



CITY COUNCIL MEETING OF JULY 21, 2009
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
August 18, 2009 AS WRITTEN.

CALL TO ORDER

5 45 P M

- A Mayor A George Pradel
Councilman James Boyajian
Councilman Judy Brodhead
Councilman Robert Fieseler – Arrived at 5:57 p m
Councilman Richard R Furstenau
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Kenn Miller – Arrived at 6 00 p m

Absent

Councilman Grant Wehrli

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
Deputy Police Chief, Vince Gortner
Director of Public Utilities, Allan Poole
Director of Public Works, David Van Vooren
Director of 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

A handwritten signature in black ink, appearing to be a stylized name, possibly 'JP' or similar, written in a cursive style.

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 2

B. CLOSED SESSION

Boyajian moved to recess to Closed Session to discuss 5ILCS/120/2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, (3) The selection of a person to fill a public office, (5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussion whether a particular parcel should be acquired, (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, (11) Litigation, probable or imminent Second, Furstenau

ROLL CALL:

Ayes: Pradel, Boyajian, Brodhead, Furstenau, Hinterlong, Krause, Miller,

Nays: None

Absent: Fieseler, Miller, Wehrli
Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 5:57 P.M.

CLOSED SESSION ENDED AT 7:14 P.M.

OPEN SESSION

MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:16 P.M.

ROLL CALL to determine Quorum:

Present: Pradel, Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller

Absent: Wehrli

C. PLEDGE TO THE FLAG:

D AWARDS AND RECOGNITIONS:

D1 Recognize July Employee of the Month – Amy Scheller

EMPLOYEE OF THE MONTH - JULY

Councilman Kenn Miller presented Amy Scheller with the Employee of the Month Award for July

D2 Present the Fire Chief's Citizen Award

FIRE CHIEF'S CITIZEN AWARD

Chief Puknaitis presented the Fire Chief's Citizen Award to Tracy Trimble, Laura LaRue, Eric Gustafson, Dr. David Sanchez and Jim Boyle for saving lives through the use of AEDs and CPR

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 3

E PUBLIC FORUM:

E1 E1 Revenue Sharing Scheme for Naperville

Richard Godwin of 955 Amberwood proposed installing a 42" flat panel digital billboard in the METRA station waiting room at the 5th Avenue station, an existing billboard is at Loomis and Ogden

Council asked staff to review this proposal and submit a recommendation

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

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

Miller moved to use the Omnibus method to approve the items on the Consent Agenda Second, Furstenau

VOICE VOTE: Motion declared carried

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exceptions of items I11, I16, I19, I28, I30, I36 Second, Krause

ROLL CALL:

Ayes: Pradel, Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller

Nays: None

Absent: Wehrl

Motion declared carried

I1 Cash Disbursements – 6/11/2009

Council moved to approve the cash disbursements for June 11, 2009 in the amount of \$11,799,730 19

Council encouraged to staff to find training in the Chicago area

CASH DISBURSEMENTS –
6/11/09

I2 Cash Disbursements – 6/18/2009

Council moved to approve the cash disbursements for June 18, 2009 in the amount of \$11,103,880 64

CASH DISBURSEMENTS –
6/18/09

I3 Cash Disbursements – 6/25/2009

Council moved to approve the cash disbursements for June 25, 2009 in the amount of \$5,371,244 04

CASH DISBURSEMENTS –
6/25/09

I4 Cash Disbursements – 7/08/2009

Council moved to approve the cash disbursements for July 8, 2009 in the amount of \$7,347,252 17

CASH DISBURSEMENTS –
7/8/09

I5 Regular City Council Meeting Minutes of June 16, 2009

Council moved to approve the Regular City Council Meeting Minutes of June 16, 2009

REGULAR CITY COUNCIL
MEETING MINUTES –
6/16/09

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 4

- I16 Award of the third year extension to Contract 07-026, Fuel, to Parent Petroleum for an amount not to exceed \$1,200,000 CONTRACT 07-026 - FUEL
- Council moved to approve the award of the third year extension to Contract 07-026, fuel to Parent Petroleum for an amount not to exceed \$1,200,000 00
- I17 Award of Bid 10-059, Five Hybrid SUV's, to Elmhurst ford, for an amount not to exceed \$135,550 BID 10-059 FIVE HYBRID SUV'S
- Council moved to approve the award of Bid 10-059, five hybrid SUV's, to Elmhurst Ford, for an amount not to exceed \$135,550 00.
- Council requested an annual update on vehicle performance and cost savings and that additional hybrid vehicle purchases be postponed for one year
- I18 Award of Bid 10-062, Bituminous concrete Material to K-Five Construction Corporation for an amount not to exceed \$145,000 BID 10-062, BITUMINOUS CONCRETE
- Council moved to approve the award of Bid 10-062, bituminous concrete material to K-Five Construction Corporation for an amount not to exceed \$145,000 00
- I19 Award of Bid 10-043, Route 59 Commuter Lot Renovation to ALamp Concrete Contractors, for an amount of \$586,841, plus a 3% contingency BID 10-043, ROUTE 59 COMMUTER LOT RENOVATION
- Council moved to approve the award of Bid 10-043, Route 59 Commuter Lot Renovation to ALamp Concrete Contractors, for an amount of \$586,841 80, plus a 3% contingency
- I10 Award of Option Year One to Contract 09-020, Aggregate Materials CONTRACT 09-020, AGGREGATE MATERIALS
- Council moved to approve the award of Option Year One to Contract 09-020, aggregate materials, to Nagel Trucking inc , (items 1 through 6) for an amount not to exceed \$473,576 41 and to Vulcan Materials Inc , (item 7) for an amount not to exceed \$77,859 60
- I12 Award for RFQ 09-178, adopt funding agreement resolution for the Jefferson Avenue Bridge Rehabilitation RFQ 09-178, JEFFERSON AVENUE BRIDGE REHABILITATION
- I12a Approve the award of RFQ 09-178, Jefferson Avenue Bridge, Phase III Construction Engineering Services to TranSystems Corporation for an amount not to exceed \$322,517 25 RFQ 09-178 – JEFFERSON AVENUE BRIDGE, PHASE III CONSTRUCTION ENGINEERING SERVICES
- Council moved to approve the award of RFQ 09-178 Jefferson Avenue Bridge Phase III Construction Engineering Services to TranSystems Corporation for an amount not to exceed \$322,517 25
- I12b Approve the IDOT Local Agency Agreement for Federal Participation, and authorize staff to amend the budget for BR013 to add \$5101,700 IDOT LOCAL AGENCY AGREEMENT
- Council moved to approve the IDOT Local Agency Agreement for Federal Participation, and authorize staff to amend the budget for BR013 to add \$101,700 00



FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 5

- I12c** Resolution No 09-035 , approving a Local Share Agreement and Appropriating Funds for the Jefferson Avenue Bridge Rehabilitation pursuant to a joint agreement with IDOT
Council moved to adopt Resolution No 09-035, approving a Local Share Agreement and Appropriating Funds for the Jefferson Avenue Bridge Rehabilitation pursuant to a joint agreement with IDOT
- I13** Award of Procurement 10-073, Property and Boiler and Machinery Insurance coverage for an amount of \$160,809 for the period July 1, 2009 to July 1, 2010
Council moved to approve the award of Procurement 10-073, Property and Boiler and Machinery Insurance Coverage, to Alliant Insurance Services for an amount of \$160,809 00 for the period July 1, 2009 to July 1, 2010
- I14** Award of Procurement 10-076, Excess General Liability Insurance for a premium amount of \$130,800 for the period July 1, 2009 thru July 1, 2010
Council moved to approve the award of Procurement 10-076, excess general liability insurance to Alliant Insurance Services for a premium amount of \$130,800 00 for the period July 1, 2009 thru July 1, 2010
- I15** Award of Change Order #1 to 08-165, Phase III Washington and 75th Street in the amount of \$81,898
Council moved to approve the award of Change Order #1 to 08-165, Phase III Washington and 75th Street in the amount of \$81,898 00
- I17** Award of Change Order #1 to Contract 09-150, 2009 Microsurfacing Program, for the amount of \$13,903
Council moved to approve the award of Change Order #1 to Contract 09-150, 2009 Microsurfacing Program, to Micro-Surfacing Inc , for the amount of \$13,903 00
- I18** Plat of Easement for property known as Neuqua Valley High School
Council moved to approve the plat of easement for property known as Neuqua Valley High School
- I20** Public Street light improvements – Design Pointe Subdivision and public underground improvements in Cress Creek Shopping Center and reduce the public improvement sureties
Council moved to accept the public street light improvements in Design Pointe Subdivision and the public underground improvements in Cress Creek Shopping Center and authorize the City Clerk to reduce the corresponding public improvement sureties
- RESOLUTION NO 09-035,
JEFFERSON AVENUE
BRIDGE
REHABILITATION
- PROCUREMENT 10-073
PROPERTY, BOILER &
MACHINERY INSURANCE
- PROCUREMENT 10-076,
EXCESS GENERAL
LIABILITY INSURANCE
- 08-085, PHASE III
WASHINGTON & 75TH
STREET
- CONTRACT 09-150, 2009
MICROSURFACING
PROGRAM
- NEUQUA VALLEY HIGH
SCHOOL – PLAT OF
EASEMENT
- PUBLIC IMPROVEMENTS

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 6

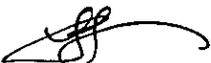
- I21 Resolution No 09-036 , granting a variance to increase the allowable height for a second monument sign from 10' to 22' for Toyota of Naperville, 1488 W Ogden Avenue, ZBA 09-1-65
Council moved to adopt Resolution No 09-036, granting a variance from Section 5-4-5 2 4 (monument sign height) of the Naperville Municipal Code to increase the allowable height for a second monument sign from 10' to 22' for Toyota of Naperville, 1488 W. Ogden Avenue, ZBA 09-1-65
- I22 Ordinance No 09-075, granting variances to reduce the required number of stacking spaces for a drive-through and reduce the width of a drive-through bypass lane for Panera Bread located at 1191 E Ogden Avenue, ZBA 9-1-69
Council moved to pass Ordinance No 09-075, granting variances to reduce the required number of stacking spaces between the order and pickup window for a drive-through, and to reduce the width of a drive-through bypass lane for Panera Bread located at 1191 E Ogden Avenue, ZBA #9-1-69
- I23 Ordinance No 09-076 , granting a variance to allow for a reduction in the number of required parking stalls from 57 to 48 for the property at 1075 Shore Road, Advanced Data Technologies, ZBA 9-1-67
Council moved to pass Ordinance No 09-076, granting a variance from Section 6-9-3 (schedule of off-street parking requirements) to allow for a reduction in the number of required parking stalls from 57 to 48 for the property at 1075 Shore Road, Advanced Data Technologies, ZBA #9-1-67
- I24 Ordinance No 09-077 , approving a minor change to the Planned Unit Development (PUD), a final PUD plat, and owner's acknowledgement and acceptance for Lot 3 of River Run Centre, PST 09-1-40
Council moved to pass Ordinance No 09-077, approving a minor change to the planned unit development (PUD, a final PUD plat, and owner's acknowledgement an acceptance for Lot 3 of River Run Centre
- I25 Ordinance No 09-078, approving a major change to the PUD and a deviation of the off-street parking requirements, for Naperville South Animal Care Clinic located at Lot 7 of Cantore Place
Council moved to pass Ordinance No 09-078, approving a major change to the PUD and a deviation from Section 6-9-3 6 (schedule of off-street parking requirements Services and Institutions) for Naperville South Animal Care Clinic located at Lot 7 of Cantore Place
- RESOLUTION NO 09-036,
TOYOTA OF
NAPERVILLE – SIGN
VARIANCE, ZBA 09-1-65
- ORDINANCE NO 09-075,
PANERA BREAD, ZBA 9-1-
69
- ORDINANCE NO. 09-076,
ADVANCED DATA
TECHNOLOGIES, ZBA 9-1-
67
- ORDINANCE NO 09-077,
RIVER RUN CENTRE LOT
3, PST 09-1-50
- ORDINANCE NO 09-078,
NAPERVILLE SOUTH
ANIMAL CARE CLINIC
LOT 7, OF CANTORE
PLACE
- 

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 7

- I26** Text Amendment Adding Article F (Special Events Permits) to Chapter 4 (Amusements) to Title 3 (Business and License Regulations) of the Naperville Municipal Code
Council discussed taxing not-for-profit organizations for alcohol sales
Council held first reading and moved to table this item to August 18, 2009 City Council meeting.
- I27** Ordinance No 09-079 , approving an amendment to Ordinance 85-116 to remove conditions on the B3 zoning of property located at 322 E. Ogden Avenue
Council moved to pass Ordinance No 09-079, approving an amendment to Ordinance 85-116 to remove conditions on the B3 zoning of property located at 322 E Ogden Avenue
- I29** Lakewest Builders Resubdivision, 1013 N Washington Street, PC 9-1-33
- I29a** Ordinance No 09-080 , approving a preliminary/final plat of subdivision for Lakewest Builders Subdivision
Council moved to pass Ordinance No 09-080, approving a preliminary/final plat of subdivision for Lakewest Builders Subdivision, located at 1013 N Washington Street
- I29b** Ordinance No 09-081 , granting approval of a conditional use for a home-to-office conversion and a variance from Section 6-6b-7 (R1b, yard requirements) to reduce the required interior yard setback for a proposed parking lot
Council moved to pass Ordinance No 09-081, granting approval of a conditional use for a home-to-office conversion and a variance from Section 6-6B-7 (R1b, yard requirements) of the Naperville Municipal Code to reduce the required interior yard setback for a proposed parking lot
- I31** Ordinance No 09-082 , establishing temporary street closures and approve an amplifier extension for the Scott S'Cool Scoot on August 22, 2009
Council moved to pass Ordinance No 09-082, establishing temporary street closures and approve an amplifier extension for the Scott S'Cool Scoot on August 22, 2009.
- I32** Ordinance No 09-083, authorizing the execution of the Second Amendment to the Saint Patrick's Loan Agreement dated July 1, 2009
Council moved to pass Ordinance No 09-083, authorizing the execution of the second amendment to the Saint Patrick's Loan Agreement dated as of July 1, 2009 ("second amendment to loan agreement")
- SPECIAL EVENTS
PERMIT - TEXT
AMENDMENT
- ORDINANCE NO 09-079,
322 E OGDEN AVE
- LAKEWEST BUILDERS
RESUBDIVISION, PC 9-1-
33
- ORDINANCE NO. 09-080,
FINAL PLAT OF
SUBDIVISION
- ORDINANCE NO 09-
081 CONDITIONAL USE
- ORDINANCE NO 09-082,
SCOTT S'COOL SCOOT
- ORDINANCE NO 09-083,
SAINT PATRICK'S LOAN
AGREEMENT

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 8

- I33 Ordinance No 09-084, establishing one-way stops at five intersections within the Stillwater, Stonewater and Windridge Subdivisions ORDINANCE NO 09-084, ONE-WAY STOPS
- Council moved to pass Ordinance No 09-084, establishing one-way stops at five intersections within the Stillwater, Stonewater, and Windridge Subdivisions
- I34 Ordinance No 09-085, establishing miscellaneous parking and turn restriction at Ranchview Elementary School ORDINANCE NO 09-085, RANCHVIEW ELEMENTARY SCHOOL
- Council moved to pass Ordinance No 09-085, to establish miscellaneous parking and turn restrictions at Ranchview Elementary School
- I35 Resolution No 09-037, authorizing the City Manager to submit an application to the Regional Transportation Authority requesting a continuation of federal funding for the Ride DuPage to Work Program RESOLUTION NO 09-037, RIDE DUPAGE TO WORK PROGRAM
- Council moved to adopt Resolution No 09-037, authorizing the City Manager to submit an application to the Regional Transportation Authority requesting a continuation of federal funding for the Ride DuPage to Work program
- I37 Transportation Improvement Projects – Outside Funding Information FY 10 Federal – “Surface Transportation Program” (STP) FY 10 FEDERAL – “SURFACE TRANSPORTATION PROGRAM” (STP)
- Council moved to approve the staff recommendations for FY10 Federal Surface Transportation Program project applications
- I38 Historic Preservation Commission Title 2 Text Amendment (PC 09-1-77) HISTORIC PRESERVATION COMMISSION
- Council held the first reading on the text amendment ordinance amending Title 2 of the Naperville Municipal Code to define and establish the Historic Preservation Commission and table to August 18, 2009
-
- I11 Award of third year extension to Contract 07-061, Tree Planting for an amount not to exceed \$373,000 CONTRACT 07-061, TREE PLANTING
- Council questioned the reduced number of trees that are being planted, the public input process, and the maintenance of the existing plant materials
- Novack explained the materials were chosen based on the appropriateness of the route and public input via the city Web site, that landscaping was done one year ago, that the contractor had one year of maintenance responsibility, and that the Department of Public Works has now assumed maintenance functions
- Krieger explained that the capital budget for the tree planting program was cut but the operating budget money was not reduced
- Van Vooren stated that in an effort to balance the CIP a one-year reduction in the program was prudent and would still allow the city to meet the obligation of the tree planting program



FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 9

-
- I11 Award of third year extension to Contract 07-061, Tree Planting for an amount not to exceed \$373,000 Continued CONTRACT 07-061, TREE PLANTING
- Furstenau moved to approve the award of the third year extension to Contract 07-061m tree planting to St Aubin Nursery for an amount not to exceed \$373,000 00 Second, Miller.
- ROLL CALL:**
- Ayes:** Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller, Pradel
- Nays:** None
- Absent:** Wehrli
- Motion declared carried
- I16 Award of Change Order #5 to Contract 08-153, Huffman Street Phase III to extend the contract by sixty (60) days CONTRACT 08-153, HUFFMAN STREET PHASE III
- Council stated that an additional \$965,000 was received from DuPage County to fund this project and asked if the city is providing any assistance to businesses that that will be disrupted during construction
- Novack said staff has met with the deli operator and he is satisfied with the city's plan
- Boyajian moved to approve the award of Change Order #5 to Contract 08-153, Huffman Street Phase III to extend the contract by 60 days Second, Miller
- ROLL CALL:**
- Ayes:** Brodhead, Fieseler, Hinterlong, Krause, Miller, Pradel, Boyajian
- Nays:** Furstenau
- Absent:** Wehrli
- Motion declared carried
- I19 Mayoral appointments to Advisory Commission On Disabilities and to the Plan Commission MAYORAL APPOINTMENTS TO COMMISSIONS
- Boyajian moved to approve the Mayoral appointments of Victoria Perrault and Victoria Ray Carlson to the Advisory Commission on Disabilities and Timothy A Messer to the Plan Commission Second, Brodhead
- ROLL CALL:**
- Ayes:** Fieseler, Hinterlong, Krause, Miller, Pradel, Boyajian, Brodhead
- Nays:** Furstenau
- Absent:** Wehrli
- Motion declared carried
- 

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 10

- I28 Ordinance No 09-086 , establishing temporary traffic controls for the 2009 Naperville Sprint Triathlon and issue an amplifier permit for August 9, 2009 ORDINANCE NO 09-086,
NAPERVILLE SPRINT
TRIATHLON
- Schatz requested a change to expand the No Parking – Tow Zones for west of West Street and north of Jefferson Avenue, this will limit parking to one side of the street and allow two-way traffic throughout the subdivision
- Boyajian moved to pass Ordinance No 09-086, establishing temporary traffic controls for the 2009 Naperville Sprint Triathlon and issue an amplifier permit for the event Second, Miller
- ROLL CALL:**
Ayes: Furstenau, Hinterlong, Krause, Miller, Pradel, Boyajian, Brodhead, Fieseler
Nays: None
Absent: Wehrli
Motion declared carried
- I30 Ordinance No 09-087, approving a final plat of subdivision and owner's acknowledgement and acceptance for East Naperville commons, PST 08-1-75 ORDINANCE NO 09-087,
EAST NAPERVILLE
COMMONS, PST 08-1-75
- Miller moved to pass Ordinance No 09-087, approving a final plat of subdivision and owner's acknowledgement and acceptance for East Naperville Commons Second, Boyajian
- ROLL CALL:**
Ayes: Hinterlong, Miller, Pradel, Boyajian, Brodhead, Fieseler, Furstenau
Nays: Krause
Absent: Wehrli
Motion declared carried
- I36 Resolution No 09-038 , authorizing the execution of the collective bargaining agreement between the City of Naperville and International Union of Operating Engineers, Local 150 Public Employees Division and the City of Naperville Public Works Division RESOLUTION NO 09-038,
INTERNATIONAL UNION
OF OPERATING
ENGINEERS, LOCAL 150,
(IUOE)
- Boyajian moved to adopt Resolution No 09-038, authorizing the execution of the collective bargaining agreement between the City of Naperville and IUOE Local 150. Second, Miller
- ROLL CALL:**
Ayes: Krause, Miller, Pradel, Boyajian, Brodhead, Fieseler, Hinterlong
Nays: Furstenau
Absent: Wehrli
Motion declared carried
- 

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 11

J1 OLD BUSINESS:

J1 Award of RFP 09-017, Phase II of the Red Light Photo Enforcement, to Redflex Traffic Systems, for an amount not to exceed \$688,880 over a three year period

RFP 09-017, RED LIGHT PHOTO ENFORCEMENT PROGRAM PHASE II

A short video was shown by staff which explained the program, that the goals of the program are being met, and a staff presentation was given which discussed how Naperville implemented the program and accompanying program statistics. Staff recommends the approval of RFP 09-017.

Carol Schmidt, 204 N Wright Street, stated that the media does not make enforcement clear, she didn't understand the program until the staff presentation tonight, and that the city is credible.

Council questioned how much of the vehicle must be past the white line before a straight-through violation is enforced.

Gortner answered that the plane of the intersection must not be broken when the light turns red.

Council discussed national average accident rate and that Naperville is below the national average, reiterated that a citation is not given if the vehicle crosses the line but does stop, that the intersections were rated based on accidents and potential accidents, the recent newspaper articles on red-light running programs, continued program education, engineering and enforcement, and stated that the fine may be too lenient because the offense is not reported to the Secretary of State.

Council stated that the enforcement of red light offenses are not uniform across municipalities, the \$100 fine is not punitive, and that the cameras were not implemented to change driving habits and make Naperville more safe, instead they are about revenue generation.

Council discussed that resident feedback from the most recent Citizen Survey was that they wanted greater traffic enforcement on major roads.

Council stated that although the camera software is not designed to issue warnings for rolling rights on red and that that is not enough to cancel the program because the straight-through enforcement is important.

Council argued that the numbers used to support the recommendation of program expansion are not statistically relevant, the charges for violations and late payment are too high.

Martin explained that the maximum charge, which includes the late penalty, would not exceed \$225.

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 12

J1 Award of RFP 09-017, Phase II of the Red Light Photo Enforcement, to Redflex Traffic Systems, for an amount not to exceed \$688,880 over a three year period **Continued**

RFP 09-017, RED LIGHT PHOTO ENFORCEMENT PROGRAM PHASE II

Council said the camera is more accurate than the human eye, that it is unsafe for policemen to follow violators, that the Police Department has argued that this is a manpower issue, and that the Police Department reviews the violations and 27% of the potential violators did not get tickets

Boyajian moved to approve the award of RFP 09-017, Phase II of the Red Light Photo Enforcement, to Redflex Traffic Systems, for an amount not to exceed \$688,880 00 over a three year period Second, Miller

Furstenau moved to amend the motion to reduce the fine by 50% Second, Krause

ROLL CALL to amend motion:

Ayes: Fieseler, Furstenau, Krause

Nays: Miller, Pradel, Boyajian, Brodhead, Hinterlong

Absent: Wehrli

Motion declared **not** carried

ROLL CALL on main motion:

Ayes: Pradel, Boyajian, Brodhead, Fieseler, Hinterlong, Miller

Nays: Furstenau, Krause

Absent: Wehrli

Motion declared carried

K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE

K1 Award of Bid 10-031, Municipal Plaza Renovation, Base Bid Option, to Copenhagen Construction, for an amount not to exceed \$159,840

BID 10-031, MUNICIPAL PLAZA RENOVATION

Van Vooren explained that the Base Bid option is to remove the material and replace it as a concrete sidewalk with the square/rectangular pattern, Alternate 1 is putting down a monolithically poured concrete pad that is stamped with a pattern and has a 2' colored border, Alternate 2 is to use both concrete and concrete-colored pattern to mimic the current design, Alternate 3 is to replace the sidewalk in-kind, exactly as it is now, and that staff is recommending the Base Bid option

Furstenau moved to approve the award of Bid 10-031, Municipal Plaza Renovation, Base Bid Option to Copenhagen Construction, for an amount not to exceed \$159,940 00 Second, Miller

ROLL CALL:

Ayes: Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller, Pradel

Nays: None

Absent: Wehrli

Motion declared carried

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 13

- K2** Award of Bid 10-056, East Highlands Area Roadway Improvements BID 10-056, EAST
Furstenau moved to approve the award of Bid 10-056, East HIGHLANDS AREA
Highlands Area Roadway Improvements, to Copenhaver ROADWAY
Construction for an amount of \$1,110,902 00 and the alternative bid IMPROVEMENTS
of \$51,851.00 plus a 3% contingency and authorize staff to amend
the budget accordingly Second, Krause
- ROLL CALL:**
Ayes: Brodhead, Fieseler, Furstenau, Hinterlong, Krause,
 Miller, Pradel, Boyajian
Nays: None
Absent: Wehrli
 Motion declared carried
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** City Council Meeting Schedule for August, September and October CITY COUNCIL MEETING
2009, including workshops SCHEDULE
Council discussed holding one meeting per month, allowing the City
Manager to recommend the cancellation of meetings as workload
allows provided enough advance notice is given for public forum
speakers, that one meeting could be cancelled in December and May;
and having one meeting would allow for more workshops to be
scheduled
Furstenau moved to approve the City Council Meeting Schedule for
August, September and October-2009, including setting workshop
times at 5 00 p m and continue with the current 2 meetings per
month schedule. Second, Miller
VOICE VOTE: Motion declared carried
- L2** Naperville Circulator Study Final Report NAPERVILLE
Council discussed the Greater Naperville Area Transportation CIRCULATOR STUDY
(GNAT) program that was in place and operated successfully prior to
the Regional Transportation Authority (RTA) program
Miller moved to accept the Naperville Circulator Study Final Report
and direct staff to prepare transit benchmarks Second, Krause
VOICE VOTE: Motion declared carried
- L3** Van Buren Parking Lot – Refuse Consolidation & Design Options VAN BUREN PARKING
William Pfaff, 1407 Conan Doyle, property manager for several lots LOT
on Jefferson, conducted a survey of his tenants and a number of other
downtown businesses and the consensus was that they like the
current garbage collection location and do not want it changed
Van Vooren stated that a series of collaborative meetings were held
over the past 90 days with representatives from the Downtown
Naperville Alliance (DNA), Chamber of Commerce, garbage haulers,
and several proprietors, less time was spent discussing this issue with
the property owners, a list of those contacted will be provided, and
that the president of the DNA is satisfied with the proposed Van
Buren block solution

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 14

L3 Van Buren Parking Lot – Refuse Consolidation & Design Options
Continued

VAN BUREN PARKING
LOT

Council questioned if the appropriate people were contacted
Michael Scheid, 425 N Washington, Hinsdale, owns property on
Jefferson; stated the proposed location will decrease property values
and that downtown businesses did not know about this project,
explained that he was told ease of use and service vendor operations
were the reasons the locations were chosen, and asked that Council
table the vote so business owners can have more input and increase
the transparency of the process

Andrew Trasatt, 22 W. Franklin Avenue, part owner of property on
Jefferson, stated consolidated refuse collection is a commendable
idea and the city is right to pursue, he was not contacted for input,
this is a topic for DNA and the Downtown Advisory Commission
(DAC), suggests green space for the surface lot, suggests tabling the
issue

Council stated that it was the DAC that initiated the project, where
the dumpsters are today is unacceptable, property owners need to
contact DNA and the Property Committee to discuss representation,
city staff is doing exactly what they were directed to do

Council discussed that the property owners need to get involved
because pricing hasn't been determined, recycling of restaurant
grease needs to be addressed, there are legal issues that should be
resolved when discussing creating a Refuse District, that DAC
should review this before it comes to Council, and that meetings
need to be held with property owners and their existing garbage
contracts should be reviewed

Van Vooren explained that one vendor has all but two garbage
contracts in this area and those two have agreed to turn their
contracts over to that vendor

Miller moved to select Option 2 as the preferred design and direct
staff to Meet with surrounding business owners to discuss rate
structure, prepare a report detailing legal mechanisms implementing
a garbage district, issue an RFP to redesign the Van Buren parking
lot Second, Hinterlong

VOICE VOTE: Motion declared carried

FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 15

- | | | |
|-----|--|-----------------------------------|
| L4 | <u>Authorize the City Manager to eliminate one HR Assistant (front desk) position and to recruit externally and hire personnel for the following vacant positions:</u> | ELIMINATION OF ONE HR POSITION |
| L4a | <u>One Benefits Specialist</u> | RECRUIT - BENEFITS SPECIALIST |
| L4b | <u>Two Telecommunicators (911)</u> | RECRUIT (2) 911-TELECOMMUNICATORS |

Council confirmed that the headcount in Human Resources will decrease from 12 75 to 12

Miller moved to authorize the City Manager to eliminate one HR Assistant (front desk) position and to recruit externally and hire personnel for vacant positions Second, Brodhead

ROLL CALL:

Ayes: Fieseler, Furstenau, Hinterlong, Krause, Miller, Pradel, Boyajian, Brodhead

Nays: None

Absent: - Wehrli

Motion declared carried

M PUBLIC HEARING:

- | | | |
|----|---------------------------|--------------------|
| M1 | <u>CDBG Annual Report</u> | CDBG ANNUAL REPORT |
|----|---------------------------|--------------------|

- | | | |
|-----|---|----------------|
| M1a | <u>Public Hearing on the 2008 Community Development Block Grant, Comprehensive Annual Performance and Evaluation Report (CAPER)</u> | PUBLIC HEARING |
|-----|---|----------------|

Mayor opened the public hearing at 9 47

Krause moved to close the public hearing at 9 48 Second, Miller

VOICE VOTE: Motion declared carried

- | | | |
|-----|---|---|
| M1b | <u>Accept the 2008 Community Development Block Grant Comprehensive Annual Performance and Evaluation Report (CAPER)</u> | 2008 COMMUNITY DEVELOPMENT BLOCK GRANT COMPREHENSIVE ANNUAL PERFORMANCE & EVALUATION REPORT |
|-----|---|---|

Boyajian moved to accept the 2008 Comprehensive Annual Performance and Evaluation Report (CAPER) Second, Furstenau

VOICE VOTE: Motion declared carried

N ORDINANCES AND RESOLUTIONS:



FINAL AGENDA
CITY COUNCIL MEETING
JULY 21, 2009
PAGE 16

O NEW BUSINESS:

O1 Garbage & Recycling Contract

Krause encouraged staff to allow companies to bid on either or both garbage and recycling portions of the contract to be awarded

Boyajian proposed two councilmen partner with staff on this project, study automation solutions, and make recommendations accordingly

Van Vooren explained that the "Take All" contract limits the efficiency of the carts

Furstenau suggested pre-qualifying bidders

Councilmen Krause and Furstenau volunteered to partner with staff

O2 Red Light Enforcement

Miller suggested staff develop a resolution for Council approval, that will be sent to Springfield, which more strongly enforces violations and encourages compliance

Gortner said the State of Illinois directs that the owner of the vehicle be cited and not the driver.

O3 Sylvan Circle Teardowns

Furstenau said existing drain swails are not working and directed staff to improve the drainage in this area

Schatz, Dublinski and Furstenau will visit the area in question

O4 Capital Bill allocation for Route 59

Mayor Pradel stated that Naperville received \$125M to improve Route 59 and thanked legislators, staff and Council for their efforts

P CLOSED SESSION:

Q ADJOURNMENT:

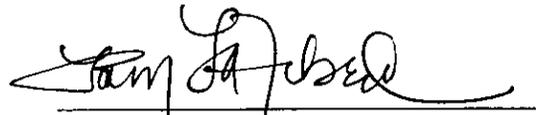
ADJOURNMENT - 10 02

Furstenau moved to adjourn the Regular City Council meeting of July 21, 2009 at 10 02 p m Second, Krause

p m

VOICE VOTE: Motion declared carried

The Regular City Council Meeting of July 21, 2009 officially adjourned at 10 02 p m



PAM LAFERBER, PH D
CITY CLERK

PL BK

