



**CITY COUNCIL MEETING OF MAY 20, 2014
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
June 3, 2014 AS WRITTEN.**

CALL TO ORDER:

6:30 P.M.

- A** Mayor A. George Pradel
Councilwoman Judy Brodhead (arrived at 6:40 p.m.)
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause (arrived at 6:31 p.m.)
Councilman Joe McElroy
Councilman Grant Wehrli
Councilman David Wentz

Absent

None

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Senior Assistant City Attorney, Patricia Lord
City Clerk, Pam LaFeber
Police Chief, Robert Marshall
Fire Chief, Mark Puknaitis
Director of Finance, Rachel Mayer
T.E.D. Operations Manager, Allison Laff
Transportation Team Leader, Karyn Robles
Director of Transportation, William Novack
Director of Public Works, Dick Dublinski
Director of Public Utilities – Electric, Mark Curran
Director of Public Utilities- Water, Jim Holzapfel
Senior Assistant City Attorney, Kristen Foley

Press

Chicago Sun Times, Daily Herald, Naperville Sun

A handwritten signature in black ink, appearing to be the initials 'JF' 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) (2) Collective negotiating matters between the public body and its employees or their representatives; (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, Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli, Wentz

Nays: None

Absent: Brodhead

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:34 P.M.
CLOSED SESSION ADJOURNED AT 6:43 P.M.**

Clerk's Note: Brodhead arrived at 6:40 p.m.

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:00 p.m.

ROLL CALL to determine Quorum:

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

Absent: None

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 VFW Buddy Poppy Days

VFW BUDDY POPPY DAYS

Krause proclaimed the week of May 20 – 26, 2014 as VFW Buddy Poppy Days and presented the Proclamation to Mike Barbour, Poppy Committee Chairman.

E PUBLIC FORUM:

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 items 19, 116, 118, and 124. Second, Wehrli.

ROLL CALL:

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

Nays: None

Motion declared carried.

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| <p>11 <u>Cash Disbursements – 4/23/14</u>
Council moved to approve the 4/23/14 cash disbursements in the amount of \$14,308,919.75.</p> | <p>CASH DISBURSEMENTS –
4/23/14</p> |
| <p>12 <u>Regular City Council Minutes</u>
Council moved to approve the Regular City Council Meeting Minutes of May 6, 2014.</p> | <p>REGULAR CITY COUNCIL
MINUTES</p> |
| <p>13 <u>Special City Council Minutes</u>
Council moved to approve the Special City Council Meeting Minutes of May 8, 2014.</p> | <p>SPECIAL CITY COUNCIL
MINUTES</p> |
| <p>14 <u>Contract 13-119, Fuel-Tank Wagon</u>
Council moved to recommend the award of change order #1 to Contract 13-119, fuel-tank wagon to Heritage FS, Inc. for an amount not to exceed \$390,000.00 for a total three year not to exceed award of \$689,491.70.</p> | <p>CONTRACT 13-119, FUEL-
TANK WAGON</p> |
| <p>15 <u>Contract 13-109, Generator Service</u>
Council moved to approve the award of change order #2 to Contract 13-109, generator service, to Illini Power Products for an amount not to exceed \$81,000.00 for a total award of \$171,844.00.</p> | <p>CONTRACT 13-109,
GENERATOR SERVICE</p> |
| <p>16 <u>Reappointments to the Boards and Commissions</u>
Council moved to approve Mayoral reappointments of Kevin Coyne and Steve Frost to the Planning and Zoning Commission and Kathy Benson, Marj McIntosh, David Preissig and Jack Amberg to the Transportation Advisory Board.</p> | <p>REAPPOINTMENTS TO
THE BOARDS AND
COMMISSIONS</p> |
| <p>17 <u>Appointments to Boards and Commissions</u>
Council moved to approve Mayoral appointments of Susan Ahlemeyer to the Advisory Commission on Disabilities, Colleen McQuillan to the Advisory Cultural Commission, Laura Ellman to the Fair Housing Advisory Commission and Timothy Fischer to the Transportation Advisory Board.</p> | <p>APPOINTMENTS TO
BOARDS AND
COMMISSIONS</p> |
| <p>18 <u>Hobson Place Subdivision</u>
Council moved to accept the public street improvements in Hobson Place Subdivision and authorize the City Clerk to reduce the corresponding public improvement surety.</p> | <p>HOBSON PLACE
SUBDIVISION</p> |

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| I19 | <u>Resolution No. 14-022, F.O.P. (911 Telecommunicators) Collective Bargaining Agreement</u>
Council moved to adopt Resolution No. 14-022, authorizing execution of a collective bargaining agreement between the City of Naperville and the F.O.P. Labor Council covering the City 911 Telecommunicators. | RESOLUTION NO. 14-022,
F.O.P. (911
TELECOMMUNICATORS)
COLLECTIVE
BARGAINING
AGREEMENT |
| I20 | <u>Resolution No. 14-023, I.B.E.W. Local 9 (Electric Utility) Collective Bargaining Agreement</u>
Council moved to adopt Resolution No. 14-023, authorizing execution of a collective bargaining agreement between the City of Naperville and I.B.E.W. Local 9 covering Electric utility employees. | RESOLUTION NO. 14-023,
I.B.E.W. LOCAL 9
(ELECTRIC UTILITY)
COLLECTIVE
BARGAINING
AGREEMENT |
| I21 | <u>Resolution No. 14-024, I.B.E.W. Local 196 (Water/Wastewater) Collective Bargaining Agreement</u>
Council moved to adopt Resolution No. 14-024, authorizing execution of a collective bargaining agreement between the City of Naperville and I.B.E.W. Local 196 covering Water/Wastewater employees. | RESOLUTION NO. 14-024,
I.B.E.W. LOCAL 196
(WATER/WASTEWATER)
COLLECTIVE
BARGAINING
AGREEMENT |
| I22 | <u>Ordinance No. 14-052, Revisions to Fire Department Licensing Completion Requirements</u>
Council moved to waive first reading and pass Ordinance No. 14-052, authorizing revisions to the Rules and Regulations of the Naperville Board of Fire and Police Commission to allow Fire applicants to be 19 years of age at the time of application and complete their paramedic licensing by the time of hire. | ORDINANCE NO. 14-052,
REVISIONS TO FIRE
DEPARTMENT LICENSING
COMPLETION
REQUIREMENTS |
| I23 | <u>Ordinance No. 14-053, Police Application Requirements</u>
Council moved to waive first reading and Pass Ordinance No. 14-053, authorizing revisions to the Rules and Regulations of the Naperville Board of Fire and Police Commission related to police applicant college credit hour requirements. | ORDINANCE NO. 14-053,
POLICE APPLICATION
REQUIREMENTS |
-
- | | | |
|------------|---|---|
| I19 | <u>Ordinance No. 14-054, Motorcycle Parking in the Central Business District</u>
Robles explained that the request was brought forward by the new business owner and that dedicated spots have been relocated in order to be less intrusive on diners. She explained the concerns with dedicating parking in the decks, and that motorcycles are not prohibited from parking near the restaurant it is just no longer reserved.

Andrew Trasatt, 22 W. Franklin, explained the reason for requesting to relocate dedicated parking and the options that were explored. | ORDINANCE 14-054
MOTORCYCLE PARKING
IN THE CENTRAL
BUSINESS DISTRICT |
|------------|---|---|
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I9 Ordinance No. 14-054, Motorcycle Parking in the Central Business District
Continued

Wehrli moved to establish eight "motorcycle parking only April 1 through October 31" spaces on the north side of Jackson Avenue from a point 174' east of Webster Street, to a point 209' east of Webster Street; to rescind eight "motorcycle parking only April 1 through October 31" spaces on Chicago Avenue from a point 90' west of the center line of Washington Street to a point 130' west of the center line of Washington Street, April 1 through October 31; and to amend parking on Chicago Avenue with "two hour limited parking 6:00 a.m. to 6:00 p.m. Monday through Saturday" to read from a point 90' west of the centerline of Washington Street to a point 250' west of the centerline of Washington Street. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.

I16 Ordinance No. 14-, 407-419 E. Ogden Avenue

ORDINANCE NO. 14-, 407-
419 E. OGDEN AVENUE

Novack discussed the economic justification for the change.

Puknaitis explained the opposition to the change, stated that Naperville has the most liberal sprinkler ordinances in the state, and extending the requirement by three years would invite others to request the same extension and diminish fire protection in critical buildings.

Wehrli moved to pass Ordinance No. 14-, approving a variance to Section 3401.3.1 of the Naperville municipal code, amending the existing 10-year sprinkler installation agreement to provide an additional three-year (13-years total) to install sprinklers. Second, Hinterlong.

ROLL CALL:

Ayes: Chirico, Krause, Pradel

Nays: Fieseler, Hinterlong, McElroy, Wehrli, Wentz, Brodhead
 Motion declared not carried.

I18 Ordinance No. 14-055, Hillside Riverwalk Plaza, PZC 14-1-049

ORDINANCE NO. 14-055,
HILLSIDE RIVERWALK
PLAZA, PZC 14-1-049

Council discussed the appropriate use of this property, the Riverwalk easement, that there are still concerns with traffic, hours of operation, site lighting, and noise/privacy barriers.

Wehrli moved to pass Ordinance No. 14-055, approving a preliminary/final subdivision plat for Hillside Riverwalk Plaza located at 702 S. Washington Street, PZC 14-1-049. Second, Hinterlong.

ROLL CALL:

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

Nays: None
 Motion declared carried.



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I24 Ordinance No. 14-, Pawnbrokers and Secondhand Dealers

Thomas Brünzelle, 605 E. Ogden, Suite D, discussed how the ordinance should be further refined to better prohibit criminal resale.

Joni Blackman, 728 Colorado Court, urged Council to pass the ordinance.

Foley explained that the ordinance includes the cash-for-gold establishments, that despite outreach no owners attended the orientation meeting, and that City staff received only one call from an owner and a change was made based on his input.

Council asked staff to do further outreach with owners.

First reading held.

ORDINANCE NO. 14-,
PAWNBROKERS AND
SECONDHAND DEALERS

BREAK: 7:52 P.M.

Mayor Pradel called the meeting back to order at 8:01 p.m.

J OLD BUSINESS:

K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

K1 Bid 15-011, Storm Sewer Rehab, CIPP

Wehrli moved to approve the award of Bid 15-011, storm sewer rehab, CIPP, to Hoerr Construction for an amount not to exceed \$999,909.50. Second, Wentz.

ROLL CALL:

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

Nays: None
Motion declared carried.

BID 15-011, STORM SEWER
REHAB, CIPP

K2 Contract 14-096, Electric Utility Distribution

Chirico moved to approve the award of Change Order #1 to Meade Inc. in the amount of \$675,000.00 to contract 14-096, Electric Utility Distribution. Second, Wentz.

ROLL CALL:

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

Nays: None
Motion declared carried.

CONTRACT 14-096,
ELECTRIC UTILITY
DISTRIBUTION



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L REPORTS AND RECOMMENDATIONS:

L1 Finish Line Car Wash, 1090 East 75th Street, PZC 13-1-001

FINISH LINE CAR WASH,
1090 EAST 75TH STREET,
PZC 13-1-001

Craig Cobine, 111 E. Jefferson and Attorney for Petitioner, requested approval of a conditional use to allow for the sale of motor vehicles at the subject property; with the office for the proposed car dealership would be located in the east half of the building and the vehicle inventory being stored in the rear of the lot.

Michael Pawlak, 9113 174th, Tinley Park, spoke in favor of the proposed conditional use.

Roger Brown, 1236 Hobson Oaks, spoke in favor of the proposed conditional use.

Gerald Morris, 1277 Hobson Oaks, spoke in favor of the proposed conditional use.

Council discussed the number of cars onsite, the report from the Planning and Zoning Commission, the need to supplement business, fairness to neighbors, and keeping the conditional use in effect as long as a car wash is in that location.

Laff explained staff concerns with the request including adding a more intense to the location, limited access to site, and car dealerships no longer being centrally located.

L1a Concur with the Planning & Zoning Commission to allow motor vehicle sales

Wehrli moved to concur with the Planning and Zoning Commission and the petitioner and direct staff to prepare ordinances approving PZC 13-1-001, request for approval of a conditional use in the B2 PUD District to allow for motor vehicle sales at 1090 E. 75th Street, subject to certain conditions and permitting the conditional use to be in effect as long as a car wash is in that location. Second, Hinterlong.

ROLL CALL:

Ayes: Wehrli, Wentz, Pradel, Brodhead, Chirico, Fieseler,
Hinterlong, Krause

Nays: McElroy
Motion declared carried.

L1b Concur with staff and deny

L2 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Wehrli moved to approve the City Council meeting schedule for June, July and August 2014 with the removal of the July 1 meeting. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

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M PUBLIC HEARINGS:

M1 The Knolls, PZC 14-1-016

THE KNOLLS, PZC 14-1-016

M1a Public Hearing -27W355 Knoch Knolls Road

PUBLIC HEARING

Mayor Pradel opened the public hearing at 8:39 p.m.

Chirico moved to close the public hearing at 8:40 p.m. Second, Wehrli.

VOICE VOTE: Motion declared carried.

Chirico moved to use the Omnibus method to approve items M1b-e.
Second, Hinterlong.

VOICE VOTE: Motion declared carried.

Chirico moved to approve items M1b-e. Second, Hinterlong.

M1b Ordinance No. 14-056, execution of annexation agreement

ORDINANCE NO. 14-056,
ANNEXATION
AGREEMENT

Chirico moved to pass Ordinance No. 14-056, authorizing execution of the annexation agreement for 27W355 Knoch Knolls Road. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

M1c Ordinance No. 14-057, annexing The Knolls

ORDINANCE NO. 14-057,
ANNEXING

Chirico moved to waive first reading and pass Ordinance No. 14-057, annexing 27W355 Knoch Knolls Road. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

M1d Ordinance No. 14-058, Rezoning

ORDINANCE NO. 14-058,
REZONING

Chirico moved to pass Ordinance No. 14-058, rezoning the subject property to R1a (low-density single-family residence district) upon annexation.
Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

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M1e Ordinance No. 14-059, preliminary /final plat of subdivision

ORDINANCE NO. 14-059,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION

Chirico moved to pass Ordinance No. 14-059, approving the preliminary/final plat of subdivision for The Knolls. Second, Hinterlong.

ROLL CALL:

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

Nays: None
Motion declared carried.

N **ORDINANCES AND RESOLUTIONS:**

N1 Ordinance No. 14-, City Council Compensation

ORDINANCE NO. 14-, CITY
COUNCIL
COMPENSATION

Richard Furstenau, 709 Zainiger, spoke in opposition of the proposed ordinance.

Council discussed public service, that benefits will attract the very best candidates, the need for transparency and affordability, that compensation should be consistent with City policy, there should be equitability on council, and the importance of taxpayer savings.

Council also discussed that myriad of healthcare options available, the impact to staff morale and the residents, and marginal savings to the community.

Chirico moved to pass Ordinance No. 14-, amending Title 1, Chapter 5, Section 3 of the Naperville Municipal Code to establish the compensation for city council members and making the City Council ineligible to purchase city-sponsored healthcare at any cost. Second, Fieseler.

Wehrli made a Motion in Substitution to pass Ordinance No. 14-, amending Title 1, Chapter 5, Section 3 of the Naperville Municipal Code to establish the compensation for city council members at \$12,500.00 and making the City Council ineligible to purchase city-sponsored healthcare at any cost. Second, Hinterlong.

ROLL CALL:

Ayes: Chirico, Hinterlong, Wehrli

Nays: Wentz, Pradel, Brodhead, Fieseler, Krause, McElroy
Motion declared **not** carried.

ROLL CALL ON MAIN MOTION:

Ayes: Brodhead, Chirico, Fieseler, Wentz

Nays: Pradel, Hinterlong, Krause, McElroy, Wehrli
Motion declared **not** carried.



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MAYOR COMPENSATION

N2 Mayor Compensation

Richard Furstenau, 709 Zainiger, requested the mayor's salary not be change.

Chirico moved to pass Ordinance No. 14-, amending Title 1, Chapter 5, Section 3 of the Naperville Municipal Code to establish an all-inclusive annual compensation for the position of Mayor, eliminating participation in IMRF and making the Mayor ineligible to purchase City-sponsored healthcare at any cost. Second, Wehrli.

ROLL CALL:

Ayes: Brodhead, Chirico, Wentz

Nays: Pradel, Fieseler, Hinterlong, Krause, McElroy, Wehrli

Motion declared **not** carried.

O **NEW BUSINESS**

O1 Downtown Sound System

Chirico DNA has money to push this forward, seeking consensus to bring back as a Council item.

Extend music to Central Park? Put music on timer at Band Shell.

O2 Heroin Use/Suicide Prevention

Brodhead – participants, non profits to send literature and have town hall
Robles – MM quantifying funding and how many people have been assisted on 5/23.

O3 Homeowner's Confederation meeting

Hinterlong – fall brush collection bring back, report on cost/impact/scheduling.

O4 Graffiti

Hinterlong – prohibit spray paint sales to minors; consensus to put in motion.

P **CLOSED SESSION:**

Q **ADJOURNMENT:**

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of May 20, 2014 at 9:53 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of May 20, 2014 officially adjourned at 9:53 p.m.


PAM LaFEBER, PH.D.
CITY CLERK

PL:NL/NB

