



**CITY COUNCIL MEETING OF SEPTEMBER 6, 2016
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
September 20, 2016 AS WRITTEN.**

CALL TO ORDER:

6:15 P.M.

- A** Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judith Brodhead – Arrived at 6:24 p.m.
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

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
City Attorney, Jill Pelka-Wilger
City Prosecutor, Kavita Athanikar
City Clerk, Pam Gallahue
Fire Chief, Mark Puknaitis
Deputy Fire Chief, Richard Sander
Police Chief, Robert Marshall
Liquor Liaison Officer, Dan Riggs
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 Louden
Deputy Director of TED, Allison Laff
Director of Public Utilities – Electric, Mark Curran
Deputy Director-DPU-W, Amy Ries
Director of Public Works, Dick Dublinski

Press

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

B ROLL CALL:

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C CLOSED SESSION:

Gustin moved to recess to Closed Session to discuss **5 ILCS 120/2(C)(2)(6)** Setting of a price for sale or lease of property owned by the public body; **(11)** Litigation, when action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; **(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, Obarski.

ROLL CALL:

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

Nays: None

Absent: Brodhead

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:19 P.M.
CLOSED SESSION ADJOURNED AT 6:59 P.M.**

Clerk's Note: Brodhead arrived at 6:24 p.m.

ROLL CALL:

Mayor Chirico called the meeting back to order at 7:02 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 Old Naperville Days

Gustin proclaimed the third Thursday in August as Old Naperville Days and presented the Proclamation to Teri Feldott and Brenda Dieter of The Lantern.

F2 Nokia 50th Anniversary

Gustin recognized Nokia's 50th Anniversary and presented the Proclamation to Debra Dicke and Shyrlene Foster.

F3 Recognition of Kevin Cordes, Olympic Swimmer

Chirico recognized Kevin Cordes, Gold Medal Olympic Swimmer.

G PUBLIC FORUM:



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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.

I **CONSENT AGENDA:**

Brodhead moved to approve the Consent Agenda. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

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| 11 | <u>Regular City Council Minutes</u>
Council approved the Regular City Council Meeting Minutes of August 16, 2016. | REGULAR CITY COUNCIL
MINUTES |
| 12 | <u>Statutory Review of Closed Session Minutes</u>
Council approved the release of Not Restricted (NR) items and concurred with the need to maintain Restricted (R) items confidential at this time. | STATUTORY REVIEW OF
CLOSED SESSION
MINUTES |
| 3 | <u>Bid 16-257, Snow Removal Services</u>
Council approved the award of Bid 16-257, snow removal services for parking lots, to Tovar Snow Professional for an amount not to exceed \$221,360.00 for the nineteen month period (October 1, 2016 thru April 30, 2018) with three additional one year options. | BID 16-257, SNOW
REMOVAL SERVICES |
| 14 | <u>Bid 16-258, Specialty Winter Operation Services – Sidewalks</u>
Council approved the award of Bid 16-258, specialty winter operation services sidewalks, to Tovar Snow Professionals for an amount not to exceed \$545,644.00 for the nineteen month contract period of October 1, 2016 thru April 30, 2018 with three additional one year options. | BID 16-258, SPECIALTY
WINTER OPERATION
SERVICES - SIDEWALKS |
| 15 | <u>Contract 16-299, Roadway Snow Removal Services</u>
Council waived the applicable provisions of the Naperville Procurement Code and set prices for CY 16/17 and awarded Contract 16-299, roadway snow removal, to various contractors, for an amount not to exceed \$390,915.00 for the period of October 1, 2016 through April 30, 2017. | CONTRACT 16-299,
ROADWAY SNOW
REMOVAL SERVICES |
| 16 | <u>Procurement 16-312, Cisco SmartNet Maintenance</u>
Council approved the award of Procurement 16-312, Cisco SmartNet Maintenance, to CDW-Government, through the State of Illinois Joint Purchasing Contract #CMS7891190 for an amount not to exceed \$183,856.86. | PROCUREMENT 16-312,
CISCO SMARTNET
MAINTENANCE |
| 17 | <u>Contract 16-186, Tree Planting Service</u>
Council approved the award of Change Order #1 to Contract 16-186, tree planting service, with St. Aubin Nursery for an amount not to exceed \$42,500.00 and a total contract amount not to exceed \$404,145.00. | CONTRACT 16-186, TREE
PLANTING SERVICE |



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| I18 | <u>Bid 16-216, 75th Street Guardrail Installation</u>
Council approved the award of Bid 16-216, 75 th Street Guardrail Installation, to D Construction, Inc. for an amount not to exceed \$357,060.25 plus a 5% contingency. | BID 16-216, 75TH STREET
GUARDRAIL
INSTALLATION |
| I19 | <u>RFP 16-262, Citizen Survey</u>
Council waived the applicable provisions of the Naperville Procurement Code and awarded RFP 16-262, Citizen Survey, to ETC Institute, for an amount not to exceed \$38,313.00. | RFP 16-262, CITIZEN
SURVEY |
| I10 | <u>Appointment to Commissions</u>
Council approved the mayoral appointment of Lauren Mayor to the Historic Preservation Commission and Debra Lellbach to the Riverwalk Commission. | APPOINTMENT TO
COMMISSIONS |
| I11 | <u>Resolution No. 16-028, DuPage County Countywide Stormwater and Floodplain Ordinance - Exempt Projects</u>
Council adopted Resolution No. 16-028, approving the fifth amendment to the list of projects exempt from the provisions of the DuPage County Countywide Stormwater and Floodplain Ordinance. | RESOLUTION NO. 16-028,
DUPAGE COUNTY
COUNTYWIDE
STORMWATER AND
FLOODPLAIN ORDINANCE
- EXEMPT PROJECTS |
| I12 | <u>Ordinance No. 16-129, Establishing All-Way Stops</u>
Council waived first reading and passed Ordinance No. 16-129, to establish an all-way stop at Fort Hill Drive/High Grove Lane and Quincy Avenue. | ORDINANCE NO. 16-129,
ESTABLISHING ALL-WAY
STOPS |
| I13 | <u>Ordinance No. 16-130, Schedule of Traffic Signal Controlled Intersections</u>
Council waived the first reading and passed Ordinance No. 16-130, to establish traffic-control signal intersections, rescind one traffic control signal intersection, and rescind existing stop controls at those signalized intersections. | ORDINANCE NO. 16-130,
SCHEDULE OF TRAFFIC
SIGNAL CONTROLLED
INTERSECTIONS |
| I14 | <u>Ordinance No. 16-131, 2016 North Central College Homecoming Parade</u>
Council passed Ordinance No. 16-131, to establish temporary traffic controls and issue a special event permit for the North Central College Homecoming Parade on Saturday, October 29, 2016. | ORDINANCE NO. 16- 131,
2016 NORTH CENTRAL
COLLEGE HOMECOMING
PARADE |
| I15 | <u>Ordinance No. 16-132, Multi-Use Loading Zone – Water Street</u>
Council waived first reading and passed Ordinance No. 16-132, to establish a 15-minute passenger vehicle/30-minute commercial vehicle, 6:00 a.m. to 6:00 p.m. loading only zone on the north side of Water Street from a point 55 feet east of the center line of Webster Street to a point 125 feet east of the centerline of Webster Street (3 parking spaces). | ORDINANCE NO. 16-132,
MULTI-USE LOADING
ZONE – WATER STREET |
| I16 | <u>Ordinance No. 16-133, Compressed Natural Gas (CNG) Station, Department of Public Works, PZC 16-1-106</u>
Council passed Ordinance No. 16-133, approving a conditional use for a Compressed Natural Gas (CNG) filling station in the "I" (Industrial Zoning District) pursuant to Section 6-8c of the Municipal Code to allow the installation and operation of CNG station at 1720 W. Jefferson Avenue, Naperville, IL, PZC 16-1-106. | ORDINANCE NO. 16-133,
COMPRESSED NATURAL
GAS (CNG) STATION,
DEPARTMENT OF PUBLIC
WORKS, PZC 16-1-106 |



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- J1e** Ordinance No. 16-138, preliminary/final plat of subdivision **ORDINANCE NO. 16-138,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION**
- Hinterlong moved to pass Ordinance No. 16-138, approving the preliminary/final plat of subdivision for Charleston Reserve, subject to the conditions included in the ordinance. Second, Gallaher.
- ROLL CALL:**
- Ayes:** Gallaher, Gustin, Hinterlong, Krummen, Obarski, Chirico,
 Anderson, Brodhead, Coyne
- Nays:** None
 Motion declared carried.
- K** **OLD BUSINESS:**
- L** **ORDINANCES AND RESOLUTIONS:**
- L1** Special Events and Cultural Amenities (SECA) Grant Program Allocation and Revisions **SPECIAL EVENTS AND
CULTURAL AMENITIES
(SECA) GRANT PROGRAM
ALLOCATION AND
REVISIONS**
- Council discussed proposed language regarding the pension contribution.
- Mayer stated that staff is in favor of language that provides more flexibility to the City.
- First reading held.
- L2** Parking Regulations – Water Street District Parking Facility **PARKING REGULATIONS -
WATER STREET DISTRICT
PARKING FACILITY**
- Louden explained the difference between the two recommendations, that staff proposes to implement parking regulations in the Water Street District Parking Facility that are similar to those in use at the Central Parking Facility and Van Buren Parking Facility, valets enter into agreements to use private property owners, the Municipal Center is underutilized as a parking resource, and that valets lessen the burden on deck space.
- Council discussed the appropriateness of prohibiting parking at the hotel, cost per space, current leasing practice, and overflow parking.
- Option 1** Parking Regulations in the Water Street District Parking Facility
- Brodhead moved to concur with staff to waive the first reading and pass the ordinance to amend Chapter 2, Section 11-2a-19, special parking regulations, and 11-2b-2, municipal parking lots to establish parking regulations in the Water Street District parking facility. Second, Obarski.
- ROLL CALL:**
- Ayes:** Chirico, Brodhead
- Nays:** Gustin, Hinterlong, Krummen, Obarski, Anderson, Coyne, Gallaher
 Motion declared not carried.



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Option 2 Ordinance No. 16-139, Parking Regulations in the Water Street District Parking Facility

ORDINANCE NO. 16-139,
PARKING REGULATIONS –
WATER STREET DISTRICT
PARKING FACILITY

Gustin moved to concur with TAB to waive the first reading and pass Ordinance No. 16-139, to amend Chapter 2, Section 11-2a-19, special parking regulations, and 11-2b-2, municipal parking lots to establish parking regulations in the Water Street District parking facility adding the conditions that non-hotel related valet services be prohibited from using the Water Street District parking facility and that the regulations be re-evaluated after one year. Second, Krummen.

ROLL CALL:

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

Nays: Chirico, Brodhead

Motion declared carried.

L3 Ordinance No. 16-140, Liquor Code Rewrite

ORDINANCE NO. 16-140,
LIQUOR CODE REWRITE

Colin Dalough, Chamber of Commerce, Naperville, spoke against requiring annual BASSET certification.

Athanikar reviewed the latest changes regarding pharmacy and tobacco, discussed proposed language for a variance, and stated that BASSET training will be discussed at the September 8 Liquor Commission meeting.

Riggs explained that the proposed Class V language change from “pharmacist” to “manager” is appropriate because that position is BASSET trained and goes through the background check process.

Council discussed window signs, age to sell tobacco, and upcoming Liquor Commission agenda items.

Gallaher moved to pass Ordinance No. 16-140, repealing and replacing Chapter 3 (Liquor and Tobacco Control) of Title 3 (Business and License Regulations) of the Naperville Municipal Code. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Motion declared carried.

L4 Ordinance No. 16-141, Late Night Permits – Downtown

ORDINANCE NO. 16-141,
LATE NIGHT PERMITS -
DOWNTOWN

Hinterlong moved to pass Ordinance No. 16-141, amending Section 3-3-13:7.2 of the Naperville Municipal Code setting the limit of available late night permits located in the Downtown at twenty-four (24). Second, Gallaher.

ROLL CALL:

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

Nays: None

Motion declared carried.



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L5 Ordinance No. 16-142, Maintenance of Grounds, Mowing, and landscaping activities

**ORDINANCE NO. 16-142,
MAINTENANCE OF
GROUND, MOWING, AND
LANDSCAPING
ACTIVITIES**

Gustin moved to pass Ordinance No. 16-142, approving an amendment to Section 6-14-4.1 (performance standards: noise) of the Naperville Municipal Code pertaining to the hours permitted for the maintenance of grounds, including mowing and other landscaping activities on residentially zoned property. Second, Obarski.

ROLL CALL:

Ayes: Anderson, Brodhead, Gallaher, Gustin, Krummen, Obarski

Nays: Chirico, Coyne, Hinterlong

Motion declared carried.

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

N **PETITIONS AND COMMUNICATIONS:**

O **REPORTS AND RECOMMENDATIONS:**

O1 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

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

VOICE VOTE: Motion declared carried.

P **NEW BUSINESS:**

P1 Support for Martin Avenue Board Grant

Coyne discussed the Martin Avenue Board's grant application to expand and provide more senior housing options.

By consensus Council directed staff to draft a document in support of the grant application for their approval.

P2 Downtown Walgreen's

Chirico explained that package good stores are restricted in the downtown and that new development in the area may warrant revisiting that ordinance.

Riggs discussed decreases in the downtown crime rate and DUI's and stated that the location of the package good store is not a factor if someone wants to break the law.

Council discussed reviewing meeting minutes and videos and suggested the ordinance revision be first vetted through the Liquor Commission.



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Q

ADJOURNMENT:

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of September 6 2016 at 8:14 p.m. Second, Gallaher.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of September 6, 2016 officially adjourned at 8:14 p.m.



PAM GALLAHUE, PH.D.
CITY CLERK

PG: bk

