



**CITY COUNCIL MEETING OF SEPTEMBER 2, 2014
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
September 16, 2014 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

- A** Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Doug Krause
Councilman Joe McElroy
Councilman Grant Wehrli
Councilman David Wentz

Absent

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Asst. to City Manager, Amy Emery-Graunke
City Prosecutor, Jill Pelka-Wilger
Asst. City Attorney, Mike DiSanto
City Clerk, Pam LaFeber
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Deputy Fire Chief, Rich Sander
Director of Finance, Rachel Mayer
T.E.D. Operations Manager, Allison Laff
T.E.D. Project Engineer, Jennifer Louden
Director of Public Works, Dick Dublinski
Director of Public Utilities, Electric, Mark Curran
Director of Public Utilities, Jim Holzapfel

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B **CLOSED SESSION:**

Chirico moved to recess to Closed Session to discuss 5 ILCS 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 or semi-annual review of the minutes as mandated by Section 2.06; (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; (5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussion whether a particular parcel should be acquired. Second, Wehrli.

ROLL CALL:

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

Nays: None
 Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.
CLOSED SESSION ADJOURNED AT 7:00 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, Hinterlong, Krause, McElroy, Wehrli,
 Wentz

Absent: Fieseler

Clerk's Note: Fieseler returned to the dais at 7:07 p.m.

C **PLEDGE TO THE FLAG:**

PLEDGE GIVEN

D **AWARDS AND RECOGNITIONS:**

Rena Calabrese, 3424 Breitweiser Lane, Naper Settlement, introduced herself as the Executive Director.

D1 Naperville CARES 15th Anniversary Celebration Day

McElroy proclaimed September 9, 2014 as Naperville CARES 15th Anniversary Celebration Day and presented the Proclamation to Janet Derrick, Naperville CARES Executive Director.

D2 Childhood Cancer Awareness Month

McElroy proclaimed September 2014 as Childhood Cancer Awareness Month and presented the Proclamation to Karen Russo, President and CEO of Light it Up Gold.

D3 National Hunger Action Month

McElroy proclaimed September 2014 as National Hunger Action Month and presented the Proclamation to Brandon Pettigrew, Northern Illinois Food Bank and Jody Bender, Loaves and Fishes.



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E PUBLIC FORUM:

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 items.
Second, Wehrli.

ROLL CALL:

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

Nays: None
Motion declared carried.

I1 Cash Disbursements 8/13/14

Council moved to approve the 8/13/14 cash disbursements in the amount of
\$18,764,076.06.

CASH DISBURSEMENTS --
8/13//14

I2 Regular City Council Minutes

Council moved to approve the Regular City Council Meeting Minutes of
August 19, 2014.

REGULAR CITY COUNCIL
MINUTES

I3 Procurement 15-094, Tandem Axle Sewer Cleaner Replacement

Council moved to approve the award of Procurement 15-094, tandem axle
sewer cleaner replacement, to Standard Equipment through a joint
purchasing contract with National Joint Powers Alliance (NJPA), Contract
#022014-FSC, for an amount not to exceed \$344,243.00.

PROCUREMENT 15-094,
TANDEM AXLE SEWER
CLEANER REPLACEMENT

I4 Procurement 15-096, SunGard Public Sector Software Maintenance

Council moved to approve the award of sole source Procurement 15-096,
SunGard public sector software maintenance and support to SunGard for
Public Administration (\$141,360.23) and public safety (\$190,437.26)
modules for a combined not to exceed amount of \$331,797.49.

PROCUREMENT 15-096,
SUNGARD PUBLIC
SECTOR SOFTWARE
MAINTENANCE

I5 FY 2016 Social Service Grant (SSG) Program

Council moved to approve the FY2016 special funding goals for the Social
Service Grant program.

FY 2016 SOCIAL SERVICE
GRANT (SSG) PROGRAM

I6 Ordinance No. 14-132, Iron Gate Motor Condos

Council moved to pass Ordinance No. 14-132, to approve variances to
Section 505.2.1, 1014.3 and 1021.2 of the International Building Code as
adopted by Title 5 of the Naperville Municipal Code, subject to certain
conditions.

ORDINANCE NO. 14-132
IRON GATE MOTOR
CONDOS

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- I7 Olesen Farm Subdivision, PZC 14-1-011
Council moved to table this item to September 16, 2014. OLESEN FARM
SUBDIVISION, PZC 14-1-011
- I8 Ordinance No. 14-133, Regency PUD Phase II, PZC 14-1-096
Council moved to pass Ordinance No. 14-133, approving a major change to
the Regency planned unit development (PUD), a revised final PUD plat and
associated parking and setback deviations in order to allow development of
a fitness/daycare facility (Naperville Sports Yard) and an office building in
the Regency Subdivision located at 1611 and 1635 Legacy Circle. ORDINANCE NO. 14-133,
REGENCY PUD PHASE II,
PZC 14-1-096
- 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 September,
October, and November 2014. Second, Wentz. CITY COUNCIL MEETING
SCHEDULE
VOICE VOTE: Motion declared carried.
Clerk's Note: Chirico recused himself due to a conflict of interest and left
the dais at 7:26 p.m.
- L2 Sale of puppies in pet stores
Dee Santucci, 24332 W. Turnberry Court, spoke in favor of an ordinance
banning the sale of puppy mill puppies in pet stores. SALE OF PUPPIES IN PET
STORES
Madison Smith, 825 Shiloh Circle, spoke in favor of an ordinance banning
the sale of puppy mill puppies in pet stores.
Kathleen Olchawa, 13148 Timber Trail #301, spoke in favor of an
ordinance banning the sale of puppy mill puppies in pet stores.
Sheri Oslick, 604 Elsa Court, spoke in favor of an ordinance banning the
sale of puppy mill puppies in pet stores.
Jayme McKellop, 1341 W. Fullerton, Suite 353, Chicago, discussed the
status and substance of HB 4056 and stated it should not discourage Council
from taking action.
Council discussed the Smoke Free Illinois initiative, how other
municipalities enforce ordinances, the appropriateness of placing conditions
on pet stores, and the application process to adopt from a rescue shelter.
Tracey Rees, 728 Benedetti Drive, spoke in favor of an ordinance banning
the sale of puppy mill puppies in pet stores.
Bryan W. Alaspa, 1503 Queensgreen, spoke in favor of an ordinance
banning the sale of puppy mill puppies in pet stores.
Chari Meyers, 1341 W. Fuller, Suite 353, Chicago, spoke in favor of an
ordinance banning the sale of puppy mill puppies in pet stores.
Richard P. Levitan, 2845 Stonewater Drive, spoke in favor of an ordinance
banning the sale of puppy mill puppies in pet stores.

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BREAK: 8:08 p.m.

Mayor Pradel called the meeting back to order at 8:14 p.m.

L2 Sale of puppies in pet stores Continued

SALE OF PUPPIES IN PET STORES

AdreAnne Tesene, 103 W. Jefferson Ave, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Dr. Patricia Wegner, 1117 Holly Court, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Eva Vanis, 1300 Melody Lane, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Taylor Barkley, 1038 Captains Lane, Wheeling, IL, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Marilyn Wileman, 1342 Crestwood Court, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Gail Diedrichsen, 533 N. Eagle Street, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Dominic Aveyard, 519 Bighorn Road, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Jonathan Berning, 437 Dilorenzo Drive, discussed the status of HB 4056 and the amendments.

Council discussed the definition of a puppy mill, the Pet Advocacy Task Force, and the rescue intake process at shelters.

Adam Stachowiak, 720 S. Route 59, discussed the definition of a puppy mill, USDA violations, switching sales models to rescue only, consumer protection, and pet disclosures.

Dianne Arp, 404 Northampton Court, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Anna Payton, 1620 W. Diehl Road, spoke in favor of an ordinance banning the sale of puppy mill puppies in pet stores.

Kurt Door, 1505 Wedgefield Circle, spoke against an ordinance banning the sale of puppy mill puppies in pet stores.

Council requested staff provide more detailed information on enforcement options and lawsuits filed in Phoenix, AZ; El Paso, TX; and Sunshine, FL.

Fieseler moved to table this item to October 7, 2014. Second, Wentz.

VOICE VOTE: Motion declared carried.

Clerk's Note: Chirico returned to the dais at 9:32 p.m.

M PUBLIC HEARINGS:

N ORDINANCES AND RESOLUTION:



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N1

Ordinance No. 14-134, Naperville Marathon

ORDINANCE NO. 14-134,
NAPERVILLE MARATHON

Krause moved to waive the first reading. Second, Wentz

VOICE VOTE: Motion declared carried.

Krause moved to pass Ordinance No. 14-134, amending Section 3-3-17 of the Naperville Municipal Code permitting liquor service beginning at 9:00 a.m. on the date of the Naperville Marathon. Second, Wentz.

ROLL CALL:

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

Nays: None
Motion declared carried.

N2

Ordinance No. 14-135, The Tap In Pub and Carvery

ORDINANCE NO. 14-135,
THE TAP IN PUB AND
CARVERY

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

VOICE VOTE: Motion declared carried.

Krause moved to pass Ordinance No. 14-135, amending Section 3-3-13:7.2 of the Naperville Municipal Code increasing the limit for late night permits not located in the downtown from thirty-eight (38) to thirty-nine (39). Second, Hinterlong

ROLL CALL:

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

Nays: None
Motion declared carried.

N3

Liquor Service Regulations

LIQUOR SERVICE
REGULATIONS

Roger McDonald, 1033 Petterson Court, spoke in favor of the additional regulations.

George Mendonca, 1751 Freedom Drive (Morton's), requested regulations be reviewed closely before applying them citywide.

Council discussed craft beer size, wine pour ounces, maximum single size serving of beer, the uniform application of regulations, and carving out restrictions for the downtown only.

Spencer Javorek, 1270 E. Chicago Ave (Pepe's Mexican Restaurant), asked a number of questions regarding the proposed regulations.

Jack Johnson, 1492 River Road, spoke against the additional regulations.

Council discussed changing the wine pour amount to 6 ounces, raising the cost of the Late Night Permit fee to \$1,000, and complaining witnesses failing to appear in court.

DiSanto said there is nothing codified to mandate witnesses to appear, however the city is working with the bars to have managers be the complaining witnesses.

First reading held.



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O NEW BUSINESS

O1 Recycling Carts

McElroy inquired about reducing the fee and the number of months residents pay for the recycling carts.

Dublinski stated that residents are currently charged \$3/month for 12 months starting October. He said that he will continue to partner with the Finance Department to explore ways to reduce the fee and/or payment period

P CLOSED SESSION:

Q ADJOURNMENT:

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of September 2, 2014 at 10:38 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of September 2, 2014 officially adjourned at 10:38 p.m.



PAM LA FEBER, PH.D.
CITY CLERK

PL:BK

