



**CITY COUNCIL MEETING OF OCTOBER 20, 2015
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
November 3, 2015 AS WRITTEN.**

CALL TO ORDER:

6:00 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

City Manager, Doug Krieger
Legal Director, Jill Pelka-Wilger
Deputy City Manager, Marcie Schatz
City Prosecutor, Kavita Athanikar
Senior Asst. City Attorney, Pat Lord
Asst. to City Manager, Amy Emery
City Clerk, Pam LaFeber
Communications Manager, Linda LaCloche
Police Chief, Robert Marshall
Deputy Fire Chief, Richard Sander
Fire Chief, Mark Puknaitis
Director of Human Resources, James Sheehan
Director of Finance, Rachel Mayer
Director of Transportation and Engineering, Bill Novack
Transportation Team Leader, Jennifer Louden
Director of Public Works, Dick Dublinski
Director of 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 ROLL CALL:

C CLOSED SESSION:

Gallaher moved to recess to Closed Session to discuss 5 ILCS 120/2(c)(5) The purchase or lease of real property for the use of 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; (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body. Second, Krummen.

ROLL CALL:

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

Nays: None

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.
CLOSED SESSION ADJOURNED AT 6:59 P.M.**

D ROLL CALL:

Mayor Chirico called the meeting back to order at 7:02 p.m.

ROLL CALL to determine Quorum:

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

Absent: None

E PLEDGE TO THE FLAG:

PLEDGE GIVEN

F AWARDS AND RECOGNITIONS:

F1 360 Youth Services Day

PROCLAMATION

Councilwoman Obarski presented the Proclamation to John Norman, Board President, Katy Leclair, Chief Executive Officer, and Nancy Wiersum, Chief Advancement Officer, 360 Youth Services.

G PUBLIC FORUM:

G1 Naperville Historic Moment

Macarena (Rena) Tamayo-Calabrese (Naper Settlement) discussed Naperville and train warning systems.

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.

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I CONSENT AGENDA:

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

ROLL CALL:

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

Nays: None

Motion declared carried.

- I1** Regular City Council Minutes REGULAR CITY COUNCIL MINUTES
Council moved to approve the regular city council meeting minutes of October 6, 2015.
- I2** Bid 16-073, Residential Water Meters BID 16-073, RESIDENTIAL WATER METERS
Council moved to approve the award of utility funded Bid 16-073, residential water meters, to HD Supply Waterworks, Ltd. For an amount not to exceed \$928,280.00.
- I3** Bid 16-095, Sanitary Sewer Service Connections and Service Laterals BID 16-095, SANITARY SEWER SERVICE-CRESS CREEK, PHASE I
Council moved to approve the award of Bid 16-095, grouting of sanitary sewer service connections and service laterals – Cress Creek, Phase 1, to National Power Rodding Corporation for an amount not to exceed \$284,892.64 plus a 5% contingency.
- I4** Contract 15-122, Excavation and Underground Utility Repairs CONTRACT 15-122, EXCAVATION AND UNDERGROUND UTILITY REPAIRS
Council moved to approve the award of option year one extension to Contract 15-122, excavation and underground utility repairs, to Western Utility LLC, for an amount not to exceed \$116,953.00.
- I5** Appointment of Students to Boards and Commissions APPOINTMENT OF STUDENTS TO BOARDS AND COMMISSIONS
Council moved to approve the appointment of Amy Song and Nipun Dubey - Advisory Commission on Disabilities; Nirav Rao, Sydney Relihan and Tushar Dwivedi - Advisory Cultural Commission; Rekha Iyer - Downtown Advisory Commission; Sarvasva Raghuvanshi and Naina Prasad - Financial Advisory Board; Alex Shura and Trisha Prabhu - Historic Preservation Commission; Rajath Salegame - Housing Advisory Commission; Jonathan Kim - Library Board; Jayla Butler – Planning and Zoning Commission; Sameen Ali and Charles Howenstine – Riverwalk Commission; Selena Grover and Rushi Shukla – Sister Cities Commission.
- I6** SKF Global Technology Center Americas SKF GLOBAL TECHNOLOGY CENTER AMERICAS
Council moved to accept the public watermain improvements for SKF Global Technology Center Americas and authorize the City Clerk to reduce the corresponding public improvement surety.
- I7** Ordinance No. 15-171, SSA 21 – Water Street District ORDINANCE NO. 15-171, SSA 21 – WATER STREET DISTRICT
Council moved to pass Ordinance No. 15-171, expanding Special Service Area No. 21 to include P.I.N.'s 07-13-442-001, 07-13-442-003 and 07-13-442-010.



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I8 Resolution No. 15-026, Extension of the Illicit Discharge Detection and Elimination Program

Council moved to adopt Resolution No. 15-026, approving an Intergovernmental Agreement between the County of DuPage and the City of Naperville for the extension of the Illicit Discharge Detection and Elimination Program in the Will County portion of the City of Naperville.

RESOLUTION NO. 15-026,
EXTENSION OF THE
ILLICIT DISCHARGE
DETECTION AND
ELIMINATION PROGRAM

I9 Ordinance No. 15-172, Kendall Elementary School Parking Restrictions

Council moved to pass Ordinance No. 15-172, to amend the parking restrictions on Meadow Lake Drive from a point 80' east of the centerline of Ayrshire Court to a point 100' west of the centerline of Pradel Drive and to remove the right turn movement prohibition from Kendall Elementary School onto Meadow Lake Drive from 8:45 - 9:15 a.m. and 3:15 - 3:45 p.m.

ORDINANCE NO. 15-172,
KENDALL ELEMENTARY
SCHOOL PARKING
RESTRICTIONS

I10 Ordinance No. 15-173, Special Service Area No. 26-Maintenance of Central Business District and Marketing

Council moved to pass Ordinance No. 15-173, establishing Special Service Area No. 26, to pay for the downtown maintenance and marketing services that are presently covered by Special Service Area No. 24.

ORDINANCE NO. 15-173,
SPECIAL SERVICE AREA
NO. 26-MAINTENANCE OF
CENTRAL BUSINESS
DISTRICT AND
MARKETING

I11 Resolution No. 15-027, Settlement Agreements

Council moved to adopt Resolution No. 15-027 approving the Settlement Agreement between the City and Carolyn Marszalik and Stephen Sokoloski and the Settlement Agreement between the City of Naperville and Steve Ellis.

RESOLUTION NO. 15-027,
SETTLEMENT
AGREEMENTS

J **PUBLIC HEARINGS:**

J1 Special Service Area No. 27 – Atwater Conservation Easement and Multi-Purpose Trail

Chirico opened the public hearing at 7:15 p.m.

At 7:15 p.m. Hinterlong moved to continue the public hearing to the December 1, 2015 meeting. Second, Gustin.

VOICE VOTE: Motion declared carried.

SPECIAL SERVICE AREA
NO. 27 – ATWATER
CONSERVATION
EASEMENT AND MULTI-
PURPOSE TRAIL

K **OLD BUSINESS:**

L **ORDINANCES AND RESOLUTIONS:**

Clerk's Note: Chirico recused himself from the dais at 7:16 p.m. due to a conflict of interest.

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L1

Ordinance No. 15-174, Clarification of Mayor's Salary and Mayoral Requirement

Brodhead moved to waive the first reading and pass Ordinance No. 15-174, amending Title 1 (Administrative) Chapter 5 (Mayor and City Council) Section 3 (Salaries), and Section 4 (Powers and Functions), clarifying the salary of the Mayor and remove mayoral requirement to serve on Fire Pension Board. Second, Gallaher.

ROLL CALL:

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

Nays: None

Recused: Chirico
Motion declared carried.

Clerk's Note: Chirico returned to the dais at 7:19 p.m.

L2

Elimination of Liquor Display Confinement

James Haselhorst (Naperville) spoke against removing confinement restrictions.

Katy Leclair (Naperville) spoke against removing confinement restrictions.

Jeremy Komar (Naperville) spoke in favor of removing confinement restrictions.

Donovan Pepper (Naperville - Walgreens) spoke in favor of removing confinement restrictions.

Council discussed display options, increased revenue, local stores competing against other municipalities, and that the only confinement requirements are in Naperville.

Athanikar explained relaxing confinement restrictions so businesses can cross-market with other items.

Council discussed food pairing as a form of entertainment, alcohol prevention efforts, leaving discretion to store managers, pairings that are youth and family appropriate, input from all parties is necessary, maintaining a family friendly community and protecting the Naperville brand, that cross-marketing is currently allowed four times each year and has not resulted in increased police activity, and the appropriateness of sending this back to Liquor Commission to discuss point of purchase and advertising.

Chirico discussed how Naperville is contrary to what is seen around the state, that members of Liquor Commission have served on the 360 Youth Services board, stated that six of the eight nearby communities do not confine alcohol, that the store will not eliminate the liquor area if confinement is relaxed, and that a possible solution would be to put a sunset on the relaxation.

ORDINANCE NO. 15-174,
CLARIFICATION OF
MAYOR'S SALARY AND
MAYORAL
REQUIREMENT

ELIMINATION OF LIQUOR
DISPLAY CONFINEMENT

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L2

Elimination of Liquor Display Confinement Continued

ELIMINATION OF LIQUOR
DISPLAY CONFINEMENT

Mayor directed staff to bring back a revised ordinance amending Sections 1 and 11 of Chapter 3, Title 3 of the Naperville Municipal Code allowing for retail square footage devoted to the display of alcoholic liquors not to exceed twenty percent (20%) of the total retail square footage area of said licensed premises while maintaining a five percent (5%) restriction for Class V – pharmacy licensees, provided that all such displays must be a minimum of 10 feet from the check-out area and all tastings for alcoholic liquor shall be limited to the area specifically designated for liquor display and tastings. Second, Gallaher.

ROLL CALL:

Ayes: Brodhead, Coyne, Gallaher, Krummen, Chirico, Anderson
Nays: Gustin, Hinterlong, Obarski
Motion declared carried.

L3

Sunday Liquor Sales and Service

Charles Brown (Naperville) spoke against the proposed changes.

Council discussed the definition of “meal” and “food service availability,” further complicating the liquor code, that businesses have asked for the change, enforcement challenges, and efforts to make the code more consistent.

Option A

Ordinance No. 15-175, Modify Sunday Liquor Sales and Service

ORDINANCE NO. 15-175,
SUNDAY LIQUOR SALES
AND SERVICE

Brodhead moved to approve Option A and pass Ordinance No. 15-175, amending Section 1, 11, and 17 of Chapter 3, Title 3 of the Naperville Municipal Code to modify Sunday liquor sales and service hours to 7:00 a.m. to maintain alignment throughout the week and keep the meal requirement prior to noon in place. Second, Obarski.

ROLL CALL:

Ayes: Coyne, Gustin, Hinterlong, Krummen, Obarski, Chirico, Brodhead
Nays: Gallaher, Anderson
Motion declared carried.

Option B

Change Sunday Liquor Service hours only for off-premises licensees and on-premises licensees whose primary purpose is for other than the sale of alcohol (No Class C Taverns)

L4

Atwater Subdivision. Phase 1 and 1a, PZC 14-1-146

ATWATER SUBDIVISION.
PHASE 1 AND 1A, PZC 14-
1-146

Gallaher moved to table this item to December 1, 2015. Second, Gustin.

VOICE VOTE: Motion declared carried.

L4a

Final Planned Unit Development (PUD)

FINAL PLANNED UNIT
DEVELOPMENT (PUD)

L4b

Final Plat Of Subdivision & OAA

FINAL PLAT OF
SUBDIVISION & OAA

L4c

Plat of Easement Grant

PLAT OF EASEMENT
GRANT

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M AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

M1 Bid 16-102, Raymond Drive Interceptor Sewer Phase 2

**BID 16-102, RAYMOND
DRIVE INTERCEPTOR
SEWER PHASE 2**

Brodhead moved to approve the award of Bid 16-102, Raymond Drive Interceptor Sewer, Phase 2, CIPP Rehabilitation 36" diameter sanitary sewer main, to Insituform Technologies USA, LLC for an amount not to exceed \$1,030,318.00 plus a 3% contingency. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Motion declared carried.

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 October, November and December 2015. Second, Obarski.

VOICE VOTE: Motion declared carried.

O2 2016 City Council Meeting Calendar

**2016 CITY COUNCIL
MEETING CALENDAR**

Anderson moved to approve the 2016 City Council Meeting Calendar. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

BREAK: 9:13 P.M.

Mayor Chirico called the meeting back to order at 9:19 p.m.

O3 Meeting Rooms

MEETING ROOMS

James Haselhorst (Naperville) spoke against the proposed fees.

Ralph Bertolocinni (Lisle Township) spoke against the proposed fees.

Council discussed meeting sponsorship opportunities, the appropriateness of charging fees, the importance of volunteerism, that Naperville is becoming aligned with similar institutions, the fee will recoup part of the cost of room set up and tear down, that the fee is not designed to generate revenue, that other fees have been brought current this year, that this is a policy and will not be codified, and that 2016 reservations will not occur until November 2.

By consensus Council approved the meeting room policy as written.



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P NEW BUSINESS:

P1 Council benefits

Coyne discussed removing health and dental insurance for Council in May 2019.

Krieger suggested including this at the budget workshop on October 26.

P2 Temporary Parking Permit at Standard Market

Gallaher acknowledged staff for the swift completion of this project.

P3 Plank Road Development

Gallaher requested a list of the green elements in the proposal.

P4 Recent Fire Event

Gallaher acknowledged the Fire Department for an outstanding response to a recent fire event.

P5 SECA Workshop

Anderson requested a workshop before the Council reviews allocations in March 2016.

P6 Fire Department Response

Gustin inquired about the number of fire trucks at responses.

Puknaitis explained fire equipment and staff rotation.

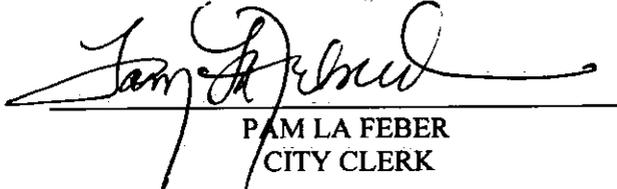
Q ADJOURNMENT:

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of October 20, 2015 at 9:59 p.m. Second, Gallaher.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of October 20, 2015 officially adjourned at 9:59 p.m.



PAM LA FEBER
CITY CLERK

PL: bk

