



**CITY COUNCIL MEETING OF OCTOBER 18, 2011
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
November 1, 2011 AS WRITTEN.**

CALL TO ORDER:

7:00 P.M.

A Mayor A. George Pradel
Councilman Judy Brodhead
Councilman Steve Chirico
Councilman Douglas Krause
Councilman Joe McElroy
Councilman Kenn Miller – Arrived at 8:55 p.m.
Councilman Grant Wehrli

Absent

Councilman Robert Fieseler
Councilman Paul Hinterlong

Also Present

City Manager, Doug Krieger
Assistant City Manager, Robert Marshall
City Clerk, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Police Chief, David E. Dial
Finance Director, Karen DeAngelis
T.E.D. Business Group Director, Marcie Schatz
T.E.D. Engineering Team Leader, Bill Novack
T.E.D. Operations Manager, Allison Laff
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

B	CLOSED SESSION:	NONE
	OPEN SESSION	
C	PLEDGE TO THE FLAG:	PLEDGE GIVEN
D	AWARDS AND RECOGNITIONS:	
D1	<u>Presentation of an American Planning Association, IL Chapter Award to the Working Group</u>	AMERICAN PLANNING ASSN.

Sarah Kupinski, on behalf of the American Planning Association, IL Chapter, presented an award to the Working Group consisting of representatives of the East Central Homeowners Organization, Naperville Heritage Society, North Central College, and Naperville Planning Services Team.

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D2 Riverwalk Commissioners Proclamation

Councilman Chirico presented a Proclamation honoring Riverwalk Commissioners William Epp, Jeffery Havel and Chuck Papanos.

RIVERWALK
COMMISSIONERS
PROCLAMATION

D3 Fire Chief's Citizen Award

Chief Puknaitis acknowledged the actions taken by Randy Suchy and presented a posthumous Fire Chief's Award to his family. Chief Puknaitis acknowledged the actions taken by Jennifer Alberto and other members of Edward Fitness Center staff and presented them with a Fire Chief's Award.

FIRE CHIEF'S CITIZEN
AWARD

E **PUBLIC FORUM:**

E1 Naperville Smart Grid Initiative

Jennifer Stahl, 1427 Westglen, spoke against the Smart meter workaround option, asked that the city request another option from the Department of Energy, and asked that communications be sent to residents informing them of a non-wireless meter alternative.

Krieger explained that the city sought the lowest cost option for residents when considering meter selection. He also said that there is not money budgeted for communications explaining the non-wireless meter alternative.

Council suggested sending information with the utility bills.

E2 Finances

Bill Eagan, 513 Alexandria Drive, asked about the length of the Smart Grid financing and objected to the salary for the meter reader.

Krieger explained the bonding process and how it relates to life of the project.

E3 Smart Grid

Jeff Gross, 600 Joshua Court, spoke in favor of Smart Grid implementation.

F **HOLDOVER ITEMS:**

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

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

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

VOICE VOTE: Motion declared carried.

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I CONSENT AGENDA:

Krause moved to approve the Consent Agenda with the exception of I7, I9, I10, I11, and I14. Second, Wehrli.

ROLL CALL:

Ayes: Pradel, Brodhead, Chirico, Krause, McElroy, Wehrli

Nays: None

Absent: Fieseler, Hinterlong, Miller

Motion declared carried.

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|------------|---|---|
| I1 | <u>Cash Disbursements – 9/29/2011</u>
Council moved to approve the September 29, 2011 cash disbursements in the amount of \$7,384,509.93. | CASH DISBURSEMENTS –
9/29/11 |
| I2 | <u>Bid 12-083, Directional Boring</u>
Council moved to approve the award of utility-funded Bid 12-083, directional boring, to Busing Brothers for an amount not to exceed \$827,274.00 plus a 3% contingency. | BID 12-083, DIRECTIONAL
BORING |
| I3 | <u>April 2012 Cuisine for a Cause event</u>
Council moved to allocate \$18,559.00 from the FY 2011-2012 SECA Fund balance to the April 2012 Cuisine for a Cause event. | CUISINE FOR A CAUSE |
| I4 | <u>Valet Parking Transfer Zone for Wentz Concert Hall</u>
Council moved to approve the recommendation to establish a valet parking transfer zone in the off-street loading area on Ellsworth Street between Jefferson Avenue and Chicago Avenue for Wentz Concert Hall. | VALET PARKING
TRANSFER ZONE -WENTZ
CONCERT HALL |
| I5 | <u>Resolution No. 11-047, Illinois Department of Transportation (IDOT) – Diehl Road Resurfacing Program</u>
Council moved to adopt Resolution No. 11-047, approving a Local Agency Agreement for federal participation with the Illinois Department of Transportation for the Diehl Road Local Agency Pavement Preservation (LAPP) project. | RESOLUTION NO. 11-047,
IDOT DIEHL ROAD
RESURFACING PROGRAM |
| I6 | <u>Illinois Department of Transportation (IDOT) – Book Road Resurfacing Project</u> | IDOT BOOK ROAD
RESURFACING PROGRAM |
| I6a | <u>Resolution No. 11-048, Illinois Department of Transportation – Book Road Local Agency Pavement Preservation (LAPP) project</u>
Council moved to adopt Resolution No. 11-048, approving a local agency agreement for federal participation with the Illinois Department of Transportation for the Book Road Local Agency Pavement Preservation (LAPP) project. | RESOLUTION NO. 11-048,
IDOT LOCAL AGENCY
PAVEMENT
PRESERVATION (LAPP)
PROJECT |

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- | | | |
|-------------|---|--|
| I6b | <u>Resolution No. 11-049, Intergovernmental Agreement with Wheatland Township Road District</u>

Council moved to adopt Resolution No. 11-049, to execute an Intergovernmental Agreement with the Wheatland Township Road District for cost reimbursement. | RESOLUTION NO. 11-049,
INTERGOVERNMENTAL
AGREEMENT -
WHEATLAND TOWNSHIP |
| I8 | <u>Ordinance No. 11-145, 2011 Turkey Trot</u>

Council moved to pass Ordinance No. 11-145, to establish temporary traffic controls and issue a special event permit and amplifier permit for the Turkey Trot on November 24, 2011. | ORDINANCE NO. 11-145,
2011 TURKEY TROT |
| I12 | <u>Ordinance No. 11-146, All Saints Catholic Academy, PC 11-1-120</u>

Council moved to pass Ordinance No. 11-146, approving a conditional use for a building-mounted solar energy system as an accessory use to the All Saints Catholic Academy located at 1155 Aurora Avenue in the R1a (Low Density Single-Family Residence) District, PC 11-1-120. | ORDINANCE NO. 11-146,
ALL SAINTS CATHOLIC
ACADEMY, PC 11-1-120 |
| I13 | <u>Standard Market, PC 11-1-102</u> | |
| I13a | <u>Ordinance No. 11-147, Preliminary/final plat of subdivision with vacation</u>

Council moved to pass Ordinance No. 11-147, approving a preliminary/final plat of subdivision with vacation of a previously platted 30-foot building setback line. | ORDINANCE NO. 11-147,
PRELIMINARY/FINAL PLAT
OF SUBDIVISION WITH
VACATION |
| I13b | <u>Ordinance No. 11-148, Rezoning from R1a to B1 (Neighborhood Convenience Shopping Center District)</u>

Council moved to pass Ordinance No. 11-148, rezoning the subject property from R1a (Low-Density Single Family Residence District) and B3 (General Commercial) to B1 (Neighborhood Convenience Shopping Center District). | ORDINANCE NO. 11-148,
REZONING TO B1 |
| I13c | <u>Resolution No. 11-050, Monument Signs with Electronic Message Boards</u>

Council moved to adopt Resolution No. 11-050, granting variances to Section 5-4-5 of the Municipal Code to accommodate two separate monument signs with electronic message boards. | RESOLUTION NO. 11-050,
MONUMENT SIGNS WITH
ELECTRONIC MESSAGE
BOARDS |
| <hr/> | | |
| I7 | <u>National Tire and Battery – PCS 11-1-114</u>

Laff explained that the Ogden Avenue Corridor Enhancement Initiative (OACEI) and Ordinance 08-025 encourages lower-profile monument signage in order to reduce clutter and improve navigation along the corridor. Staff finds that the proposed sign, which is too tall, too large and contributes to sign clutter, does not conform to the Street Graphics Ordinance and compromises the future character of the Ogden Avenue Corridor. | NATIONAL TIRE &
BATTERY, PCS 11-1-114 |

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I7 National Tire and Battery – PCS 11-1-114 Continued

NATIONAL TIRE &
BATTERY, PCS 11-1-114

Schatz stated that a \$50,000 request has been added to the FY13 budget for Ogden Avenue to help businesses come into compliance with Ordinance 08-025.

Krause moved to approve the variance to replace the face panels on an existing, nonconforming pole sign without bringing the sign into compliance for two years with the current monument-sign regulations for the property located at 915 E. Ogden Avenue. Second, Chirico.

ROLL CALL:

Ayes: Chirico, Krause, Wehrli, Pradel
Nays: Brodhead, McElroy
Absent: Fieseler, Hinterlong, Miller
Motion declared carried.

I9 Ordinance No. 11-149, Hometown Holidays

ORDINANCE NO. 11-149,
HOMETOWN HOLIDAYS

Krause moved to pass Ordinance No. 11-149, to establish temporary traffic controls and issue a special event permit for Hometown Holidays on November 25, 2011. Second, Wehrli.

ROLL CALL:

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

Clerk's Note: Brodhead, an employee of North Central College, recused herself to avoid the appearance of impropriety and left the dais at 7:48 p.m.

I10 Ordinance No. 11-150, North Central College Homecoming Parade

ORDINANCE NO. 11-150,
NORTH CENTRAL
COLLEGE HOMECOMING
PARADE

Chirico moved to pass Ordinance No. 11-150, to establish temporary traffic controls and issue a special event permit for the North Central College Homecoming Parade on November 12, 2011. Second, Krause.

ROLL CALL:

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

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I11 Ordinance No. 11-151, North Central College Southwest Campus Gateway Project

Wehrli moved to pass Ordinance No. 11-151, approving a stormwater variance for North Central College Southwest Campus Gateway Project. Second, Krause.

ORDINANCE NO: 11-151,
NORTH CENTRAL
COLLEGE SOUTHWEST
CAMPUS GATEWAY
PROJECT

ROLL CALL:

Ayes: McElroy, Wehrli, Pradel, Chirico, Krause

Nays: None

Abstain: Brodhead

Absent: Miller, Fieseler, Hinterlong

Motion declared carried.

Clerk's Note: Brodhead returned to the dais at 7:53 p.m.

I14 Resolution No. 11-051, Tier 1 Employee Benefit Change

Wehrli moved to adopt Resolution No. 11-051, directing the City Manager to implement Tier 1 benefit changes for employees hired before July 1, 2011. Second, Chirico.

RESOLUTION NO. 11-051,
TIER 1 EMPLOYEE BENEFIT
CHANGE

ROLL CALL:

Ayes: Wehrli, Pradel, Brodhead, Chirico, Krause, McElroy

Nays: None

Absent: Fieseler, Hinterlong, Miller

Motion declared carried.

J **OLD BUSINESS:**

K **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

L **REPORTS AND RECOMMENDATIONS:**

L1 City Council Meeting Schedule

Wehrli moved to approve the City Council Meeting Schedule for November and December 2011 and January 2012. Second, Chirico.

CITY COUNCIL MEETING
SCHEDULE

VOICE VOTE: Motion declared carried.

L2 Regular City Council Meeting Minutes of October 4, 2011

Wehrli moved to approve minutes as amended in the Q/A. Second, Krause.

REGULAR CITY COUNCIL
MEETING MINUTES –
10/4/11

ROLL CALL:

Ayes: Brodhead, Chirico, Krause, McElroy, Wehrli

Nays: None

Absent: Fieseler, Hinterlong, Miller

Abstain: Pradel

Motion declared carried.

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L3 Centennial Beach Seasonal Bus Stop

CENTENNIAL BEACH
SEASONAL BUS STOP

Option 1 Concur with the Transportation Advisory Board and deny request

Option 2 Concur with staff and to establish a season bus stop

Derke Price, Petitioner's attorney, 302 W. Jackson, explained that the Naperville Park District is requesting an on-street bus stop as part of the recently completed Centennial Beach renovation. He said the Jackson Avenue bus stop provides for a safe passenger loading/unloading area with direct pedestrian access to Centennial Beach, thereby eliminating potential conflicts between pedestrians and passenger vehicles.

Wehrli moved to concur with staff and direct staff to prepare an ordinance to establish a seasonal bus stop and revise the No Parking Zone on the south side of Jackson Avenue. Second, Chirico.

ROLL CALL:

Ayes: Chirico, Krause, McElroy, Wehrli, Pradel, Brodhead

Nays: None

Absent: Fieseler, Hinterlong, Miller
Motion declared carried.

L4 Regulating Fowl in Residential Districts

REGULATING FOWL IN
RESIDENTIAL DISTRICTS

David Laird, 202 Rivanna Court, stated that this is still an agricultural area and suggested the issuance of a permit and that data be collected on permitted activities.

Council discussed rat droppings and other sanitary concerns, complaints by neighbors to the property owner and to the city, and whether or not current ordinances can regulate this activity.

Ronald Borghesi, 198 Rivanna Court, spoke in favor of the text amendment but stated Council should not approve it until issues regarding number of fowl, structure adjacencies, and setback restrictions are addressed.

Council discussed limiting the number of fowl, the location of the coop, when the lot size will prohibit keeping fowl, and if the number of complaints per year warrant additional regulations.

Krause moved to not direct staff to amend Section 10-4-6 of the Municipal Code, address the 2-3 complaints per year with the existing ordinances. Second, Wehrli.

VOICE VOTE: Motion declared carried.

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L5 Journey-line electrician positions in the Department of Utilities-Electric

JOURNEY-LINE
ELECTRICIAN POSITIONS-
DPU-E

Wehrli moved to grant approval to recruit externally and fill three vacant Journey-line electrician positions in the Department of Public Utilities-Electric. Second, Chirico.

ROLL CALL:

Ayes: Krause, McElroy, Wehrli, Pradel, Brodhead, Chirico

Nays: None

Absent: Miller, Fieseler, Hinterlong

Motion declared carried.

L6 Financial Reporting Team Supervisor

FINANCIAL REPORTING
TEAM SUPERVISOR

Wehrli moved to authorize the City Manager to recruit externally and fill the vacant Financial Reporting Team Supervisor position. Second, Chirico.

ROLL CALL:

Ayes: McElroy, Wehrli, Pradel, Brodhead, Chirico

Nays: Krause

Absent: Miller, Fieseler, Hinterlong

Motion declared carried.

L7 95th Street Bridge

95th STREET BRIDGE

Debra Holscher, 2708 Modaff Road, requested clarification on a number of items in the proposed plan.

Lyn Kur, 540 Eagle Brook, opposes the project.

Katherine Havel, 2626 Springdale Circle, opposes the project and stated that the Needs Assessment does not address the disadvantages of the project.

Council discussed tabling the acceptance of the report because of the absence of three Council members and that the Position Paper has yet to be reviewed.

Novack stated that both Will County and the Village of Bolingbrook plan to continue with their portion of the financing.

Wehrli moved to table to December 7, 2011. Second, McElroy.

VOICE VOTE: Motion declared carried.

M **PUBLIC HEARINGS:**

N **ORDINANCES AND RESOLUTIONS:**

Clerk's Note: Miller entered the meeting at 8:55 p.m.

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N1 Ordinance No. 11-152, AT&T Pole Mount Equipment

ORDINANCE NO. 11-152,
AT&T POLE MOUNT
EQUIPMENT

Valerie Bruggeman and James Leahy, 10308 South Lemon, Oak Lawn and AT&T explained that AT&T wishes to launch a pilot program to install its equipment on five city-owned poles while staff negotiates a lease agreement and prepares the zoning regulations. The revocable license agreement between the city and AT&T would permit AT&T to mount its equipment on three light poles and two utility poles, subject to a number of conditions. AT&T's equipment is in compliance with applicable FCC regulations.

Ely said this is a pilot program expiring in February 2012 which will allow the city to continue to study regulation options. She said that city does not have the legal authority to impose different regulations than the FCC has adopted and that the pilot program will not interfere with the Harris Radio system.

Joanne St Yves, 2315 Lexington Lane, opposes the AT&T proposal.

Wehrli moved to pass Ordinance No. 11-152, approving a revocable license agreement between the City and AT&T (Pilot Program), and allow AT&T to install its wireless equipment on five (5) utility and light poles in the City and that the agreement will expire February 28, 2012. Second, Chirico.

ROLL CALL:

Ayes: Miller, Wehrli, Pradel, Brodhead, Chirico

Nays: Krause, McElroy

Absent: Fieseler, Hinterlong

Motion declared carried.

O **NEW BUSINESS**

O1 Research of a Solicitation Ordinance in another community

Krause asked that staff research a West Chicago ordinance prohibiting solicitor materials being placed on residential property and report back on its applicability in Naperville.

P **CLOSED SESSION:**

CLOSED SESSION

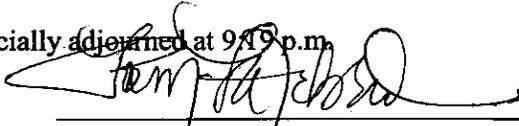
Q **ADJOURNMENT:**

ADJOURNMENT – 9:19 P.M.

Wehrli moved to adjourn the Regular City Council meeting of October 18, 2011 at 9:19 p.m. Second, Miller.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of October 18, 2011 officially adjourned at 9:19 p.m.



PAM LAFERBER PH.D.
CITY CLERK

PL: BK

