CITY COUNCIL MEETING OF MARCH 5, 2013
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
March 19, 2013 AS WRITTEN.

CALL TO ORDER: 7:00 P.M.

A Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Joe McElroy
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

Also Present
City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Asst. to City Manager, Amery Emery-Graunke
City Attorney, Margo Ely
City Clerk, Pam LaFeber
Police Chief, Robert Marshall
Deputy Fire Chief, Rick Sander
T.E.D. Director, Bill Novack
T.E.D. Operations Manager, Allison Laff
Project Manager, Anastasia Urban
Project Engineer, Andy Hynes
Public Works Director, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel
Chief Information Officer, Larry Gunderson

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 Employee of the Month – March EMPLOYEE OF THE MONTH

Mayor Pradel recognized Mike DiSanto, Assistant City Attorney, as the Employee of the Month for March.

E PUBLIC FORUM:

E1 Smart Meters
Elizabeth Holmwood, 1504 Branford, spoke against smart meter installation.

E2 Smart Meters
Carol Phillips, 1204 Catalpa, spoke against smart meter installation.

E3 Smart Meters
Mike Anderson, 1611 Frost Lane, spoke against smart meter installation.

Council discussed the smart meter installation, the March 4, 2013 PURPA hearing, and the purpose of the PURPA hearings.

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

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

Miller moved to use the Omnibus method to approve the Consent Agenda. Second, Wehrli.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items I5, I8, I9, and I16. Second, Wehrli.

ROLL CALL:
Ayes: Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli
Nays: None
Motion declared carried.

I1 Cash Disbursements – 2/13/13

CASH DISBURSEMENTS – 2/13/13

Council moved to approve the 2/13/13 cash disbursements in the amount of $16,326,806.28.

I2 Regular City Council Minutes

REGULAR CITY COUNCIL MINUTES

Council moved to approve the Regular City Council Meeting Minutes of February 19, 2013.

I3 RFP 13-124, GIS Land Base Additions

RFP 13-124, GIS LAND BASE ADDITIONS

Council moved to approve the award of RFP 13-124, GIS Land Base Additions, to Kucera International, Inc., for the base cost plus Options 1, 2 and 3 for a total amount not to exceed $142,100.00

I4 Bid 13-127, Tree Planting

BID 13-127, TREE PLANTING

Council moved to approve the award of Bid 13-127, tree planting, to The Fields on Caton Farm for an amount not to exceed $211,625.00.

I6 RFP 13-117, RAS Pumping Additions & Improvements at SWRC

Council moved to approve the award of RFP 13-117, grit removal and RAS pumping additions and improvements at Springbrook Water Reclamation Center (SWRC) to Donohue & Associates, Inc. for an amount not to exceed $317,250.00.

RFP 13-117, RAS PUMPING ADDITIONS & IMPROVEMENTS AT SWRC

I7 Bid 13-145, Magnesium Hydroxide

Council moved to approve the award of Bid 13-145, magnesium hydroxide, to Clear 2 0, Inc. for an amount not to exceed $119,500.00 for a two-year contract period.

BID 13-145, MAGNESIUM HYDROXIDE

I10 Procurement 13-158, Police Patrol Vehicle Replacements

Council moved to approve the award of Procurement 13-158, police patrol vehicle replacements, to Currie Motors, through a joint purchasing contract with Suburban Purchasing Cooperative for an amount not to exceed $193,305.00

PROCUREMENT 13-158, POLICE PATROL VEHICLE REPLACEMENTS

I11 Appointments to City of Naperville Boards and Commissions

Council moved to approve Mayoral appointments of Susan Wade to the Financial Advisory Board and Sean Hastings to the Planning and Zoning Commission.

APPOINTMENTS TO CITY OF NAPERVILLE BOARDS AND COMMISSIONS

I12 Naperville Marathon and Half Marathon

Council moved to approve the route for the Naperville Marathon and Half Marathon scheduled for Sunday, November 10, 2013.

NAPERVILLE MARATHON AND HALF MARATHON

I13 Naper Settlement Civil War Days 2013 and overnight camp

Council moved to approve the use of black powder for demonstration purposes at Naper Settlement's Civil War Days event on May 18 and 19, 2013 and on August 8, 2013 for a Civil War themed overnight camp.

NAPER SETTLEMENT CIVIL WAR DAYS 2013 AND OVERNIGHT CAMP

I14 Public Hearing - FY 14 Annual Operating Budget

Council moved to schedule a public hearing for the FY 14 Annual Operating Budget on April 2, 2013.

PUBLIC HEARING - FY 14 ANNUAL OPERATING BUDGET

I15 Resolution No. 13-006, Operation of Regional Household Hazardous Waste Facility

Council moved to adopt Resolution No. 13-006, authorizing the City Manager to execute the Intergovernmental Agreement between the City of Naperville and Will County for the operation of the regional Household Hazardous Waste Facility.

RESOLUTION NO. 13-006, OPERATION OF REGIONAL HOUSEHOLD HAZARDOUS WASTE FACILITY

I17 Ordinance No. 13-011, 360 Youth Services 5K and 10K Run

Council moved to pass Ordinance No 13-011, to establish temporary street closures for the 360 Youth Services 5K and 10K Run and approve an amplifier permit and special event permit for the event.

ORDINANCE NO. 13-011, 360 YOUTH SERVICES 5K AND 10K RUN

I18	Ordinance No. 13-012, Transportation Advisory Board Council moved to pass Ordinance No. 13-012, amending Title 2 (boards and commissions) of the Naperville Municipal Code to eliminate the Bicycle and Pedestrian Advisory Committee (BPAC) and clarify the powers and duties of the Transportation Advisory Board (TAB).	ORDINANCE NO. 13-012, TRANSPORTATION ADVISORY BOARD
I19	Ordinance No. 13-013, Huntington Shopping Center Variances Council moved to pass Ordinance No. 13-013, to approve the variances to Title 5 of the Naperville Municipal Code and the International Building Code to allow a two-year delay in the installation of the fire suppression system for units 1476 – 1484 E. Chicago Avenue subject to certain conditions.	ORDINANCE NO. 13-013, HUNTINGTON SHOPPING CENTER VARIANCES
I20	Ordinance No. 13-014, Midwest Badminton Club Council moved to pass Ordinance No. 13-014, approving a conditional use for an athletic training facility in ORI (Office, Research, & Light Industry District) at 2019 Corporate Lane, PZC 13-1-003.	ORDINANCE NO. 13-014, MIDWEST BADMINTON CLUB
I21	Midwest Warehouse, PZC 12-1-124	MIDWEST WAREHOUSE, PZC 12-1-124
I21a	Ordinance No. 13-015, Midwest Warehouse Council moved to pass Ordinance No. 13-015, granting a variance from Section 6-9-3:2 (schedule of off-street parking requirements) of the municipal code to reduce the number of required off-street parking spaces in order to accommodate an expansion to the existing Midwest Warehouse facility located at 2885 W. Diehl Road.	ORDINANCE NO. 13-015, MIDWEST WAREHOUSE
I21b	Midwest Warehouse property Plats of Easement Council moved to approve the plats of easement for the Midwest Warehouse property located at 2885 W. Diehl Road and the Factory Card Outlet facility located at 2727 W. Diehl Road.	PLATS OF EASEMENT
I22	Ordinance No. 13-016, Hawthorne Square, PZC 12-1-155 Council moved to pass Ordinance No. 13-016, approving a minor change to the Hawthorne Square PUD, PZC 12-1-155.	ORDINANCE NO. 13-016, HAWTHORNE SQUARE, PZC 12-1-155
I23	Ordinance No. 13-017, Reserve of 2013 Volume Cap Council moved to pass Ordinance No. 13-017, reserving the City's 2013 Volume Cap.	ORDINANCE NO. 13-017, RESERVE OF 2013 VOLUME CAP

I5	RFP 13-107, Custodial/Janitorial Bevis explained the bidding process. Dublinski discussed the performance and cost of the incumbent business. Council discussed tabling the award, local preferences, and the appropriateness of rebidding the process. Chirico moved to table to the March 19 City Council meeting. Second, Krause **VOICE VOTE:** Motion declared carried.	RFP 13-107, CUSTODIAL/JANITORIAL

I8 Contract NPW-301-FY13, Central Park Public Restroom

CONTRACT NPW-301-FY13, CENTRAL PARK PUBLIC RESTROOM

Miller moved to approve the award of job order Contract NPW-301-FY13, Central Park public restroom to F.H. Paschen, LLC for an amount not to exceed $247,850.00. Second, Hinterlong.

ROLL CALL:
Ayes: Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel
Nays: None
Motion declared carried.

I9 Resolution No. 13-007, Central Park Intergovernmental Agreement

RESOLUTION NO. 13-007, CENTRAL PARK IGA

Fieseler moved to adopt Resolution No. 13-007, approving the first amendment to the intergovernmental agreement between the City of Naperville and the Naperville Park District for the maintenance of Central Park. Second, Miller.

ROLL CALL:
Ayes: Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead
Nays: None
Motion declared carried.

I16 Expansion of SSA 21 and 24

EXPANSION OF SSA 21 AND 24

Urban explained the turnaround space on the property and photometric standards

Chirico moved to create an Omnibus Ordinance to approve items I16a, I16b, and I16c. Second, Miller.

VOICE VOTE: Motion declared carried.

Chirico moved to pass Ordinance No's: 13-018, 13-019, and adopt Resolution No.13-008. Second, Miller.

ROLL CALL:
Ayes: Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico
Nays: None
Motion declared carried.

I16a Ordinance No. 13-018, Enlargement of Special Service Area 21 (SSA 21)

ORDINANCE NO. 13-018, ENLARGEMENT OF SPECIAL SERVICE AREA 21 (SSA 21)

Council moved to approve a parking fee-in-lieu request and pass Ordinance No. 13-018, setting a May 7, 2013 public hearing for enlargement of SSA 21.

I16b Ordinance No. 13-019, Enlargement of Special Service Area 24 (SSA 24)

ORDINANCE NO. 13-019, ENLARGEMENT OF SPECIAL SERVICE AREA 24 (SSA 24)

Council moved to approve a parking fee-in-lieu request and pass Ordinance No. 13-019, setting a May 7, 2013 public hearing for enlargement of SSA 24.

I16c Resolution No. 13-008, 237 W. Jefferson Avenue

RESOLUTION NO. 13-008, 237 W. JEFFERSON AVENUE

Council moved to adopt Resolution No. 13-008, approving an At-Risk agreement for the property at 237 W. Jefferson Avenue.

L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

CITY COUNCIL MEETING SCHEDULE

Wehrli moved to approve the City Council Meeting Schedule for March, April and May 2013. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

L2 Parts Technician – DPW Fleet Services Division

PARTS TECHNICIAN – DPW FLEET SERVICES DIVISION

Wehrli moved to authorize the City Manager to recruit externally to fill one vacant Parts Technician position in the Fleet Services Division of the Department of Public Works. Second, Hinterlong.

ROLL CALL:
Ayes: Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico, Fieseler
Nays: None
Motion declared carried.

L3 Adjustment to Pay Ranges for Non-Union Employees

ADJUSTMENT TO PAY RANGES – NON-UNION EMPLOYEES

Miller moved to authorize an upward adjustment of 3% to the City's non-union pay ranges. Second, Hinterlong.

ROLL CALL:
Ayes: Krause, McElroy, Miller, Wehrli, Pradel Brodhead, Chirico, Fieseler, Hinterlong
Nays: None
Motion declared carried.

BREAK: 8:12 P.M.
Mayor Pradel called the meeting back to order at 8:22 p.m.

J OLD BUSINESS:

J1 Water Street District-North Phase/South Phase, PZC 12-1-039 and PZC 12-1-040

WATER STREET DISTRICT-NORTH PHASE/SOUTH PHASE, PZC 12-1-039 AND PZC 12-1-040

Jeff Prosapio, 401 Main and Petitioner, discussed the revised proposal and explained that all buildings are under 70' tall, the two parking garage options, plaza, and the measures that have been taken to lower peak traffic counts.

Terry Ryser, 2103 W. 87th Street, spoke in favor of the proposed development.

Bob Buchman, 1325 Heatherton, spoke against the proposed development.

Krieger explained the TIF district that encompasses the Water Street development area.

Jim Shanchuk, 1200 Whispering Hills, spoke in favor of the proposed development.

Richard Furstenau, 709 Zaininger, spoke against the proposed development.

Diana Piedra , 127 Aurora, spoke against the proposed development.

J1 Water Street District-North Phase/South Phase, PZC 12-1-039 and PZC 12-1-040 **Continued**

WATER STREET DISTRICT-NORTH PHASE/SOUTH PHASE, PZC 12-1-039 AND PZC 12-1-040

Dick Galitz, 1017 Bailey, spoke against the proposed development.

Chuck Schlabach, 809 Ramsgate, spoke in favor of the development with modifications.

Council discussed the parking and traffic concerns, the expansion of the Riverwalk, height of the parking garage, appropriate names of development amenities and the idea of excluding any reference to the Riverwalk in those names, and that construction shall not cause undue hardship to businesses on the south side of the alley.

Laff gave a comprehensive review of the 2007 Water Street Vision statement, the appropriate development scheme for downtown, and that the current proposal is at or below what was submitted in 2007. She also stated that enclosed parking structures are not included in FAR calculations.

Hynes explained the traffic impact analysis and that staff is drafting strategies to address some of the issues.

Novack said that regardless of the development the area will have traffic problems in the future. However, with the development those problems will come sooner rather than later.

Council discussed the four-month public process and how the developer has responded to input, the changes and compromises that have been made, the analysis of traffic patterns and the appropriateness of creating a toolkit of contingencies (wayfinding, stop signs, one-way routes), that the Transportation Advisory Board should be involved during construction, and cut-through deterrents should be implemented.

Miller moved to direct staff to prepare ordinances approving the Water Street District – north phase/south phase, including approval of the final PUD plats, final subdivision plats, a conditional use for a hotel in B4 (Downtown Core), deviations to the parking and sign requirements, SSA buy-in and other related approvals, including the development of a 524 space parking garage. Second, Chirico.

Wehrli made a Motion in Substitution to direct staff to prepare ordinances approving the Water Street District – north phase/south phase, including approval of the final PUD plats, final subdivision plats, a conditional use for a hotel in B4 (Downtown Core), deviations to the parking and sign requirements, SSA buy-in and other related approvals including the development of a 524 space parking garage and to exclude any reference of the Riverwalk in the hotel and development amenities. Second, Fieseler.

ROLL CALL on Motion in Substitution:

Ayes: Wehrli, Brodhead, Fieseler, Hinterlong

Nays: McElroy, Miller, Pradel, Chirico, Krause

Motion declared **not** carried.

ROLL CALL on Main Motion:

Ayes: Miller, Pradel, Brodhead, Chirico, Fieseler, Hinterlong, McElroy

Nays: Wehrli, Krause

Motion declared carried.

K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

M PUBLIC HEARINGS:

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

P CLOSED SESSION:

Q ADJOURNMENT: ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of March 5, 2013 at 10:12 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of March 5, 2013 officially adjourned at 10:12 p.m.

PAM LAFEBER PH.D.
CITY CLERK

PL: BK