



**CITY COUNCIL MEETING OF JUNE 21, 2016
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
July 19, 2016 AS WRITTEN.**

CALL TO ORDER:

6:31 P.M.

- A** Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judith 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
City Attorney, Jill Pelka-Wilger
Senior Assistant City Attorney, Pat Lord
City Clerk, Pam Gallahue
Communications Manager, Linda LaCloche
Fire Chief, Mark Puknaitis
Deputy Fire Chief, Richard Sander
Police Chief, Robert Marshall
Director of Finance, Rachel Mayer
Director of Human Resources, James Sheehan
Director of IT, Jeff Anderson
Director of TED, Bill Novack
Deputy Director of TED, Jennifer Loudon
Deputy Director of TED, Allison Laff
Director of Public Utilities – Electric, Mark Curran
Director of Public Utilities – Water, Jim Holzapfel
Director of Public Works, Dick Dublinski

Press

Chicago Sun Times, Daily Herald, Naperville Sun, NCTV-17

B ROLL CALL:

A handwritten signature in black ink, appearing to be the initials 'SJC' followed by a flourish.

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C CLOSED SESSION:

Obarski moved to recess to Closed Session to discuss **5 ILCS 120/2(C)(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; **(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, Gustin.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski
Nays: None
Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:35 P.M.
CLOSED SESSION ADJOURNED AT 6:54 P.M.**

D ROLL CALL:

Mayor Chirico called the meeting back to order at 7:00 p.m.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski
Nays: None
Motion declared carried.

E PLEDGE TO THE FLAG:

PLEDGE GIVEN

F AWARDS AND RECOGNITIONS:

F1 Volunteer Service Awards

VOLUNTEER SERVICE AWARDS

Dan Nelson, Emergency Management Coordinator, presented the President's Volunteer Service Award to citizen volunteers serving police, fire and emergency management.

F2 Hinterlong presented a Proclamation to Paul Loscheider, VP for Business Affairs at North Central College, for his years of service and upcoming retirement.

G PUBLIC FORUM:

G1 The Millennials

Keith Klingeman, Naperville, discussed campaign financing laws and voting.

G2 Changes to the Fair Housing Code

Dee Huie, Naperville, discussed proposed changes that will come before Council for review.

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

Brodhead moved to use the Omnibus method to approve the Consent Agenda. Second, Obarski.

VOICE VOTE: Motion declared carried.



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1 CONSENT AGENDA:

Brodhead moved to approve the Consent Agenda with the exception of items I3, I4, I17, I18, and I28. Second, Obarski.

ROLL CALL:

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

Nays: None
Motion declared carried.

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| <p>I1 <u>Cash Disbursements</u> Council approved the 5/4/16 thru 5/27/16 cash disbursements in the amount of \$19,441,156.00.</p> | <p>CASH DISBURSEMENTS</p> |
| <p>I2 <u>Regular City Council Minutes</u> Council approved the Regular City Council Meeting Minutes of June 7, 2016.</p> | <p>REGULAR CITY COUNCIL MINUTES</p> |
| <p>I5 <u>Contract 16-041, Aggregate</u> Council approved the award of option year one to Contract 16-041, aggregate, to Nagel Trucking & Materials, Inc. for an amount not to exceed \$199,729.21.</p> | <p>CONTRACT 16-041, AGGREGATE</p> |
| <p>I6 <u>Procurement 16-249, GIS Database Maintenance</u> Council approved the award of sole source procurement 16-249, GIS database maintenance, to ESRI, Inc. for an amount not to exceed \$300,000.00 for the three year contract term.</p> | <p>PROCUREMENT 16-249, GIS DATABASE MAINTENANCE</p> |
| <p>I7 <u>Bid 16-226, Rehabilitation of Emergency Standby Wells</u> Council approved the award of Bid 16-226, rehabilitation of emergency standby deep wells Nos. 24 and 31, to Layne Christensen Co. for an amount not to exceed \$469,449.00 plus a 5% contingency.</p> | <p>BID 16-226, REHABILITATION OF EMERGENCY STANDBY WELLS</p> |
| <p>I8 <u>Bid 16-223, 34.5 kV Substation Protection Upgrade Materials</u> Council approved the award of Bid 16-223, 34.5 kV substation protection upgrade materials to Schweitzer Engineering Labs, Inc. for an amount not to exceed \$100,836.00.</p> | <p>BID 16-223, 34.5 KV SUBSTATION PROTECTION UPGRADE MATERIALS</p> |
| <p>I9 <u>Contract 14-042, Fuel</u> Council approved the award of option year 3 to Contract 14-042, fuel, to Luke Oil in an amount not to exceed \$936,000.00.</p> | <p>CONTRACT 14-042, FUEL</p> |
| <p>I10 <u>Contract 06-106, Microsoft Office Enterprise Agreement</u> Council approved the award of Change Order #1 to the third three-year extension to Contract 06-106, Microsoft Office Enterprise Agreement, to CDW-G, through a State of Illinois Cooperative contract, for an amount not to exceed \$25,000.00 and a total amount not to exceed \$1,050,938.56.</p> | <p>CONTRACT 06-106, MICROSOFT OFFICE ENTERPRISE AGREEMENT</p> |
| <p>I11 <u>Reappointment to the Financial Advisory Board</u> Council approved the Mayoral reappointment of Charles Millington, Patrick Gannon and Michael Wik to the Financial Advisory Board.</p> | <p>REAPPOINTMENT TO THE FINANCIAL ADVISORY BOARD</p> |



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- I12** White Eagle Homeowners Association Fireworks Display
Council approved the White Eagle Homeowners Association's permit request to hold a fireworks display on June 25, 2016.
- I13** RibFest 2016 Fireworks Display
Council approved Exchange Club of Naperville's permit request to hold a fireworks display on July 4, 2016.
- I14** 2017-2022 Surface Transportation Program (STP)
Council approved the following project applications for Federal Surface Transportation Program (STP) funding for: North Aurora Road underpass at the CN Railroad (CIP-BR005) and local agency functional overlay (LAFO) projects as staff determines.
- I15** Ashwood Park South Unit 3, Phase 2 and Phase 3
Council accepted the public underground and street light improvements in Ashwood Park South Unit 3, Phase 2 and Phase 3 and authorize the City Clerk to reduce the corresponding public improvement surety.
- I16** Ordinance No. 16-080, Ascertainning Prevailing Wages
Council passed Ordinance No. 16-080, ascertainning prevailing wages in the City of Naperville.
- 9** Ordinance No. 16-081, Pet Grooming & Training, PZC 16-1-052
Council passed Ordinance No. 16-081, amending Title 6 (zoning regulations), Chapter 1 (definitions), Chapter 7 (business districts) defining pet grooming and training establishments and establishing pet grooming and training establishments as a permitted service use in the B1 (neighborhood convenience shipping center district), B2 (community shopping center district), B3 (general commercial district), and OCI (office, commercial and institutional) zoning districts, PZC 16-1-052.
- I20** Ordinance No. 16-082, Downtown Naperville Vintage Emergency Vehicle Show
Council passed Ordinance No. 16-082, to establish temporary street closures and issue a Special Event permit for the Downtown Naperville Vintage Emergency Vehicle Show to be held on Sunday, August 7, 2016.
- I21** Ordinance No. 16-083, 2016 Naperville Sprint Triathlon
Council passed Ordinance No. 16-083, establishing the temporary traffic controls and issue a Special Event permit and amplifier permit for the Naperville Sprint Triathlon on Sunday, August 7, 2016.
- I22** Suburban Gastroenterology, PZC 16-01-015
- I22a** Ordinance No. 16-084, rezoning 1243 Rickert Drive
Council passed Ordinance No. 16-084, rezoning the subject property located at 1243 Rickert Drive from R3 (medium density multiple-family residence district) PUD to OCI (office, commercial and institutional district), PZC 16-01-015.



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| I22b | <u>Ordinance No. 16-085, revocation of the planned unit development</u> Council passed Ordinance No. 16-085, approving the revocation of the planned unit development on the subject property as it relates to Lot 1 of the Town Square Subdivision, PZC 16-01-015. | ORDINANCE NO. 16-085, REVOCATION OF THE PLANNED UNIT DEVELOPMENT |
| I23 | <u>Ordinance No. 16-086, Water Street Parking Overflow Agreement</u> Council passed Ordinance No. 16-086, authorizing the City Manager to execute the Parking Overflow Agreement for the Water Street District. | ORDINANCE NO. 16-086, WATER STREET PARKING OVERFLOW AGREEMENT |
| I24 | <u>Resolution No. 16-017, Intergovernmental Fuel Agreement-Naperville Park District</u> Council adopted Resolution No. 16-017, authorizing the City Manager to execute the Intergovernmental Fuel Agreement between the City of Naperville and the Naperville Park District. | RESOLUTION NO. 16-017, INTERGOVERNMENTAL FUEL AGREEMENT- NAPERVILLE PARK DISTRICT |
| I25 | <u>Ordinance No. 16-087, White Eagle Drive-U-Turn Restriction</u> Council waived the first reading and passed Ordinance No. 16-087, to establish a U-turn prohibition on White Eagle Drive at the intersection of Fawn Lake Circle (north). | ORDINANCE NO. 16-087, WHITE EAGLE DRIVE-U- TURN RESTRICTION |
| I26 | <u>Resolution No. 16-018, Ride DuPage to Work 5310 Enhanced Mobility</u> Council adopted Resolution No. 16-018, authorizing the City Manager to submit an application to the Regional Transportation Authority requesting a continuation of federal funding for the Ride DuPage to Work Program. | RESOLUTION NO. 16-018, RIDE DUPAGE TO WORK 5310 ENHANCED MOBILITY |
| I27 | <u>Resolution No. 16-019, Fiber Optic Service – Naperville Park District</u> Council adopted Resolution No. 16-019, approving the first amendment to the intergovernmental agreement between the Naperville Park District and the City of Naperville for installation and provision of fiber optic service to certain Park District facilities. | RESOLUTION NO. 16-019, FIBER OPTIC SERVICE – NAPERVILLE PARK DISTRICT |
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| I3 | <u>Procurement 16-213, Air Burner, Refractory Lined Firebox</u> Council discussed the public burn notices, benefits of removing wet leaves from the storm sewers, ash generation, fuel consumption, tree removal process, and how weather will affect operations. Dublinski explained the current six week program, the annual collection of 52,000 cubic yards of leaves, and the transport of the leaves to local farms throughout the area. He stated that leaf disposal has become more challenging due to scarcity of farmland and weather. This requires to be trucked to farms further away at a higher cost to the City and as farmland becomes saturated with rain heavy trucks cannot access the sites to dispose of the leaves. He explained untimely disposal can become problematic because storing leaves is regulated by the Illinois Environmental Protection Agency (IEPA). Dublinski explained the proposed solution of an Air Burner firebox which is a portable self-contained unit providing the most environmentally friendly method for reducing vegetative waste and has been approved by the US Forest Service, Department of the Interior, Department of Energy and US Military. It is expected that the Air Burner firebox will dispose of 50% to 80% of leaves collected annually. The remaining leaves will be disposed of at area farms. | PROCUREMENT 16-213, AIR BURNER, REFRACTORY LINED FIREBOX |
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13 Procurement 16-213, Air Burner, Refractory Lined Firebox Continued

PROCUREMENT 16-213,
AIR BURNER,
REFRACTORY LINED
FIREBOX

Krummen moved to approve the award of Procurement 16-213, air burner 2016 Model S-327 refractory lined firebox, to Air Burners Inc., through the National IPA Cooperative Contract #141003, for an amount not to exceed \$155,034.30. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

14 Procurement #16-247, Horton Ambulance

PROCUREMENT #16-247,
HORTON AMBULANCE

Mayer explained reasons why leasing is preferred for certain vehicles over a purchasing option and discussed preventative maintenance and employee skill levels.

Anderson moved to approve the award of Procurement #16-247, Horton ambulance with cab and chassis, to Foster Coach Sales, through Suburban Purchasing Cooperative Contract #133, for a total amount of \$247,190.00. Second, Gustin.

ROLL CALL:

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

Nays: None
 Motion declared carried.

117 Ordinance No. 16-088, 989 Oswego Road, PZC 16-1-057

ORDINANCE NO. 16-088,
989 OSWEGO ROAD, PZC
16-1-057

Council discussed the application, the appropriateness of expanding an existing non-conforming use, how the proposal conforms to other structures on the property, and the Plan Commission review process.

Laff explained the proposal does not conflict with surrounding area.

Len Monson, Petitioner's Attorney, discussed the plans and stated the new enclosure will not exceed the height of the roof.

Obarski moved to pass Ordinance No. 16-088, approving a deviation to the Devonshire Unit 1 PUD to reduce the required interior and rear yards at 989 Oswego Road in order to enclose an existing deck, PZC 16-1-057. Second, Hinterlong.

ROLL CALL:

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

Nays: Obarski
 Motion declared carried.

118 Ordinance No. 16-089, 827 N. Washington Street, PZC 16-1-068

ORDINANCE NO. 16-089,
827 N. WASHINGTON
STREET, PZC 16-1-068

Matt Goodman, Petitioner's Attorney, discussed service hours, the difference between the services of nearby properties, and parking needs.

Council discussed shared parking arrangements, parking availability, competitive events, and traffic flow.



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- 118** Ordinance No. 16-089, 827 N. Washington Street, PZC 16-1-068 **Continued** ORDINANCE NO. 16-089,
Anderson moved to pass Ordinance No. 16-089, approving a variance from 827 N. WASHINGTON
Section 6-9-3 (schedule of off-street parking requirements) of the Municipal Code STREET, PZC 16-1-068
to reduce the number of required off-street parking spaces for the property located
at 827 N. Washington Street, PZC 16-1-068. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

- 128** Ordinance No. 16-090, Special Service Area No. 29 ORDINANCE NO. 16-090,
Novack explained stormwater drainage, construction, and the lack of regional SPECIAL SERVICE AREA
stormwater concerns. NO. 29

Krummen moved to pass Ordinance No. 16-090, establishing Special Service Area
No. 29 to provide back-up funding for the Atwater Conservation Easement and
multi-purpose trail. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

J PUBLIC HEARINGS:

- J1** 2015 CDBG Comprehensive Annual Performance and Evaluation Report 2015 CDBG
(CAPER) COMPREHENSIVE
ANNUAL PERFORMANCE
AND EVALUATION
REPORT (CAPER)

- J1a** Public Hearing
Chirico opened the public hearing at 8:17 p.m.
Hinterlong moved to close the public hearing at 8:17 p.m. Second, Gallaher.
VOICE VOTE: Motion declared carried.

- J1b** Accept the 2015 CDBG CAPER ACCEPT THE 2015 CDBG
Hinterlong moved to accept the 2015 CDBG Comprehensive Annual Performance CAPER
and Evaluation Report. Second, Gallaher.

ROLL CALL:

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

Nays: None
 Motion declared carried.

OLD BUSINESS:

L ORDINANCES AND RESOLUTIONS:



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L1 Submission of Public Referenda Questions on Townships

SUBMISSION OF PUBLIC
REFERENDA QUESTIONS
ON TOWNSHIPS

L1a Resolution No. 16-020, Shared Roadway Services with Naperville Township Road District

RESOLUTION NO. 16-020,
SHARED ROADWAY
SERVICES WITH
NAPERVILLE TOWNSHIP
ROAD DISTRICT

Coyne moved to adopt Resolution No. 16-020, initiating the submission of a public referenda question "Should the City of Naperville and the Naperville Township Road District enter into an agreement for combined roadway services as proposed by the Naperville City Council on June 7, 2016 in order to reduce the real estate tax burden on all Naperville Township taxpayers?" Second, Obarski.

ROLL CALL:

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

Nays: None

Motion declared carried.

L1b Resolution No. 16-021, Abolishing townships within the City of Naperville

RESOLUTION NO. 16-021,
ABOLISHING TOWNSHIPS
WITHIN THE CITY OF
NAPERVILLE

Coyne moved to adopt Resolution No. 16-021, initiating the submission of a public referenda question "Should a township government be abolished in the City of Naperville when efficiencies and savings in delivery of township services can be demonstrated by either the City of Naperville or another governmental body performing the same services?" Second, Obarski.

ROLL CALL:

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

Nays: None

Motion declared carried.

Clerk's Note: Anderson recused herself from the dais at 8:27 p.m. due to a conflict of interest.

L2 Ordinance No. 16-091, Harry Potter Book Reveal Party

ORDINANCE NO. 16-091,
HARRY POTTER BOOK
REVEAL PARTY

Council discussed SECA Grant fund recipients, the application process, and how scope change requests are approved.

Gallahue explained that the Harry Potter Book Reveal was made known after the SECA Grant application cycle closed and a portion of the award from the DNA New Year's Eve event would fund the one-time book reveal party.

Brodhead moved to pass Ordinance No. 16-091, establishing temporary traffic controls for the Harry Potter Book Reveal Party and issue a Special Event permit for the event. Second, Obarski.

ROLL CALL:

Ayes: Chirico, Brodhead, Coyne, Gallaher, Obarski

Nays: Gustin, Hinterlong, Krummen

Recused: Anderson

Motion declared carried.

Clerk's Note: Anderson returned to the dais at 8:49 p.m.



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BREAK: 8:50 P.M.
Mayor Chirico called the meeting back to order at 8:59 p.m.

L3 Ordinance No. 16-092, Historic Preservation Commission

**ORDINANCE NO. 16-092,
HISTORIC PRESERVATION
COMMISSION**

Hinterlong moved to pass Ordinance No. 16-092, amending Section 15 (historic preservation commission: membership) of Title 2 (boards and commissions) of the Naperville Municipal Code pertaining to HPC membership requirements. Second, Krummen.

ROLL CALL:

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

Nays: None

Motion declared carried.

M AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

M1 Procurement 16-244, cable injection services

**PROCUREMENT 16-244,
CABLE INJECTION
SERVICES**

Hinterlong moved to approve the award of Sole Source Procurement 16-244, cable injection services, to Novinium Inc. for an amount not to exceed \$2,000,000.00 plus a 3% contingency. Second, Krummen.

ROLL CALL:

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

Nays: None

Motion declared carried.

N PETITIONS AND COMMUNICATIONS:

N1 Best Buy Carpet and Granite Tops

**BEST BUY CARPET AND
GRANITE TOPS**

Heriberto Martinez, Petitioner, requested a pre-annexation agreement which would allow for extension and connection to utilities prior to annexation, review of the proposed development based on City code with concurrent DuPage County review, automatic annexation upon establishment of contiguity; property and sales tax will be collected by the City upon annexation, and minimum 20-year term of the agreement (and potential to extend beyond if not contiguous at that time).

Laff explained that the Petitioner is proposing to construct a 24,000 square foot commercial building, which will include Best Buy Carpet and Granite Tops as a tenant, along with other tenant spaces. She stated the City confirmed that the subject property did not meet contiguity requirements for annexation the Petitioners initiated discussions with the owner of the four properties directly north of the subject property (improved with a church) to determine their interest in annexing into the City in order to establish contiguity.

Council discussed inviting the church to meet with representatives from the City and the mayor.



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A1 Best Buy Carpet and Granite Tops Continued

**BEST BUY CARPET AND
GRANITE TOPS**

Hinterlong moved to receive the letter submitted by Heriberto Martinez and provide direction regarding the request for a pre-annexation agreement for the property located at 9S065, 9S080, and 9S081 Route 59. Second, Gustin.

Gallaher made a motion in substitution to table the item to the 7/19/16 meeting. Second, Krummen.

VOICE VOTE: Motion declared carried.

O REPORTS AND RECOMMENDATIONS:

O1 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

Gallaher moved to approve the City Council Meeting Schedule for July, August and September 2016. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

Clerk's Note: Gallaher recused himself from the dais at 9:37 p.m. due to a conflict of interest.

O2 Shared Road District Services with Naperville Township Road District

**SHARED ROAD DISTRICT
SERVICES WITH
NAPERVILLE TOWNSHIP
ROAD DISTRICT**

Krieger updated the Council and discussed a court date change.

Hinterlong moved to receive the report regarding the status of the third revised proposed intergovernmental agreement for shared services between the City of Naperville and the Naperville Township Road District. Second, Gustin.

VOICE VOTE: Motion declared carried.

Clerk's Note: Gallaher returned to the dais at 9:39 p.m.

P NEW BUSINESS:

P1 Mariano's Trailer

Hinterlong discussed resident complaints regarding noise from a refrigerated trailer behind Mariano's.

Novack discussed approved delivery hours, recent citations issued, and noise standards. He explained that the trailer does not exceed standards, operates between the approved time frame of 7:00 a.m. - 7:00 p.m., and that Mariano's is making modifications to the docks because delivery needs are greater than anticipated.

Gustin asked staff to address the noise at Mariano's and to develop a solution for the neighbors.

P2 Naper Settlement Event

Krummen discussed success of the recent Naper Nights event.



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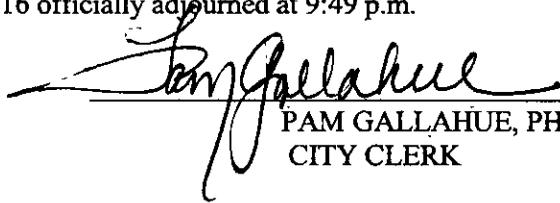
Q **ADJOURNMENT:**

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of June 21, 2016 at 9:49 p.m. Second, Obarski.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of June 21, 2016 officially adjourned at 9:49 p.m.


PAM GALLAHUE, PH.D.
CITY CLERK

PG: bk

