



**CITY COUNCIL MEETING OF APRIL 21, 2009
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
May 5, 2009 AS WRITTEN.**

CALL TO ORDER

6 00 P M

- A** Mayor A George Pradel
Councilman James Boyajian – Teleconference 6 08 p m
Councilman Joe Dunn
Councilman Robert Fieseler
Councilman Richard R Furstenau
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
Police Commander, Ray Adkins
Director of Finance, Karen DeAngelis
Director of Public Utilities, Allan Poole
Director of Public Works, David Van Vooren
Director Mgmt 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

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B. CLOSED SESSION – 6:00 p.m.

Rosanova moved to recess to Closed Session to discuss collective negotiations, litigation, probable or imminent, and 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 5ILCS/120/2(c)(2)(11)(21) Second, Wehrli

ROLL CALL:

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

Absent: Boyajian

Nays: None
Motion declared carried

THE MEETING RECESSED TO CLOSED SESSION AT 6:08 P.M.

CLOSED SESSION ENDED AT 7:03 P.M.

OPEN SESSION

MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:07 P.M.

ROLL CALL to determine Quorum:

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

Absent: None

C. PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Proclaim April 19-25, 2009 as Naperville Public Library Volunteer Week

NAPERVILLE PUBLIC
LIBRARY VOLUNTEER
WEEK - PROCLAMATION

Councilman Wehrli declared April 19-25, 2009 as Naperville Public Library Volunteer Week and presented the proclamation to Marcia Lebeau, Assistant Director, Administrative Services, Uma Sailesh, Manager, Human Resources, and Patricia Larson, Human Resources Assistant

D2 Proclaim May 09, 2009 as National Food Drive Day

NATIONAL FOOD DRIVE
DAY - PROCLAMATION

Councilman Wehrli declared May 09, 2009 as National Food Drive Day and presented the proclamation to Dennis Lyons, Postmaster, Debbie Blake-Moench, President Local 1115 NALC, and Diane Garneski, Vice-President 1151 NALC



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- I4 Approve the award of Bid 09-159, Street Light Maintenance, to Meade Electric Company for an amount not to exceed \$1,003,451 36 BID 09-159, STREET LIGHT MAINTENANCE
- Council moved to approve the award of Bid 09-159, street light maintenance, Alternate 2 (group re-lamp) with Option 1 quarterly night inspections, to Meade Electric Company for an amount not to exceed \$1,003,451 35
- I5 Recommend Award Of Bid 09-173, Forklift, Heavy Duty, 36,000 Pound Capacity BID 09-173, FORKLIFT, HEAVY DUTY, 36,000 POUND CAPACITY
- Council moved to approve the award of Bid 09-173, forklift, heavy duty, 30,000 pound capacity, to National Lift Truck for an amount not to exceed \$144,200 00
- I6 Award Bid 09-147, Water Service Center Excess Flow Lagoon Paving Improvements, to American Asphalt Co , Inc for an amount of \$194,635 Plus a 5% contingency BID 09-147, WATER SERVICE CENTER EXCESS FLOW LAGOON PAVING IMPROVEMENTS
- Council moved to approve the award of Bid 09-147, Water Service Center and excess flow lagoon paving improvements, to American Asphalt Co , Inc for an amount of \$194,635 00 plus a 5% contingency, and authorize staff to appropriate the necessary funds
- I7 Approve the award of Procurement 09-200, Ambulance Procurement, to Foster coach Sales, Inc , for an amount not to exceed \$192,629 PROCUREMENT 09-200, AMBULANCE PROCUREMENT
- Council moved to approve the award of Procurement 09-200, ambulance procurement, to Foster coach Sales, Inc for an amount not to exceed \$192,629 00
- I8 Award Option Year Two to Contract 07-010, Directional Boring, to Buesing Brothers, Inc , for an amount of \$945,000 Plus a 3% contingency CONTRACT 07-010, DIRECTIONAL BORING
- Council moved to approve the award of option year two to Contract 07-010, directional boring, to Buesing Brothers, Inc , for an amount of \$932,000 00 plus a 3% contingency
- I9 Approve Change Order #2 to Contract 07-010, Directional Boring, to Buesing Brothers, for an amount not to exceed \$300,000. CHANGE ORDER #2 TO CONTRACT 07-010, DIRECTIONAL BORING,
- Council moved to approve Change Order #2 to Contract 07-010, directional boring, to Buesing Brothers, for an amount not to exceed \$300,000 00
- I10 Approve Mayoral appointment to the Advisory Commission on Disabilities APPOINTMENT - ADVISORY COMMISSION ON DISABILITIES
- Council moved to approve the Mayoral appointment of Kathe Foxen to the Advisory Commission on Disabilities, 4/21/09-05/30/11



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- I11** Resolution No 09-015, granting a variance to Section 5-4-5 1 1 (Permitted Wall Signage) of the Naperville Municipal Code allowing a wall sign on the north building elevation of the building located at 315 S Main Street, ZBA 1185 RESOLUTION NO 09-015, 315 S MAIN ST , ZBA 1185
- Council moved to adopt Resolution No 09-015, granting a variance to Section 5-4-5 1 1 (permitted wall signage) of the Naperville Municipal Code allowing a wall sign on the north building elevation of the building located at 315 S Main Street, ZBA 1185
- I12** Text amendment to Municipal Code to modify the bicycle parking requirements for parks BICYCLE PARKING REQUIREMENTS FOR PARKS
- I12a** Conduct the first reading of the Ordinance approving a text amendment to Section 6-9-3 (schedule of off-street parking requirements) and Section 6-9-7 (supplemental standards for Bicycle Parking) of the Municipal Code to modify the bicycle parking requirements for parks.
- I12b** Table to May 5, 2009
- Council moved to table the Bicycle Parking Text Amendment to May 5, 2009
- I13** Resolution No 09-016, authorizing the City Manager to execute the revocable license agreement between Alcatel-Lucent and the City of Naperville permitting the city host the Recycling and Reuse Extravaganza on the exterior premises of Alcatel-Lucent on June 6, 2009 RESOLUTION NO 09-016, RECYCLING & REUSE EXTRAVAGANZA
- Council moved to adopt Resolution No 09-016, 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 6, 2009
- I14** Resolution No 09-017, approving a Local Agency Agreement for Federal Participation with the Illinois Department of Transportation for DuPage River Trail Segment 4 and authorizing the Mayor to execute the agreement RESOLUTION NO 09-017, DUPAGE RIVER TRAIL SEGMENT 4
- Council moved to adopt Resolution No 09-017, approving a Local Agency Agreement for Federal Participation with the Illinois Department of Transportation (IDOT) for DuPage River Trail Segment 4 and authorizing the Mayor to execute the agreement
- I15** Ordinance No 09-042, reserving the City's 2009 Volume Cap ORDINANCE NO 09-042, 2009 VOLUME CAP
- Council moved to pass Ordinance No 09-042, reserving the City's 2009 Volume Cap
- I16** Table consideration of the Historic Sites Commission Composition and Mission to May 19, 2009 HISTORIC STIES COMPOSITION & MISSION
- Council moved to table consideration of the Historic Sites Composition and Mission to May 19, 2009

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N2 Community Garden Plots (PST 09-1-19)

**COMMUNITY GARDEN
PLOTS, PST 09-1-19**

Craig Williams – District 203 – Petitioner 320 W Jackson Avenue summarized the issues and the collaborative process between the school and park district

Ray McGury – Park District – Petitioner 320 W Jackson Avenue reviewed the deliberations that resulted in the support of Option 1A and stressed that Option 2 would only be a short-term solution

Brad Wilson – Director of Recreation - 320 W Jackson Avenue, explained that priority reservation is given to previous plot owners, then residents, then the remaining plots are open to non-residents at a higher fee

Don Winters, 1929 Ridgefield Lane, spoke against Option 1A and offered alternatives

Doug Dallmer, 619 Fredericksburg Court, spoke against Option 1A because of floodplain issues, soil quality, traffic impacts, out-of-date cost estimates, and stated that Council does not have all of the facts to make an informed decision, a “no” vote would allow the time to collect all information

JoAnne O’Toole, 2013 Exmoor Court, represents current and future Naperville Central students and urged Council to approve Option 1A

Kevin Kelly, 471 Flock Avenue, spoke in favor of Option 1A and that Option 2 does not support the children

Bruce Martynawicz, 326 Shome Court, urged Council to approve Option 1A

Paul O’Toole, 2013 Exmoor Court, spoke in favor of Option 1A

John Polich, 1756 E Bailey Road, discussed traffic and parking problems

Wanda Wohead, 2019 Maplewood Circle, does not support athletic fields on West Street and explained how plot reduction will affect how many vegetables she is able to grow

Elaine Fisher, 993 Sylvan Circle, stated that more facts are needed to make an informed decision

Tom O’Hale, 620 Gartner Road, urged the Council to make the decision that is best for the community

Paul Tanzillo, 1825 Arabian Avenue and Naperville Central Booster Club President, spoke in favor of Option 1A because it gives the gardeners the most plots

BREAK: 8:20 P.M.
Mayor Pradel called the meeting back to order at 8:27 p.m.



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N2 Community Garden Plots (PST 09-1-19) Continued

COMMUNITY GARDEN
PLOTS, PST 09-1-19

Al Cain, 692 Chippewa, asked Council to consider the traffic and parking issues and suggested the traffic study be redone

Laurian Edan, 993 Sylvan Circle, wants all garden plots to remain at the West Street location and explained that the Caroline Martin Mitchell bequest was for the land to benefit all of Naperville

Bruce Gilbert, 116 Thrush Lane, stated that he will lose one of his plots that he has had for 30 years if Option 1A is approved

Kevin McQuillan, 916 Spindletree, spoke in favor of Option 1A and explained that this is a proper use under the Caroline Martin Mitchell provision

David Shaftman, 1821 S Washington Street Apt 310, stated that Option 1A is an appropriate compromise

Betsy Little, 617 Flock Avenue, supports Option 1A

Jean-Marie Seidl, 3431 Keller Lane, questioned the fiscal logic of Option 1A

Warren Gill, 844 Mobile Court, opposes Option 1A

Kelly Scotti, 352 Prairie Knoll, supports Option 1A

David Ritchie, 523 Springhill Circle, suggested alternative locations for the athletic fields

Dave Groebel, 7 S 500 Green Acres Drive, opposes Option 1A

Wilson explained that the school and park districts will work on intergovernmental agreement regarding the overall use and cost structure associated, engineering plans would be reviewed and adjusted to fit in the parameters of the budget

Wilson stated that fields will still be available for Naperville Central without impacting youth programs, locations will be rotated into the existing inventory of spaces, including the Nike Park development, and that the proposed Option 1A plan will guarantee everyone that is currently renting a plot will get at least one, the allocation of additional plots will be evaluated based on requests and space available

The traffic consultant explained that no events in addition to the St Patrick's Day Parade were scheduled during the March 14, 2009 traffic study, no activities were occurring during the March 17, 2009 traffic study and data from previous traffic counts were also utilized, additional foot traffic is not a concern at this time, and a traffic light is warranted based on staff feasibility study at either Osler or Emerald

Novack stated that the stormwater report will be submitted to the City of Naperville and DuPage County for approval

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Council discussed that Option 1A would satisfy the needs of most of the northern gardeners and will produce 38% more plots, the gardeners would not miss a season with new plots on Royce Road, and that the land use satisfies the Caroline Martin Mitchell bequest

N2a Ordinance No 09-043, authorizing the execution of the first amendment to the Intergovernmental Lease with the Naperville Park District for the DuPage River Park, PST 09-1-19

ORDINANCE NO 09-043,
DUPAGE RIVER PARK,
PST 09-1-19

Furstenau moved to pass Ordinance No 09-043, authorizing the execution of the first amendment to the Intergovernmental Lease with the Naperville Park District for the DuPage River Park, PST 09-1-19 Second, Wehrli

ROLL CALL:

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

Nays: None

Absent: Rosanova
 Motion declared carried

N2b Ordinance No 09-044, authorizing the execution of the first amendment to the Intergovernmental Lease with the Naperville Park District for the West Street Properties, PST 09-1-19

ORDINANCE NO 09-044,
WEST STREET
PROPERTIES, PST 09-1-19

Furstenau moved to pass Ordinance No 09-044, authorizing the execution of the first amendment to the Intergovernmental Lease with the Naperville Park District for the West Street Properties, PST 09-1-19 Second, Wehrli

ROLL CALL:

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

Nays: None

Absent: Rosanova
 Motion declared carried

BREAK: 9:41 P.M.

Mayor Pradel called the meeting back to order at 9:49 p.m.

Clerk's Note: Councilman Rosanova returned to the dais at 9:49 p.m.

J OLD BUSINESS:

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- J1** Resolution No 09-019, authorizing the issuance of a food concession cart permit based on certain terms and conditions **RESOLUTION NO 09-019
FOOD CONCESSION
CART – DOWNTOWN
NAPERVILLE**
- Paul Junkroski of 180 W Benton #304 and chairman of the Downtown Naperville Alliance thanked Council for the fees and charges that are included in the resolution and urged Council to assess a \$300 SSA fee which is based on a \$1 00/square foot calculation
- Council discussed the fairness of charging an SSA fee, the price of an Outdoor Seating Permit and the relationship between fees, permits and liquor sales
- J1** Resolution No 09-019, authorizing the issuance of a food concession cart permit based on certain terms and conditions
- Dunn moved to adopt Resolution No 09-019, authorizing the issuance of a food concession cart permit based on certain terms and conditions Second, Furstenau
- ROLL CALL:**
- Ayes:** Furstenau, Krause, Miller, Rosanova, Pradel, Dunn, Fieseler
- Nays:** Wehrli, Boyajian
- Motion declared carried
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** Approve the City Council Meeting Schedule for May, June and July 2009 **CITY COUNCIL MEETING
SCHEDULE**
- Council suggested cancelling one or two meetings in the summer as the agenda activity dictates
- Miller moved to approve the City Council Meeting Schedule for May, June and July 2009 Second, Furstenau
- VOICE VOTE:** Motion declared carried
- L2** Approve the Regular City Council Meeting Minutes of April 8, 2009 **CITY COUNCIL MEETING
MINUTES – 4/8/09**
- Miller moved to approve the minutes with one correction and the addition of “downtown only” to Item L7 Second, Wehrli
- VOICE VOTE:** Motion declared carried
- L3** Variance for 325 Osage Lane, ZBA 1184 **325 OSAGE LANE, ZBA
1184**
- L3a** Option A Concur with staff and deny a variance to allow an addition to a single-family residence to encroach into the required interior side yard setback at 325 Osage Lane



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L5 Motorcycle Parking at the Metra Stations

**MOTORCYCLE PARKING
– METRA STATION**

Miller moved to direct staff to collect motorcycle parking data and provide the City Council with a summary of the findings including a recommendation based on the collected data. Second, Boyajian

VOICE VOTE: Motion declared carried

M **PUBLIC HEARING:**

N **ORDINANCES AND RESOLUTIONS:**

N1 Ordinance No. 09-045, adopting the FY 2009-10 Annual Operating Budget in the amount of \$387,169,092

**ORDINANCE NO 09-045,
FY 2009-10 ANNUAL
OPERATING BUDGET**

Council discussed that the FY 2009-10 budget is 3.4% less than the prior year when the enterprise funds and the pension budgets are backed out, the decrease is a result of cutting the budget by \$11 million which included the elimination of 43 positions, and that the Council can amend the budget during the fiscal year.

Council discussed the actions that can be taken if the budget is not approved, predictions of the assessed valuation, an additional reduction in force, and directed staff to continue to monitor expenditures.

Boyajian moved to pass Ordinance No. 09-045, adopting the FY09-10 Annual Operating Budget in the amount of \$387,169,092.00. Second, Miller.

ROLL CALL:

Ayes: Miller, Rosanova, Pradel, Boyajian, Dunn, Krause

Nays: Wehrli, Fieseler, Furstenau

 Motion declared carried

O **NEW BUSINESS:**

O1 Acknowledgement of Service

Council thanked Councilmen Dunn and Rosanova for their service.

O2 Distribution of Candy at Parades

Mayor Pradel requested the Council discuss a letter regarding distribution of candy at parades.

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P **CLOSED SESSION:**

Q **ADJOURNMENT:**

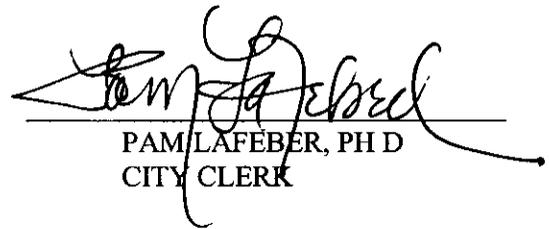
ADJOURNMENT – 10 43

Wehrli moved to adjourn the Regular City Council meeting of April
21, 2009 at 10 43 p m Second, Krause

P M

VOICE VOTE: Motion declared carried

The Regular City Council Meeting of April 21, 2009 officially adjourned at 10 43 p m



PAM LAFEBER, PH D
CITY CLERK

PL BK