



**CITY COUNCIL MEETING OF MAY 5, 2015  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
May 19, 2015 AS WRITTEN.**

**CALL TO ORDER:**

7:00 P.M.

- A** Mayor Steve Chirico  
Councilwoman Becky Anderson  
Councilwoman Judy Brodhead  
Councilman Kevin M. Coyne  
Councilman Kevin Gallaher  
Councilwoman Patricia A. Gustin  
Councilman Paul Hinterlong  
Councilman John J. Krummen  
Councilwoman Rebecca Boyd-Obarski

Absent

Also Present

Deputy City Manager, Marcie Schatz  
Legal Director, Jill Pelka-Wilger  
City Clerk, Pam LaFeber  
Communications Manager, Linda LaCloche  
Police Chief, Robert Marshall  
Deputy Fire Chief, Richard Sander  
Fire Chief, Mark Puknaitis  
Director of Finance, Rachel Mayer  
Director of Human Resources, James Sheehan  
Director of T.E.D., Bill Novack  
T.E.D. Operations Manager, Allison Laff  
Transportation Team Leader, Jennifer Loudon  
Building Facilities Manager, Steve Cope  
Director 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:**

**OPEN SESSION:**

**C**      **PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D**      **AWARDS AND RECOGNITIONS:**

**D1**      Advisory Commission on Disabilities High School Student Awards

Hinterlong presented the Advisory Commission on Disabilities High School Student Recognition Awards to students from Naperville Community Unit School District 203 and Indian Prairie School District 204.

ADVISORY COMMISSION  
ON DISABILITIES HIGH  
SCHOOL STUDENT  
AWARDS

**D2**      Letter Carriers' Food Drive Day

Anderson proclaimed May 9, 2015 as Letter Carriers' Food Drive Day and presented the Proclamation to Diane Ramonas, Donor Relations Officer at Loaves & Fishes Community Services.

LETTER CARRIERS' FOOD  
DRIVE DAY

**D3**      President's Volunteer Service Awards

Emergency Management Coordinator, Dan Nelson presented the President's Volunteer Service Awards to citizen volunteers.

PRESIDENT'S  
VOLUNTEER SERVICE  
AWARDS

**E**      **PUBLIC FORUM:**

**E1**      Ride DuPage/ParaTransit

Cindi Swanson (Naperville Resident) thanked the Council and staff for their support of the program.

**E2**      Police Dash Camera/Audio Incident

Michael Carpanzano (Joliet) discussed a traffic stop and what was captured on video and stated that portions of the audio are missing.

**E3**      Police Footage from Traffic Stop

Nadia Esmail (Naperville) questioned the need to repeatedly stop the same person for minor traffic violations.

**E4**      Police Dash Camera/Audio

Joe Carpanzano (Melrose Park) spoke in support of Basim Esmail

**E5**      Taxi v. Uber

George Brunk (Naperville) explained how the Uber private/rideshare program is negatively affecting his taxi business.

Wilger explained the State's licensing process for Uber and stated she will research potential solicitation violations and report back to Council.

LaFeber explained Naperville's licensing process.

Council discussed how Uber identifies it's drivers and what the customer experiences when an Uber car is reserved.

**E6**      Uber

Kenord Clarke (Naperville) explained how the Uber private/rideshare program is negatively affecting his taxi business.

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- E7**     Uber Naperville  
Jose M. Dominguez (Naperville) explained how the Uber private/rideshare program is negatively affecting his taxi business.
- E8**     No Insurance Uber/Extra Police Support/Discounted Taxi Rides  
Hank Hydell discussed cost of taxi insurance and made recommendations for additional police support and city subsidized taxi ride options.
- E9**     Basim Esmail Violations  
Todd Callaway (Naperville) spoke in support of Basim Esmail.
- E10**    Traffic Violation/Transcript  
Basim Esmail (Naperville) discussed his recent traffic violation.
- F**     **HOLDOVER ITEMS:**
- G**     **PETITIONS AND COMMUNICATIONS TO THE COUNCIL:**
- H**     **CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR REMAINING ITEMS:**  
Brodhead moved to use the Omnibus method to approve the Consent Agenda.  
Second, Hinterlong.  
**VOICE VOTE:**        Motion declared carried.
- I**     **CONSENT AGENDA:**  
Brodhead moved to approve the Consent Agenda items. Second, Gustin.  
**ROLL CALL:**  
**Ayes:**   Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski  
**Nays:**   None  
          Motion declared carried.
- I1**    Cash Disbursements 4/15/15  
Council moved to approve the 4/15/15 cash disbursements in the amount of \$14,008,546.19.
- I2**    Cash Disbursements = 4/16/15  
Council moved to approve the 4/16/15 cash disbursements in the amount of \$90,896.77.
- I3**    Cash Disbursements – 4/22/15  
Council moved to approve the 4/22/15 cash disbursements in the amount of \$2,071,818.48.
- I4**    Bid 15-187, Cross-Connection Control Testing Records Administrator  
Council moved to approve the award of Bid 15-187, cross-connection control testing records administrator, to BSI Online, for an amount not to exceed \$505,050.00 for the three year contract period, with an option to extend for an additional three year term.

CASH DISBURSEMENTS –  
4/15/15

CASH DISBURSEMENTS –  
4/16/15

CASH DISBURSEMENTS –  
4/22/15

BID 15-187, CROSS-  
CONNECTION CONTROL  
TESTING RECORDS  
ADMINISTRATOR



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**M1** Villas at Trafford Place – PZC 15-1-002

VILLAS AT TRAFFORD  
PLACE – PZC 15-1-002

**M1a** Public Hearing

PUBLIC HEARING

Anderson opened the public hearing at 8:16 p.m.

Gallaher moved to close the public hearing at 8:16 p.m. Second, Hinterlong.

**VOICE VOTE:** Motion declared carried.

Anderson moved to use the Omnibus method to approve items M1b-f.

Gallaher objected.

Motion fails for lack of a Second.

Council discussed the size of the parcel compared to the proposed development, the age-targeted plan, whether or not the development will foster a sense of community, the need for senior housing, access to arterial and collector streets, and the opportunity to wait and develop a strategic plan for the area.

Russ Whitaker (Naperville and attorney representing the Petitioner) explained that the request is for the annexation of the five-acre subject property into the City, rezoning of the property to TU (Transitional Use District) upon annexation, and approval of a preliminary plat of subdivision. The subject property is contiguous to property that is currently within the City and is eligible for annexation. He discussed the 9-0 recommendation by Planning and Zoning Commission (PZC) and the positive staff endorsement.

Vince Rosanova (Naperville and attorney representing the Petitioner) explained all resident meetings were positive; that the development complies with TU mandates and the comprehensive plan, it is less dense than what is required in the 75<sup>th</sup> Street Corridor study, and the cul-de-sacs meet all design standards.

Laff explained that the development is a good transition to the existing property, that new single family housing is not encouraged in the area, and that a school/park donation waiver would be appropriate for an age-targeted community.

Novack stated that the number of cul-de-sacs is appropriate for the parcel and that the variety of land uses isn't conducive to connectivity.

**M1b** Ordinance No. 15-067, Annexation agreement

ORDINANCE NO. 15-067,  
ANNEXATION  
AGREEMENT

Gustin moved to pass Ordinance No. 15-067, authorizing execution of the annexation agreement. Second, Coyne.

**ROLL CALL:**

**Ayes:** Anderson, Brodhead, Coyne, Gustin, Hinterlong, Krummen,  
Obarski

**Nays:** Gallaher

**Recuse:** Chirico

Motion declared carried.



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**M1c** Ordinance No. 15-068, Annexing 8S454 and 8S474 College Road

Gallaher moved to waive first reading of the ordinance annexing the subject property located at 8S454 and 8S474 College Road. Second, Gustin.

**ROLL CALL:**

**Ayes:** Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski, Anderson

**Nays:** None

**Recuse:** Chirico  
Motion declared carried.

Brodhead moved to pass Ordinance No. 15-068 annexing the subject property located at 8S454 and 8S474 College Road. Second, Hinterlong.

**ROLL CALL:**

**Ayes:** Coyne, Gustin, Hinterlong, Krummen, Obarski, Anderson, Brodhead

**Nays:** Gallaher

**Recuse:** Chirico  
Motion declared carried.

ORDINANCE NO. 15-068,  
ANNEXING 8S454 AND  
8S474 COLLEGE ROAD

**M1d** Ordinance No. 15-069, Rezoning property to TU

Brodhead moved to pass Ordinance No. 15-069, rezoning the subject property to TU (transitional use district) upon annexation. Second, Hinterlong.

**ROLL CALL:**

**Ayes:** Gustin, Hinterlong, Krummen, Obarski, Anderson, Brodhead, Coyne

**Nays:** Gallaher

**Recuse:** Chirico  
Motion declared carried.

ORDINANCE NO. 15-069,  
REZONING PROPERTY TO  
TU

**M1e** Ordinance No. 15-070, Preliminary plat of Subdivision

Brodhead moved to pass Ordinance No. 15-070, approving the preliminary plat of subdivision for The Villas at Trafford Place. Second, Hinterlong.

**ROLL CALL:**

**Ayes:** Gustin, Hinterlong, Krummen, Obarski, Anderson, Brodhead, Coyne

**Nays:** Gallaher

**Recuse:** Chirico  
Motion declared carried.

ORDINANCE NO. 15-070,  
PRELIMINARY PLAT OF  
SUBDIVISION

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**M1f**     Resolution No. 15-015, Intergovernmental Agreement – Lisle Township  
Brodhead moved to adopt Resolution No. 15-015, approving the intergovernmental agreement between Lisle Township and the City of Naperville for the future maintenance of a section of College Road south of 75<sup>th</sup> Street in unincorporated DuPage County, Illinois. Second, Hinterlong.

RESOLUTION NO. 15-015,  
INTERGOVERNMENTAL  
AGREEMENT – LISLE  
TOWNSHIP

**ROLL CALL:**

**Ayes:**       Hinterlong, Krummen, Obarski, Anderson, Brodhead, Coyne,  
                  Gallaher, Gustin

**Nays:**       None

**Recuse:**     Chirico

Motion declared carried.

**Clerk's Note:** Chirico returned to the dais at 8:48 p.m.

**M2**       Van Someren's Place, PZC 15-1-012

VAN SOMEREN'S PLACE,  
PZC 15-1-012

**M2a**     Public Hearing

Chirico opened the public hearing at 8:48 p.m.

Hinterlong moved to close the public hearing at 8:49 p.m. Second, Gustin.

**VOICE VOTE:**       Motion declared carried.

**M2b**     Ordinance No. 15-071, annexation agreement

Hinterlong moved to pass Ordinance No. 15-071, authorizing execution of the annexation agreement. Second, Gallaher.

ORDINANCE NO. 15-071,  
ANNEXATION  
AGREEMENT

**ROLL CALL:**

**Ayes:**       Krummen, Obarski, Chirico, Anderson, Brodhead, Coyne,  
                  Gallaher, Gustin, Hinterlong

**Nays:**       None

Motion declared carried.

**M2c**     Ordinance No. 15-072, annexing 727 S. Julian Street

Hinterlong moved to waive first reading and pass Ordinance No. 15-072, annexing the subject property located at 727 S. Julian Street. Second, Gustin.

ORDINANCE NO-072,  
ANNEXING 727 S. JULIAN  
ST.

**ROLL CALL:**

**Ayes:**       Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin,  
                  Hinterlong, Krummen

**Nays:**       None

Motion declared carried.

**M2d**     Ordinance No. 15-073, rezoning property to R1a

Hinterlong moved to pass Ordinance No. 15-073, rezoning the subject property to R1a (low density single-family residence district) upon annexation. Second, Anderson.

ORDINANCE NO. 15-073,  
REZONING PROPERTY TO  
R1A

**ROLL CALL:**

**Ayes:**       Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin,  
                  Hinterlong, Krummen, Obarski

**Nays:**       None

Motion declared carried.

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- M2e** Ordinance No. 15-074, preliminary/final plat of subdivision  
Hinterlong moved to pass Ordinance No. 15-074, approving the preliminary/final plat of subdivision for Van Someren's Place. Second, Gustin.  
**ROLL CALL:**  
**Ayes:** Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski, Chirico  
**Nays:** None  
Motion declared carried.
- M2f** Ordinance No. 15-075, platted setback deviation  
Hinterlong moved to pass Ordinance No. 15-075, granting a platted setback deviation to permit a circular driveway to be located 30' from the front property line based on the provisions contained in Section 7-1-13 (platted setbacks and building lines) of the Municipal Code subject to the conditions noted in the ordinance). Second, Anderson.  
**ROLL CALL:**  
**Ayes:** Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski, Chirico, Anderson  
**Nays:** None  
Motion declared carried.
- M3** Park's Edge, PZC 14-1-117
- M3a** Public Hearing  
Chirico moved to open the public hearing at 8:51 p.m.  
Hinterlong moved to close the public hearing at 8:52 p.m. Second, Gallaher.  
**VOICE VOTE:** Motion declared carried.  
Council discussed tree removal on the property.  
Novack explained how the removal violated the City's ordinance, replacement trees and how violations are fined.  
Hinterlong moved to use the Omnibus method to approve M3b-e.  
Gallaher objected and stated that he would be voting no.
- M3b** Ordinance No. 15-076, first amendment to the annexation agreement  
Council discussed holding the developer accountable, phasing in of remedial measures, stricter surety control, and LEED certification.  
Laff explained that the trees must be planted before a final building permit can be issued and an amendment could be made that would specify the tree location and planting schedule.
- ORDINANCE NO. 15-074,  
PRELIMINARY/FINAL  
PLAT OF SUBDIVISION
- ORDINANCE NO. 15-075,  
PLATTED SETBACK  
DEVIATION
- PARK'S EDGE, PZC 14-1-  
117
- PUBLIC HEARING
- ORDINANCE NO. 15-076,  
FIRST AMENDMENT TO  
THE ANNEXATION  
AGREEMENT



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**M3b**     Ordinance No. 15-076, first amendment to the annexation agreement  
**Continued**

ORDINANCE NO. 15-076,  
FIRST AMENDMENT TO  
THE ANNEXATION  
AGREEMENT

Russ Whitaker (Naperville and attorney representing the Petitioner) explained that the LEED certification of the proposed duplexes has been revised to the minimum certification threshold for LEED, that the Petitioner is not seeking official LEED certification for the project, and that he will provide third party verification from a LEED Accredited Professional. He concluded that this will save the significant money and time and stated that the City may withhold building permits or occupancy for failure to comply with the LEED requirement.

Whitaker also explained revised language for Sections S11.1.1(a) and (b) that has been agreed to by the parties.

Hinterlong moved to pass Ordinance No. 15-076, authorizing execution of the first amendment to the annexation agreement. Second, Obarski.

Brodhead made a Motion in Substitution to pass Ordinance No. 15-076 authorizing execution of the first amendment to the annexation agreement with the revised language to Sections S11.1.1(a) and (b) that has been agreed to by the parties. Second, Obarski

**ROLL CALL:**

**Ayes:**        Coyne, Hinterlong, Krummen, Obarski, Chirico, Brodhead

**Nays:**        Gallaher, Gustin, Anderson

Motion declared carried.

**M3c**     Ordinance No. 15-077, final planned unit development (PUD)

ORDINANCE NO. 15-077,  
FINAL PLANNED UNIT  
DEVELOPMENT (PUD)

Hinterlong moved to pass Ordinance No. 15-077, approving the final planned unit development (PUD) for Park's Edge. Second, Brodhead.

**ROLL CALL:**

**Ayes:**        Gallaher, Hinterlong, Krummen, Obarski, Chirico, Brodhead,  
Coyne

**Nays:**        Gustin, Anderson

Motion declared carried.

**M3d**     Ordinance No. 15-078, final plat of subdivision (OAA) for Park's Edge

ORDINANCE NO. 15-078,  
FINAL PLAT OF  
SUBDIVISION (OAA) FOR  
PARK'S EDGE

Hinterlong moved to pass Ordinance No. 15-078, approving the final plat of subdivision and the Owner's Acceptance and Acknowledgement (OAA) for Park's Edge. Second, Brodhead.

**ROLL CALL:**

**Ayes:**        Gustin, Hinterlong, Krummen, Obarski, Chirico, Anderson,  
Brodhead, Coyne, Gallaher

**Nays:**        None

Motion declared carried.

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**M3e** Ordinance No. 15-079, Plat of Dedication

ORDINANCE NO. 15-079,  
PLAT OF DEDICATION

Hinterlong moved to pass Ordinance No. 15-079, approving the Plat of Dedication. Second, Brodhead.

**ROLL CALL:**

**Ayes:** Hinterlong, Krummen, Obarski, Chirico, Anderson, Brodhead,  
Coyne, Gallaher, Gustin

**Nays:** None  
Motion declared carried.

**N** **ORDINANCES AND RESOLUTION:**

**O** **NEW BUSINESS**

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

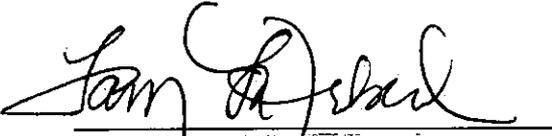
**Q** **ADJOURNMENT:**

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of May 5, 2015 at 9:40 p.m. Second, Obarski

**VOICE VOTE:** Motion declared carried.

The Regular City Council Meeting of May 5, 2015 officially adjourned at 9:40 p.m.

  
PAM LA FEBER  
CITY CLERK

PL:bk

