



**CITY COUNCIL MEETING OF MARCH 17, 2009
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
April 7, 2009 AS WRITTEN.**

CALL TO ORDER

6 00 P.M

A Mayor A George Pradel
Councilman James Boyajian
Councilman Joe Dunn
Councilman Robert Fieseler
Councilman Richard R Furstenu
Councilman Douglas Krause
Councilman Kenn Miller
Councilman John Rosanova
Councilman Grant Wehrli

Absent

Also Present

City Manager, Doug Krieger
Assistant City Manager, Robert Marshall
Records Management Team Leader, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Deputy Police Chief, Gary Bolt
Director of Public Utilities, Allan Poole
Director of Public Works, David Van Vooren
Director Mgmnt Svcs Business Group, Don Carlsen
Director of T E D Business Group, Marcie Schatz
T E D Operations Manager, Allison Laff
T E D Engineering Team Leader, Bill Novack
T E D Transportation Team Leader, Karyn Robles
T E D Development Team Leader, Dick Dublinski

Press

Chicago Sun Times, Daily Herald, Naperville Sun

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 2

B. CLOSED SESSION

Furstenau moved to recess to Closed Session to discuss 5ILCS/120/2(c)(1)(2)(3)(11) Second, Wehrli

ROLL CALL:

Ayes: Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller, Rosanova, Wehrli

Nays: None

Motion declared carried

THE MEETING RECESSED TO CLOSED SESSION AT 6:07 P.M.

CLOSED SESSION ENDED AT 7:03 P.M.

OPEN SESSION

MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:09 P.M.

ROLL CALL to determine Quorum:

Present: Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller, Rosanova, Wehrli

Absent: None

C. PLEDGE TO THE FLAG:

D AWARDS AND RECOGNITIONS:

D1 March Employee of the Month

Councilman Wehrli recognized Anastasia Urban as Employee of the Month for March

EMPLOYEE OF THE
MONTH - MARCH

E PUBLIC FORUM:

E1 Back Yard Flooding

Merna E Williams of 925 E Prairie showed pictures of her back yard, discussed the depth of the flooding and asked the Council for a remedy

Novack explained that a solution may be putting in a restrictor that would alleviate the overflow but a culvert would not work because there is not enough open space to store the water and it cannot be run directly to the river, and that improvements on Huffman Street are in no way responsible for these issues

E2 Storm water

Randy Baines of 420 S Wright Street showed pictures of his flooded back yard, stated that at some spots it was 2-3 feet deep, and that the infrastructure system needs improvements

E3 Flooding

Charlie Gauger of 417 S Columbia discussed how his lot has flooded twice recently, that in 40 years it has not been this bad, and that improvements are necessary

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 3

E4 Tear Down Noises and Flooding

John Drendel of 310 W 5th Avenue showed pictures of the 50' drainage pipe at a teardown house located at 509 Eagle and requested that it be rectified

E5 Flooding

Wendy Mouche 27W611 South Lane drew a graph of the DuPage River water level and that natural vegetation may affect some of the flooding issues

E6 Thank you Leaf Pick Up

Daniel Laung of 1058 Sylvan Circle said Huffman Street is a success for stormwater management but other areas in the city need improvement

Clerk's Note: Councilman Rosanova recused himself and left the dais at 8 19 p m

E7 Garden Plots

Elaine Fischer of 993 Sylvan Circle discussed flooding at the garden plots and stated that Council should consider this information during the garden plot reconfiguration deliberations

E8 Support of Option 1A

Dawn Dillon 1616 Harvard Avenue stated many organizations will benefit from Option 1A including the gardeners because of the flooding issues

E9 Garden Plots

Warren Gill of 844 Mobile Court stated that West Street did not flood because of the garden plots and requests that Council require the park district to submit the appropriate documents before consideration

E10 Garden Plots

Rod Randall of 956 Savannah Circle discussed where construction equipment will be placed and stated there are other solutions to the garden plot issue and that the Cemetery Board could play a role

Clerk's Note: Councilman Rosanova returned to the dais at 8 34 p m

E11 Maplebrook Traffic Issues

David Jung of 130 Waxwing Avenue urged Council to improve public safety during the construction project and stated injury statistics

E12 Maplebrook Traffic Issues

Melissa Agema of 212 W Bailey Road gave recent examples of where children have been endangered

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 4

- E13** Maplebrook
Jim Drago of 1557 Killdeer urged Council to improve public safety during the construction project
- E14** Maplebrook
Kern Forest of 1409 Lark Lane would like crossing guards during the construction project
- E15** Maplebrook Traffic Issues
Dawn Broderick of 117 Waxwing Avenue spoke about the safety of the children during the construction
- E16** Safety on our Streets in a School Zone Area
Vicente Lopez of 137 Waxwing stated that while they have seen increased police presence, they would like to see more
- E17** Safety at Olympus and 75th Street
Matt Allen of 221 Bay Colony discussed the safety of the right turn lane
- E18** 75th and Washington Traffic Issue
Diana Jung of 130 Waxwing Avenue spoke about how dangerous it is for the children at the crosswalk and that action needs to be taken now
- E19** Construction 75th and Washington
David Sinker of 21 Bunting Lane stated he was concerned about this intersection 4½ years ago and came before Council with those concerns
Krieger explained these concerns are a high priority and that staff will provide a list of immediate solutions to Council
Council asked if public safety officials can be immediately assigned to this area
Deputy Chief Bolt explained that officers have been working in this area, additional traffic monitoring devices have been installed, and more than 100 tickets were issued in one day
Schatz updated Council that the city is dealing with 2500 cars every peak hour, gave examples of how the city is addressing some of the residents' concerns, and discussed the planning process of this project
- E20** Central Park for Everyone
Don Wehrli of 219 S Ewing stated that the city is not heading in a positive direction for the expansion and beautification of Central Park
- E21** Curbs & Gutter on 500 Block of Julian Street
Timothy Faulkner of 579 S Julian Street stated that it has been seven years since the inception of the project and that it will now be ten more years before this area gets curbs and gutters

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 5

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

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

Miller moved to create an Omnibus Ordinance to approve the Consent Agenda Second, Boyajian

VOICE VOTE: Motion declared carried

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items I12, I15, I22, I23 Second, Boyajian

ROLL CALL:

Ayes: Pradel, Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller, Rosanova, Wehrli

Nays: None
Motion declared carried

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|--|---|
| <p>I1 <u>Cash Disbursements for February 18, 2009 in the amount of \$15,617,542 46</u></p> <p>Council moved to approve the cash disbursements for February 18, 2009 in the amount of \$15,617,542 46</p> | <p>CASH DISBURSEMENTS –
2/18/09</p> |
| <p>I2 <u>Regular City Council Meeting Minutes of March 3, 2009</u></p> <p>Council moved to approve the Regular City Council Meeting Minutes of March 3, 2009</p> | <p>REGULAR CITY COUNCIL
MEETING MINUTES –
3/3/09</p> |
| <p>I3 <u>Recommend award of Bid -09-161, Aerial Platform Truck and Digger Derrick Truck</u></p> <p>Council moved to approve the award of Bid 09-161, aerial platform truck and digger derrick truck, to Altec Industries for an amount not to exceed \$353,285 00</p> | <p>BID 09-161, AERIAL
PLATFORM TRUCK &
DIGGER DERRICK TRUCK</p> |
| <p>I4 <u>Recommend award of Procurement 09-185, Two Insulated Articulated 37' Aerial Platforms</u></p> <p>Council moved to approve the award of Procurement 09-185, two insulated articulated 37' aerial platforms, through the State of Illinois Joint Purchasing contract, to Landmark Ford for an amount not to exceed \$156,610 00</p> | <p>PROCUREMENT 09-185,
INSULATED
ARTICULATED 37'
AERIAL PLATFORMS</p> |
| <p>I5 <u>Recommend approval of Contract Extension 07-209, Landscape and Mowing, to Green Horizon, Inc , and Alaniz Landscape Group, Inc</u></p> <p>Council moved to approve the award of extension to Contract 07-209, landscape and mowing, to Green Horizon, Inc , for an amount not to exceed \$104,675 00 and to Alaniz Landscape Group, Inc for an amount not to exceed \$99,264 00 with a 5% contingency for both firms</p> | <p>CONTRACT 07-209,
LANDSCAPE & MOWING</p> |

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 6

- I16 Award of Bid 09-152, Pebblewood Substation Repairs BID 09-152,
PEBBLEWOOD
SUBSTATION
IMPROVEMENTS
Council moved to approve the award of Bid 09-152, Pebblewood
Substation Improvements, to Building Systems,, Inc for an amount
of \$127,780 00 plus a 5% contingency
- I17 Recommend the Sole Source award of Procurement 09-171, Storm
Sewer Inspection Vehicle PROCUREMENT 09-171,
STORM SEWER
INSPECTION VEHICLE
Council moved to approve the sole source award of Procurement 09-
171, storm sewer inspection vehicle to EJ Equipment for an amount
not to exceed \$148,214 00
- I18 Award of Bid 09-170, Bulk Magnesium Hydroxide BID 09-170, BULK
MAGNESIUM
HYDROXIDE
Council moved to approve the award of Bid 09-170, bulk magnesium
hydroxide to Clear 20 Inc , for an amount not to exceed \$112,800 00
- I19 Recommend award of Bid 09-112, 2009 Fiberized Crackfill Program BID 09-112, 2009
FIBERIZED CRACKFILL
PROGRAM
Council moved to approve the award of Bid 09-112, 2009 Fiberized
Crackfill Program, CIP MP003, to SKC Construction Inc for an
amount of \$391,485 60, plus a 5% contingency
- I110 Recommend award of Bid 09-113, 2009 Rubberized Crackfill
Program BID 09-113, 2009
RUBBERIZED CRACKFILL
PROGRAM
Council moved to approve the award of Bid 09-113, 2009
Rubberized Crackfill Program, CIP MP003, to SKC Construction,
Inc for an amount of \$70,389 00, plus a 5% contingency
- I111 Recommend award of Bid 09-114, 2009 Bituminous Patching
Program BID 09-114, 2009
BITUMINOUS PATCHING
PROGRAM
Council moved to approve the award of Bid 09-114, 2009
Bituminous Patching Program, CIP MP011, to Geneva Construction
Company for an amount of \$544,650 00, plus a 3% contingency
- I113 Ordinance No 09-025, 2009 Sidewalk and Curb Replacement
Program Ordinance ORDINANCE NO 09-025,
SIDEWALK & CURB
REPLACEMENT
PROGRAM
Council moved to pass Ordinance No 09-025, to implement the 2009
Sidewalk and Curb Replacement Program
- I114 Ordinance No 09-026, Prohibiting the Use of Groundwater Potable
Water Supply by the Installation or Use of Potable Water Supply
Wells or by any other method at Nike Sports Complex ORDINANCE NO 09-026,
POTABLE WATER, NIKE
SPORTS COMPLEX
Council moved to pass Ordinance No 09-026, providing for an
insitutional control prohibiting private wells for the Nike Sports
Complex property located at 288 W Diehl Road and 1560 and 1598
Mill Street

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 7

- I16** Ordinance No 09-027, Washington Street and 75th Street Intersection Improvements Variances from the DuPage Countywide Stormwater Ordinance
Council moved to pass Ordinance No 09-027, approving two variances from the DuPage Countywide Stormwater Ordinance for the Washington Street and 75th Street Intersection Improvement project
ORDINANCE NO 09-027, WASHINGTON ST & 75TH ST VARIANCES TO DUPAGE COUNTYWIDE STORMWATER ORDINANCE
- I17** SP Metrowest Lot 1 Resubdivision (Delta Dental), PC09-1-05
- I17a** Ordinance No 09-028, approving a preliminary/final plat of subdivision for SP Metrowest Lot 1 Resubdivision
Council moved to pass Ordinance No 09-028, approving a preliminary/final plat of subdivision for SP Metrowest Lot 1 Resubdivision, PC09-1-05
ORDINANCE NO 09-028, SP METROWEST LOT 1 RESUBDIVISION
- I17b** Resolution No 09-009, approving a variance from Section 5-4-5 (commercial signs), and a variance from Section 7-4-4 (land use) of the Naperville Municipal Code for Delta Dental
Council moved to adopt Resolution No 09-009, approving a variance from Section 5-4-5, and from Section 7-4-4 for Delta Dental, PC09-1-05
RESOLUTION NO 09-009, SP METROWEST LOT 1 RESUBDIVISION-VARIANCES
- I18** Ordinance No 09-029, Approval for Village of Riverton Membership Admission in Illinois Municipal Electric Agency (IMEA)
Council moved to pass Ordinance No 09-029, for Village of Riverton Membership Admission in Illinois Municipal Electric Agency (IMEA)
ORDINANCE NO 09-029, VILLAGE OF RIVERTON MEMBERSHIP ADMISSION - IMEA
- I19** Resolution No 09-010, Approving a Local Agency Agreement for Federal Participation with the Illinois Department of Transportation for DuPage River Trail Segment 4
Council moved to adopt Resolution No 09-010, approving a Local Agency Agreement for federal participation with the Illinois Department of Transportation for DuPage River Trail Segment 4
RESOLUTION NO 09-010, DUPAGE RIVER TRAIL SEGMENT 4
- I20** Ordinance No 09-030, to Establish Temporary Traffic Controls for the 2009 NCO Spring Ahead 5K an 10K Run on April 19, 2009
Council moved to pass Ordinance No 09-030, to establish temporary street closures and parking restrictions for the 2009 NCO Spring Ahead 5K & 10K Run and approve an amplifier extension for the event
ORDINANCE NO 09-030, 2009 NCO SPRING AHEAD 5K & 10K RUN
- I21** Resolution No 09-011, approving the Capital Improvement Program for the City of Naperville for the Fiscal Years 2010-2014
Council moved to adopt Resolution No 09-011, approving the Capital Improvement Program for the City of Naperville for the Fiscal Years 2010-2014
RESOLUTION NO 09-011, CAPITAL IMPROVEMENT PROGRAM – 2010-2014

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 8

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- I12** Schedule a public hearing for the FY10 Annual Operating Budget PUBLIC HEARING –
ANNUAL OPERATING
BUDGET
Council questioned what happens if the budget does not get passed
on April 21, 2009
Krieger explained that the budget can be passed on an interim basis
with the expectation it will be changed later in the year
Fieseler moved to schedule a public hearing for the FY 10 Annual
Operating Budget on April 8, 2009 Second, Krause
VOICE VOTE: Motion declared carried
- I15** Ordinance No 09-031, Recommend to Amend the Turning ORDINANCE NO 09-031,
Restrictions on Diehl Road at Naperville Road RIGHT TURNS - DIEHL
RD AT NAPERVILLE RD
Council questioned the policy of having two right lanes turn on red
Novack explained that staff does not support having both right lanes
turn on red instead only the right-hand lane is appropriate and
discussed the application of this policy at Freedom Drive
Fieseler moved to pass Ordinance No 09-031, to establish “no right
turns on red” from the inside “left” right turn lane and to permit
“right turns on red from the right lane only” for eastbound Diehl
Road at Naperville Road Second, Furstenau
ROLL CALL:
Ayes: Boyajian, Dunn, Fieseler, Furstenau, Krause, Miller,
Rosanova, Wehrli, Pradel
Nays: None
Motion declared carried
- I22** Liquor Ordinance revision related to the maximum serving size of LIQUOR CONTROL -
beer BEER
Fieseler moved to table the approval to April 8, 2009 and hold the
first reading on March 17, 2009 Second, Furstenau
VOICE VOTE: Motion declared carried
- I23** Liquor Ordinance Elimination of the Class T Corkage License, HERITAGE SOCIETY
establishment of the Class T – Heritage Society Cultural License, CULTURAL LICENSE-
and conditions for corkage CORKAGE
Fieseler moved to table the approval to April 8, 2009 and hold the
first reading on March 17, 2009 Second, Furstenau
VOICE VOTE: Motion declared carried
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- J** **OLD BUSINESS:**
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FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 9

K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE

K1 Recommend award of Bid 09-149, Traffic Signal and Combination Street Lighting Maintenance

BID 09-149, TRAFFIC
SIGNAL & COMBINATION
STREET LIGHTING
MAINTENANCE
CONTRACT

Boyajian moved to approve the award of Bid 09-149, traffic signal and combination street lighting maintenance contract, to Meade Electric in the amount not to exceed \$239,000 00 Second, Furstenau

ROLL CALL:

Ayes: Dunn, Fieseler, Furstenau, Krause, Miller, Rosanova, Wehrli, Pradel, Boyajian

Nays: None

Motion declared carried

K2 Recommend award of Bid 09-111, 2009 Road Reconstruction & Renovation Program

K2a Award of Bid 09-111, 2009 Road Reconstruction and Renovation Program, CIP MP009, to K-Five Construction Company for an amount of \$7,872,640 00, plus a 3% contingency

BID 09-111, 2009 ROAD
RECONSTRUCTION AND
RENOVATION PROGRAM,
CIP MP009

K2b Adopt the required Illinois Department of Transportation resolution in the amount of \$3,900,000 in order to allow the expenditure of State Motor Fuel Tax dollars in order to fully fund this project

IDOT RESOLUTION - 2009
ROAD
RECONSTRUCTION &
RENOVATION PROGRAM

Council questioned the number of cracks in newly paved streets

Novack explained that cracks typically appear along the longitudinal joint when an overlay is performed, more cracks are being seen this year because of the weather and extreme saturation, when staff is notified, they will investigate and ask the contractor to repair cracks when appropriate

Council discussed the price of sidewalk and curb replacement

Boyajian moved to award Bid 09-111, 2009 Road Reconstruction and Renovation Program, CIP MP009, to K-Five Construction Company for an amount of \$7,872,640 00, plus a 3% contingency and adopt the Illinois Department of Transportation Resolution in the amount of \$3,900,000 00 to allow the expenditure of State Motor Fuel Tax dollars to fully fund this project Second, Furstenau

ROLL CALL:

Ayes: Fieseler, Furstenau, Krause, Miller, Rosanova, Wehrli, Pradel, Boyajian, Dunn

Nays: None

Motion declared carried

FINAL AGENDA
CITY COUNCIL MEETING
MARCH 17, 2008
PAGE 10

L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Miller moved to approve the City Council Meeting Schedule for
March, April and May 2009 Second, Wehrli

VOICE VOTE: Motion declared carried

M PUBLIC HEARING:

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS:

P CLOSED SESSION:

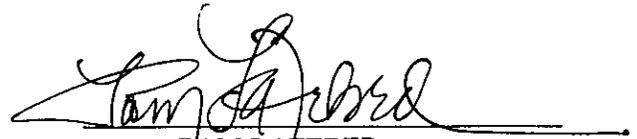
Q ADJOURNMENT:

ADJOURNMENT - 9 55
P M

Wehrli moved to adjourn the Regular City Council meeting of March
17, 2009 at 9 55 p m Second, Furstenau

VOICE VOTE: Motion declared carried

The Regular City Council Meeting of March 17, 2009 officially adjourned at 9 55 p m



PAM LAFEVER
CITY CLERK

PL BK

