



**CITY COUNCIL MEETING OF FEBRUARY 1, 2011  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
February 15, 2011 AS WRITTEN.**

**CALL TO ORDER:**

**5:01 P.M.**

**A Mayor A. George Pradel – Arrived at 5:02 p.m.  
Councilman Judy Brodhead  
Councilman Robert Fieseler  
Councilman Richard R. Furstenu  
Councilman Paul Hinterlong  
Councilman Douglas Krause  
Councilman Kenn Miller  
Councilman Grant Wehrli**

**Absent**

**Councilman James Boyajian**

**Also Present**

**City Manager, Doug Krieger  
Assistant City Manager, Robert Marshall  
City Clerk, Pam LaFeber  
City Attorney, Margo Ely  
Fire Chief, Mark Puknaitis  
Deputy Police Chief, Gary Bolt  
Asst. Finance Director, Chris Smith  
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  
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:**

Furstenau moved to recess to Closed Session to discuss 5ILCS/120/2(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, or when the public body finds that an action is probable or imminent; (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, Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli.

**Nays:** None

**Absent:** Boyajian

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 5:05 P.M.**

**CLOSED SESSION ENDED AT 7:00 P.M.**

**OPEN SESSION**

**MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:06 P.M.**

**ROLL CALL to determine Quorum:**

**Present:** Pradel, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli

**Absent:** Boyajian

**C. PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D AWARDS AND RECOGNITIONS:**

**D1 Employee of the Month – February**

Tabled to February 15, 2011 Council Meeting.

EMPLOYEE OF THE MONTH - FEBRUARY

**E PUBLIC FORUM:**

**E1 One-Mile Race Prior to Memorial Day Parade**

Jack Persin, 800 W Gartner Road, asked that Council approve his request to hold a one-mile race prior to the Memorial Day Parade which will be sponsored by Naperville Responds for Our Veteran's.

Council instructed Mr. Persin to submit an application to the Special Events Committee for review, recommendation and formal approval by the City Council.

**F HOLDOVER ITEMS:**



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**G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:**

- G1** License Agreement for Usage of the City Logo by Loaves and Fishes **CITY LOGO USAGE –  
LOAVES & FISHES**  
Council requested the following restrictions be added: 1) Shall not be used in any mailer or electronic website, and 2) the logo shall not be used for any public purpose after February 5, 2011.

Furstenau moved to approve the license agreement for the usage of the City Logo by Loaves & Fishes with the two modifications.  
Second, Miller.

**VOICE VOTE:** Motion declared carried.

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

Miller moved to use the Omnibus method to approve the Consent Agenda. Second, Krause.

**VOICE VOTE:** Motion declared carried.

**I CONSENT AGENDA:**

Miller moved to approve the Consent Agenda with the exception of items I10, I11, and I13. Second, Krause.

**ROLL CALL:**

**Ayes:** Pradel, Brodhead, Fieseler, Furstenau, Hinterlong,  
Krause, Miller, Wehrli

**Nays:** None

**Absent:** Boyajian  
Motion declared carried.

- I1** Cash Disbursements – 1/19/2011 **CASH DISBURSEMENTS –  
1/19/11**  
Council moved to approve the January 19, 2011 cash disbursements in the amount of \$19,140,860.71.
- I2** Contract 09-143, Concrete Restoration Program **CONTRACT 09-143,  
CONCRETE  
RESTORATION  
PROGRAM**  
Council moved to approve the extension for option year one to Contract 09-143, Concrete Restoration Program, to Globe Construction Inc., for an amount not to exceed \$260,000.00 plus a 5% contingency.
- I3** Contract 08-125, Landscape Restoration **CONTRACT 08-125,  
LANDSCAPE  
RESTORATION**  
Council moved to approve the award of Option Year One to Contract 08-125, landscape restoration, to Pezza Landscape, Inc., extending the contract to April 30, 2011, for a contract amount not to exceed \$471,740.00, plus a 3% contingency.
- I4** Resolution No. 11-004, Intergovernmental Agreement with DuPage County for the operation of the regional Household Hazardous Waste Facility **RESOLUTION NO. 11-004,  
HOUSEHOLD  
HAZARDOUS WASTE  
FACILITY – DUPAGE  
COUNTY**  
Council moved to adopt Resolution No. 11-004, authorizing the City Manager to execute the Intergovernmental Agreement between the City of Naperville and DuPage County for the operation of the regional Household Hazardous Waste Facility.

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- I5**     Resolution No. 11-005, Intergovernmental Agreement with Will County for the operation of the regional Household Hazardous Waste Facility  
Council moved to adopt Resolution No. 11-005, authorizing the City Manager to execute the Intergovernmental Agreement between the City of Naperville and Will County for the operation of the regional Household Hazardous Waste Facility.
- I6**     Resolution No. 11-006, 608 S. Washington Street, ZBA Case #10-1-153  
Council moved to adopt Resolution No. 11-006, granting a variance from Section 5-4-5:2.5 (commercial signs, monument sign setback, front property line) of the Naperville Municipal Code to allow for the installation of a monument sign fronting a major arterial that is closer than ten feet from the front property line for the property located at 608 S. Washington Street.
- I7**     Resolution No. 11-007, Office Max North America, Inc., ZBA Case #10-1-154  
Council moved to adopt Resolution No. 11-007, granting a variance from Section 5-4-13:1 (Nonconforming Signs; Revision of Signage) of the Naperville Municipal Code to allow for the replacement of the face panels on an existing, nonconforming monument sign without bringing the sign into compliance with the current monument-sign regulations for the property located at 790 Royal St. George Drive.
- I8**     Ordinance No. 11-022, Comprehensive Automotive Repair, ZBA 10-1-156  
Schatz explained that all requirements of the variances must be adhered to and if the business does not comply there are legal remedies which the city will initiate.  
Council moved to pass Ordinance No. 11-022, granting a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) of the Naperville Municipal code to reduce the required number of parking stalls from 17 to 4 for the purposes of servicing of motor vehicles, ZBA 10-1-156.
- I9**     Ordinance No. 11-023, 515 Newport Drive, ZBA 10-1-157  
Council moved to pass Ordinance No. 11-023, approving a variance from Section 6-2-12 (fences) of the Naperville Municipal Code to increase the maximum height for a privacy fence in the required corner side yard setback at 515 Newport Drive, ZBA 10-1-157.
- I12**    Ordinance No. 11-024, Class S - Specialty Wine Shop to allow sale of Craft beer  
Council moved to waive first reading and pass Ordinance No. 11-024, amending Title 3 (Business and License Regulations), Chapter 3 (Liquor and tobacco Control), Section 1 (Definitions) and Section 11 (Liquor Licenses, Classification and Fees) of the Naperville Municipal Code.
- RESOLUTION NO. 11-005,  
HOUSEHOLD  
HAZARDOUS WASTE  
FACILITY – WILL  
COUNTY
- RESOLUTION NO. 11-006,  
608 S. WASHINGTON ST.,  
ZBA #10-1-153
- RESOLUTION NO. 11-007,  
OFFICE MAX NORTH  
AMERICA, INC., ZBA  
CASE #10-1-154
- ORDINANCE NO. 11-022,  
COMPREHENSIVE  
AUTOMOTIVE REPAIR,  
ZBA 10-1-156
- ORDINANCE NO. 11-023,  
515 NEWPORT DRIVE,  
ZBA 10-1-157
- ORDINANCE NO. 11-024,  
CLASS S – SPECIALTY  
WINE SHOP TO ALLOW  
SALE OF CRAFT BEER

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- I10**     Ordinance No. 11-025, Naperville Cemetery's Third Addition     ORDINANCE NO. 11-025,  
Schatz clarified that the Naperville Cemetery Association owns the     NAPERVILLE  
property immediately east of the Barn and North of Martin Avenue.     CEMETERY'S THIRD  
She said that the property located south of the barn (on the south side     ADDITION  
of Martin Avenue) is owned by the Naperville Park District. She also  
said that staff will follow up with the Council regarding the  
Cemetery Association's Master Plan for the subject property.  
Furstenau moved to pass Ordinance No. 11-025, approving a  
subdivision plat for the Naperville Cemetery's Third Addition.  
Second, Krause.  
**ROLL CALL:**  
**Ayes:**     Brodhead, Furstenau, Hinterlong, Krause, Pradel  
**Nays:**     Fieseler, Miller, Wehrli  
**Absent:**    Boyajian  
Motion declared carried.
- I11**     NSGI Customer Bill of Rights     NSGI CUSTOMER BILL OF  
Wehrli moved to table to February 15, 2011. Second, Miller.     RIGHTS  
**VOICE VOTE:**     Motion declared carried.
- I13**     Appointment to Transportation Advisory Board     TRANSPORTATION  
Kathy Benson, 51 Forest, disagreed with the notification process and     ADVISORY BOARD  
suggested that applicant information be included in the agenda  
packet.  
Council requested that resumes be attached to the agenda item so the  
public can learn of appointments and that mayoral appointments to  
boards and commissions be added to the upcoming Council Rules  
Workshop.  
Furstenau moved to approve the appointment of William Steven  
Collins and Marjorie McIntosh to the Transportation Advisory  
Board. Second, Krause.  
**ROLL CALL:**  
**Ayes:**     Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli,  
Pradel, Brodhead  
**Nays:**     None  
**Absent:**    Boyajian  
Motion declared carried.
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- J**     **OLD BUSINESS:**
- J1**     Ordinance No. 11-026, Zoning Board of Appeals and Plan     ORDINANCE NO. 11-026,  
Commission Duties, Responsibilities, and Processes     ZONING BOARD OF  
Council clarified that this will not put a burden on the Plan     APPEALS & PLAN  
Commission, that items will still be reviewed by Council, and that     COMMISSION DUTIES,  
the cost savings is one FTE or \$87,000.     RESPONSIBILITIES, AND  
PROCESSES
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- J1**      Ordinance No. 11-026, Zoning Board of Appeals and Plan Commission Duties, Responsibilities, and Processes Continued  
Wehrli moved to pass Ordinance No. 11-026, amending Title 2, 5, and 6 of the Naperville Municipal Code to eliminate the Zoning Board of Appeals and modify the powers, duties, and processes of the Planning and Zoning Commission. Second, Hinterlong.
- ROLL CALL:**  
**Ayes:**      Furstenuau, Hinterlong, Krause, Miller, Wehrli, Pradel, Brodhead  
**Nays:**      Fieseler  
**Absent:**     Boyajian  
Motion declared carried.
- J2**      B4 Downtown Core District  
Krieger explained that a letter was received from the Chamber of Commerce and that staff recommends tabling the item until the Downtown Naperville Alliance (DNA) and the Downtown Advisory Commission (DAC) can review and discuss the letter.
- Schatz gave a detailed explanation of the text amendment and stated that the recommendation in the agenda item is in the Downtown 2030 Plan which was approved by DAC. She said that the 2030 Plan was workshopped in November and is currently out for the required 60-day comment period.
- Miller moved to table to March 1, 2011 to allow further review by the Downtown Naperville Alliance (DNA) and the Downtown Advisory Commission (DAC). Second, Hinterlong.
- VOICE VOTE:**      Motion declared carried.
- K**      **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L**      **REPORTS AND RECOMMENDATIONS:**
- L1**      Regular City Council Meeting Minutes of January 18, 2011  
Miller moved to approve the Regular City Council Meeting Minutes of January 18, 2011. Second, Furstenuau.
- VOICE VOTE:**      Motion declared carried.
- L2**      City Council Meeting Schedule  
Furstenuau moved to approve the City Council Meeting Schedule for February, March and April 2011. Second, Miller.
- VOICE VOTE:**      Motion declared carried.
- L3**      Council Options in Response to Public Forum Concerns  
Wehrli moved to table to February 15, 2011. Second, Krause.
- VOICE VOTE:**      Motion declared carried.
- ORDINANCE NO. 11-026,  
ZONING BOARD OF  
APPEALS AND PLAN  
COMMISSION DUTIES,  
RESPONSIBILITIES, AND  
PROCESSES
- B4 DOWNTOWN CORE  
DISTRICT
- REGULAR CITY COUNCIL  
MEETING MINUTES OF  
JANUARY 18, 2011
- CITY COUNCIL MEETING  
SCHEDULE
- COUNCIL OPTIONS IN  
RESPONSE TO PUBLIC  
FORM CONCERNS
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**M PUBLIC HEARING:**

**N ORDINANCES AND RESOLUTIONS:**

**N1 Historic Preservation Revisions, PC 10-1-144**

**N1a First Reading of ordinance amending Historic Preservation, PC 10-1-144**

Miller moved to table to February 15, 2011. Second, Hinterlong.

**VOICE VOTE:** Motion declared carried.

**N1b Direction to staff regarding the Historic District designation process**

**N2 Resolution No. 11-008, 2011 City of Naperville Legislative Action Plan**

**RESOLUTION NO. 11-008,  
2011 LEGISLATIVE  
ACTION PLAN**

Wehrli moved to adopt Resolution No. 11-008, approving the 2011 City of Naperville Legislative Action Plan. Second, Brodhead.

**ROLL CALL:**

**Ayes:** Hinterlong, Krause, Miller, Wehrli, Pradel, Brodhead,  
Fieseler, Furstenuau

**Nays:** None

**Absent:** Boyajian  
Motion declared carried.

**O NEW BUSINESS:**

**P CLOSED SESSION:**

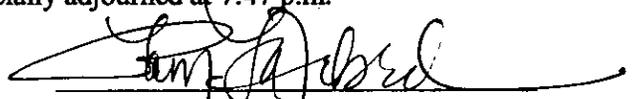
**Q ADJOURNMENT:**

**ADJOURNMENT – 7:47  
P.M.**

Wehrli moved to adjourn the Regular City Council meeting of February 1, 2011 at 7:47 p.m. Second, Miller.

**VOICE VOTE:** Motion declared carried.

The Regular City Council Meeting of February 1, 2011 officially adjourned at 7:47 p.m.

  
PAM LAFEBER PH.D.  
CITY CLERK

PL:BK

