



**CITY COUNCIL MEETING OF NOVEMBER 18, 2014  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
December 2, 2014 AS WRITTEN.**

**CALL TO ORDER:**

**6:30 P.M.**

**A Mayor A. George Pradel  
Councilwoman Judy Brodhead  
Councilman Steve Chirico  
Councilman Robert Fieseler  
Councilman Paul Hinterlong  
Councilman Doug Krause  
Councilman Joe McElroy  
Councilman David Wentz**

**Absent**

**Councilman Grant Wehrli**

**Also Present**

**City Manager, Doug Krieger  
Deputy City Manager, Marcie Schatz  
Interim Legal Director, Jill Pelka-Wilger  
City Clerk, Pam LaFeber  
Communications Manager, Linda LaCloche  
Police Chief, Robert Marshall  
Fire Chief, Mark Puknaitis  
Director of Finance, Rachel Mayer  
Acting Director of Human Resources, James Sheehan  
Director of T.E.D., Bill Novack  
T.E.D. Operations Manager, Allison Laff  
Transportation Team Leader, Jennifer Louden  
Project Manager, Anastasia Urban  
Director of Public Works, Dick Dublinski  
Director of Public Utilities-Electric, Jim Holzappel  
Director of Public Utilities-Electric, Mark Curran**

**Press**

**Chicago Sun Times, Daily Herald, Naperville Sun**

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**B CLOSED SESSION:**

Wentz moved to recess to Closed Session to discuss 5 ILCS 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, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; (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, Chirico.

**ROLL CALL:**

**Ayes:** Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wentz

**Nays:** None

**Absent:** Wehrli

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:34 P.M.  
CLOSED SESSION ADJOURNED AT 6:59 P.M.**

**OPEN SESSION:**

Mayor Pradel called the meeting back to order at 7:03 p.m.

**ROLL CALL to determine Quorum:**

**Present:** Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wentz

**Absent:** Wehrli

**C PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D AWARDS AND RECOGNITIONS:**

**D1 November Team Award**

NOVEMBER TEAM  
AWARD

Brodhead recognized the Recycling Cart Program Team as the recipient of the Team Award for November 2014.

**E PUBLIC FORUM:**

**E1 Council Eligibility**

John Kraft, discussed terms of remaining eligible to serve as a member of Council.

By consensus Council directed staff to report back in the upcoming Manager's Memorandum.

**E2 Traffic & Parking Downtown**

Keith Burton (Naperville), discussed parking congestion and overflow of the parking decks in his neighborhood and requested the City enact a parking ban parking on one side of Franklin.

Louden explained that this topic was vetted at a Transportation Advisory Board (TAB) meeting and Council voted on the matter in October. Because of the 4-4 vote, another vote is needed to bring the item back.

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**E2**      Traffic & Parking Downtown Continued

Council asked that the evaluation be expanded and that this be expedited because of the holiday season and snow.

Pelka-Wilger advised of the process to bring the item back. She stated that the Council can wait 62 days from the final determination or under New Business on November 18, six positive votes can bring it back at the next meeting.

By consensus, Council directed staff to put the matter on the January TAB meeting agenda.

**E3**      Government Accountability

Kirk Allen (Naperville), discussed public trust in government and enforcement of the law.

**E4**      Debt

Sandra Glass (Naperville), discussed the City debt.

**E5**      Coyote Nuisance

Molly Williams (Naperville), requested assistance with the coyote problem in her neighborhood.

**E6**      Tree Ordinance Proposal

Todd Mertz (Naperville), requested an ordinance be enacted for removal of legacy trees.

Novack explained what the City has done to regulate tree removal on private property and stated that Mr. Mertz should speak with the Homeowner's Confederation.

Council discussed the development on Plank Road and the number of trees that has been removed.

Laff stated that those trees were removed in error and that a new tree survey must be submitted and fines will be assessed.

**E7**      95<sup>th</sup> Street Extension

Jim Churchman (Naperville), expressed concerns about speeding in excess of 100 mph and asked for additional patrol and the installation of Deer Crossing signs.

Novack stated that a portion of this area is the jurisdiction of the Will County Highway Department and staff will call and request signs.

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**BREAK:      8:06 P.M.**

**Mayor Pradel called the meeting back to order at 8:19 p.m.**

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**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, Chirico.

**VOICE VOTE:      Motion declared carried.**

  


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**I CONSENT AGENDA:**

Krause moved to approve the Consent Agenda items. Second, Chirico.

**ROLL CALL:**

**Ayes:** Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy,  
Wentz

**Nays:** None

**Absent:** Wehrli

Motion declared carried.

- |           |                                                                                                                                                                                                                                                                                                 |                                                               |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>I1</b> | <u>Cash Disbursements 11/06/14</u><br>Council moved to approve the 11/06/14 cash disbursements in the amount of \$8,025,393.76.                                                                                                                                                                 | CASH DISBURSEMENTS –<br>11/06/14                              |
| <b>I2</b> | <u>Regular City Council Minutes</u><br>Council moved to approve the Regular City Council Meeting minutes of November 5, 2014.                                                                                                                                                                   | REGULAR CITY COUNCIL<br>MINUTES                               |
| <b>I3</b> | <u>Procurement 15-134, Electronic Bill Payment</u><br>Council moved to approve the award of sole source Procurement 15-134, electronic bill payment to FIS, for an amount not to exceed \$180,000.00 for the three year contract period.                                                        | PROCUREMENT 15-134,<br>ELECTRONIC BILL<br>PAYMENT             |
| <b>I4</b> | <u>Contract 05-030, Utility Concrete Products</u><br>Council moved to approve the extension of Contract 05-030, Alliance Agreement with Utility Concrete Products, for an amount not to exceed \$329,784.00 for the five-year contract period.                                                  | CONTRACT 05-030,<br>UTILITY CONCRETE<br>PRODUCTS              |
| <b>I5</b> | <u>Contract 13-082, Tree Trimming</u><br>Council moved to approve the award of option year two to Contract 13-082, tree trimming, to Autumn Savatree for an amount not to exceed \$104,500.00.                                                                                                  | CONTRACT 13-082, TREE<br>TRIMMING                             |
| <b>I6</b> | <u>Contract 14-132, Crackfill Program</u><br>Council moved to approve the award of change order #3 and final, to Contract 14-132, 2014 Crackfill Program to SKC Construction to add 98 days to the contract period.                                                                             | CONTRACT 14-132,<br>CRACKFILL PROGRAM                         |
| <b>I7</b> | <u>Bid 15-122, excavation and underground utility repairs</u><br>Council moved to approve the award of Bid 15-122, excavation and underground utility repairs to Western Utility LLC, for an amount not to exceed \$116,953.00.                                                                 | BID 15-122, EXCAVATION<br>AND UNDERGROUND<br>UTILITY REPAIRS  |
| <b>I8</b> | <u>Ordinance No. 14-174, 1077 Challdon Court, PZC 14-1-101</u><br>Council moved to pass Ordinance No. 14-174, granting a variance to Section 6-6a-7:1 (R1a district yard requirements) to construct a sunroom addition in the required rear yard at the property located at 107 Challdon Court. | ORDINANCE NO. 14-174,<br>1077 CHALLDON COURT,<br>PZC 14-1-101 |



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- I9**      Ordinance No. 14-175, Motor Vehicle Sales in the Industrial District, PZC 14-1-063  
Council moved to waive the first reading and pass Ordinance No. 14-175, approving an amendment to Title 6 (zoning ordinance) of the Naperville Municipal Code to add regulations related to motor vehicle sales in the I (Industrial) District.      **ORDINANCE NO. 14-175, MOTOR VEHICLE SALES IN THE INDUSTRIAL DISTRICT, PZC 14-1-063**
- I10**      Ordinance No. 14-176, Ashwood Park North Unit 3, PZC 14-1-084  
Council moved to pass Ordinance No. 14-176, approving the final plat of subdivision and the Owner's Acknowledgement & Acceptance (OAA) for Ashwood Park North Unit 3 subdivision.      **ORDINANCE NO. 14-176, ASHWOOD PARK NORTH UNIT 3, PZC 14-1-084**
- I11**      Board of Fire and Police Commission Support  
Council moved to transfer 0.12 FTE from Human Resources to the Board of Fire and Police Commission to provide increased support to the Police and Fire hiring process.      **BOARD OF FIRE & POLICE COMMISSION SUPPORT**
- J**      **OLD BUSINESS:**
- J1**      812 W. Jefferson Avenue (Living Intown Properties), PZC 14-1-100  
Russ Whitaker, Petitioner's Attorney, explained that the Petitioner proposes to demolish the existing home and subdivide the property into two single-family residential lots.      **LIVING INTOWN PROPERTIES, 812 W. JEFFERSON AVENUE, PZC 14-1-100**  
Jim Ruhl (Naperville), spoke against granting the requested variance.  
Peter Kuefler (Naperville), spoke against granting the requested variance.  
Mary Christensen (Naperville), spoke against granting the requested variance.  
Tom McManigal (Naperville), spoke against granting the requested variance.  
Robert Colby (Naperville), spoke against granting the requested variance.  
Dawna Gitzlaff (Naperville), spoke against granting the requested variance.  
Veronica Porter (Naperville), spoke against granting the requested variance.  
Council discussed what is appropriate for the neighborhood, that building and development regulations will stay with the property in perpetuity, the application of the 90% Rule, tree preservation, flooding, and how the subdivision will impact the school generation tables.  
Whittaker responded that the Municipal Code allows variances for unique circumstances, that the area is eclectic, explained that the hardship is the application of the 90% Rule, that the proposal is not maintaining sameness but moving Naperville forward, that lots can be restricted in the plat document, new storm sewers would be installed, and that the new homes will not change the character of the neighborhood.
- J1a**      Living Intown Properties, 812 W. Jefferson Avenue, PZC 14-1-100



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**J1b**      Deny Subdivision Variance, 812 W. Jefferson Avenue

Hinterlong moved to deny the requested subdivision variance to Section 7-4-4:2.4 (ninety percent rule) of the Municipal Code for the property located at 812 W. Jefferson Avenue (Living Intown Properties). Second, Krause.

**ROLL CALL:**

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

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

**L**            **REPORTS AND RECOMMENDATIONS:**

**L1**          City Council Meeting Schedule

CITY COUNCIL MEETING  
SCHEDULE

Krause moved to approve the City Council meeting schedule for November and December 2014, and January and February 2015. Second, Wentz.

**VOICE VOTE:**        Motion declared carried.

**L2**          Liquor Establishment Security Training

LIQUOR ESTABLISHMENT  
SECURITY TRAINING

Staff clarified the difference between BASSET and the proposed private security training.

Krause moved to accept staff's recommendation that liquor license holders be encouraged to participate in the Naperville Restaurant Association's security training program and staff to follow up with a report after the initial training. Second, Hinterlong.

**ROLL CALL:**

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

**L3**          Residential Solid Waste Recycling and Leaf Disposal Services Contract

RESIDENTIAL SOLID  
WASTE RECYCLING AND  
LEAF DISPOSAL  
SERVICES CONTRACT

Bevis explained the benefits of going out to bid, that bidding will not affect current contracts, and stated that the award criteria should be similar to what has been used in the past.

Council discussed inviting vendors to educate the City on alternative services, sustainability considerations, and hazardous waste and organic waste removal.

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**L3**      Residential Solid Waste Recycling and Leaf Disposal Services Contract  
**Continued**

RESIDENTIAL SOLID  
WASTE RECYCLING AND  
LEAF DISPOSAL  
SERVICES CONTRACT

Fieseler moved to direct staff to solicit bids for the residential solid waste, recycling and yard waste (including leaf disposal) services contract and include organic waste and hazardous materials including electronics removal services. Second, Wentz

**ROLL CALL:**

**Ayes:**        Fieseler, Hinterlong, Krause, McElroy, Wentz, Pradel,  
                  Brodhead, Chirico

**Nays:**        None

**Absent:**      Wehrli

                  Motion declared carried.

**M**      **PUBLIC HEARINGS:**

**N**      **ORDINANCES AND RESOLUTION:**

**N1**      Ordinance No. 14-177, 2015 Water and Wastewater Utility Rates

ORDINANCE NO. 14-177,  
2015 WATER &  
WASTEWATER UTILITY  
RATES

Council discussed the opinion of the Public Utility Advisory Board (PUAB).

Chirico moved to waive the first reading and pass Ordinance No. 14-177, amending Sections 8-2c-3, 8-2c-4 and 8-2c.5 of the municipal code water and sewer connection permits, water user charges eliminating the City of Naperville portion of the water and wastewater rate increase planned for January 1, 2015. Second, Hinterlong.

**ROLL CALL:**

**Ayes:**        Hinterlong, Krause, McElroy, Wentz, Pradel, Brodhead,  
                  Chirico, Fieseler

**Nays:**        None

**Absent:**      Wehrli

                  Motion declared carried.

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**BREAK:      10:23 P.M.**

**Mayor Pradel called the meeting back to order at 10:35 p.m.**

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**N2**      Resolution No. 14-042, Water Street District-major business terms

RESOLUTION NO. 14-042,  
WATER STREET  
DISTRICT-MAJOR  
BUSINESS TERMS

Jeff Prosapio, Petitioner, summarized the revised major business terms.

H. Thomas O'Hale (Naperville), spoke against the proposed development.

Dick Furstenuau (Naperville), spoke against the proposed development.

**Clerk's Note:** At 10:52 p.m. Krause moved to extend the meeting to 11:15 p.m. Second, Chirico.

**VOICE VOTE:**        Motion declared carried.

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N2

Resolution No. 14-042, Water Street District-major business terms  
**Continued**

RESOLUTION NO. 14-042,  
WATER STREET  
DISTRICT-MAJOR  
BUSINESS TERMS

Council discussed land value, whole ownership of the parking deck by the City, the 30-year lease, whether the items should be tabled for additional review, employee and valet parking logistics, current hotel occupancy rate, lending approval, and payment for street lighting.

**Clerk's Note:** At 11:11 p.m. Krause moved to extend the meeting to 11:30 p.m. Second, Chirico.

**VOICE VOTE:** Motion declared carried.

Chirico moved to adopt Resolution No. 14-042, identifying major business terms for the development of the Water Street District and direct staff to draft certain agreements including that the developer is responsible for the \$100,000 to cover the issuance of the bonds. Second, Brodhead.

**ROLL CALL:**

**Ayes:** Wentz, Pradel, Brodhead, Chirico, Fieseler, Hinterlong

**Nays:** Krause, McElroy

**Absent:** Wehrli

Motion declared carried.

O

**NEW BUSINESS**

O1

Construction on Route 59

Fieseler praised the clean-up efforts in the construction area.

P

**CLOSED SESSION:**

Q

**ADJOURNMENT:**

ADJOURNMENT

Chirico moved to adjourn the Regular City Council meeting of November 18, 2014 at 11:15 p.m. Second, Hinterlong.

**VOICE VOTE:** Motion declared carried.

The Regular City Council Meeting of November 18, 2014 officially adjourned at 11:15 p.m.

  
\_\_\_\_\_  
PAM LA FEBER  
CITY CLERK

PL:bk

