



**CITY COUNCIL MEETING OF MARCH 2, 2010
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
March 15, 2010 AS WRITTEN.**

CALL TO ORDER:

7:03 P.M.

- A** Mayor A. George Pradel
Councilman James Boyajian
Councilman Judy Brodhead
Councilman Robert Fieseler
Councilman Richard R. Furstenau
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Kenn Miller
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
Police Chief, David Dial
Director of Public Utilities, Allan Poole
Director of Public Works, David Van Vooren
Information Technology Dept. Team Leader, Larry Gunderson
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

B. CLOSED SESSION

OPEN SESSION

C. PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Presentation of the CALEA Flagship Agency Certificate to Chief David E. Dial

CALEA FLAGSHIP
AGENCY CERTIFICATE

Retired Judge Grant S. Wegner presented the CALEA Flagship Agency Certificate to Chief Dial.

D2 Up With People Proclamation

UP WITH PEOPLE
PROCLAMATION

Mayor Pradel proclaimed March 11-16 as Up with People Week and presented the proclamation to IdaLynn Wenhold, Kamala Martinez, Tom Carroll and the members of the Up with People Advance Team.

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D3 March Employee of the Month

EMPLOYEE OF THE
MONTH

Councilman Miller recognized Officer Kory McLaughlin as Employee of the Month for March.

E **PUBLIC FORUM:**

E1 Crossing Guards – District 203

Terry Fielden, 945 Canyon Run Road, asked Council to reconsider assigning crossing guards to the schools and to prepare an intergovernmental agreement which addresses funding the assignment because the school district cannot tax for this service.

Krieger explained that during budget discussions services were divided into core and non-core groups. He stated that an agreement was reached that the city would continue to manage the program, but because crossing services were determined to be non-core the city would no longer be able to fund the program, but welcomes discussions with District 203.

Council discussed the fairness of having those living in District 204 fund a District 203 program and that this should have been addressed and corrected years ago.

E2 Earth Day

Stephanie Hastings, 3835 Caine Court, requested the use of the city logo for an Earth Day Event called Bring Green To Your Home.

Council directed the petitioner to obtain the necessary application and for Community Relations staff to submit the request as an agenda item for the March 15 Council meeting.

F **HOLDOVER ITEMS:**

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

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 I3, I7, I9, I10, and I11. Second, Krause.

ROLL CALL:

Ayes: Pradel, Boyajian, Brodhead, Fieseler, Furstenu,
Hinterlong, Krause, Miller, Wehrli

Nays: None
Motion declared carried.

Clerk's Note: Councilman Wehrli recused himself from the dais.

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|-----|---|---|
| N4 | <u>Naperville Municipal Code related to Revenues</u>
Boyajian moved to table to 3/15/2010. Second, Hinterlong.
VOICE VOTE: Motion declared carried. | NAPERVILLE MUNICIPAL
CODE RELATED TO
REVENUES |
| N4a | <u>Amend Chapter 12 (Municipal Motor Fuel Tax)</u> | |
| N4b | <u>Amend Chapter 2 (Residential and Commercial Waste Refuse
Recyclable Materials, and Landscape Waste)</u>

James Keslin, 40 Harbor Court #308, asked that the city lead the
discussion with the waste hauler, as it is with individual homeowners,
and stated that the resident living in a condominium should pay the
same amount as someone living in a single family home.

Emily Baumann, 531 Kiowa Circle #204, discussed the cost
structures for single family homes and condominium owners and
requested a subsidy for condominium owners. | |
| N4c | <u>Amend Chapter 1 (Municipal Occupation Taxes) of Title 3 (Business
and License) of the Naperville Municipal Code regarding allocation
of certain revenues from Culture Fund to General Fund</u>

Clerk's Note: Councilman Wehrli returned to the dais. | |
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- | | | |
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| I1 | <u>Cash Disbursements – 02/18/10</u>

Council moved to approve the cash disbursements for February 18,
2010 in the amount of \$16,869,507.68. | CASH DISBURSEMENTS –
02/03/10 |
| I2 | <u>Regular City Council Meeting Minutes of February 16, 2010</u>

Council moved to approve the Regular City Council Meeting Minutes
of February 16, 2010. | REGULAR CITY COUNCIL
MEETING MINUTES |
| I4 | <u>Procurement 10-153, Police Patrol Vehicle Replacements</u>

Council moved to approve the award of Procurement 10-153, police
patrol vehicle replacements to Landmark Ford, through the State of
Illinois Joint Purchasing Contract, for an amount not to exceed
\$220,750. | POLICE PATROL
VEHICLE
REPLACEMENTS |
| I5 | <u>Bid 10-141, Knoch Knolls Road Water Main Improvements to
Merryman Excavation</u>

Council moved to approve the award of Bid 10-141, Knoch Knolls
road water main improvements to Merryman Excavation for an
amount not to exceed \$296,573.50, plus a 5% contingency. | BID 10-141, KNOCH
KNOLLS ROAD WATER
MAIN IMPROVEMENTS |
| I6 | <u>FY 2010-2011 Strategic Plan Initiatives</u>

Council moved to adopt the FY 2010-2011 Strategic Plan Initiatives. | FY 2010-2011 STRATEGIC
PLAN INITIATIVES |
| I8 | <u>Ordinance No. 10-016, Jubilee Family Center, PC09-1-112</u>

Council moved to pass Ordinance No. 10-016, amending the
approved temporary use to allow for a six-month extension for the
Jubilee Family Center to occupy 1701 Quincy Avenue, Units 26 and
27 until May 30, 2010, PC 09-1-112. | ORDINANCE NO. 10-016,
JUBILEE FAMILY
CENTER, PC09-1-112 |
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I3 Riverwalk Phase I Rehabilitation, Segment 2 Construction
Council questioned the balance between the estimate and the actual award amount and what is done with the funding.

Krieger stated that the city will reduce the debt issuance by the amount of available funding and that the change is included in the ordinance being proposed in agenda item N3.

Council stated that because of the city's financial issues the money for this project should be used elsewhere.

Council also stated that this is a necessary improvement, it is ADA compliant, and that it will further maintain the infrastructure of a city-owned asset. Council went on to say that the Riverwalk is important to the economic vitality of the downtown and is viewed much like a road and the city has maintenance responsibility.

Wehrli moved to approve the award of Bid 10-135, Riverwalk Phase I Rehabilitation, Segment 2 Construction, to Schaeffges Brothers for the amount of \$702,393.00, plus a 3% contingency. Second, Boyajian.

ROLL CALL:

Ayes: Boyajian, Brodhead, Fieseler, Hinterlong, Krause, Miller, Wehrli, Pradel

Nays: Furstenuau
Motion declared carried.

RIVERWALK PHASE I
REHABILITATION

I7 2010 Recycling and Reuse Extravaganza Funding and Agreement

2010 RECYCLING &
REUSE EXTRAVAGANZA

I7b Resolution No. 10-009, Revocable License Agreement permitting the city to host the Recycling and Reuse Extravaganza

I7a Subsidize the operations costs associated with the Reuse and Recycling Event

Van Vooren explained that the event is advertised for Naperville residents, however no one is turned away. He stated that commercial recycling products are not accepted.

Council questioned how much overtime will be used to staff this event.

Van Vooren answered that approximately \$9,000 is expended for overtime and is used for traffic control and equipment operators loading and unloading items.

Boyajian moved to adopt Resolution No. 10-009, authorizing the City Manager to execute the revocable license agreement between Alcatel-Lucent and the City of Naperville permitting the city to host the Recycling and Reuse Extravaganza on the exterior premises of Alcatel-Lucent on June 5, 2010 and moved to authorize the use of \$17,000 to subsidize the operations costs associated with the Reuse and Recycling Event. Second, Furstenuau.

ROLL CALL:

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

Nays: None
Motion declared carried.

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- 19 Ordinance No. 10-017, Overnight Parking in Downtown Naperville
Kathy Benson, 51 Forest, stated that this is a solution in search of a problem and is oriented toward the drinking establishments in the downtown. She asked how the downtown businesses are funding the necessary public safety staff and that the bar activity takes away police coverage in other areas of the city. She said the city is giving up revenue and using critical services, residential overnight parking is more of a problem and the city should charge for permits.

ORDINANCE NO. 10-017,
WEEKEND OVERNIGHT
PARKING

Council re-requested overnight downtown parking tickets for the past 3 years.

Council stated that this topic was discussed during a workshop, that this is for a 6-month trial period and can be reevaluated during that period. Council explained that the Downtown Naperville Alliance (DNA) has discussed this and that it is only one component of the parking solution and not proposed as a business solution and that the Transportation Advisory Board (TAB) voted unanimously in favor of the trial program.

Boyajian moved to table the item to March 15. Second, Wehrli.

Furstenau made a motion in substitution to pass the ordinance to establish temporary weekend overnight parking at designated locations in Downtown Naperville. Second, Krause.

Furstenau called the question.

Wehrli objected.

ROLL CALL on Objection to Call the Question and end debate:

Ayes: Furstenau, Krause, Miller, Brodhead
Nays: Fieseler, Hinterlong, Wehrli, Pradel, Boyajian
Motion declared **not** carried.

Furstenau made a motion in substitution to pass Ordinance No. 10-017, to establish temporary weekend overnight parking at designated locations in Downtown Naperville. Second, Krause.

ROLL CALL on Motion in Substitution:

Ayes: Furstenau, Krause, Miller, Pradel, Brodhead, Fieseler
Nays: Hinterlong, Wehrli, Boyajian
Motion declared carried.

- I10 Revising the authorized number of Naperville Police Department Sworn Personnel

NAPERVILLE POLICE
DEPT. SWORN
PERSONNEL

Council stated that passing this ordinance is not a preordained decision that the city will staff at this level and wants language that clearly states that this staffing number is the maximum allowable.

- I11 Revising the authorized number of Naperville Fire Department Sworn Personnel

NAPERVILLE FIRE DEPT.
SWORN PERSONNEL

Council stated that passing this ordinance is not a preordained decision that the city will staff at this level and wants language that clearly states that this staffing number is the maximum allowable.

- J **OLD BUSINESS:**
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J1 Pedicab Regulations for Downtown Naperville

Furstenau moved to approve the recommendation to establish pedicab regulations for Downtown Naperville and set the maximum number of pedicab permit stickers at three. Second, Wehrli.

Wehrli withdraws second.

Boyajian made a motion in substitution to approve the recommendation to establish pedicab regulations for Downtown Naperville and set the maximum number of pedicab permit stickers at three per pedicab permit for a total of six licenses. Second, Miller.

ROLL CALL:

Ayes: Hinterlong, Krause, Miller, Wehrli, Pradel, Boyajian, Brodhead, Fieseler

Nays: Furstenau
Motion declared carried.

PEDICAB REGULATIONS
FOR DOWNTOWN
NAPERVILLE

K **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

Miller moved to approve the City Council Meeting Schedule for March, April and May 2010. Second, Furstenau.

VOICE VOTE: Motion declared carried.

CITY COUNCIL MEETING
SCHEDULE

L2 Pension Reform

L2a Resolution No. 10-010, Becoming a Member of Pension Fairness for Illinois Communities Coalition

RESOLUTION NO. 10-010,
MEMBER OF PENSION
FAIRNESS FOR ILLINOIS
COMMUNITIES
COALITION

L2b \$10,000 contribution to join the Coalition at the Foundation Partner level

Council directed Krieger to inform school districts 203 and 204 of the actions Naperville is taking regarding pension reform and that all Council members sign the resolution.

Council discussed having pension reform placed on the November ballot, penning a letter to the DuPage Mayors and Managers Association requesting an update of their legislative book to include more pension reform information, and asked staff to better define the \$10,000 membership cost to the city.

DiSanto stated that none of the money will be going toward lobbyists and that the money will fund a two-year budget which includes an actuary and a public relations firm. Representatives to be on the committee have not yet been selected.

Council stated that groups are just now reading through the bills and formulating a plan and that it would be inappropriate to tell them what specific issues to focus on at this point.

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L2b \$10,000 contribution to join the Coalition at the Foundation Partner level **Continued**

Furstenau moved to adopt Resolution No. 10-010, becoming a member of the Pension Fairness for Illinois Communities Coalition and authorize a \$10,000 contribution to join the Coalition at the Foundation Partner level. Second, Miller.

ROLL CALL:

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

Nays: None

Motion declared carried.

M **PUBLIC HEARING:**

N **ORDINANCES AND RESOLUTIONS:**

N1 Resolution No. 10-011, Employee Medical Insurance Premium Contributions

**RESOLUTION NO. 10-011,
EMPLOYEE MEDICAL
INSURANCE PREMIUM
CONTRIBUTIONS**

Bill Niesem, 14629 Arboretum Drive, Homer Glen, representative of IBEW Local 9 addressed the city manager and Council on employee concerns throughout the city, specifically health care increases and the elimination of the termination bonus for those employees covered by IMRF. He requests the Council freeze the insurance premiums scheduled to increase on May 1 and avoid the elimination of the termination bonus and look for other ways to meet the city's financial burdens.

Council said they are doing the best they can to ensure the employees get a fair compensation package and be fair to the taxpayers. They stated that employees have enjoyed a rich compensation package that exceeds the comparable communities.

Council stated that if the employees have questions they should ask their supervisor, the Council or the city manager and stressed that everyone needs to share the burden. Council also commented that it has gone out of its way to be fair, to compare compensation packages of other communities, and to let everyone know up front what is being planned.

Council said that every employee needs to prepare and that the city will not survive financially if these steps are not taken and that far worse actions will be necessary if employees don't cooperate.

Council suggested that all the councilmen sign the resolution to show unison.

Furstenau moved to adopt Resolution No. 10-011, increasing employee medical insurance premium contributions, directing certain goals for collective bargaining negotiations, eliminating certain benefits and directing the city manager to continue searching for sustainable cost savings measures. Second, Miller.

ROLL CALL:

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

Nays: None

Motion declared carried.

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N2

Ordinance No. 10-018, Debt Management Policy

Patrick Skarr, 55 S. Main Street and Naperville Chamber of Commerce, thanked the Council for delaying the vote on agenda item N4 and requests information as to when excess reserve fund balances can be used to fund city operations and be a part of the FY 2011 budget solution.

DeAngelis explained that the Financial Advisory Board (FAB) was asked to determine whether the 20% reserve for the General Fund was the appropriate level or if there was an opportunity to revise the level downward to release cash. The FAB advised Council that 20% is the appropriate level for the General Fund. Although staff reduced expenditures by \$1M the 20% level can still be maintained.

She stated that in the past FAB has analyzed other reserves and their fund balances and advised Council to maintain the Vehicle Replacement reserve at 20-30% of the fund balance. Because Council reduced the replacement fund FAB was asked to advise what could be done with the funds that are now above that reserve value. The FAB advised that the excess funds should be used for capital improvement funds or to reduce the debt borrowing as opposed to a short-term, one-time funding of the General Fund for current operating expenses.

Council asked if there is a policy that would preclude the movement of funds to debt and/or capital improvement.

DeAngelis advised that there is nothing in the policy that dictates what, if any, combination Council may move funding.

Boyajian moved to pass Ordinance 10-018, adopting the revised Debt Management Policy. Second, Miller.

ROLL CALL:

Ayes: Miller, Wehrli, Pradel, Boyajian, Brodhead, Fieseler, Hinterlong, Krause

Nays: Furstenau

Motion declared carried.

ORDINANCE NO. 10-018,
DEBT MANAGEMENT
POLICY

N3

Ordinance No. 10-019, Delegated Sale of General Obligations Bonds

Krieger explained that \$45M is broken into two components: \$12M if it meets certain criteria for refunding and a new debt issuance in the amount of \$33M which has been reduced to \$31.6M, however because of the way the ordinance is written it does not need to be edited. He stated that bonding is staggered and that funds earn interest until they are used.

DeAngelis advised that the vehicle replacement and IT replacement fund balances are serving to reduce the debt issuance.

Council discussed permitting bonding for \$33M to allow for flexibility with additional funds and redirecting staff to bring funds back into reserve funds so there is the option to use them as revenue offset and asking FAB to review any other options as well.

Krieger explained a federal rebate which provides the city with another option to determine the bonding package with the lowest total cost.

ORDINANCE NO. 10-019,
SALE OF GENERAL
OBLIGATION BONDS

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N3 Ordinance No. 10-019, Delegated Sale of General Obligations Bonds
Continued

**ORDINANCE NO. 10-019,
SALE OF GENERAL
OBLIGATION BONDS**

Boyajian moved to pass Ordinance No. 10-019, authorizing a delegated sale of general obligation bonds for an amount not to exceed \$45 million. Second, Wehrli.

ROLL CALL:

Ayes: Wehrli, Pradel, Boyajian, Brodhead, Fieseler, Hinterlong,
 Krause, Miller

Nays: Furstenau
 Motion declared carried.

O **NEW BUSINESS:**

P **CLOSED SESSION:**

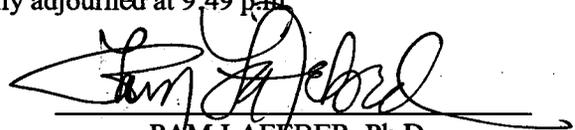
Q **ADJOURNMENT:**

**ADJOURNMENT – 9:49
P.M.**

Furstenau moved to adjourn the Regular City Council meeting of March 2, 2010 at 9:49 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of March 2, 2010 officially adjourned at 9:49 p.m.



PAM LAFERBER, Ph.D.
CITY CLERK

PL:BK

