



**CITY COUNCIL MEETING OF JULY 17, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
August 21, 2012 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

A Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause - Arrived at 6:03 p.m.
Councilman Joe McElroy
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

Also Present

City Manager, Doug Krieger
City Clerk, Pam LaFever
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Fire Inspector, Scott Scheller
Police Chief, Robert Marshall
Finance Director, Karen DeAngelis
T.E.D. Director, Marcie Schatz
T.E.D. Operations Manager, Allison Laff
T.E.D. Engineering Services Team Leader, Bill Novack
T.E.D. Development Services Manager, Anastasia Urban
T.E.D. Team Leader, Karyn Robles
Public Works Director, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B CLOSED SESSION:

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 p public body; (11) Litigation, when action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal; (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, Miller:

ROLL CALL:

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

Nays: None

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:03 P.M.
CLOSED SESSION ENDED AT 6:59 P.M.**

OPEN SESSION:

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

ROLL CALL to determine Quorum:

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

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month – July

EMPLOYEE OF THE MONTH - JULY

Councilwoman Brodhead recognized Fire Department Division Chief Mark Ziemnik as the Employee of the Month for July.

D2 North Central College Vocal Jazz Week Proclamation

NORTH CENTRAL COLLEGE VOCAL JAZZ WEEK PROCLAMATION

Councilman Krause proclaimed July 21-27, 2012 as Vocal Jazz Week and presented the proclamation to Jack Mouse, Coordinator of Jazz Studies at North Central College and Janice Borla, Vocal Jazz Instructor.

E PUBLIC FORUM:

E1 Naperville Area Chamber of Commerce

Tami Andrew, 1222 Rhodes Lane, introduced herself as the Acting President/CEO of the Naperville Area Chamber of Commerce.

E2 Veteran in Need of Assistance

Richard Polizzi, 780 Inland Circle #101, informed Council of an August 9, 2012 jazz fundraiser for an Iraqi War veteran.

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E3 Request for Reconsideration of McDonald's at Washington & Hillside
Henry Stillwell, 2203 Embden Lane, Wheaton, attorney for the
Petitioner, requested Council move to reconsider the McDonald's
development at Hillside and Washington and table the issue to allow the
Petitioner time to prepare a presentation.

Council discussed reconsidering the proposal, reasons for initial denial,
and Petitioner's alterations to the plan.

Krause moved to reconsider the McDonald's development at Hillside and
Washington and table the item to the August 21, 2012 meeting. Second,
Chirico.

ROLL CALL:

Ayes: Pradel, Brodhead, Chirico, Hinterlong, Krause, McElroy,
 Miller

Nays: Fieseler, Wehrli
 Motion declared carried.

E4 Move to Amend
Keith Klingeman, 2420 Putnam, urged Council to pass a resolution
supporting a constitutional amendment to overturn the Citizen's United
decision.

Carol Tritschler, 799 Royal St. George #704, urged Council to pass a
resolution supporting a constitutional amendment to overturn the
Citizen's United decision.

Frank Esposito, 1283 Trinity Drive, Carol Stream, urged Council to pass
a resolution supporting a constitutional amendment to overturn the
Citizen's United decision .

Kathy Franke, 3 S 571 West Street, urged Council to pass a resolution
supporting a constitutional amendment to overturn the Citizen's United
decision.

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.

I **CONSENT AGENDA:**

Miller moved to approve the Consent Agenda with the exception of items
11, 17, 19, 113, 116, 122, 125, 128. Second, Krause.

ROLL CALL:

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

Nays: None
 Motion declared carried.

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| I2 | <u>Regular City Council Meeting Minutes of June 19, 2012</u>
Council moved to approve the Regular City Council Meeting Minutes of June 19, 2012. | REGULAR CITY
COUNCIL MEETING
MINUTES – 6/19/12 |
| I3 | <u>Special City Council Meeting Minutes of June 27, 2012</u>
Council moved to approve the Special City Council Meeting Minutes of June 27, 2012. | SPECIAL CITY COUNCIL
MEETING MINUTES OF
6/27/12 |
| I4 | <u>Statutory Review of Closed Session Minutes</u>
Council moved to approve the release of Not Restricted (NR) items and to concur with the need to maintain Restricted (R) items confidential at this time. | STATUTORY REVIEW OF
CLOSED SESSION
MINUTES |
| I5 | <u>Bid 13-031 Aggregate</u>
Council moved to approve the award of Bid 13-031, aggregate items CA6 & CA7 to Heritage Logistics, LLC for an amount not to exceed \$169,006.20. | BID 13-031 AGGREGATE |
| I6 | <u>Bid 13-015, Naper Settlement Annex Re-siding and Exterior Improvements</u>
Council moved to approve the award of Bid 13-015, Naper Settlement Annex re-siding and exterior improvements to Seabreeze West Remodeling, Inc. for an amount of \$122,725.00 plus a 5% contingency. | BID 13-015, NAPER
SETTLEMENT ANNEX
RE-SIDING AND
EXTERIOR
IMPROVEMENTS |
| I8 | <u>Procurement 13-034, City's Excess General Liability Insurance</u>
Council moved to approve the award of Procurement 13-034, City's Excess General Liability Insurance to Alliant Insurance Services for a premium amount of \$138,321.00 for the period of July 1, 2012 thru July 1, 2013. | PROCUREMENT 13-034,
CITY'S EXCESS
GENERAL LIABILITY
INSURANCE |
| I10 | <u>Bid 13-019, Country Commons Park Improvements Part B</u>
Council moved to approve the award of Bid 13-019, Country Commons Park Improvements Part B, CIP#SW011, to J.F. New & Associates, Inc., for an amount of \$119,356.00 plus a 5% contingency. | BID 13-019, COUNTRY
COMMONS PARK
IMPROVEMENTS PART B |
| I11 | <u>Bid 13-017, McDowell Interceptor CIPP, Phase I</u>
Council moved to approve the award of utility funded Bid 13-017, McDowell Interceptor CIPP-Phase I, to Pipe Vision Products, Inc., for an amount not to exceed \$279,945.00 plus a 5% contingency. | BID 13-017, MCDOWELL
INTERCEPTOR CIPP,
PHASE I |
| I12 | <u>RFP 13-002, Contract Lobbyist</u>
Council moved to approve the award of RFP 13-002, City Lobbyist, to Roger C. Marquardt & Co., Inc., for a renewable annual contract beginning August 2012 for an amount not to exceed \$35,000.00. | RFP 13-002, CONTRACT
LOBBYIST |
| I14 | <u>Appointment to City of Naperville Board or Commission</u>
Council moved to approve the Mayoral appointment of Julie Lichter to the Advisory Cultural Commission. | APPOINTMENT TO CITY
OF NAPERVILLE BOARD
OR COMMISSION |

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| I15 | <u>Public Improvements</u>
Council moved to accept the public street and underground improvements in Brookdale Gateway Subdivision. | PUBLIC IMPROVEMENTS |
| I17 | <u>Ordinance No. 12-085, Naperville Sprint Triathlon</u>
Council moved to pass Ordinance No. 12-085, establishing the temporary traffic controls and issue a special event permit for the Naperville Sprint Triathlon on Sunday, August 5, 2012. | ORDINANCE NO. 12-085,
NAPERVILLE SPRINT
TRIATHLON |
| I18 | <u>Ordinance No. 12-086, Scott S-Cool Scoot</u>
Council moved to pass Ordinance No. 12-086, to establish temporary street closures and issue a Special Event Permit for the Scott S'Cool Scoot on Saturday, August 25, 2012. | ORDINANCE NO. 12-086,
SCOTT S-COOL SCOOT |
| I19 | <u>Ordinance No. 12-087, Last Fling, Labor Day Parade, and the Fling Mile</u>
Council moved to pass Ordinance No. 12-087, to establish temporary traffic controls and issue a special event permit for the 2012 Last Fling, the Labor Day Parade, and the Fling Mile. | ORDINANCE NO. 12-087,
LAST FLING, LABOR
DAY PARADE, AND THE
FLING MILE |
| I20 | <u>Ordinance No. 12-088, Reflection Drive Speedway, PZC 12-1-075</u>
Council moved to pass Ordinance No. 12-088, granting a variance from Section 5-4-13:1 (nonconforming signs; revision of signage) of the Naperville Municipal Code in order to replace the face panels on two existing, nonconforming monument signs, without bringing the signs into compliance with the current monument-sign regulations for the property located at 3004 Reflection Drive, PZC 12-1-075. | ORDINANCE NO. 12-088,
REFLECTION DRIVE
SPEEDAY, PZC 12-1-075 |
| I21 | <u>Ordinance No. 12-089, Pure Land Center, PZC 12-1-054</u>
Council moved to pass Ordinance No. 12-089, granting a conditional use for a cultural institution in B3 (General Commercial District) for the property located at 1120 E. Ogden Avenue. | ORDINANCE NO. 12-089,
PURE LAND CENTER,
PZC 12-1-054 |
| I23 | <u>Ordinance No. 12-090, 1150 Muirhead Avenue, PZC 12-1-070</u>
Council moved to pass Ordinance No. 12-090, granting a zoning variance to allow for the construction of a bus drop-off facility in the 30' required front yard setback in the R1b District for the property located at 1150 Muirhead Avenue, known as the Meadow Glens Elementary School. | ORDINANCE NO. 12-090,
1150 MUIRHEAD
AVENUE, PZC 12-1-070 |
| I24 | <u>Ordinance No. 12-091, Tide at Naperville Crossings, PZC 12-1-046</u>
Council moved to pass Ordinance No. 12-091, approving a minor change to the Naperville Crossing PUD and a final PUD plat in order to develop a multi-tenant commercial building (Building 16) on Lot 17 in Naperville Crossings, PZC 12-1-046. | ORDINANCE NO. 12-091,
TIDE AT NAPERVILLE
CROSSINGS, PZC 12-1-046 |
| I26 | <u>Ordinance No. 12-092, FMC Dialysis Clinic, PZC 12-1-022</u>
Council moved to pass Ordinance No. 12-092, revoking the existing planned unit development (PUD) for First United Bank (f.k.a. Pierson Funeral Home), rezoning from R1b (medium density single-family residence district) to OCI (office, commercial, and institutional district) and approving a preliminary/final plat of subdivision for the property located at 2451 S. Washington Street. | ORDINANCE NO. 12-092,
FMC DIALYSIS CLINIC,
PZC 12-1-022 |

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I13 Agreement with IDOT for Route 59 Improvements

**I13a Resolution No. 12-021, Agreement with the Illinois Department of
Transportation for the Illinois 59 Improvements Engineering Study**

Fieseler moved to adopt Resolution No. 12-021, approving and authorizing the Mayor to execute a fourth addendum agreement to the intergovernmental agreement with the Illinois Department of Transportation for the Illinois Route 59 improvements engineering study. Second, Chirico.

ROLL CALL:

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

**RESOLUTION NO. 12-021,
IDOT AGREEMENT FOR
THE ILLINOIS 59
IMPROVEMENTS
ENGINEERING STUDY**

I13b Contract 03-063, Illinois Route 59 Expansion

Fieseler moved to approve Change Order 4 to Contract 03-063, Illinois Route 59 expansion, with Teng and Associates, Inc. for an amount not to exceed \$87,365.02 for a total award of \$1,568,177.29. Second, Miller.

ROLL CALL:

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

**CONTRACT 03-063,
ILLINOIS ROUTE 59
EXPANSION**

**I16 Ordinance No. 12-094, DuPage County Stormwater and Floodplain
Ordinance and General Certification**

Novack explained the proposed ordinance is more restrictive than the existing Will County requirements, that it can be applied to Will County residents in total or in part, and suggested incorporating water quality component best practices.

Chirico moved to waive first reading and pass Ordinance No. 12-094, adopting the amended DuPage County Stormwater and Floodplain Ordinance and general certifications and amending Section 5-6-1 of the Naperville Municipal Code. Second, Brodhead.

ROLL CALL:

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

**ORDINANCE NO. 12-094,
DUPAGE COUNTY
STORMWATER &
FLOODPLAIN
ORDINANCE**

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I22 Ordinance No. 12-095, McDonald's on 75th Street, PZC 12-1-038
Fieseler moved to pass Ordinance No. 12-095, granting a variance from Section 6-9-3:4 (schedule of off-street parking requirements) of the Municipal Code to reduce the number of required off-street parking spaces by 16 spaces for an existing McDonald's restaurant located at 892 W. 75th Street, PZC 12-1-038. Second, Hinterlong.

ORDINANCE NO. 12-095,
MCDONALD'S ON 75TH
STREET, PZC 12-1-038

ROLL CALL:

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

Nays: None
 Motion declared carried.

I25 Ordinance No. 12-096, Sudsational, PZC 12-1-083

ORDINANCE NO. 12-096,
SUDSATONAL, PZC 12-1-
083

Clerk's Note: Wehrli recused himself to avoid the appearance of a conflict of interest and left the dais at 8:14 p.m.

Miller moved to pass Ordinance No. 12-096, granting a conditional use for an automobile repair facility in I (Industrial District) for the property located at 452-588 W. 5th Avenue, PZC 12-1-083. Second, Chirico.

ROLL CALL:

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

Nays: None

Recused: Wehrli
 Motion declared carried.

Clerk's Note: Wehrli returned to the dais at 8:15 p.m.

I28 Ordinance No. 12-097, Health Care Center at Monarch Landing, PZC 12-1-050

ORDINANCE NO. 12-097,
HEALTH CARE CENTER
AT MONARCH LANDING,
PZC 12-1-050

Russ Whitaker, 23 W. Jefferson and Petitioner's Attorney, gave a brief presentation and explained that Naperville Senior Care, LLC, proposes to develop an assisted living and nursing facility, known as Health Care Center, on the west end of the Monarch Landing campus along Route 59. The proposed facility would include 124 beds and 61 surface parking spaces and would be connected to an existing Monarch Landing residential building through an enclosed walkway.

Council discussed the entrance road, the retaining wall, gate design and requested that as few people as possible be impacted with the proposed traffic pattern.

Whitaker explained the types of care and living arrangements offered on campus, campus security and access to different facilities. He stated that employee parking and that the one-way drive aisle is critical to maintaining the Monarch Landing campus as a gated and secured community. He said that the gate will be designed upon approval of the development.

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I28 Ordinance No. 12-097, Health Care Center at Monarch Landing, PZC 12-1-050 Continued

Miller moved to pass Ordinance No. 12-097, approving a preliminary plat of subdivision, a conditional use for a nursing and convalescent home in OCI (office, commercial and institutional district), a major change to the Monarch Landing planned unit development (PUD), and a preliminary PUD plat to allow for development of an assisted living and nursing facility on Lot 1B of Monarch Landing. Second, Hinterlong.

ROLL CALL:

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

ORDINANCE NO. 12-097,
HEALTH CARE CENTER
AT MONARCH LANDING,
PZC 12-1-050

J **OLD BUSINESS:**

J1 Resolution No. 12-022, Aquatic Visions, PZC #12-1-047

Council discussed revising the ordinance in the future to allow more of the window to be covered.

Miller moved to adopt Resolution No. 12-022, granting a variance from Section 5-4-6:2 (commercial signs; miscellaneous signs; window signs) of the Naperville Municipal Code in order to have window signage that covers more than fifty (50) percent of the window-surface area for the current business located at 2695 Forgue Drive, Suite #109, PZC 12-1-047. Second, Wehrli.

ROLL CALL:

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

RESOLUTION NO. 12-022,
AQUATIC VISIONS, PZC
#12-1-047

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

K1 Bid 13-011, 2012 Street Resurfacing Program

Wehrli moved to approve the award of Bid 13-011, 2012 Street Resurfacing Program-City, CIP #MP009, to James D. Fiala Paving Company, Inc. for Alternative 2 for an amount of \$3,584,347.50, plus a 3% contingency. Second, Miller.

ROLL CALL:

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

BID 13-011, 2012 STREET
RESURFACING
PROGRAM

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- K2** Bid 13-018, Country Commons Park Improvements Part A **BID 13-018, COUNTRY COMMONS PARK IMPROVEMENTS PART A**
- Chirico moved to approve the award of Bid 13-018, Country Commons Park Improvements Part A, CIP#SW011, to Illinois Constructors Corp., for an amount of \$1,334,000.00 plus a 3% contingency. Second, Hinterlong.
- ROLL CALL:**
- Ayes:** Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico, Fieseler
- Nays:** None
- Motion declared carried.
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** City Council Meeting Schedule **CITY COUNCIL MEETING SCHEDULE**
- Wehrli moved to approve the City Council Meeting Schedule for August, September and October 2012. Second, Krause.
- VOICE VOTE:** Motion declared carried.
- L2** Proposed Map of Districts for City of Naperville **PROPOSED MAP OF DISTRICTS FOR CITY OF NAPERVILLE**
- Dick Furstenau, 709 Zainiger, suggested map changes.
- Council discussed issues that may arise from implementing districts.
- Ely advised that staff will bring a list of concerns back to Council once boundaries have been set and the ordinance approved.
- Council requested a workshop be held after the 2013 election to discuss topics regarding how the City will operate in a district system.
- Wehrli moved to review the amendments received to the proposed election district map, and direct staff to prepare an ordinance to officially approve the division of the City into five election districts and a final map including one revision amending portions of the boundary line between proposed election District 2 and 3 from Washington Street to the DuPage River. Second, Hinterlong.
- VOICE VOTE:** Motion declared carried.
- M** **PUBLIC HEARINGS:**
- N** **ORDINANCES AND RESOLUTIONS:**
- N1** Main Street Promenade East Development Agreements **MAIN STREET PROMENADE EAST DEVELOPMENT AGREEMENTS**
- Vince Rosanova, 23 W. Jefferson Avenue, Suite 200, Petitioner's Attorney, discussed the pedestrian bridge and the associated support structures.

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- N1a** Ordinance No. 12-098, Development and Economic Incentive Agreement ORDINANCE NO. 12-098,
Miller moved to pass Ordinance No. 12-098, approving and authorizing DEVELOPMENT AND
execution of the amended and restated Development and Economic ECONOMIC INCENTIVE
Incentive Agreement. Second, Wehrli. AGREEMENT
- ROLL CALL:**
Ayes: Krause, McElroy, Miller, Wehrli, Pradel, Brodhead,
 Chirico, Fieseler, Hinterlong.
Nays: None
 Motion declared carried.
- N1b** Ordinance No. 12-099, Sale of Property to LFP Holdings, LLC & Land ORDINANCE NO. 12-099,
Sales Agreement SALE OF PROPERTY TO
Miller moved to pass Ordinance No. 12-099, approving the sale of LFP HOLDINGS, LLC &
certain property to LFP Holdings, LLC and authorizing the execution of LAND SALES
a Land Sale Agreement. Second, Chirico. AGREEMENT
- ROLL CALL:**
Ayes: McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico,
 Fieseler, Hinterlong, Krause
Nays: None
 Motion declared carried.
- Clerk's Note:** Wehrli recused himself to avoid the appearance of a
conflict of interest and left the dais at 9:39 p.m.
- N2** Le Chocolat – Building Code Variance LE CHOCOLAT
- Option** Concur with the Building Review Board and approve variances to allow
A for an opening on the property line between 127 and 129 S. Washington
 subject to certain conditions, including delaying installation of a
 sprinkler system in 127-125 S. Washington up to 10-years.
- Urban gave a brief staff presentation explaining that the applicant is
seeking variances to allow for the wall openings on the property line, to
locate fire doors at the wall opening, not install sprinklers in 127 S.
Washington, and not provide toilet facilities in 127 S. Washington as a
separate tenant space if the variances are not granted. She stated that the
International Building Code (IBC) restricts openings across shared
property lines for fire protection purposes. She concluded by stating that
staff is not supportive of the requested variance for the opening across
the property line if sprinklers are not installed in 127 S. Washington due
to the compromise of the fire separation resulting from the opening in the
wall.
- Scheller explained that fire shutters can slow down fire progression but
cannot stop the fire from spreading.
- Puknaitis stated that the Fire Department examines not only technical
issues required in the Code, but also subjective items that fire prevention
professionals have learned over the years.

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Option A Concur with the Building Review Board and approve variances to allow for an opening on the property line between 127 and 129 S. Washington subject to certain conditions, including delaying installation of a sprinkler system in 127-125 S. Washington up to 10-years. Continued

Council discussed recent fires in the downtown, that sprinkler systems are expensive and can be cost prohibitive for business owners, that fires can, and do, happen in establishments without kitchens, and that the Code must be respected in order to protect the public.

Miller moved to concur with the Building Review Board and approve variances to allow for an opening on the property line between 127 and 129 S. Washington subject to certain conditions, including delaying installation of a sprinkler system in 127-125 S. Washington up to five years. Second, McElroy.

Krause made a Motion in Amend to approve Option A and concur with the Building Review Board and approve variances to allow for an opening on the property line between 127 and 129 S. Washington subject to certain conditions, including delaying installation of a sprinkler system in 127-125 S. Washington up to 10 years. Second, Chirico.

ROLL CALL:

Ayes: Miller, Pradel, Chirico, Krause, McElroy

Nays: Brodhead, Fieseler, Hinterlong,

Recuse: Wehrli

Motion declared carried.

Clerk's Note: Wehrli returned to the dais at 10:08 p.m.

Option B Concur with Staff and approve variances to allow for an opening on the property line between 127 and 129 S. Washington subject to certain conditions, including requiring a sprinkler system to be installed in 127 S. Washington prior to occupancy and allowing the installation of a sprinkler system in 120 S. Washington to be delayed up to 10-years with an agreement to be recorded against the property.

Option C Concur with the Petitioner and approve variances to allow for an opening on the property line between 127 and 129 S. Washington subject to certain conditions, which does not require a sprinkler system to be installed in 127 or 125 S. Washington.

O **NEW BUSINESS**

O1 Dry trees/Ash borer treatment

McElroy asked staff to explain how the drought is affecting treatment of community ash trees.

Dublinski explained that the chemical was absorbed even without the presence of rain but still urged residents to water the trees to aid in the absorption.

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O2 Hometown Holidays Event

By consensus Council gave support for the placement of snowmen figures on the downtown sidewalks.

LaFeber explained that an agenda item requesting formal approval of the event will be before Council in October.

O3 Veteran Statue on Washington Street

Chirico suggested removing the traffic signal because it obstructs the view of the statue.

Schatz said line of sight improvement options will be brought back to Council for consideration.

P **CLOSED SESSION:**

CLOSED SESSION

Q **ADJOURNMENT:**

ADJOURNMENT –10:22 P.M.

Wehrli moved to adjourn the Regular City Council meeting of July 17, 2012 at 10:22 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of July 17, 2012 officially adjourned at 10:22 p.m.


PAM LAFEVER PH.D.
CITY CLERK

PL: BK