



**CITY COUNCIL MEETING OF FEBRUARY 5, 2013
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
February 19, 2013 AS WRITTEN.**

CALL TO ORDER:

6:30 P.M.

A Mayor A. George Pradel
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Joe McElroy - Arrived at 6:31 p.m.
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

Councilwoman Judy Brodhead

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
Fire Chief, Mark Puknaitis
T.E.D. Director, Bill Novack
T.E.D. Operations Manager, Allison Laff
Development Services Manager, Anastasia Urban
Asst. Finance Director, Chris Smith
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

A handwritten signature in black ink, appearing to be the initials 'GB' or similar, located at the bottom left of the page.

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B CLOSED SESSION:

Wehrli moved to recess to Closed Session to discuss 5ILCS/120(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body; (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, Krause.

ROLL CALL:

Ayes: Pradel, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli

Nays: None

Absent: Brodhead

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 6:33 P.M.

CLOSED SESSION ENDED AT 6:53 P.M.

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:05 p.m.

ROLL CALL to determine Quorum:

Present: Pradel, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli

Absent: Brodhead

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month - February

EMPLOYEE OF THE MONTH

Councilman Miller recognized Lynn Soukup, Financial Reporting and Payroll Analyst, as the Employee of the Month for February.

D2 2013 – Year of the Healthy, Wealthy and Wise Initiative Proclamation

2013 – YEAR OF THE HEALTHY, WEALTHY AND WISE INITIATIVE

Councilman Wehrli proclaimed 2013 as the Year of the Healthy, Wealthy & Wise Initiative and presented the proclamation to Olya Tymciurak, Library Manager 95th Street Library, Kimberly Neidermyer, Marketing Manager, and Alice Wood, President, Living Smart International.

D3 Fire Chief's Award

FIRE CHIEF'S AWARD

Chief Puknaitis presented the Fire Chief's award to Diana Deahr for actions taken at the scene of a house fire.

E PUBLIC FORUM:

E1 Water Street

H. Tom O'Hale, 620 W. Gartner, spoke against the proposed development.

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- E2** Governance
Gerard H. Schilling, 908 Carlson, spoke about government representation in Naperville.
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BREAK: 7:18
Mayor Pradel called the meeting back to order at 7:24 p.m.

- E3** Liberty
Jo Mailk, 843 Santa Maria, spoke about government representation in Naperville.

- E4** Smart Meters
David MacDuff, 617 Pawnee Lane, spoke against the smart meter initiative.
Dick Hutter, 1059 E. Gartner, spoke against the smart meter initiative.
Amber Schoedel, 1219 Windmere, spoke against the smart meter initiative.
Tricia Tillotson, 4832 Clearwater Lane, spoke against the smart meter initiative.
Tom Glass, 1304 Old Dominion Road, spoke against the smart meter initiative.
Jerry Lennon, 7719 Butternut, Woodridge, spoke against the smart meter initiative.
Nancy Lauris, 2650 Vermillion, spoke against the smart meter initiative.
Ken Pizano, 230 N. Whispering Hills, spoke against the smart meter initiative.
Tim Messer, 6 N. Huffman, spoke in favor of the smart meter initiative and discussed civil discourse.
Nancy Jacques, 209 W. Golf View Terrace, Palatine, spoke against the smart meter initiative.
Dianne Ciantbrone, 23 W. Franklin, spoke against the smart meter initiative.
Carol Schilling, 908 Carlson, spoke against the smart meter initiative.
Stan Kriz, 2743 Freeland, spoke against the smart meter initiative.
John Krummen, 2640 Haddassah, spoke in favor of the smart meter initiative and discussed civil discourse.

F **HOLDOVER ITEMS:**

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



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**H CONSIDERATION 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 I7, I9, I12, and I13. Second, Wehrli.

ROLL CALL:

Ayes: Pradel, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli

Nays: None

Absent: Brodhead

 Motion declared carried.

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| <p>I1 <u>Cash Disbursements – 1/16/13</u>
Council moved to approve the 1/16/13 cash disbursements in the amount of \$17,611,662.01.</p> | <p>CASH DISBURSEMENTS –
1/16/13</p> |
| <p>I2 <u>Regular City Council Minutes</u>
Council moved to approve the Regular City Council Meeting Minutes of January 15, 2013.</p> | <p>REGULAR CITY COUNCIL
MINUTES</p> |
| <p>I3 <u>Bid 13-123, Substation Automation Communication Upgrade</u>
Council moved to approve the award of Bid 13-123, substation automation communication upgrade to Graybar Electric, for an amount not to exceed \$199,520.00.</p> | <p>BID 13-123, SUBSTATION
AUTOMATION
COMMUNICATION
UPGRADE</p> |
| <p>I4 <u>Procurement 13-143, Heavy Duty Dump Truck with Plow</u>
Council moved to approve the award of Procurement 13-143, purchase of heavy duty dump truck with plow through a joint purchasing contract with the State of Illinois for an amount not to exceed \$105,956.00.</p> | <p>PROCUREMENT 13-143,
HEAVY DUTY DUMP
TRUCK WITH PLOW</p> |
| <p>I5 <u>RFP 13-025A, Depository Banking, Lockbox and Safekeeping Services</u>
Council moved to approve the award of RFP 13-025A, depository banking, lockbox and safekeeping services, to BMO Harris Bank, per unit prices submitted, for an amount not to exceed \$838,750.00 for a five-year contract period (\$167,750.00 per year) beginning August 1, 2013.</p> | <p>RFP 13-025A, DEPOSITORY
BANKING, LOCKBOX AND
SAFEKEEPING SERVICES</p> |
| <p>I6 <u>Appointments to City of Naperville Boards and Commissions</u>
Council moved to approve the Mayoral appointments of Michele Hilger, Linda Wilhelm and Edwin Hojnacki to the Fair Housing Advisory Commission; Robert Chris Monovich to the Sister Cities Commission; and Nicholas Smith to the Transportation Advisory Board.</p> | <p>APPOINTMENTS TO CITY
OF NAPERVILLE BOARDS
& COMMISSIONS</p> |



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|------------|--|---|
| I8 | <u>Ordinance No. 13-005, 2013 Sidewalk Maintenance Program Cost Sharing</u>
Council moved to pass Ordinance No. 13-005, to approve the 2013 Sidewalk Maintenance Program Cost Sharing. | ORDINANCE NO. 13-005,
2013 SIDEWALK
MAINTENANCE
PROGRAM COST SHARING |
| I10 | <u>Resolution No. 13-001, 2013 Annual New Sidewalk Safe Routes to School Project</u>
Council moved to adopt Resolution No. 13-001, approving a local agency agreement for federal participation with the Illinois Department of Transportation (IDOT) for the construction of the City of Naperville 2013 New Sidewalk Safe Routes to School (SRTS) Project – various locations. | RESOLUTION NO. 13-001,
2013 ANNUAL NEW
SIDEWALK SAFE ROUTES
TO SCHOOL PROJECT |
| I11 | <u>Ordinance No. 13-006, St. Paddy's Day 5K and St. Patrick's Day Parade</u>
Council moved to pass Ordinance No. 13-006, to establish temporary traffic controls and issue special event permits and amplifier permits for the St. Paddy's Day 5K Run and the St. Patrick's Day Parade on March 16, 2013. | ORDINANCE NO. 13-006,
ST. PADDY'S DAY 5K AND
ST. PATRICK'S DAY
PARADE |
| I12 | <u>Department of Public Utilities-Electric Rate Code</u>
Council moved to conduct the first reading amending Article A (general provisions), Article B (service rules and policies), and Article C (electric service rates) of Chapter 1 (electricity) of Title 8 (public utilities) of the Municipal Code. | DEPARTMENT OF PUBLIC
UTILITIES-ELECTRIC
RATE CODE |
| I14 | <u>English Rows, PZC 12-1-148</u>
Council moved to accept the petitioner's letter to withdraw PZC 12-1-148, request to amend the English Rows PUD. | ENGLISH ROWS, PZC 12-1-
148 |
| <hr/> | | |
| I7 | <u>Reappointments to the Boards and Commissions</u>
Wehrli moved to approve Mayoral Reappointment to the Riverwalk Commission and postpone approving Mayoral Reappointment to Fair Housing Advisory Commission until residency is verified. Second, Miller.

ROLL CALL:
Ayes: Chirico, Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel
Nays: None
Absent: Brodhead
Motion declared carried. | REAPPOINTMENTS TO
THE BOARDS AND
COMMISSIONS |
| I9 | <u>Resolution No. 13-002, Operation of Regional Household Hazardous Waste Facility</u>
Council discussed that certain items are recycled while others are melted down. | RESOLUTION NO. 13-002,
OPERATION OF
REGIONAL HOUSEHOLD
HAZARDOUS WASTE
FACILITY |

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- 19** Resolution No. 13-002, Operation of Regional Household Hazardous Waste Facility Continued RESOLUTION NO. 13-002, OPERATION OF REGIONAL HOUSEHOLD HAZARDOUS WASTE FACILITY
- Chirico moved to adopt Resolution No. 13-002, to authorize the City Manager to execute the second amendment to the Intergovernmental Agreement between the City of Naperville and DuPage County for the operation of the regional Household Hazardous Waste Facility. Second, Hinterlong.
- ROLL CALL:**
- Ayes:** Fieseler, Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Chirico
- Nays:** None
- Absent:** Brodhead
- Motion declared carried.
- 112** Department of Public Utilities-Electric Rate Code DEPARTMENT OF PUBLIC UTILITIES-ELECTRIC RATE CODE
- Curran explained the Cost-of-Service and Rate Design Study and specifics of the proposed text amendment.
- Council discussed additional proposed changes regarding costs, non-wireless meter alternative, demand response terms/conditions, reviewing rates annually, and removing references to the ePortal.
- First Reading Held.
- 113** Resolution No. 13-003, Incentive Agreement with Wal-Mart Stores, Inc. RESOLUTION NO. 13-003, INCENTIVE AGREEMENT WITH WAL-MART STORES, INC.
- Wehrli moved to adopt Resolution No. 13-003, approving the first amendment to the economic incentive agreement with Wal-Mart Stores, Inc. to reflect the updated development schedule. Second, Hinterlong.
- ROLL CALL:**
- Ayes:** Hinterlong, Krause, Miller, Wehrli, Pradel, Chirico, Fieseler
- Nays:** McElroy
- Absent:** Brodhead
- Motion declared carried.
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- J** **OLD BUSINESS:**
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** City Council Meeting Schedule CITY COUNCIL MEETING SCHEDULE
- Wehrli moved to approve the City Council meeting schedule for February, March, and April 2013 and reschedule the March 11 workshop to 4:00 p.m. Second, Chirico.
- VOICE VOTE:** Motion declared carried.



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L2 Automotive Technician - DPW Fleet Services Division

AUTOMOTIVE
TECHNICIAN - DPW
FLEET SERVICES
DIVISION

Council discussed holding the vacancy because of the mild winter and reduced maintenance on winter operation vehicles.

Dublinski stated that DPW maintains more than 500 vehicles, explained the Fleet Efficiency Study, discussed overhead costs, and that outsourcing maintenance responsibilities will actually increase the general budget.

Krause moved to authorize the City Manager to recruit externally to fill one vacant automotive technician in the Fleet Services Division of the Department of Public Works. Second, Hinterlong.

ROLL CALL:

Ayes: Krause, McElroy, Miller, Wehrli, Pradel, Fieseler,
 Hinterlong

Nays: Chirico

Absent: Brodhead

Motion declared carried.

L3 Temporary Seasonal personnel (FY13-14)

TEMPORARY SEASONAL
PERSONNEL (FY13-14)

Wehrli moved to authorize the City Manager to recruit externally and hire 33 temporary/seasonal personnel. Hinterlong.

ROLL CALL:

Ayes: McElroy, Miller, Wehrli, Pradel, Chirico, Fieseler,
 Hinterlong, Krause

Nays: None

Absent: Brodhead

Motion declared carried.

L4 FY14 Social Service Grant Awards and Proposed Program Changes

FY14 SOCIAL SERVICE
GRANT AWARDS AND
PROPOSED PROGRAM
CHANGES

L4a Approve the funding amounts for the Fiscal Year 2014 Social Service Grant awards

L4b Implement an expanded Social Services Grant Program

1. Expansion of the Social Service Grant Program to include an additional \$100,000 for the Fiscal Year 2014 Social Service Grant ;
2. Annual grant funding allocation of \$600,000 for the Social Service Grant program beginning in 2015;
3. Reduction in the general fund excess fund balance transfer to the CIP fund by \$100,000 in FY14 and the use of SECA funds previously allocated to the Carillon debt to fund the Social Service Grant program beginning in FY15;
4. Increase in the CDBG Coordinator position from 30 hours/week to 40 hours per week beginning May 1, 2013.

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L4 FY14 Social Service Grant Awards and Proposed Program Changes
Continued

**FY14 SOCIAL SERVICE
GRANT AWARDS AND
PROPOSED PROGRAM
CHANGES**

Council discussed the original intent of SECA and that the City needs to return, reinforce, or change the ordinance related to SECA.

Wehrli moved to approve the funding amounts for the Fiscal Year 2014 Social Service Grant awards, to approve an expansion of the Social Services Grant Program to include an additional \$100,000 for the Fiscal Year 2014 Social Service Grant Program, and to approve a reduction in the general fund excess fund balance transfer to the CIP fund by \$100,000 in FY 2014. Second, Hinterlong

ROLL CALL:

Ayes: Miller, Wehrli, Pradel, Chirico, Hinterlong, McElroy

Nays: None

Abstain: Fieseler, Krause

Absent: Brodhead

 Motion declared carried.

Pradel made a Motion to Wipe the Slate Clean. Second, Chirico.

VOICE VOTE: Motion declared carried.

Schatz explained that to allow adequate time for a public process to establish goals and to provide an efficient application process the schedule must be changed. She reviewed the proposed application timeline.

Wehrli moved to approve the funding amounts for the Fiscal Year 2014 Social Service Grant awards, to approve an expansion of the Social Services Grant Program to include an additional \$100,000 for the Fiscal Year 2014 Social Service Grant Program, and to approve a reduction in the general fund excess fund balance transfer to the CIP fund by \$100,000 in FY 2014. Second, Hinterlong

ROLL CALL:

Ayes: Wehrli, Fieseler, Hinterlong, Krause, Miller

Nays: Pradel, Chirico, McElroy

Absent: Brodhead

 Motion declared carried.

L5 Tree Preservation Working Group

**TREE PRESERVATION
WORKING GROUP**

Kelly Jon Andreck, 2257 Pontiac Circle, discussed proposed recommendations.

Michelle Hickey, 1360 Jefferson, discussed proposed recommendations.

Jodi Trendler, 1421 Talbot, discussed proposed recommendations.

Council discussed tree mandates, property owner rights, development teardowns, Community First Working Group, and the guidelines that the group developed.

M. Skeet, 33 Cool Springs Ct, discussed tree preservation plans.



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**TREE PRESERVATION
WORKING GROUP**

L5 Tree Preservation Working Group **Continued**

Laff explained the tree preservation working group mission, that the group unanimously approved technological assistance and outreach, but wanted the City Council to weigh in on a regulatory approach.

By consensus Council directed the working group to continue with technical assistance and community outreach but not develop an ordinance at this time.

M **PUBLIC HEARINGS:**

M1 Program Year 2014 Community Development Block Grant Annual Action Plan

M1a Public Hearing – Program Year 2013 Community Development Block Grant Annual Action Plan

Pradel opened the hearing at 9:17 p.m.

Krause moved to close the public hearing at 9:18 p.m. Second, Miller.

VOICE VOTE: Motion declared carried.

M1b 2013 Annual Action Plan allocating CDBG funds

Miller moved to approve the 2013 Annual Action Plan (AAP) allocating a total of \$528,065.00 of CDBG funds. Second, Wehrli.

ROLL CALL:

Ayes: Pradel, Chirico, Fieseler, Hinterlong, Krause, McElroy,
 Miller, Wehrli

Nays: None

Absent: Brodhead

 Motion declared carried.

N **ORDINANCES AND RESOLUTIONS:**

O **NEW BUSINESS**

O1 Traffic in School Areas

Hinterlong stated that drivers show much disregard to pedestrians around schools.

Marshall discussed the increased police presence in school areas and greater enforcement of cell phone use violations.

O2 Smart Meters

Krause distributed the outline of a plan designed to reach a compromise between the City and smart meter opponents.



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P **CLOSED SESSION:**

Q **ADJOURNMENT:**

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of February 5, 2013 at 9:27 p.m. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of February 5, 2013 officially adjourned at 9:27 p.m.



PAM LAFEBER PH.D.
CITY CLERK

PL: BK

