



**CITY COUNCIL MEETING OF JUNE 3, 2014
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
June 17, 2014 WRITTEN.**

CALL TO ORDER:

6:00 P.M.

A Mayor Pro Tem Douglas Krause
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Joe McElroy
Mayor A. George Pradel – attended the Closed Session only
Councilman Grant Wehrli
Councilman David Wentz

Absent

Councilwoman Judy Brodhead

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Senior Assistant City Attorney, Patricia Lord
City Clerk, Pam LaFeber
Police Chief, Robert Marshall
Fire Chief, Mark Puknaitis
Director of Finance, Rachel Mayer
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
Senior Assistant City Attorney, Kristen Foley

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, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. Second, Chirico.

ROLL CALL:

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

Nays: None

Absent: Brodhead

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:03 P.M.
CLOSED SESSION ADJOURNED AT 6:56 P.M.**

Clerk's Note: Pradel left the meeting at 6:56 p.m.

OPEN SESSION:

Mayor Pro Tem Krause called the meeting back to order at 7:00 p.m.

ROLL CALL to determine Quorum:

Present: Krause, Chirico, Fieseler, Hinterlong, McElroy, Wehrli, Wentz

Absent: Brodhead, Pradel

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

E PUBLIC FORUM:

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

H CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR REMAINING ITEMS:

Fieseler moved to use the Omnibus method to approve the Consent Agenda. Second, Wehrli.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Fieseler moved to approve the Consent Agenda with the exception of item 16. Second, Wehrli.

ROLL CALL:

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

Nays: None

Absent: Brodhead, Pradel

Motion declared carried.

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- | | | |
|------------|---|--|
| I1 | <u>Cash Disbursements – 5/8/14</u>
Council moved to approve the 5/8/14 cash disbursements in the amount of \$8,042,623.64. | CASH DISBURSEMENTS –
5/8/14 |
| I2 | <u>Cash Disbursements – 5/15/14</u>
Council moved to approve the 5/15/14 cash disbursements in the amount of \$12,999,365.41. | CASH DISBURSEMENTS –
5/15/14 |
| I3 | <u>Cash Disbursements – 5/21/14</u>
Council moved to approve the 5/21/14 cash disbursements in the amount of \$6,187,607.63. | CASH DISBURSEMENTS –
5/21/14 |
| I4 | <u>Regular City Council Minutes</u>
Council moved to approve the Regular City Council Meeting Minutes of May 20, 2014. | REGULAR CITY COUNCIL
MINUTES |
| I5 | <u>Naperville Country Club Fireworks Display</u>
Council moved to approve the Naperville Country Club's permit request to hold a fireworks display on June 29, 2014. | NAPERVILLE COUNTRY
CLUB FIREWORK'S
DISPLAY |
| I7 | <u>Ordinance No. 14-060, Parking Restrictions on Stoneleigh Court</u>
Council moved to pass Ordinance No. 14-060, to establish a "No Parking, Stopping, Standing" zone on Stoneleigh Court (both sides) from 8:45 a.m. – 9:15 a.m. and from 3:15 p.m. - 3:45 p.m., from a point 120 feet north of the centerline of Leverenz Road to terminus. | ORDINANCE NO. 14-060,
PARKING RESTRICTIONS
ON STONELEIGH COURT |
| I8 | <u>Ordinance No. 14-061, Peterson Elementary School Parking Restrictions</u>
Council moved to pass Ordinance No. 14-061, amending the Naperville Traffic Schedule Manual to regulate parking adjacent to Peterson School. | ORDINANCE NO. 14-061,
PETERSON ELEMENTARY
SCHOOL PARKING
RESTRICTIONS |
| I9 | <u>Ordinance No. 14-062, Temporary Regulations of the Public Streets</u>
Council moved to pass Ordinance No. 14-062, amending Title 11 (motor vehicle and traffic) Section 7 (temporary regulations) of the Naperville Municipal Code, authorizing the City Manager to impose temporary regulations of the public streets. | ORDINANCE NO. 14-062,
TEMPORARY
REGULATIONS OF THE
PUBLIC STREETS |
| I10 | <u>Ordinance No. 14-063, Naperville Sprint Triathlon</u>
Council moved to pass Ordinance No. 14-063, establishing the temporary traffic controls and issue a special event permit and amplifier permit for the Naperville Sprint Triathlon on Sunday, August 10, 2014. | ORDINANCE NO. 14-063,
NAPERVILLE SPRINT
TRIATHLON |
| I11 | <u>Ordinance No. 14-064, 2014 Scott S'Cool Scoot</u>
Council moved to pass Ordinance No. 14-064, to establish temporary street closures and issue a Special Events Permit and Amplifier Permit for the Scott S'Cool Scoot on Saturday, August 23, 2014. | ORDINANCE NO. 14-064,
2014 SCOTT S'COOL
SCOOT |
| I12 | <u>Ordinance No. 14-065, 146 N. Loomis Street</u>
Council moved to pass Ordinance No. 14-065, amending Ordinance No. 14-029, to allow two principal buildings on the lot located at 146 N. Loomis Street until December 31, 2014. | ORDINANCE NO. 14-065,
146 N. LOOMIS STREET |

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- I13** Ordinance No. 14-066, Mayor's Elimination from participation in IMRF
Council moved to pass Ordinance No. 14-066, amending Title 1, Chapter 5 of the Naperville Municipal Code to eliminate participation in IMRF for the position of the Mayor. ORDINANCE NO. 14-066,
ELIMINATION FROM
PARTICIPATION IN IMRF
FOR MAYOR'S POSITION
- I14** Ordinance No. 14-067, Tall Grass, PZC 14-1-043
Council moved to pass Ordinance No. 14-067, granting a variance from Section 6-2-12 (fences) of the Municipal Code in order to increase the maximum allowable fence height for a residential property from six feet (6') to a maximum of eight feet (8') in height, generally located in proximity to the clubhouse facilities and along the perimeter of Tall Grass Subdivision. ORDINANCE NO. 14-067,
TALL GRASS, PZC 14-1-043
- I15** World of Children Montessori, PZC 14-1-038
WORLD OF CHILDREN
MONTESSORI, PZC 14-1-
038
- I15a** Ordinance No. 14-068, Revocation of planned unit development at 1801-1843 Wehrli Road
Council moved to pass Ordinance No. 14-068, approving the revocation of the planned unit development on the subject property located at 1801-1843 Wehrli Road. ORDINANCE NO. 14-068,
REVOCATION OF PUD AT
1801-1843 WEHRLI RD.
- I15b** Ordinance No. 14-069, rezoning 1801-1843 Wehrli Road
Council moved to pass Ordinance No. 14-069, rezoning 1801-1843 Wehrli Road to B1 (neighborhood convenience shopping center district). ORDINANCE NO. 14-069,
REZONING 1801-1843
WEHRLI RD.
- I15c** Ordinance No. 14-070, conditional use for a daycare center
Council moved to pass Ordinance No. 14-070, approving a conditional use in the B1 (neighborhood convenience shopping center district) for a daycare center, in accordance with Section 6-7A-3 of the Naperville Municipal Code for the subject property. ORDINANCE NO. 14-070,
CONDITIONAL USE FOR A
DAYCARE CENTER
- I16** Ordinance No. 14-071, Life Storage, PZC 14-1-032
Council moved to pass Ordinance No. 14-071, granting a variance from Section 5-4-3:5 (prohibited signs, off premises signs) of the Naperville Municipal Code to allow for the construction of a 19.3' tall 120 square foot ground sign along the I-88 Tollway Corridor on Lot 2 of the Life Storage of Naperville, LLC Subdivision, PZC 14-1-032. ORDINANCE NO. 14-071,
LIFE STORAGE, , PZC 14-1-
032
- I17** Resolution No. 14-025, Illinois Law Enforcement Alarm System (ILEAS) Mutual Aid Agreement
Council moved to adopt Resolution No. 14-025, authorizing the city manager to sign the updated Illinois Law Enforcement Alarm System (ILEAS) Mutual Aid Agreement. RESOLUTION NO. 14-025,
ILLINOIS LAW
ENFORCEMENT ALARM
SYSTEM (ILEAS) MUTUAL
AID AGREEMENT
- I18** Resolution No. 14-026, Authorized Agent – Illinois Municipal Retirement Fund Act
Council moved to adopt Resolution No. 14-026, appointing Marcie Schatz, Deputy City Manager, as the IMRF authorized agent under the Illinois Municipal Retirement Fund Act. RESOLUTION NO. 14-026,
AUTHORIZED AGENT –
ILLINOIS MUNICIPAL
RETIREMENT FUND ACT

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I19 Appointments to Boards and Commissions

APPOINTMENTS TO
BOARDS & COMMISSIONS

Council moved to approve the Mayoral appointment of Margaret (Peggy) Frank to the Downtown Advisory Commission, Ron Davidson to the Financial Advisory Board and Kelly Meyer Douglas to the Naper Settlement Museum Board.

I6 City's Logo Use

CITY'S LOGO USE

Alison Segebarth, 471 S. Julian Street, requested a modified version of the City logo to embroider on the shirts to honor Mayor Pradel's final outing.

Council discussed the reason for the request, if this was a one-time request, and the importance of not altering the logo.

Wehrli moved to allow the request by Naperville Mayor's Golf Outing to use the City's logo on 2014 golf event shirts. Second, Wentz.

ROLL CALL:

Ayes: Fieseler, McElroy, Wentz

Nays: Chirico, Hinterlong, Wehrli, Krause

Absent: Pradel, Brodhead

Motion declared **not** carried.

J **OLD BUSINESS:**

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

K1 Bid 14-130, 2014 Street Resurfacing City

BID 14-130, 2014 STREET
RESURFACING CITY

Novack explained the rebidding process, the item would come back for award on July 15, and the project would be completed in October. He also discussed altering the scope of the work and engineering estimates.

Council discussed that the bids were less than \$700 from each other, came in 13% over budget, the injunction in the City of Aurora, implementing a local preference mandate, and reprioritizing the road maintenance.

Krieger explained why the Naperville Development Partnership was not in favor of local preference and said that renewed discussions on the topic will begin this summer.

Council stated that the local preference should be separated from the fact that both vendors overbid.

Wilger stated that Council must demonstrate a rational basis to reject all bids.

Wentz moved to reject all bids. Second, Chirico

Krause invoked Council rules.

Chirico objected to Council rules.

ROLL CALL:

Ayes: Chirico, Fieseler, Hinterlong, McElroy, Wentz

Nays: Krause, Wehrli

Absent: Pradel, Brodhead

Motion declared **not** carried.

Item is tabled for two weeks.



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L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Chirico moved to approve the City Council Meeting schedule for June, July and August 2014. Second, Wentz.

VOICE VOTE: Motion declared carried.

Clerk's Note: McElroy recused himself and left the dais at 7:39 p.m.

L2 Reappointments To Boards And Commissions

REAPPOINTMENTS TO
BOARDS AND
COMMISSIONS

Council discussed conflict of interest, the City's nepotism policy, and the authority held by the volunteer members.

Wehrli moved to approve mayoral reappointment of Brian Moore and Vince Rosanova and have legal advice on conflict of interest of Ms. McElroy. Second, Hinterlong.

Clerk's Note: McElroy returned to the dais at 7:47 p.m.

ROLL CALL:

Ayes: Hinterlong, Wehrli, Wentz, Krause, Chirico, Fieseler

Nays: None

Recused: McElroy

Absent: Pradel, Brodhead

 Motion declared carried.

M PUBLIC HEARINGS:

Clerk's Note: Wehrli recused himself due to a conflict of interest and left the dais at 7:47 p.m.

M1 JSG Annexation, PZC 13-1-086

JSG ANNEXATION, PZC 13-
1-086

M1a Continue the public hearing to consider vacation of Columbia Street right-of-way

Chirico moved to continue the public hearing to consider vacation of the Columbia Street right-of-way adjacent to the west sides of the properties located at 705 Parkside Road and 626 S. Columbia Street to June 17, 2014. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

M1b Continue the public hearing to consider the JSG Annexation Agreement

Chirico moved to continue the public hearing to consider the JSC annexation agreement for the properties located at 705 Parkside Road and 626 S. Columbia Street to June 17, 2014. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

Clerk's Note: Wehrli returned to the dais at 7:48 p.m.

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M2 Monarch Landing, PZC 13-1-088

M2a Ordinance No. 14-072, preliminary/final plat of subdivision for Monarch Landing Lot 1a and Lot 1b resubdivision

ORDINANCE NO. 14-072,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION

Chirico moved to pass Ordinance No. 14-072, approving the preliminary/final plat of subdivision for the Monarch Landing Lot 1a and 1b resubdivision located at the northeast corner of Route 59 and Ferry Road. Second, Hinterlong.

ROLL CALL:

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

M2b Public hearing to consider fourth amendment to Monarch Landing annexation agreement

PUBLIC HEARING

Krause opened the public hearing at 7:49 p.m.

Hinterlong moved to close the public hearing at 7:49 p.m. Second, Fieseler

VOICE VOTE: Motion declared carried.

M2c Ordinance No. 14-073, fourth amendment to Monarch Landing Annexation Agreement

Chirico moved to pass Ordinance No. 14-073, authorizing execution of the fourth amendment to the Monarch Landing annexation agreement. Second, Hinterlong.

ROLL CALL:

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

Chirico moved to create an Omnibus Ordinance to approve items M2d-M2i. Second, Hinterlong.

Chirico moved to moved to approve the Omnibus Ordinance for the following Ordinances No's: 14-074, 14-075, Resolution No. 14-027, 14-028, 14-029, and 14-030. Second, Hinterlong.

ROLL CALL:

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

M2d Ordinance No. 14-074, temporary use to allow existing off-street parking facilities to remain

ORDINANCE NO. 14-074,
TEMPORARY USE TO
ALLOW EXISTING OFF-
STREET PARKING
FACILITIES TO REMAIN

Council moved to pass Ordinance No. 14-074, approving a temporary use to allow several existing off-street parking facilities to remain on Lots 1B, 1C and Lot 2 until June 3, 2019 or redevelopment of Lots 1B and Lot 2, whichever occurs first.

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- M2e** Ordinance No. 14-075, major change to Monarch Landing planned unit development
Council moved to pass Ordinance No. 14-075, approving a major change to the Monarch Landing planned unit development (PUD), a revised preliminary/final PUD plat, a conditional use for multifamily dwellings for Lot 1a, and associated deviations for the Monarch Landing development. ORDINANCE NO. 14-075,
MAJOR CHANGE TO
PLANNED UNIT
DEVELOPMENT
- M2f** Resolution No. 14-027, Intergovernmental Agreement with Naperville Campus, LLC, Monarch Landing, Inc. and Warrenville Fire Protection District
Council moved to adopt Resolution No. 14-027, authorizing a partial termination and extinguishment of the Intergovernmental Agreement between the City of Naperville, Naperville Campus, LLC, Monarch Landing, Inc. and the Warrenville Fire Protection District. RESOLUTION NO. 14-027,
INTERGOVERNMENTAL
AGREEMENT
- M2g** Resolution No. 14-028, Intergovernmental Agreement between Naperville Campus, LLC and City of Warrenville
Council moved to adopt Resolution No. 14-028, authorizing a partial termination and extinguishment of the Intergovernmental Agreement between the City of Naperville, Naperville Campus, LLC, and the City of Warrenville. RESOLUTION NO. 14-028,
INTERGOVERNMENTAL
AGREEMENT
NAPERVILLE CAMPUS,
LLC & CITY OF
WARRENVILLE
- M2h** Resolution No. 14-029, Lease Agreement with Naperville Campus, LLC and Monarch Landing
Council moved to adopt Resolution No. 14-029, authorizing the termination and extinguishment of the lease agreement between the City of Naperville, Naperville Campus, LLC and Monarch Landing, Inc. RESOLUTION NO. 14-029,
LEASE AGREEMENT
- M2i** Resolution No. 14-030, first amendment to the Declaration of Covenants and Restrictions for Monarch Landing
Council moved to adopt Resolution No. 14-030, authorizing the execution of the first amendment to the Declaration of Covenants and Restrictions for Monarch Landing. RESOLUTION NO. 14-030,
DECLARATION OF
COVENANTS &
RESTRICTIONS FOR
MONARCH LANDING
- N** **ORDINANCES AND RESOLUTIONS:**
- N1** Late Night Permits
First reading held.
- N2** City of Naperville's Water Conservation
- N2a** Option 1
Conduct the first reading of the Ordinance amending Section 8-2a-7:2 of Title 8 of the (water conservation) of Article A (water and sewer) of Chapter 2 Municipal Water and Sewer) of Title 8 (public utilities) of the Naperville Municipal Code, changes effective July 1, 2014.
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N2b Option 2

Concur with staff and receive this report on Naperville's Water Conservation

Dick Furstenau, 709 Zainiger, stated that there is no need for water conservation.

Council discussed the environmental impact, other municipal conservation ordinances, eliminating daily restrictions, maintaining hourly restrictions, implementing cost saving measures, and the impact to the CIP.

Holzappel discussed water pressure, the effect of the pressure on the Fire Department duties, and that staff recommends no change to the current ordinance.

Puknaitis stated that there was no impact to fire services in 2012, but clarified that there were no fires. He discussed capacity needs, the hydrant grid, and that drought conditions and numerous fires would create issues.

Fieseler moved to concur with staff and receive the report on Naperville Water Conservation. Second, Wehrli.

VOICE VOTE: Motion declared carried.

N3 Ordinance No. 14-076, Precious Metals, Jewelry and Precious Stones

Marie Berner, 1411 Siebert, discussed the importance of photographing items when sold.

Council discussed training on identifying fake IDs, and possible methods to cross reference photographs, IDs, and items that have been sold.

Todd Peterson, 1008 Royal Black Heath Court, discussed requiring sellers to be fingerprinted.

Cammissio explained how long items must be held prior to selling and stated that a fingerprint requirement is not practiced and would be an additional burden on store owners.

Wehrli moved to pass Ordinance No. 14-076, establishing Chapter 9 (pawnbrokers and secondhand dealers) of Title 10 (police regulations) of the Naperville Municipal Code. Second, Chirico.

ROLL CALL:

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

Nays: None

Absent: Brodhead, Pradel

Motion declared carried.

O **NEW BUSINESS**

O1 Route 59

Novack discussed recent notification from IDOT that Route 59 will be closed over the upcoming weekend from Glacier Park Avenue to North Aurora road due to installation of new box culvert.

ORDINANCE NO. 14-076,
PRECIOUS METALS,
JEWELRY & PRECIOUS
STONES

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O2 IMEA

Fieseler discussed weighted voting in order to have more control on policy and requested a meeting with Curran and Krieger.

O3 Drug Awareness and Prevention

Fieseler discussed the Parents Matter Too program that received an award from the Chamber of Commerce.

O4 Brush Collection

Hinterlong requested that staff evaluate adding a second brush collection by allowing residents to bring branches to a designated location for grinding.

O5 Bids

Wehrli asked staff to investigate bids received in other communities in order to be better informed regarding whether to rebid the resurfacing project.

P **CLOSED SESSION:**

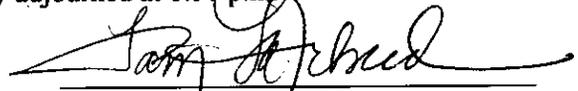
Q **ADJOURNMENT:**

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of June 3, 2014 at 8:50 p.m. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of June 3, 2014 officially adjourned at 8:50 p.m.


PAM LA FEBER, PH.D.
CITY CLERK

PL:BK

