



**CITY COUNCIL MEETING OF MARCH 18, 2014
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
April 1, 2014 AS WRITTEN.**

CALL TO ORDER:

5:45 P.M.

- A** Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico - Arrived at 5:46 p.m.
Councilman Robert Fieseler
Councilman Paul Hinterlong - Arrived at 5:50 p.m.
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
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Fire Chief, Mark Puknaitis
Director of Finance, Karen DeAngelis
T.E.D. Operations Manager, Allison Laff
Transportation Team Leader, Karyn Robles
Director of Transportation, William Novack
Director of Public Works, 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:

Wehrli moved to recess to Closed Session to discuss 5ILCS/120(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; 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; (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, Krause.

ROLL CALL:

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

Nays: None

Absent: Hinterlong

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 5:49 P.M.
CLOSED SESSION ADJOURNED AT 6:55 P.M.**

Clerk's Note: Councilman Hinterlong arrived at 5:50 p.m.

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:02 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 Employee of the Month – March

EMPLOYEE OF THE
MONTH - MARCH

Councilwoman Brodhead recognized Mike Masterson, Web Developer, as the recipient of the Employee of the Month for March.

E PUBLIC FORUM:

E1 Graduated Income Tax Resolution

David Shaftman, 1821 S. Washington #3A, opposed the Council's recent resolution and said that it may not reflect what Naperville collectively thinks on the issue.

Council discussed the reasons for the graduated income tax resolution, other resolutions and reforms.

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E2 Student Safety at Washington Jr. High

Patricia Kirincich, 620 N. Webster, discussed the parked cars that obstruct safe student pick-up/drop-off, the lack of signage and enforcement.

Robles stated that the City has discussed the issue with the principal, the signs were removed for repair but replacement has been delayed because staff has been reassigned to snow patrol.

Council discussed placing a four-way stop at Webster and Douglas, doing traffic studies around schools, the convergence of destination locations in that area, limited East/West routes, and increased enforcement.

E3 Nail Salons

Bette Kalina, 1439 Crystal Court, discussed the cleanliness and inspection enforcement of salons.

Novack will research State of Illinois inspection/enforcement procedures.

E4 North Central College Science Center

Denise Nigro, 110 S. Loomis, spoke in opposition to the proposed Science Center.

Laff explained the specific college and land use district and that the science center does not constitute an amendment to the college's master land use plan. She said variances would be necessary if the college could not comply with the plan. She also discussed the public review process.

Council discussed the campus lay out, site plan issues, resident emails, and height regulations.

Laff explained that the college has involved the residents regarding the design of the building.

Paul Loscheider, VP for Business Affairs at North Central College, discussed college and land use district ordinance, that developments outside the district boundaries must be approved by Council, meetings with the homeowners, and clarified that sounds from the building will not be 24/7.

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, Chirico.

VOICE VOTE: Motion declared carried.

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I CONSENT AGENDA:

Krause moved to approve the Consent Agenda with the exception of item I25. Second, Chirico.

ROLL CALL:

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

Nays: None

Motion declared carried.

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| <p>I1 <u>Cash Disbursements – 2/20/14</u></p> <p>Council moved to approve the 2/20/14 cash disbursements in the amount of \$11,126,359.51.</p> | <p>CASH DISBURSEMENTS</p> |
| <p>I2 <u>Cash Disbursements – 2/26/14</u></p> <p>Council moved to approve the 2/26/14 cash disbursements in the amount of \$6,658,276.50.</p> | <p>CASH DISBURSEMENTS –
2/26/14</p> |
| <p>I3 <u>Contract 12-163, Tree Removal</u></p> | <p>CONTRACT 12-163, TREE
REMOVAL</p> |
| <p>I3a <u>Contract 12-163, Bid A:</u></p> <p>Council moved to approve the award of option year two renewal to Contract 12-163, Contract for Bid A; tree removal including stump removal and restoration for a not to exceed amount of \$132,690.00 and Contract for Bid B: additional stump grinding for a not to exceed amount of \$10,000.00 to Steve Piper and Sons for a total amount not to exceed \$142,690.00.</p> | <p>CONTRACT 12-163, BID A:</p> |
| <p>I3b <u>Contract 12-163, Supplemental Contract</u></p> <p>Council moved to approve the award of option year two renewal to Contract 12-163, supplemental contract for Bid A: tree removal including stump removal and restoration for a not to exceed amount of \$30,000.00 to Homer Tree Care, Inc.</p> | <p>CONTRACT 12-163,
SUPPLEMENTAL
CONTRACT</p> |
| <p>I3c <u>Contract 12-163, Supplemental Contract for Bid B</u></p> <p>Council moved to approve the award of option year two renewal to Contract 12-163, supplemental contract for Bid B: additional stump grinding for a not to exceed amount of \$10,000.00 to Weber's Tree Cutting.</p> | <p>CONTRACT 12-163,
SUPPLEMENTAL
CONTRACT FOR BID B</p> |
| <p>I4 <u>Contract 10-143, Street Sweeping</u></p> <p>Council moved to approve the award of the option year two extension to Contract 10-143, street sweeping, to Waste Management of Illinois, for an amount not to exceed \$118,040.00.</p> | <p>CONTRACT 10-143,
STREET SWEEPING</p> |
| <p>I5 <u>Contract 12-150, Street Light/Lot Controller Maintenance</u></p> <p>Council moved to approve the award of option year two to Contract 12-150, street light/lot controller maintenance to Meade Electric Company, Inc. for an amount not to exceed \$205,000.00</p> | <p>CONTRACT 12-150,
STREET LIGHT/LOT
CONTROLLER
MAINTENANCE</p> |



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| I12 | <u>Bid 14-133, 2014 Street Patching Program</u>
Council moved to approve the award of Bid 14-133, 2014 Street Patching Program, CIP MP009, to Schroeder Asphalt Services, Inc. for an amount not to exceed \$698,690.00 plus a 3% contingency. | BID 14-133, 2014 STREET
PATCHING PROGRAM |
| I13 | <u>Bid 14-134, 2014 Microsurfacing Program</u>
Council moved to approve the award of Bid 14-134, 2014 microsurfacing program, CIP MP009, to AC Pavement Striping Co. for an amount not to exceed \$489,106.37 plus a 5% contingency. | BID 14-134, 2014
MICROSURFACING
PROGRAM |
| I14 | <u>Bid 14-135, 2014 Sidewalk and Curb Replacement Program</u>
Council moved to approve the award of Bid 14-135, 2014 Sidewalk and Curb Replacement Program, CIP's MP004 and MP009, to Globe Construction Inc. for an amount not to exceed \$495,730.00 plus a 5% contingency. | BID 14-135, 2014
SIDEWALK & CURB
REPLACEMENT
PROGRAM |
| I15 | <u>Contract 12-139, Traffic Signal and Combination Street Lighting Maintenance</u>
Council moved to approve the award of option year two extension to Contract 12-139, traffic signal and combination street lighting maintenance to Meade Electric Company, Inc., for an amount not to exceed \$251,665.64. | CONTRACT 12-139,
TRAFFIC SIGNAL AND
COMBINATION STREET
LIGHTING MAINTENANCE |
| I16 | <u>Naper Settlement Civil War Days in 2014 and overnight camp</u>
Council moved to approve the use of black powder for demonstration purposes at Naper Settlement's Civil War Days event on May 17 and 18, 2014 and on August 8, 2014 for a Civil War themed overnight camp. | NAPER SETTLEMENT
CIVIL WAR DAYS IN 2014
AND OVERNIGHT CAMP |
| I17 | <u>Ordinance No. 14-019, 2014 Sidewalk Maintenance Program Cost Sharing</u>
Council moved to approve the 2014 Sidewalk Maintenance Program cost sharing. | ORDINANCE NO. 14-, 2014
SIDEWALK
MAINTENANCE
PROGRAM COST SHARING |
| I18 | <u>FY15 Annual Operating Budget</u>
Council moved to schedule a public hearing for the FY15 annual operating budget on April 1, 2014. | FY15 ANNUAL
OPERATING BUDGET |
| I19 | <u>NIGP Values and Guiding Principles of Public Procurement</u>
Council moved to adopt the NIGP values and guiding principles of public procurement. | NIGP VALUES AND
GUIDING PRINCIPLES OF
PUBLIC PROCUREMENT |
| I20 | <u>Resolution No. 14-016, Traffic Signal Improvements at Illinois Route 59 and US Route 34/Ogden Avenue</u>
Council moved to adopt Resolution No. 14-016, approving an intergovernmental agreement with the Illinois Department of Transportation for engineering services and construction of improvements to the traffic signal located at the intersection of Illinois Route 59 and US Route 34/Ogden Avenue. | RESOLUTION NO. 14-,
TRAFFIC SIGNAL
IMPROVEMENTS AT RTE.
59 & RTE. 34/OGDEN AVE. |
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| I21 | <u>Resolution No. 14-017, Modification of the Fawell Dam Gate Operating Plan</u>
Council moved to adopt Resolution No. 14-017, supporting a modified Fawell Dam gate operating plan. | RESOLUTION NO. 14-017,
MODIFICATION OF THE
FAWELL DAM GATE
OPERATING PLAN |
| I22 | <u>Ordinance No. 14-020, 2014 G.L.O.W. Run for Reading 5K</u>
Council moved to pass Ordinance No. 14-020, establishing temporary traffic controls for the 2014 G.L.O.W. Run for Reading 5K and issue a special event permit for the event. | ORDINANCE NO. 14-020,
2014 G.L.O.W. RUN FOR
READING 5K |
| I23 | <u>Ordinance No. 14-021, Roscich & Martel Wall Sign, PZC 13-1-153</u>
Council moved to pass Ordinance No. 14-021, granting a variance from Section 5-4-9:1.1 (special areas of control, Downtown Central Business District) of the Naperville Municipal Code to allow the installation of a 40 square foot wall sign on an ineligible (north) elevation of the Roscich & Martel tenant space on the second floor of the building located at 214 S. Washington Street, PZC 13-1-153. | ORDINANCE NO. 14-021,
ROSCICH & MARTEL
WALL SIGN, PZC 13-1-153 |
| I24 | <u>Falcone Subdivision (1124 Edgewater Dr.) PZC 13-1-128</u> | FALCONE SUBDIVISION
(1124 EDGEWATER DR.)
PZC 13-1-128 |
| I24a | <u>Ordinance No. 14-022, Rezoning to R1a</u>
Council moved to pass Ordinance No. 14-022, rezoning a portion of the subject property to R1a (low density single-family residence) zoning. | ORDINANCE NO. 14-022,
REZONING TO R1A |
| I24b | <u>Ordinance No. 14-023, preliminary/final plat of subdivision</u>
Council moved to pass Ordinance No. 14-023, approving the preliminary/final plat of subdivision for Falcone's Subdivision. | |
| <hr/> | | |
| I25 | <u>Hire replacement employees for the limited purpose of providing cross training</u> | HIRE REPLACEMENT
EMPLOYEES FOR THE
LIMITED PURPOSE OF
PROVIDING CROSS
TRAINING |
| I25a | <u>Finance Department budget increase in headcount</u>
Krieger explained the importance of cross-training, that it is unusual to have the opportunity at the director level, and the cost to the City for this one-month transition.

Chirico moved to authorize the Finance Department budget to reflect an increase in headcount of a part-time employee for up to 30 days in order to allow cross training for the City's new Finance Director. Second, Wentz | |
| | ROLL CALL: | |
| | Ayes: Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli, Wentz, Pradel | |
| | Nays: None | |
| | Motion declared carried. | |

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I25b Ordinance No. 14-024, Section 1-9-4, hire replacement employees above department's approved FTE

Chirico moved to waive first reading of Ordinance No. 14-024, amending Section 1-9-4 of the Naperville Municipal Code to authorize the City Manager to hire replacement employees above a Department's approved FTE for no more than 30 days and for the limited purpose of providing cross training, as long as the costs can be absorbed within the Department's budget. Second, Wentz.

ORDINANCE NO. 14-024,
SECTION 1-9-4, HIRE
REPLACEMENT
EMPLOYEES ABOVE
DEPARTMENT'S
APPROVED FTE

ROLL CALL:

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

J OLD BUSINESS:

K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

Chirico moved to approve the City Council meeting schedule for March, April, May and June 2014. Second, Krause.

CITY COUNCIL MEETING
SCHEDULE

VOICE VOTE: Motion declared carried.

L2 Regular City Council Minutes

Wentz moved to amend the regular city council meeting minutes of March 4, 2014 and change M1a and M1b to read as follows: M1a: Krause moved to open and continue the public hearing of the vacation of the Columbia Street right-of-way along the west side of the properties to allow parties to reach a mutually agreed upon resolution for division of the requested vacated right-of-way. Second, Hinterlong. M1b: Chirico moved to continue the public hearing of the JSG annexation agreement for the properties located at 705 Parkside Road and 626 Columbia Street to April 1. Second, Chirico.

REGULAR CITY COUNCIL
MINUTES

VOICE VOTE: Motion declared carried.

Abstain: Fieseler, Brodhead

L3 Authorize City Manager to Hire Cashier

Council discussed the advantages of part-time employees, benefit cost savings, and the security measures in the Finance Department.

AUTHORIZE CITY
MANAGER TO HIRE
CASHIER

DeAngelis explained auditor findings regarding part-time positions and the unique opportunity to have two part-time positions open at the same time.

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L3 Authorize City Manager to Hire Cashier **Continued**

Chirico moved to authorize the City Manager to recruit internally and externally and fill the two vacant part-time cashier positions with one full-time cashier. Wentz.

AUTHORIZE CITY
MANAGER TO HIRE
CASHIER

ROLL CALL:

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

M PUBLIC HEARINGS:

M1 JSG Annexation, PZC 13-1-086

Clerk's Note: Wehrli recused himself due to a conflict of interest and left the dais at 8:17 p.m.

JSG ANNEXATION, PZC 13-
1-086

M1a Vacation of right-of-way on Columbia Street

Robert Heap, 552 S. Washington and attorney for the residents, explained that the parties cannot reach a resolution and requested that Council grant the 12' to the neighbors.

Council discussed the statutes that apply to the vacation and what it is authorized to do with the property.

Ely discussed potential legal remedies and explained that Council can vacate the property entirely to one side or split the property equally. She also said that it is in the best interest of everyone if the parties reach a resolution without Council intervention.

Yan Zhao, 636 S. Wright, requested the 12' easement not be granted to JSG Properties.

Joe & Laura Harriman, 630 S. Wright, requested the 12' easement not be granted to JSG Properties.

Don Kwasniewski, 2617 Hunter Oak, Aurora, requested the 12' easement not be granted to JSG Properties.

M1b Vacating the full width of the Columbia Street right-of-way along the west side of the properties

VACATING THE
COLUMBIA STREET
RIGHT-OF-WAY

Krause moved to table to April 1, 2014. Second, Brodhead.

VOICE VOTE: Motion declared carried.

Recused: Wehrli

Clerk's Note: Wehrli returned to the dais at 8:41 p.m.

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N ORDINANCES AND RESOLUTIONS:

NI Department of Public Utilities-Electric Rate Code

Curran gave opening comments and discussed the history of purchasing power from ComEd, the contract to join the Illinois Municipal Electric Agency (IMEA) in 2011, the reasons for the current negative cash balance, the policy to keep a 30-day cash reserve, and the elimination of \$7.6 million in capital and operating costs over the next two years. Curran also reviewed the hybrid proposal developed which will include a 6% increase on May 1, 2014, a 7% increase on May 1, 2015 and the immediate elimination of the IAC fee.

John Krummen, 2640 Haddassah, reviewed the discussion at PUAB, electrical use patterns, Prairie State, and energy markets.

Council discussed the public hearings that were held, the need to find a compromise with rate payers, the option to pay back some of the debt each year, the timeliness of information that was disseminated, the role of IMEA, and continuing to look to the expenses to help solve the problem.

First reading held.

O NEW BUSINESS

O1 Sister City Sign

Krause requested a sign for Naperville's second Sister City, Pátzcuaro, Mexico.

Novack will follow-up on the sign development and placement

P CLOSED SESSION:

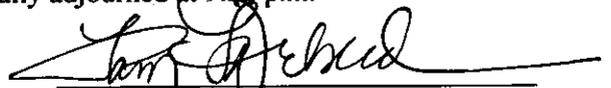
Q ADJOURNMENT:

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of March 18, 2014 at 9:22 p.m. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of March 18, 2014 officially adjourned at 9:22 p.m.


PAM LAFERBER PH.D.
CITY CLERK

PL: BK

