



**CITY COUNCIL MEETING OF MAY 3, 2011
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
May 17, 2011 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

A Mayor A. George Pradel
Councilman 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
Assistant City Manager, Robert Marshall
City Clerk, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Police Chief, David Dial
Finance Director, Karen DeAngelis
Director of Public Works, David Van Vooren
Director of T.E.D., Marcie Schatz
T.E.D. Operations Manager, Allison Laff
T.E.D. Development Team Leader, Dick Dublinski
T.E.D. Engineering Team Leader, Bill Novack
Assistant Director-Public Utilities, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel
Human Resources Manager, Victoria Perrault

Press

Chicago Sun Times, Daily Herald, Naperville Sun

A handwritten signature in black ink, appearing to be the initials 'JP' followed by a flourish.

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B. CLOSED SESSION:

Wehrli moved to recess to Closed Session to discuss 5ILCS/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; (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; (23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies. Second, Miller.

ROLL CALL:

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

Nays: None

Motion declared carried.

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

CLOSED SESSION ENDED AT 7:00 P.M.

OPEN SESSION

MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:07 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

D AWARDS AND RECOGNITIONS:

Clerk's Note: Councilman Fieseler was sworn in by Pam LaFeber, City Clerk.

D1 Fire Chief Award

FIRE CHIEF AWARD

Chief Puknaitis presented the Fire Chief's Citizen Award to Quentin Hacker for actions taken at the scene of a stove fire.

D2 Employee of the Month – May

EMPLOYEE OF THE MONTH
- MAY

Councilman Miller recognized Mike Prucha, DPU-W Utility Technician III, as the Employee of the Month for May.

D3 National Public Works Week Proclamation

NATIONAL PUBLIC WORKS
WEEK PROCLAMATION

Councilman Brodhead proclaimed May 15 - 21, 2011 as National Public Works Week and presented the proclamation to Dave Van Vooren and Marcie Schatz.

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E PUBLIC FORUM:

E1 Smart Meters

Bianca Ballard, 820 Lemont Ct., stated she is concerned with meter installation.

Joanne St. Yves, 2315 Lexington, stated she is concerned with meter testing and the physical effect of meter emissions.

Krieger said the city is adhering to the standards set by the FCC and additional testing will be performed if it is necessary.

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, Wehrli.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items I2, I6, I7, I9. Second, Krause.

ROLL CALL:

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

Nays: None
Motion declared carried.

I1 Cash Disbursements – 4/13/2011

Council moved to approve the April 13, 2011 cash disbursements in the amount of \$7,208,496.92.

CASH DISBURSEMENTS –
4/13/11

I3 Procurement 11-189, Emergency Repair of Flygt Pump #3

Council moved to ratify Procurement 11-189, emergency repair of flygt pump #3 at Springbrook Water Retention Center for an amount of \$31,967.00.

PROCUREMENT 11-189,
EMERGENCY REPAIR OF
FLYGT PUMP #3

I4 Three Fires Council BB Program at Von Oven Scout Reservation

Council moved to approve the Three Fires Council BB Program at Von Oven Scout Reservation between June 13 and July 7, 2011.

THREE FIRES COUNCIL BB
PROGRAM AT VON OVEN
SCOUT RESERVATION

I5 Resolution No. 11-026, Identity Protection Policy

Council moved to adopt Resolution No. 11-026, approving the Identity Protection Policy pursuant to the Illinois Identity Protection Act.

RESOLUTION NO. 11-026,
IDENTITY PROTECTION
POLICY

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| I8 | <u>Donation Boxes, PC 11-1-016</u>
Council held the first reading regarding the proposed ordinance amending Title 6 (Zoning Regulations) of the Municipal Code pertaining to donation boxes. | DONATION BOXES-PC 11-1-016 |
| I10 | <u>Ordinance No. 11-066, Season's Commons, PST 10-1-141</u>
Council moved to pass Ordinance No. 11-066, approving a final plat of subdivision for Season's Commons, PST 10-1-141. | ORDINANCE NO. 11-066,
SEASON'S COMMONS, PST
10-1-141 |
| I11 | <u>Ordinance No. 11-067, Ribfest 2011</u>
Council moved to pass Ordinance No. 11-067, establishing temporary traffic controls, approve the amplifier permit and carnival permit, and issue the Special Event Permit for Ribfest 2011. | ORDINANCE NO. 11-067,
RIBFEST 2011 |
| I12 | <u>Ordinance No. 11-068, Run Like a Mother 5K</u>
Council moved to pass Ordinance No. 11-068, to establish temporary traffic controls for the Run Like a Mother 5K on May 8, 2011 and approve the issuance of a Special Event Permit for this event. | ORDINANCE NO. 11-068,
RUN LIKE A MOTHER 5K |

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| I2 | <u>Bid 11-126, Upgrade of Street Light, SL125, Modaff Road</u>
Van Vooren explained that the city has an inventory of parts through the contractor and that this is a contract for the supply and installation of replacement street lighting. The expected ROI of the LED option would be six years based on maintenance and energy savings.

Wehrli moved to approve the award of Bid 11-126, upgrade of street light, SL125, Modaff Road to Thorne Electric for an amount not to exceed \$160,940.21 for Bid Alternate #2, LED luminaries plus a 5% contingency. Second, Miller.

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

Clerk's Note: Councilmen Wehrli and Fieseler recused themselves and left the dais at 7:32 p.m. | BID 11-126, UPGRADE OF
STREET LIGHT, SL125,
MODAFF RD |
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I6 Ordinance No. 11-069, Boundary between City's Property and NAR Business Park, LLC

ORDINANCE NO. 11-069
BOUNDARY BETWEEN
CITY'S PROPERTY AND
NAR BUSINESS PARK, LLC

Miller moved to pass Ordinance No. 11-069, approving an assessment plat establishing the boundary between the city's property and property owned by NAR Business Park, LLC.
Second, Hinterlong.

ROLL CALL:

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

Nays: None

Abstain: Fieseler, Wehrli

Motion declared carried.

Clerk's Note: Councilmen Wehrli and Fieseler returned to the dais at 7:34 p.m.

I7 Ordinance No. 11-070, 101 East Resubdivision, PST 11-1-81

ORDINANCE NO. 11-070, 101
EAST RESUBDIVISION, PST
11-1-81

Raymond Bishop, 471 E. 75th Street, requests that the proposed cross-access be moved nearer to the street.

Novack stated that the petitioner has been notified of this request and will work with the city and Mr. Bishop toward a resolution.

Miller moved to pass Ordinance 11-070, approving a preliminary/final subdivision plat for 101 East 75th Street, including cross-access plans for adjacent properties, PST 11-1-81.
Second, Brodhead.

ROLL CALL:

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

Nays: None

Motion declared carried.

I9 Primrose School – Naperville Crossings, PC #11-1-011

PRIMROSE SCHOOL –
NAPERVILLE CROSSINGS,
PC #11-1-011

Council explained that Naperville Crossings is set up as a Planned Unit Development for retail, restaurant, and entertainment and stated that the original intent of Naperville Crossings must be kept in mind when items are brought before them.

Vince Rosanova, 23 W. Jefferson Avenue, and petitioner's attorney, stated that the bank must repair defects in the road, the cost is then allocated across all property owners in Naperville Crossings, and as the school develops more permanent solutions will be applied.

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- I9a** Ordinance No. 11-071, Preliminary Plat of Subdivision, Naperville Crossings, Lot 8 ORDINANCE NO. 11-071
NAPERVILLE CROSSINGS,
LOT 8
- Wehrli moved to pass Ordinance No. 11-071, approving the preliminary plat of subdivision for Naperville Crossings, Lot 8. Second, Krause.
- ROLL CALL:**
Ayes: Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico, Fieseler
Nays: None
Motion declared carried.
- I9b** Ordinance No. 11-072, daycare facility, Primrose School, PC 11-1-001 ORDINANCE NO. 11-072,
DAYCARE FACILITY,
PRIMROSE SCHOOL, PC 11-1-001
- Wehrli moved to pass Ordinance No. 11-072, approving a major change to the Naperville Crossings PUD, conditional use for a daycare facility, preliminary PUD plat and deviation to Section 6-9-3 (off-street parking) of the Naperville Municipal Code for Primrose School, PC 11-1-001. Second, Hinterlong.
- ROLL CALL:**
Ayes: Krause, McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico, Fieseler, Hinterlong
Nays: None
Motion declared carried.
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- J** **OLD BUSINESS:**
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** Regular City Council Meeting Minutes – April 19, 2011 REGULAR CITY COUNCIL
MEETING MINUTES –
4/19/11
- Miller moved to approve the Regular City Council Meeting Minutes of April 19, 2011. Second, Wehrli.
- VOICE VOTE:** Motion declared carried.
Abstain: Chirico, McElroy
- L2** City Council Meeting Schedule CITY COUNCIL MEETING
SCHEDULE
- Fieseler moved to approve the City Council Meeting Schedule for May, June and July 2011. Second, Krause.
- VOICE VOTE:** Motion declared carried.
- L3** Recruit Externally – Benefits Specialist RECRUIT EXTERNALLY –
BENEFITS SPECIALIST
- Council stated that because this position has only been vacant since March, the department should continue to work with a reduced staff and stress the system.
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N1 Ordinance No. 11-073, 2011 Water and Wastewater Utility Retail Rates Continued

ORDINANCE NO. 11-073,
2011 WATER AND
WASTEWATER UTILITY
RETAIL RATES

Wehrli moved to waive the first reading. Second, Hinterlong.

ROLL CALL:

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

Nays: Krause
Motion declared carried.

Wehrli moved to pass Ordinance No. 11-073, amending Section 8-2C-3, 8-2C-4 and 8-2C-5 of the Municipal Code Water and Sewer Rates, Connection Charges effective June 1, 2011 consistent with Option A. Second, Hinterlong.

ROLL CALL:

Ayes: Pradel, Brodhead, Hinterlong, Miller, Wehrli

Nays: Chirico, Fieseler, Krause, McElroy
Motion declared carried.

O **NEW BUSINESS:**

O1 Executive Partners

Wehrli discussed expenses that have been paid to Executive Partners over the years and moved to direct Krieger to bring all proposed Executive Partners expenditures to Council for review. Second, Krause.

ROLL CALL:

Ayes: Hinterlong, Krause, Wehrli

Nays: Brodhead, Chirico, Fieseler, McElroy, Miller, Pradel
Motion declared not carried.

Krieger stated that he will seek approval from Council prior to contracting with Executive Partners for services.

O2 Tax Bills

Hinterlong encouraged residents to examine their tax bills and see where the costs have increased/decreased.

P **CLOSED SESSION:**

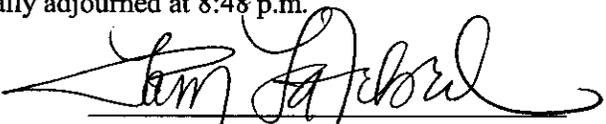
Q **ADJOURNMENT:**

ADJOURNMENT – 8:48 P.M.

Wehrli moved to adjourn the Regular City Council meeting of May 3, 2011 at 8:48 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of May 3, 2011 officially adjourned at 8:48 p.m.


PAM LAFERBER PH.D.
CITY CLERK

PL: BK

