



**CITY COUNCIL MEETING OF MAY 21, 2013  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
June 4, 2013 AS WRITTEN.**

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**CALL TO ORDER:**

6:00 P.M.

- A** Mayor A. George Pradel  
Councilwoman Judy Brodhead  
Councilman Steve Chirico  
Councilman Robert Fieseler - participated via teleconference at 7:04 p.m.  
Councilman Paul Hinterlong - Arrived at 6:02 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  
Assistant City Attorney, Mike DiSanto  
City Clerk, Pam LaFeber  
Police Chief, Robert Marshall  
Deputy Fire Chief, Rick Sander  
Finance Director, Karen DeAngelis  
Financial Reporting Team Leader, Chris Smith  
T.E.D. Director, Bill Novack  
T.E.D. Operations Manager, Allison Laff  
Director of Public Works, Dick Dublinski  
Director of Public Utilities-Electric, Mark Curran  
Director of Public Utilities-Water, Jim Holzapfel  
Chief Information Officer, Larry Gunderson

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; (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, Hinterlong, Krause, McElroy, Wehrli, Wentz

**Nays:** None

**Absent:** Fieseler

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:03 P.M.  
CLOSED SESSION ENDED AT 6:54 P.M.**

**OPEN SESSION:**

Mayor Pradel called the meeting back to order at 7:04 p.m.

**ROLL CALL to determine Quorum:**

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

**Absent:** None

Wehrli moved to allow Fieseler to participate via teleconference. Second, Hinterlong.

**VOICE VOTE:** Motion declared carried.

**C PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D AWARDS AND RECOGNITIONS:**

**D1 VFW Buddy Poppy Days**

VFW BUDDY POPPY DAYS

Councilwoman Brodhead proclaimed the week of May 21-27, 2013 as VFW Buddy Poppy Days and presented the Proclamation to Mike Barbour, Poppy Committee Chairman and Nina Petru, VFW Post Commander.

**D2 20<sup>th</sup> Anniversary – CASA of DuPage County**

20<sup>TH</sup> ANNIVERSARY –  
CASA OF DUPAGE  
COUNTY

Councilwoman Brodhead presented a Proclamation honoring the 20<sup>th</sup> Anniversary – CASA of DuPage to Lisa Drake, Executive Director CASA of DuPage.

**D3 Proclamation - Honoring Dr. Bob Buckman**

PROCLAMATION -  
HONORING DR. BOB  
BUCKMAN

Councilwoman Brodhead proclaimed May 21, 2013 as Dr. Bob Buckman Day and presented the Proclamation to Dr. Buckman.

**D4 DPU-W's Repair & Excavation Section Team Award**

DPU-W'S REPAIR &  
EXCAVATION SECTION  
TEAM AWARD

Councilwoman Brodhead presented the Team Award for May to DPU-W's Repair and Excavation Section.

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**E PUBLIC FORUM:**

**E1 Good & Welfare of Naperville**

Matthew Carlyle, 704 Violet Circle, discussed safety concerns in and around his subdivision.

Novack said the Code Enforcement team will follow up on the items discussed by the speaker.

**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, Wehrli.

**VOICE VOTE:** Motion declared carried.

**I CONSENT AGENDA:**

Krause moved to approve the Consent Agenda with the exception of item 17 and removing 16. Second, Wehrli.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

**I1 Cash Disbursements – 5/8/13**

Council moved to approve the 5/8/13 cash disbursements in the amount of \$7,917,404.58.

**CASH DISBURSEMENTS –  
5/8/13**

**I2 Regular City Council Minutes**

Council moved to approve the Regular City Council Minutes of May 7, 2013.

**REGULAR CITY COUNCIL  
MINUTES**

**I3 Special City Council Minutes**

Council moved to approve the Special City Council Meeting Minutes of May 5, 2013.

**SPECIAL CITY COUNCIL  
MINUTES**

**I4 Bid 13-167, Roof Replacement Phase 2 Electric Service Center**

Council discussed local bidders, capturing savings by doing all the work now, and if one vendor should do the entire project.

Dublinski explained that the roof is completed in four sections and that the City can rebid for phases III and IV.

Council moved to approve the award of utility funded Bid 13-167, roof replacement Phase 2 Electric Service Center, to J. L. Adler Roofing & Sheet Metal, Inc., for an amount not to exceed \$189,620.00 plus a 5% contingency.

**BID 13-167, ROOF  
REPLACEMENT PHASE 2  
ELECTRIC SERVICE  
CENTER**

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| <b>I5</b>  | <u>Reappointment to Boards and Commissions</u><br>Council moved to approve the mayoral reappointments of Charles Millington to the Financial Advisory Board and Karen DeAngelis to the Police Pension Board.  | <b>REAPPOINTMENT TO<br/>BOARDS &amp; COMMISSIONS</b>                          |
| <b>I6</b>  | <u>Naperville Marathon and Half Marathon</u><br>Removed from agenda.  | <b>NAPERVILLE MARATHON<br/>&amp; HALF MARATHON</b>                            |
| <b>I8</b>  | <u>Ordinance No. 13-043, Ribfest 2013</u><br>Council moved to pass Ordinance No. 13-043, establishing temporary traffic controls and issue a special event permit for Ribfest 2013.   | <b>ORDINANCE NO. 13-043,<br/>RIBFEST 2013</b>                                 |
| <b>I9</b>  | <u>Ordinance No. 13-044, Ashwood Park North Unit 4, PZC 11-1-153</u><br>Council moved to pass Ordinance No. 13-044, approving the final plat of subdivision, and the Owner's Acknowledgement & Acceptance (OAA) for Ashwood Park North Unit 4 Subdivision.  | <b>ORDINANCE NO. 13-044,<br/>ASHWOOD PARK NORTH<br/>UNIT 4, PZC 11-1-153</b>  |
| <b>I10</b> | <u>Ordinance No. 13-045, FY13 Year End Budget Amendments</u><br>Council moved to pass Ordinance No. 13-045, approving the amended balanced FY 13 Annual Operating Budget.   | <b>ORDINANCE NO. 13-045,<br/>FY13 YEAR END BUDGET<br/>AMENDMENTS</b>          |
| <b>I11</b> | <u>Ordinance No. 13-046, Parking Restrictions on Bainbridge Drive</u><br>Council recommended adding similar parking restrictions to more schools.<br>Council moved to pass Ordinance No. 13-046, to establish parking restrictions on the north side of Bainbridge Drive between Selby Road and Redfield Road; 8:45 – 9:15 a.m. and 3:15 – 3:45 p.m. on school days.  | <b>ORDINANCE NO. 13-046,<br/>PARKING RESTRICTIONS<br/>ON BAINBRIDGE DRIVE</b> |
| <b>I12</b> | <u>Ordinance No. 13-047, Whole Foods, Liquor Classification change</u><br>Council moved to waive first reading and pass Ordinance No. 13-047, amending Section 3-3-19-1:5 of the Naperville Municipal Code to allow the holder of a Class G (beer and wine package store) liquor license to change to a Class D (liquor package store) liquor license classification. | <b>ORDINANCE NO. 13-047,<br/>WHOLE FOODS</b>                                  |
| <b>I13</b> | <u>Ordinance No. 13-048, Pinot's Palette</u><br>Council moved to waive first reading and pass Ordinance No. 13-048, amending Sections 3-3-11:12 and 3-3-13:5 of the Naperville Municipal Code to add art studios to the definition of recreational facilities in order to allow Pinot's Palette to be eligible for a Class M liquor license.                          | <b>ORDINANCE NO. 13-048,<br/>PINOT'S PALETTE</b>                              |
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- |           |  |  |
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| <b>I7</b> | <u>Naperville Banner Program Modifications for Car Dealerships</u><br>Matthew Carlyle, 704 Violet Circle, spoke against the proposed banner program.<br>Laff explained that the banners will be located in the City's right of way and abutting the car dealership properties.<br>Novack said the five banners will be placed on the dealership side of Fort Hill south of Aurora. | <b>NAPERVILLE BANNER<br/>PROGRAM<br/>MODIFICATIONS FOR CAR<br/>DEALERSHIPS</b> |
|-----------|--|--|



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- I7**     Naperville Banner Program Modifications for Car Dealerships   **Continued**     **NAPERVILLE BANNER  
PROGRAM  
MODIFICATIONS FOR CAR  
DEALERSHIPS**
- Krause moved to approve the following recommendations to modify the Naperville Banner Program: 1) add the following street segments as approved banner locations: a) Ogden Avenue from the BNSF railroad underpass to Rickert Drive; b) Jefferson Avenue from Fort Hill Drive to 660 feet east of Ogden Avenue; c) Aurora Avenue from Fort Hill Drive to 680 feet east of Ogden Avenue with no banners placed in areas zoned residential and Fort Hill Drive south of Aurora Avenue 2) modify the maximum width of the sponsor logo from 15 inches to the width of the banner. Second, Brodhead.
- ROLL CALL:**  
**Ayes:**       Brodhead, Chirico, Fieseler, Krause, McElroy, Wentz, Pradel  
**Nays:**       Hinterlong, Wehrli  
Motion declared carried.
- J**     **OLD BUSINESS:**
- K**     **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L**     **REPORTS AND RECOMMENDATIONS:**
- L1**    City Council Meeting Schedule     **CITY COUNCIL MEETING  
SCHEDULE**
- Council discussed a special strategic planning workshop during the week of July 15.
- Wehrli moved to approve the City Council Meeting Schedule for June, July and August 2013. Second, Chirico.
- VOICE VOTE:**       Motion declared carried.
- L2**    Downtown Mobile Vending     **DOWNTOWN MOBILE  
VENDING**
- John Singleton, 1221 Maple Avenue, spoke against suspending the downtown vending program.
- Council discussed the feedback from the Chamber and downtown groups.
- Laff clarified that the recommendation is to terminate the permits of the two vendors that have not participated and extend John's Rib House and Joey's Red Hots permits to December 2013. She said staff would present a recommendation for the future of the vending program to the Downtown Advisory Commission in December.
- Council discussed the current recommendation, approved locations for the vendors, and existing regulations.
- Chirico moved to suspend Section 3-7-11:1 (Downtown Food Vendor Regulations: Bid Process) and extend the current permits issued to John's Rib House and Joey's Red Hots through December 31, 2013. Second, Wentz.
- ROLL CALL:**  
**Ayes:**       Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli,  
                  Wentz, Pradel, Brodhead  
**Nays:**       None  
Motion declared carried.



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**L3**     Police Department FY14 headcount

**POLICE DEPARTMENT  
FY14 HEADCOUNT**

**L3a**     Increase FY14 headcount

Krause moved to approve the Police Department's request to increase its FY14 headcount by two (2) full-time police officers. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:**     None  
              Motion declared carried.

**L3b**     Federal Grant Funding – Community Oriented Policing Services (COPS)  
Grant

**COMMUNITY ORIENTED  
POLICING SERVICES**

Moved to authorize the Police Chief to apply for federal grant funding through a Community Oriented Policing Services (COPS) grant.

**M**     **PUBLIC HEARINGS:**

**N**     **ORDINANCES AND RESOLUTIONS:**

**N1**     Club Homes of White Eagle – School and Park Donations, PZC 13-1-002

**N1a**     Ordinance No. 13-049, School & Park Donations –Club Homes of White  
Eagle

**ORDINANCE NO. 13-049,  
SCHOOL & PARK  
DONATIONS**

Chirico moved to pass Ordinance No. 13-049, approving a variance to Section 7-3-5:5.2 (cash in lieu of land contributions) to allow school donations for the Club Homes of White Eagle to be paid at time of building permit issuance based upon the actual number of bedrooms proposed. Second, Wehrli.

**ROLL CALL:**

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

**Nays:**     None  
              Motion declared carried.

**N1b**     Park Donations – Club Homes of White Eagle

**PARK DONATIONS**

Derke Price, Park District Attorney and 327 W. Jackson, explained the donation process and the Park District's recommendation.

Paul Lehman, 2316 Fawn Lake Circle, discussed the donation payment schedule.

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**N1b** Park Donations – Club Homes of White Eagle

PARK DONATIONS

Chirico moved to direct staff prepare an ordinance that provides a Park District donation payment schedule similar to that of the Stillwater Addition. Second, Wentz.

**ROLL CALL:**

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

**Nays:** Wehrli

Motion declared carried.

**N2** Solemn Oath's Liquor License Classification

SOLEMN OATH

Paul Schneider, 1656 Talman Ave #3, Chicago and John Barley, 522 South Street, Geneva, Petitioners, discussed the need for the text amendment and explained their production and building expansions.

Council discussed the size of the beers, ticket prices, server observations of patrons, and BASSET certification.

First reading held.

**N3** Ordinance No. 13-050, Late Nigh Liquor Permits

ORDINANCE NO. 13-050,  
LATE NIGHT LIQUOR  
PERMITS

James Bergeron ,2604 Whitchurch, and Petitioner discussed the transfer of late night permit, asked that first reading be waived, explained the new emphasis on the menu, said new management will be hired, and outlined the details of the transfer.

DiSanto explained the permit process and that three establishments, not located in the downtown, are also requesting late night permits.

Chirico moved to pass Ordinance No. 13-050, and authorize the issuance of late night permits requested and direct staff to draft an ordinance amending Section 3-3-13:7 of the Naperville Municipal Code to reflect accurate numbers after the transactions have occurred. Second, Wentz

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

**O** **NEW BUSINESS**

**O1** Frank's Nursery Property

Wehrli requested an update on the construction process.

**O2** Emergency Preparedness

Brodhead requested staff provide an update on what residents should do in the event of an emergency.

**P** **CLOSED SESSION:**

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Q ADJOURNMENT:

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of May 21, 2013  
at 8:28 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of May 21, 2013 officially adjourned at 8:28 p.m.



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PAM LAFERBER PH.D.  
CITY CLERK

PL: BK

