



**CITY COUNCIL MEETING OF MAY 18, 2010
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
June 1, 2010 AS WRITTEN.**

CALL TO ORDER:

6:00 P.M.

A Mayor A. George Pradel
Councilman James Boyajian
Councilman Judy Brodhead
Councilman Robert Fieseler
Councilman Richard R. Furstenuau – Arrived at 6:04 p.m.
Councilman Paul Hinterlong – Arrived at 6:04 p.m.
Councilman Douglas Krause
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

Also Present

City Manager, Doug Krieger
Assistant City Manager, Robert Marshall
Records Management Team Leader, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Police Chief, David Dial
Director of Public Works, David Van Vooren
Director of T.E.D. Business Group, Marcie Schatz
T.E.D. Operations Manager, Allison Laff
T.E.D. Transportation Team Leader, Karyn Robles
T.E.D. Development Team Leader, Dick Dublinski
T.E.D. Engineering Team Leader, Bill Novack
Asst. Director of Public Utilities- Water, Jim Holzapfel
Asst. Director of Public Utilities-Electric, Mark Curran

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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B. CLOSED SESSION

Wehrli 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; (2) Collective negotiating matters between the public body and its employees or their representatives; (5) The purchase or lease of real property for the use of the public body; (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. Second, Krause.

ROLL CALL:

Ayes: Pradel, Boyajian, Brodhead, Fieseler, Krause, Miller, Wehrli

Nays: None

Absent: Furstenau, Hinterlong
Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 6:04 P.M.

CLOSED SESSION ENDED AT 6:59 P.M.

OPEN SESSION

MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:08 P.M.

ROLL CALL to determine Quorum:

Present: Pradel, Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli

C. PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 VFW Poppy Days

VFW POPPY DAYS

Councilman Paul Hinterlong proclaimed the week of May 25 - 31, 2010 as VFW Buddy Poppy Days and presented the proclamation to Charles Vladika, VFW Post Commander and Mike Barbour, Buddy Poppy Chairman.

D2 Naperville Public Library #1 in the United States

NAPERVILLE PUBLIC LIBRARY

Councilman Paul Hinterlong recognized the Naperville Public Library for ranking #1 in the United States for the 10th year in a row and presented the proclamation to Sun P. Kwok, President of the Naperville Public Library Board of Trustees and Donna Dzedzic, Executive Director of the Naperville Public Library.

D3 Emergency Management Volunteer Service Award

EMERGENCY MANAGEMENT VOLUNTEER SERVICE AWARD

Mayor Pradel and Emergency Management Coordinator Joe Henderson recognized EMA and CERT volunteers with certificates and lapel pins.

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E PUBLIC FORUM:

E1 Dave Cleveland Day

Anissa Olley, 101 Springwood, an Elmwood alumnus, thanked Mr. Cleveland for his service and highlighted several projects he sponsored.

David Shaftman, 1821 S. Washington Street #310, thanked Mr. Cleveland for his years of service and the impact he has had on student's lives.

E2 Thank you to Hugo Guria

Dwight Yackley, 55 S. Main Street, thanked Mr. Guria for saving a group of ducklings and presented him with several gifts.

E3 Water Meter Transponder

HR Hofmann, 1210 Lawn Meadow, thanked the city for repairing how the new transponder was affixed to his house.

E4 Smart Grid

Virginia Petru, 836 Turtle Creek Ct., member of the Tea Party Patriots, asked a number of questions regarding SMART grid financial concerns and the installation of meters. She stated that they do not have all of the information and staff has facilitated the development of a Town Hall meeting.

Council stated that staff has every intention to continue to engage the public to assess the level of acceptability.

E5 New Author of Children's Book on the Events of 9/11

Cindy Rodriguez, 265 Meadows Drive, Sugar Grove, discussed her new book which focuses on 9/11 in New York, a second book that will be coming out that discusses the events of Shanksville, and a third that will be published that focuses on the Pentagon.

F HOLDOVER ITEMS:

G PETITIONS AND COMMUNICATIONS TO THE COUNCIL:

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

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

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items I3, I14, and I15. Second, Krause.

ROLL CALL:

Ayes: Pradel, Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli,

Nays: None

Motion declared carried.



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- I12** Ordinance No. 10-057, 2010 Naperville Jazz Festival
Council moved to pass Ordinance No. 10-057, to establish temporary street closures and No Parking/Tow Zones for the 2010 Naperville Jazz Festival. ORDINANCE NO. 10-057,
2010 NAPERVILLE JAZZ
FESTIVAL
- I13** Ordinance No. 10-058, Ribfest 2010
Council moved to pass Ordinance No. 10-058, establishing traffic controls for Ribfest 2010. ORDINANCE NO. 10-058,
RIBFEST 2010
Council requested that at the conclusion of the 2010 Ribfest a Special Events Committee meeting be held and a post-event audit is presented to Council.
- I16** Resolution No. 10-029, Illinois Route 59 Sidewalk Funding, Amendment #1
Council moved to adopt Resolution No. 10-029, approving a funding amendment #1 to the Local Agency Agreement and appropriating funds for the construction of a sidewalk along Illinois Route 59 from 87th Street south to the city limits pursuant to a Joint Agreement with IDOT. RESOLUTION NO. 10-029,
ILLINOIS ROUTE 59
SIDEWALK FUNDING
-
- I3** Award of Contract 04-102, Renewable Energy Program
Wehrli moved to approve the award of an additional one year extension to Contract 04-102, Renewable Energy Program to Community Energy, Inc. Second, Miller. CONTRACT 04-102,
RENEWABLE ENERGY
PROGRAM
- ROLL CALL:**
Ayes: Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli, Pradel
Nays: None
Motion declared carried.
- I14** SECA Funds for expanded bus service on July 4th and special event insurance
Council discussed how authorizing the funds to this event without considering others is showing preferential treatment. Council stated that it was the Exchange Club's decision to expand the event and change individual square foot ratios and that Ribfest should be paying its own way. SECA FUNDS - EXPANDED
BUS SERVICE &
INSURANCE ON JULY 4TH
Council also stated that the SECA Fund was created for events such as Ribfest and that staff is requesting the money to cover city costs. Council said they expect people to use the bus system so as to not over-congest areas around the event, and that the capacity load of 60,000 would be difficult to reach because Martin Avenue essentially divides Ribfest into two events.

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I14 SECA Funds for expanded bus service on July 4th and special event insurance Continued

SECA FUNDS - EXPANDED
BUS SERVICE &
INSURANCE ON JULY 4TH

Boyajian moved to authorize \$13,500 of unallocated SECA Funds for expanded bus service on July 4th and Special Events insurance for Ribfest. Second, Miller.

ROLL CALL:

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

Nays: Furstenau, Wehrli, Boyajian

Motion declared carried.

I15 Resolution No. 10-028, Frequency Reconfiguration Agreement (FRA) between Sprint and the City of Naperville

RESOLUTION NO. 10-028,
FREQUENCY
RECONFIGURATION
AGREEMENT (FRA)

Council expressed concern about the provision stating the city will receive \$227,000 if the re-banding is completed within 90 days.

Voiland explained that city needs to be on the new radio system within 90 days after the agreement is approved and that the target date is between August 15-20. He stated that the radio service provider is not liable if the project is not finished in 90 days.

Fieseler moved to adopt Resolution No. 10-028, authorizing the City Manager to execute the Frequency Reconfiguration Agreement (FRA) between Sprint and the City of Naperville. Second, Boyajian.

ROLL CALL:

Ayes: Fieseler, Furstenau, Hinterlong, Krause, Miller, Wehrli, Pradel, Boyajian, Brodhead

Nays: None

Motion declared carried.

J **OLD BUSINESS:**

J1 Resolution No. 10-030, Von Oven Property

RESOLUTION NO. 10-030,
VON OVEN PROPERTY

Diane Charles, 1621 Fender Road, stated the Von Oven Organization is concerned about the lack of insurance requirements and the definition of "youth-centric."

Council stated that it is important to focus the use of the property on youth groups.

Council clarified that a pre- and post-event inspection process has been established and that organized youth groups will need to provide a certificate of insurance naming the city and the Von Oven Organization as additional insured.

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J1 Resolution No. 10-030, Von Oven Property Continued

RESOLUTION NO. 10-030,
VON OVEN PROPERTY

Furstenau moved to approve Resolution No. 10-030, approving youth-centric uses of the Von Oven property and concur with recommendations regarding hours, access, fees and insurance and replace "may or may not" with "is" in the final Whereas clause on page 253 of the agenda packet. Second, Wehrli.

ROLL CALL:

Ayes: Furstenau, Hinterlong, Krause, Miller, Wehrli, Pradel,
 Boyajian, Brodhead, Fieseler

Nays: None

Motion declared carried.

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

K1 2010 Street Renovation Program

Schatz said this is the second to last bid for 95th Street. The 95th Street project is a federal project and will be opened by IDOT in June and will still be below the \$11.6M allocation.

Novack explained that staff divided resurfacing projects between local and state funding.

Council questioned the life expectancy and cost of eight brick walkways that are being installed in the downtown.

Novack responded that the walkways are made of a new liquid asphalt material and the specific costs will be provided in the Manager's Memorandum.

K1a Award Bid 10-103, 2010 Street Renovation Program

BID 10-103, 2010 STREET
RENOVATION PROGRAM

Council moved to approve the award of Alternative 3 for Bid 10-103, 2010 Street Renovation Program to James D. Fiala Paving Company Inc for an amount of \$3,505,179.50 plus a 3% contingency.

K1b IDOT Resolution to allow expenditure of State Motor Fuel Tax dollars to fund this project

IDOT RESOLUTION
EXPENDITURE – MOTOR
FUEL TAX

Council moved to adopt the required IDOT resolution in the amount of \$3,435,179.50 to allow the expenditure of State Motor Fuel Tax dollars to partially fund this project.

K1c Reimbursement from Naperville Township

REIMBURSEMENT FROM
NAPERVILLE TOWNSHIP

Council moved to authorize staff to amend CIP MP00 budget to appropriate \$70,000 reimbursement from the Naperville Township.

ROLL CALL:

Ayes: Hinterlong, Krause, Miller, Wehrli, Pradel, Boyajian,
 Brodhead, Fieseler, Furstenau

Nays: None

Motion declared carried.

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L REPORTS AND RECOMMENDATIONS:

L1 City Council Meeting Schedule

Wehrli moved to approve the City Council Meeting Schedule for June, July, and August 2010. Second, Miller

VOICE VOTE: Motion declared carried.

**CITY COUNCIL MEETING
SCHEDULE**

L2 South Downtown Traffic Management Study Recommendations

Council thanked staff for the excellent report and requested monthly status reports.

**SOUTH DOWNTOWN
TRAFFIC MANAGEMENT
STUDY
RECOMMENDATIONS**

Council questioned portions of the plan including installing a traffic light at the corner Webster and Aurora Avenue, the development of one-way streets, the need to incorporate any potential changes to the Water Street development, whether or not Naper Settlement will complete its multi-million dollar project, the direction of the flow of traffic that is generated from the proposed Water Street parking deck, and the absence of right-turn lanes.

Schatz clarified that the report does not recommend one-way streets and that any discussion in the report regarding one-way streets was included as stakeholder comments. She stated that there is no recommendation to eliminate any traffic signals. Schatz said the base work is done and as developments are approved the report can be adjusted accordingly.

Council questioned current traffic and pedestrian issues in the downtown the replacement the Washington Street Bridge.

Schatz explained that the Washington Street Bridge was rehabilitated six years ago and that it will require structural replacement in 10-15 years. She said that staff aggressively seeks federal funding to supplement bridge replacement.

Novack explained that Jefferson Avenue Bridge was placed on a watch list by state bridge inspectors. The inspectors placed limits on the bridge because of the poor conditions and the structurally deficient beams. He said he will provide the dates the Washington Street and Jefferson Avenue bridges were built in the Manager's Memorandum.

Council requested staff create a list of triggers that may cause some of the issues in the report to become more imminent, and when one of the triggers occur staff shall provide a report to Council with recommendations for next steps.

Council questioned why medium and long-term improvements that have no cost are not being done now and asked staff to investigate traffic flow on Martin Avenue and the installation of a light at Webster and Aurora Avenue.

Wehrli moved to endorse the South Downtown Traffic Management Study and the proposed implementation plan. Second, Miller.

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- L2** South Downtown Traffic Management Study Recommendations Continued SOUTH DOWNTOWN TRAFFIC MANAGEMENT STUDY RECOMMENDATIONS
- Furstenau made a motion in substitution to adopt a flexible South Downtown Traffic Management Study and the proposed implementation plan. Second, Krause.
- ROLL CALL:**
- Ayes:** Krause, Miller, Wehrli, Pradel, Boyajian, Brodhead, Fieseler, Furstenau, Hinterlong
- Nays:** None
- Motion declared carried.
- L3** City Manager Hiring Authorizations
- Council directed staff to continue to hire temporary workers where appropriate.
- Miller moved to table this item to June 1, 2010. Second, Wehrli.
- VOICE VOTE:** Motion declared carried.
- L3a** Vacant Financial Reporting Team Supervisor position FINANCIAL REPORTING TEAM SUPERVISOR
- L3b** Vacant Network Administrator position NETWORK ADMINISTRATOR POSITION
- L3c** Vacant Network Administrator position NETWORK ADMINISTRATOR POSITION
- L4** Residential Building Code Report
- L4a** Fire Alarm Requirements FIRE ALARM REQUIREMENTS
- L4b** Requirements for Sprinklers in Single-Family Homes SPRINKLERS IN SINGLE-FAMILY HOMES
- Council stated that staff developed a reasonable approach that provides good triggers for when additional expense may be incurred by the homeowner, but most importantly a process has been established that will bring analyses of future building code changes to the Council for review.
- Council expressed concern of square foot requirements pertaining to sprinklers in residential homes and asked for clarification of when sprinklers are required in residential homes.
- Dublinski stated that specific criteria recommendations will be determined through a series of collaborative meetings with stakeholders and then brought to Council.
- Council requested an analysis of how building permits were affected in those municipalities that currently require the installation of sprinklers



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L4 Residential Building Code Report Continued

RESIDENTIAL BUILDING
CODE REPORT

Boyajian moved to direct staff to not require the installation and hardwiring of smoke detectors in each bedroom unless a room addition permit is issued or an interior remodel permit is issued for a bedroom requiring a smoke detector be installed within that bedroom and direct staff to review the 2012 International Residential Code when issued with the intent of not requiring sprinklers in all new single family construction; but evaluating appropriate thresholds for installation in certain single family homes. Second, Hinterlong.

ROLL CALL:

Ayes: Miller, Wehrli, Pradel, Boyajian, Brodhead, Fieseler,
Furstenau, Hinterlong, Krause

Nays: None

Motion declared carried.

BREAK: 8:58 P.M.

Mayor Pradel called the meeting back to order at 9:11 p.m.

M PUBLIC HEARING:

N ORDINANCES AND RESOLUTIONS:

Clerk's Note: Brodhead recused herself from the dais at 9:12

N1 North Central College Master Land Use Plan 2010-2020 PC 10-1-014

**NORTH CENTRAL
COLLEGE MASTER LAND
USE PLAN, PC 10-1-014**

Paul Loscheider, Vice President of Business Affairs at North Central College, discussed student population, the demographics of the student body, that facilities are not being utilized as much in the evening and that is where there is opportunity for growth and expansion of the graduate program.

Mr. Loscheider explained that if the college was going to expand it would go toward the downtown business district, however as opportunities in all areas present themselves they will be evaluated. He also stated that the college has found space solutions by taking advantage of existing properties such as the former Baptist church and the building at 999 E. Chicago.

Council asked how residents and stakeholder were notified of this plan.

Mr. Loscheider informed Council that stakeholders were invited to meetings and directed to the website for updates and college staff put notices on doors in the area. Naperville East Central Homeowners Organization (ECHO) held meetings on campus, posted information on its website and identified the project in its newsletters. He also stated that all e-mails received were forwarded to the Council.

Laff stated this item will be on the July 20, 2010 City Council agenda.



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Clerk's Note: Brodhead returned to the dais at 9:30

N2 Plank Road Study, PC 10-1-021

PLANK ROAD STUDY, PC
10-1-021

Emery gave a brief staff presentation of the study which was unanimously approved by Plan Commission.

Emery stated that the Plank Road Study is the third in a series of small area studies contained in the East Sector Plan. The purpose of the Plank Road Study is to re-evaluate the 1998 East Sector Update, identify transportation opportunities, protection of existing neighborhood character and natural resources, evaluate existing infrastructure, and develop a plan through a public process which involves all interested stakeholders.

Council questioned the need to bring Ogden Avenue closer to a neighborhood and stated that existing transitional uses in the area are sufficient.

John T. Gorey, 5 S. 440 Tuthill Road, discussed research he performed on the history of Naper Blvd. and his alternative proposal to the Plank Road Study.

Ken Struchil, 5 S. 278 Tuthill Road, a fifth generation Naperville, does not want egresses on Naper Blvd and does not want commercial in the area. He stated there is no redevelopment in the area and spoke about vacant storefronts on Ogden Avenue which does not support the need for more commercial development.

Council asked about medium density development and if any builders had expressed interest in the area.

Laff stated that no concept plans have been submitted by interested parties.

Maggie Hartigan, 5 S. 624 Tuthill Road, spoke against the proposed plan and urged Council to not allow developers to overbuild the area.

Bryan Barger, 680 Milton Drive, complimented city staff on the study, but expressed concern about areas, and wants sub area 1 to remain low density.

John Pinner, 677 Milton Drive, stated that staff took residents' concerns to heart and the study incorporates all of Plank Road.

Council stated that a federal grant for the area stipulated that no commercial traffic would be allowed and there would be limited access to the area, asked about water and sewer delivery.

Schatz explained that any development that would allow access to Naper Blvd plans would go through a review process and the plan would be amended.

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N2 Plank Road Study, PC 10-1-021

PLANK ROAD STUDY, PC
10-1-021

Holzappel stated that there is water on Radcliff that could be extended south, the main concern is cost of the extension of the main and would be borne by developer and be a recapture agreement. He explained that the cost of lift station would be \$150,000 but total sanitary sewer system is closer to \$1M. He said that costs would be borne by developer, a newly formed SSA, or a variety of options.

Council stated that medium density development is the type of housing stock that is lacking in Naperville and that the city has no jurisdiction to tell unincorporated areas what to do. Residents need to ask to be annexed.

Laff estimated that the areas is made up of approximately 25-30 acres but will respond with an accurate count in the Manager's Memorandum.

O NEW BUSINESS:

O1 Vacant Lots

Councilman Krause stated that he has received calls from builders who have seeded vacant lots but the neighbors aren't letting them use their water.

Novack said builders can use the hydrant meter that is available 1200 Ogden Avenue.

O2 Library Board

Councilman Furstenau proposed sending a letter to the Board stating Council is not in agreement with their early retirement program and plan to hire a replacement at a lower rate.

DeAngelis clarified that the library does not have an early retirement program but is using the city's Voluntary Severance Initiative model.

Council stated that library costs were reduced by 8%, they were just honored for being number one in the nation, that the city should not dictate how the library manages headcount and this is not something the city should criticize.

O3 Mowing on Ogden Avenue

Councilman Furstenau asked when the areas will be cut.

Van Vooren stated that IDOT committed to mow once/month. He will call and ask when the areas along Ogden Avenue will be cut.

O4 Ogden Ave.(between Rickert and Fort Hill)

Councilman Hinterlong asked why the State of Illinois stopped building concrete roads and why curbs are not being built.

Novack explained that the state is in maintenance mode and trying to maintain roads at the lowest possible cost.

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P CLOSED SESSION:

Q ADJOURNMENT:

ADJOURNMENT -10:35
P.M.

Wehrli moved to adjourn the Regular City Council meeting of May
18, 2010 at 10:35 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of May 18, 2010 officially adjourned at 10:35 p.m.



PAM LAFERBER, Ph.D.
CITY CLERK

PL:BK

