



**CITY COUNCIL MEETING OF SEPTEMBER 3, 2013
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
September 17, 2013 AS WRITTEN.**

CALL TO ORDER:

5:30 P.M.

- A** Mayor A. George Pradel
Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler - Arrived at 5:35 p.m.
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Joe McElroy
Councilman Grant Wehrli
Councilman David Wentz

Absent

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
Assistant City Manager, Amy Emery-Gaunke
City Attorney, Margo Ely
City Clerk, Pam LaFeber
Police Chief, Robert Marshall
Vehicle Reclamation Officer, Rose Milka
Fire Chief, Mark Puknaitis
Finance Director, Karen DeAngelis
Engineering Services Manager, Robert Kozurek
T.E.D. Operations Manager, Allison Laff
Director of Public Works, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Civil Environmental Engineer, Joe Renn
Chief Information Officer, Larry Gunderson

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B 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 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; (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; (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, Krause.

ROLL CALL:

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

Nays: None

Absent: Fieseler

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 5:35 P.M.
CLOSED SESSION ENDED AT 6:57 P.M.**

Clerk's Note: Fieseler arrived at 5:35 p.m.

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:04 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 2013 Good Neighbor Award

2013 GOOD NEIGHBOR
AWARD

Tom Miers presented the Chicago Association of Realtors Good Neighbor Award to Mayor Pradel and Mike Krol, President and CEO of Naper Settlement.

E PUBLIC FORUM:

E1 Flooding Issues

Joe Wysocki, 1570 Culpepper Drive, discussed flooding in their area.

E2 Flooding Issues

Dan Kniola, 1583 Culpepper Drive, discussed flooding in their area.

Kozurek responded that the system is functioning as designed, there is ample flood protection, the property is located in the uplands, and will meet with the speakers to discuss flood protection.



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E3 Special Events

Veronica Porter, 325 Benton, requested that residents be part of the conversation to change or extend special events.

E4 City Events Permits

Kathy Benson, 51 Forest, requested that staff communicate with affected homeowners groups regarding special events.

LaFeber stated that representatives will be invited to logistics and wrap-up meetings.

E5 Jefferson Estates Berm

Sheldon Keith, 259 Claremont, and Eric Maul, 261 Claremont, explained the impact of a sport court that was built and requested that permit holders notify residents prior to development that will affect nearby properties.

Ely said that prior to the issuance of a permit several meetings are held between city staff and the developer or builder, that a permit is granted based on engineering drawings, and the builder is responsible for contacting area homeowners.

Laff explained that certain items are administratively approved and drainage and runoff are evaluated during staff review.

F **HOLDOVER ITEMS:**

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

G1 Spirit of the American Navy Sculpture

Brand Bobosky, Century Walk Corporation, discussed the request to receive funds from the SECA balance.

Wentz moved to approve the \$25,000 SECA fund balance allocation to Century Walk Corporation upon submission of appropriate invoice. Second, Krause.

**SPIRIT OF THE AMERICAN
NAVY SCULPTURE**

ROLL CALL:

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

Nays: None
 Motion declared carried.

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 I2, I5 I8, and I11. Second, Chirico.

ROLL CALL:

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

Nays: None
Motion declared carried.

- | | |
|--|--|
| <p>I1 <u>Cash Disbursements – 8/14/13</u>
Council moved to approve the 8/14/13 cash disbursements in the amount of \$8,360,199.32.</p> | <p>CASH DISBURSEMENTS –
8/14/13</p> |
| <p>I3 <u>Contract 14-079, Roadway Snow Removal</u>
Council moved to waive the applicable provisions of the Naperville Procurement Code and set prices for FY13-14 and award Contract 14-079, Roadway Snow Removal, to various contractors, for an amount not to exceed \$383,250.00 for the period of October 1, 2013 through April 30, 2014.</p> | <p>CONTRACT 14-079,
ROADWAY SNOW
REMOVAL</p> |
| <p>I4 <u>Contract 12-043, Parking Lot Snow Plowing</u>
Council moved to approve the award of option year renewal one to Contract 12-043, parking lot snow plowing, to Beverly Snow & Ice for an amount not to exceed \$153,090.00.</p> | <p>CONTRACT 12-043,
PARKING LOT SNOW
PLOWING</p> |
| <p>I6 <u>Appointments to the Boards and Commissions</u>
Council moved to approve Mayoral appointments to the Boards and Commissions.</p> | <p>APPOINTMENTS TO THE
BOARDS AND
COMMISSIONS</p> |
| <p>I7 <u>NCTV SECA Fund Allocation</u>
Council moved to allocate an additional \$15,000.00 from the FY13 SECA fund balance to NCTV for the live coverage of the Naperville Marathon and Half Marathon on November 10, 2013.</p> | <p>NCTV SECA FUND
ALLOCATION</p> |
| <p>I9 <u>Carillon Club, Unit 7, PZC 13-1-056 and 13-1-057</u></p> | <p>CARILLON CLUB, UNIT 7,
PZC 13-1-056 AND 13-1-057</p> |
| <p>I9a <u>Ordinance No. 13-099, final planned unit development (PUD) plat</u>
Council moved to pass Ordinance No. 13-099, approving a final planned unit development (PUD) plat for Carillon Club Unit 7.</p> | <p>ORDINANCE NO. 13-099,
FINAL PLANNED UNIT
DEVELOPMENT (PUD)
PLAT</p> |
| <p>I9b <u>Ordinance No. 13-100, final plat of subdivision</u>
Council moved to pass Ordinance No. 13-100, approving a final plat of subdivision for Carillon Club Unit 7, Phase 3A.</p> | <p>ORDINANCE NO. 13-100,
FINAL PLAT OF
SUBDIVISION</p> |



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- I10** Ordinance No. 13-101, Rosehill Farm, PZC 12-1-069
Council moved to pass Ordinance No. 13-101, granting a variance from Section 5-4-8:3.3 (residential signs; residential development identification signs; sign height) of the Naperville Municipal Code to install a 24-square-foot, 52-inch-tall residential development identification sign that will be located at the northwest corner of Plainfield/Naperville Road and Saratoga Road for Rosehill Farm Townhomes, PZC 12-1-069.
- ORDINANCE NO. 13-101,
ROSEHILL FARM, PZC 12-1-069
- I12** Ordinance No. 13-102, Debt Management Policy
Council moved to pass Ordinance No. 13-102, adopting the revised Debt Management Policy.
- ORDINANCE NO. 13-102,
DEBT MANAGEMENT
POLICY
-
- I2** Regular City Council Minutes
Krause moved to approve the Regular City Council Minutes of August 20, 2013 with a correction to p. 164. Second, Hinterlong.
- REGULAR CITY COUNCIL
MINUTES
- ROLL CALL:**
Ayes: Chirico, Fieseler, Hinterlong, Krause, McElroy, Wentz, Brodhead
Nays: None
Abstain: Wehrli, Pradel
Motion declared carried.
- I5** Contract 14-004, Water Main Crossing at Hillside and Martin
Renn clarified the reason for additional funding and answered a question regarding soil testing and sidewalks on Hillside.
Chirico moved to approve additional funding for Contract 14-004, water main crossings at Washington and Hillside, to Copenhagen Construction in the amount not to exceed \$65,000.00 and an extension of the completion date to September 6, 2013. Second, Hinterlong.
- CONTRACT 14-004,
WATER MAIN CROSSING
AT HILLSIDE AND
MARTIN
- ROLL CALL:**
Ayes: Fieseler, Hinterlong, Krause, McElroy, Wehrli, Wentz, Pradel, Brodhead, Chirico
Nays: None
Motion declared carried.
- I8** Amendments to Title 2, Title 6 and Title 7 Regarding Notice, Processing and Related Requirements, PZC 12-1-139
Dick Furstenu, 709 Zaininger, suggested how Council should review the text amendment.
Laff reviewed the amendment summary, explained that the amendments were vetted through Plan Commission and received no questions and unanimously approved.
Kathy Benson, 51 Forest, discussed proposed changes in the text amendment.
Chirico moved to table to September 17, 2013. Second, Hinterlong.
- AMENDMENTS TO TITLE
2, TITLE 6 AND TITLE 7
REGARDING NOTICE,
PROCESSING & RELATED
REQUIREMENTS, PZC 12-1-139
- VOICE VOTE:** Motion declared carried.



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- I11** Resolution No. 13-028, IAFF Local #4320 Firefighters Collective Bargaining Agreement
Dick Furstenuau, 709 Zaininger, spoke against the proposed collective bargaining agreement.
Council discussed components of the collective bargaining agreement including education requirements and longevity bonus.
Chirico moved to adopt Resolution No. 13-028, authorizing execution of a collective bargaining agreement between the City of Naperville and the IAFF Local #4302. Second, Hinterlong.

RESOLUTION NO. 13-028,
IAFF LOCAL #4320
FIREFIGHTERS
COLLECTIVE
BARGAINING
AGREEMENT

ROLL CALL:

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

J **OLD BUSINESS:**

Clerk's Note: Wehrli recused himself due to a conflict of interest and left the dais at 8:57 p.m.

J1 Ordinance No 13-103, Police Towing

ORDINANCE NO 13-103,
POLICE TOWING

Josh Wisch, 607 Spring, spoke against the proposed ordinance.
Win Wehrli, 104 S. Parkway, attorney for tow companies, requested the ordinance be capped at 11.
Mike Roth, 2300 Cabot, requested the ordinance be capped at 11.
George Garbis, 900 E. Ogden, spoke against the proposed ordinance.
Kit Kuhrt, 1680 Quincy, spoke against the proposed ordinance.
Gary Tarr, 8916 Schoger, spoke against the proposed ordinance.
Council discussed the impact of competition on providers, vendors located in Naperville, and implementing a lottery system for new applicants.
Milka explained that the fees are set by ordinance and will not change regardless of the implementation of a cap.
Hinterlong moved to pass Ordinance No. 13-103, amending Title 11 (motor vehicles and traffic), Chapter 5 (motor vehicle tows), Article A (police towing license system) to allow for the implementation of a two-year tow licensing period, the establishment of license caps at the number of 13, automatically reducing the number based on revocation for cause but not to decrease below 10, including the "preference" reference, and other housekeeping matters. Second, Wentz.

ROLL CALL:

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



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Clerk's Note: Wehrli returned to the dais at 9:36 p.m.

K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

K1 Procurement 14-082, City's Medical Insurance

Chirico moved to approve the award of Procurement 14-082, medical insurance renewal to Blue Cross Blue Shield of Illinois for a one-year contract for an amount not to exceed \$17,198,015. Second, Wentz.

PROCUREMENT 14-082,
CITY'S MEDICAL
INSURANCE

ROLL CALL:

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

Nays: None
Motion declared carried.

L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

Krause moved to approve the City Council Meeting Schedule for September, October, and November 2013. Second, Chirico.

CITY COUNCIL MEETING
SCHEDULE

VOICE VOTE: Motion declared carried.

L2 American Predator Fighting Championship (APFC) Mixed Martial Arts (MMA) Event

Rich Seldal, Petitioner and 952 Lake Street, Roselle, explained the event and said he would lower attendance to adhere to parking requirements.

AMERICAN PREDATOR
FIGHTING CHAMPIONSHIP
(APFC) MIXED MARTIAL
ARTS (MMA) EVENT

Council discussed fights in the downtown, city liability, appropriate zoning use, police officer presence, parking fees, and traffic control plans.

Brodhead moved to approve the use of the vacant, city-owned property located at 1720 Quincy Avenue for parking for the APFC MMA event at Players Indoor Sports on October 19, 2013. Second, Hinterlong.

ROLL CALL:

Ayes: Pradel

Nays: Wehrli, Wentz, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy

Motion declared not carried.

M PUBLIC HEARINGS:

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

O1 Future MMA Events

Hinterlong asked for, and received, consensus to direct staff to bring back a text amendment prohibiting MMA events.

O2 Retirees



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McElroy requested that Council review the hiring of employees who retire from one department and go to work in another department.

Krieger said that he will provide a report showing employees that have moved from one pension plan to another.

O3 School Zones

McElroy asked about enforcement of cell phone use in school zones.

Marshall explained that it is illegal to use cell phones in school zones and will provide a report showing the number of tickets that have been issued.

O4 Statement of Open Accounts

Wentz requested improving turnaround time.

Schatz responded that the process is being reviewed and staff will be working toward a 48-hour turnaround goal.

P **CLOSED SESSION:**

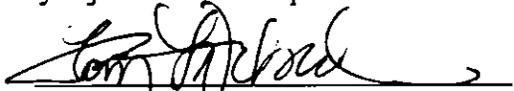
Q **ADJOURNMENT:**

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of September 3, 2013 at 10:07 p.m. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of September 3, 2013 officially adjourned at 10:07 p.m.



PAM LAFEVER PH.D.
CITY CLERK

PL: BK

