement applies to tear downs and substantial demos, stated that there will be a conditional use application fee however no additional permits are required, and that the conditional use process takes approximately four months.

Pelka-Wilger explained reverse condemnation, diminishment of value, and how the courts evaluate a taking.

Council discussed property owner rights, putting the burden on the property owner and future property owners, letting the market dictate, and that the City encourages renovating older homes and that is opposite of what is proposed.

Laff stated that residents attending the public hearings did not express concern over losing rights; instead they wanted to submit an application and did not believe the process to be unduly burdensome.

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N2

Ordinance No. 15-009, North Downtown Special Planning Area Overlay District, PZC 14-1-125 Continued

Brodhead moved to pass Ordinance No. 15-009, amending Title 6 (zoning Regulations), Chapter 2 (General Zoning Provisions) to establish a zoning overlay district for the North Downtown Special Planning Area excluding Section 5.1. Second, McElroy.

**ROLL CALL:**

**Ayes:** Fieseler, Hinterlong, McElroy, Wentz, Brodhead, Chirico

**Nays:** Krause, Pradel

Motion declared carried.

ORDINANCE NO. 15-009,  
NORTH DOWNTOWN  
SPECIAL PLANNING AREA  
OVERLAY DISTRICT, PZC  
14-1-125

N3

Ordinance No. 15-010, B5 Amendments, PZC 14-1-126

Brodhead moved to pass Ordinance No. 15-010, approving an amendment to Title 6 (zoning regulations), Chapter 7 (business districts), Article E. (B5, secondary downtown district). Second, Chirico.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

ORDINANCE NO. 15-010,  
B5 AMENDMENTS, PZC 14-  
1-126

N4

Ordinance No. 15-011, TU (Transitional Use District), PZC 14-1-131

Chirico moved to pass Ordinance No. 15-011, amending Title 5 (building regulations) and Title 6, zoning regulations regarding the TU (transitional use) district. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

ORDINANCE NO. 15-011,  
TU (TRANSITIONAL USE  
DISTRICT), PZC 14-1-131

O

**NEW BUSINESS**

O1

eCigarettes

McElroy asked if/how the City regulates eCigarettes.

Wilger explained that a draft of regulations will be reviewed by the Liquor Commission this spring.

O2

DuPage Children's Museum

Chirico asked staff to investigate short term parking opportunities while the museum is closed.

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P **CLOSED SESSION:**

Q **ADJOURNMENT:**

ADJOURNMENT

Krause moved to adjourn the Regular City Council meeting of January 20, 2015 at 7:59 p.m. Second, Wentz.

**VOICE VOTE:** Motion declared carried.

The Regular City Council Meeting of January 20, 2015 officially adjourned at 7:59 p.m.



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PAM LA FERBER  
CITY CLERK

PL:bk

