



**CITY COUNCIL MEETING OF OCTOBER 2, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
October 16, 2012 AS WRITTEN.**

CALL TO ORDER:

7:00 P.M.

A Councilwoman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause
Mayor Pro Tem Joe McElroy
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

Mayor A. George Pradel

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
City Attorney, Margo Ely
City Clerk, Pam LaFeber
Fire Chief, Mark Puknaitis
Deputy Chief, John Gustin
Finance Director, Chris Smith
T.E.D. Director, Bill Novack
T.E.D. Operations Manager, Allison Laff
T.E.D. Team Leader, John Rutkowski
Project Manager, Paul Felstrup
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:

OPEN SESSION:

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 National Disability Employment Awareness Month

Councilman Kenn Miller proclaimed October 2012 as National Disability Employment Awareness Month and presented the Proclamation to Kathe Foxen, Naperville Works.

NATIONAL DISABILITY
EMPLOYMENT
AWARENESS MONTH

D2 Crop Hunger Walk Day

Councilman Kenn Miller proclaimed October 14, 2012 as Crop Hunger Walk Day in Naperville and presented the Proclamation to Rev. Lynn Pries, Chairman of the Naperville Area Crop Walk Leadership Team.

CROP HUNGER WALK
DAY

E PUBLIC FORUM:

E1 Tree Damage to vehicle

Francisco Garcia for Alan Duncan, 804 Edgewater, discussed tree damage to vehicle.

Dublinski stated that the tree was removed within a week of complaint and said he would follow up with the speaker regarding the damage claim.

E2 Cyber Security

Jo Malik, 843 Santa Maria Drive, discussed cyber security.

Curran said the City has contracted with a security consultant who will complete a penetration analysis by the end of the calendar year.

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, Wehrli.

VOICE VOTE: Motion declared carried.

I CONSENT AGENDA:

Miller moved to approve the Consent Agenda with the exception of items 14, and 19. Second, Krause.

ROLL CALL:

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

Nays: None

Absent: Pradel

 Motion declared carried.

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| I1 | <u>Cash Disbursements – 9/12/12</u>
Council moved to approve the 9/12/12 cash disbursements in the amount of \$9,067,995.57. | CASH DISBURSEMENTS-
9/12/12 |
| I2 | <u>City Council Meeting Minutes</u>
Council moved to approve the Regular City Council Meeting Minutes of September 18, 2012. | CITY COUNCIL MEETING
MINUTES – 9/18/12 |
| I3 | <u>Contract 10-109, Tree Trimming</u>
Council moved to approve the award of option year one extension to Contract 10-109, tree trimming, to Asplundh Tree Expert Co. for an amount not to exceed the budgeted amount of \$721,000.00. | CONTRACT 10-109, TREE
TRIMMING |
| I5 | <u>Contract 11-043, Natural Gas Requirements</u>
Council moved to approve the award of option years one and two to Contract 11-043, natural gas requirements to select sites and natural gas contract administration to CenterPoint Energy Services for an amount not to exceed \$250,000.00 through April, 2014. | CONTRACT 11-043,
NATURAL GAS
REQUIREMENTS |
| I6 | <u>Contract 13-008, Columbia Street Bridge Rehabilitation</u>
Council moved to approve the award of Change Order #1 to Contract 13-008, Columbia Street Bridge Rehabilitation, to Copenhagen Construction, for an amount not to exceed \$18,360.00 and for a time extension of 52 days. | CONTRACT 13-008,
COLUMBIA STREET
BRIDGE
REHABILITATION |
| I7 | <u>Public Improvements</u>
Council moved to accept the public underground improvements in Primrose School Subdivision (Lot 20, Naperville Crossings) and authorize the City Clerk to reduce the corresponding public improvement surety. | PUBLIC IMPROVEMENTS |
| I8 | <u>Ordinance No. 12-124, Cheshire Avenue Parking Restrictions</u>
Council moved to pass Ordinance No. 12-124, establishing a “No Parking” zone on both sides of Cheshire Avenue within 80 feet of the centerline intersection with Olesen Drive. | ORDINANCE NO. 12-124,
CHESHIRE AVENUE
PARKING RESTRICTIONS |
| I10 | <u>Resolution No. 12-028, I.U.O.E. Local 150, Collective Bargaining Agreement</u>
Council moved to adopt Resolution No. 12-028, authorizing execution of a collective bargaining agreement between the City of Naperville and I.U.O.E. Local 150. | RESOLUTION NO. 12-028,
I.U.O.E. LOCAL 150,
COLLECTIVE
BARGAINING
AGREEMENT |
| <hr/> | | |
| I4 | <u>Contract 11-053, Office Supplies</u>
Bevis explained how office supply contracts are bid and that Warehouse Direct was 30% lower than the local supplier. | CONTRACT 11-053,
OFFICE SUPPLIES |

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- I4** Contract 11-053, Office Supplies Continued **CONTRACT 11-053,
OFFICE SUPPLIES**
- Miller moved to approve the award of an extension to Contract 11-053, office supplies, to Warehouse Direct for the year beginning December 1, 2012 thru November 30, 2013, for an amount not to exceed \$135,000.00. Second, Brodhead.
- ROLL CALL:**
Ayes: Miller, Wehrli, Brodhead, Hinterlong, McElroy
Nays: Chirico, Fieseler, Krause
Absent: Pradel
 Motion declared carried.
- I9** Walmart Supercenter Store, PZC 12-1-084 **WALMART
SUPERCENTER STORE,
PZC 12-1-084**
- Council discussed area commercial developments that have exceeded city landscaping requirements, asked Walmart to do the same, and suggested approving the development now but delaying the approval of landscaping until after the DuPage County Forest Preserve has had input.
- Laff explained that staff has worked with the petitioner to submit a development that meets the code requirements, and in some cases, exceeds, design guidelines. She also said there are limitations to what can be planted on the site, that Walmart has incorporated a large amount of the Forest Preserve comments however, many cannot be included in the landscaping plan because it is not appropriate for commercial property. She said that the remaining discussions are about which species can be incorporated, not whether additional landscaping will be added or be placed in different locations.
- Aaron Matson, 8584 Yankee Street, Centerville, OH, stated Walmart has been working with the Forest Preserve to include as many landscape species recommendations as possible.
- I9a** Ordinance No. 12-125, preliminary/final plat of subdivision **ORDINANCE NO. 12-125,
PRELIMINARY/FINAL
PLAT OF SUBDIVISION**
- Miller moved to pass Ordinance No. 12-125, approving a preliminary/final plat of subdivision for the Walmart Supercenter Store #1401-00. Second, Chirico.
- ROLL CALL:**
Ayes: Wehrli, Brodhead, Chirico, Fieseler, Hinterlong, Krause,
 Miller
Nays: McElroy
Absent: Pradel
 Motion declared carried.

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- J1** 2012 International Building Code Recommendations Continued 2012 INTERNATIONAL BUILDING CODE RECOMMENDATIONS
- Miller moved to direct staff to prepare text amendments for the adoption of the 2012 International Building Codes, after consideration of the recommended significant changes listed on Attachment 1 with the exception of removing items 8, 18 and 19. Second, Hinterlong.
- ROLL CALL:**
Ayes: Hinterlong, McElroy, Miller, Brodhead
Nays: Chirico, Fieseler, Krause, Wehrli
Absent: Pradel
 Motion declared not carried.
- Brodhead moved to table the item to October 16, 2012. Second, Hinterlong.
- ROLL CALL:**
Ayes: Hinterlong, McElroy, Miller, Brodhead, Chirico
Nays: Fieseler, Krause
Absent: Pradel
Abstain: Wehrli
 Motion declared carried.
-

BREAK: 8:38 P.M.
Mayor Pro Tem McElroy called the meeting back to order at 8:47 p.m.

- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** City Council Meeting Schedule CITY COUNCIL MEETING SCHEDULE
- Wehrli moved to approve the City Council Meeting Schedule for October, November and December 2012. Second, Chirico.
- VOICE VOTE:** Motion declared carried.
- L2** 2013 City Council Meeting Calendar 2013 CITY COUNCIL MEETING CALENDAR
- Wehrli moved to approve the 2013 City Council Meeting Calendar. Second, Chirico.
- VOICE VOTE:** Motion declared carried.
- L3** Right-Turn Restrictions – Naperville Heights RIGHT-TURN RESTRICTIONS – NAPERVILLE HEIGHTS
- Lynn Morgan of 1035 North Main Street spoke in favor of the no right turn request.
- Paul Neumann of 31 W 12th Avenue spoke in support of the no right turn request.
- City Council discussed cut-through traffic, enforcement issues, traffic calming measures, and the survey tally methodology.
- Novak explained issues with various traffic calming measures and discussed the survey tallies.

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- L3** Right-Turn Restrictions – Naperville Heights Continued RIGHT-TURN
RESTRICTIONS –
NAPERVILLE HEIGHTS
- Miller moved to establish right-turn restrictions on Washington Street at 10th, 11th, 12th, 13th, and 14th Avenues on southbound traffic between 4 p.m. and 6 p.m., Monday through Friday. Second, Fieseler.
- ROLL CALL:**
- Ayes:** Miller, Fieseler
- Nays:** Hinterlong, Krause, McElroy, Wehrli, Brodhead, Chirico
- Absent:** Pradel
- Motion declared not carried.
- L4** Recruit one vacant Community Relations Manager COMMUNITY
RELATIONS MANAGER
- Chirico moved to grant approval to recruit externally and internally to fill one vacant Community Relations Manager position. Second, Wehrli.
- ROLL CALL:**
- Ayes:** Krause, McElroy, Miller, Wehrli, Brodhead, Chirico,
 Fieseler, Hinterlong
- Nays:** None
- Absent:** Pradel
- Motion declared carried.
- L5** Recruit one vacant Technical Services Coordinator – IT Department TECHNICAL SERVICES
COORDINATOR
- Chirico moved to grant approval to recruit externally and fill one vacant Technical Services Coordinator position in the Information Technology Department. Second, Miller.
- ROLL CALL:**
- Ayes:** McElroy, Miller, Wehrli, Brodhead, Chirico, Fieseler,
 Hinterlong, Krause
- Nays:** None
- Absent:** Pradel
- Motion declared carried.
- M** **PUBLIC HEARINGS:**
- M1** Harter Subdivision, PZC 12-1-080 HARTER SUBDIVISION,
PZC 12-1-080
- M1a** Public Hearing to consider annexation agreement for 24W255 Hobson Road PUBLIC HEARING
- McElroy opened public hearing at 9:24 p.m.
- Krause moved to close public hearing at 9:25 p.m. Second, Miller.
- VOICE VOTE:** Motion declared carried.

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Miller moved to use the Omnibus method to approve items M1b, M1c, and M1d. Second, Wehrli.

VOICE VOTE: Motion declared carried.

Wehrli moved to pass Ordinance No's 12-127, 12-128, and 12-129. Second, Miller.

ROLL CALL:

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

Nays: None

Absent: Pradel

Motion declared carried.

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| M1b | <u>Ordinance No. 12-127, execution of annexation agreement</u>
Council moved to pass Ordinance N. 12-127, authorizing execution of the annexation agreement for Harter Subdivision, PZC 12-1-080. | ORDINANCE NO. 12-127,
ANNEXATION
AGREEMENT |
| M1c | <u>Ordinance No. 12-128, annexing property</u>
Council moved to waive first reading and pass Ordinance No. 12-128, annexing the property at 24W255 Hobson Road, PZC 12-1-080. | ORDINANCE NO. 12-128,
ANNEXING |
| M1d | <u>Ordinance No. 12-129, zone the subject property</u>
Council moved to pass Ordinance No. 12-129, to zone the subject property to E2 (medium density estate district) upon annexation and to approve the preliminary/final plat of subdivision for Harter Subdivision, PZC 12-1-080.

Clerk's Note: To avoid the appearance of impropriety, Chirico recused himself and left the dais at 9:26 p.m. | ORDINANCE NO. 12-129,
ZONING |
| M2 | <u>Siena Construction, Inc., PZC 12-1-105</u> | SIENA CONSTRUCTION,
INC., PZC 12-1-105 |
| M2a | <u>Public Hearing to consider annexation agreement for 5S425 Wright Street</u>
McElroy opened public hearing at 9:26 p.m.
Krause moved to close public hearing at 9:27 p.m. Second, Miller. | PUBLIC HEARING |
- VOICE VOTE:** Motion declared carried.

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Wehrli moved to use the Omnibus method to approve items M2b, M2c, and, M2d. Second, Miller.

VOICE VOTE: Motion declared carried.

Wehrli moved to pass Ordinance No. 12-130, 12-131, and 12-132. Second, Krause.

ROLL CALL:

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

Nays: None

Absent: Pradel

Recused: Chirico

Motion declared carried.

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|------------|---|--|
| M2b | <u>Ordinance No. 12-130, execution of annexation agreement</u>
Council moved to pass Ordinance N. 12-130, authorizing execution of the annexation agreement for 4S425 Wright Street, PZC 12-1-105 | ORDINANCE NO. 12-130,
ANNEXATION
AGREEMENT |
| M2c | <u>Ordinance No 12-131, annexing property</u>
Council moved to waive the first reading and pass Ordinance No. 12-131, annexing the property at 5S425 Wright Street. | ORDINANCE NO. 12-131,
ANNEXING |
| M2d | <u>Ordinance No. 12-132, zone the subject property</u>
Council moved to pass Ordinance No. 12-132, to zone 5S425 Wright Street, to R1a (low density single-family residence district) upon annexation, PZC 12-1-105. | ORDINANCE NO. 12-132,
ZONE |

Clerk's Note: Chirico returned to the dais at 9:28 p.m.

N ORDINANCES AND RESOLUTIONS:

- | | | |
|-----------|---|--|
| N1 | <u>Ordinance No. 12-133, Main Street Promenade Signage, PZC 12-1-119</u>
Vince Rosanova, the Petitioner's Attorney, presented reasons to approve a change in the location and type of the signage.
City Council discussed the extension of the signs, type of illumination, sign clutter, driver distraction, and the width of blade signs and their relationship to the width of the sidewalk.
Laff stated that the sign must be located in the general vicinity of where the tenant is located in the building and the signs cannot be clustered together. | ORDINANCE NO. 12-133,
MAIN STREET
PROMENADE SIGNAGE,
PZC 12-1-119 |
|-----------|---|--|

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N1 Ordinance No. 12-133, Main Street Promenade Signage, PZC 12-1-119
Continued

**ORDINANCE NO. 12-133,
MAIN STREET
PROMENADE SIGNAGE,
PZC 12-1-119**

Wehrli moved to pass Ordinance No. 12-133, granting variances from Section 5-4-9 (Special Areas of Control; Downtown Central Business District) and Section 5-4-3:5 (prohibited signs; off premises signs) to permit a variety of signage requested for Main Street Promenade, Main Street Promenade East, and Main Street Promenade West, PZC 12-1-119. Second, Brodhead.

ROLL CALL:

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

Nays: None

Absent: Pradel

Motion declared carried.

O **NEW BUSINESS**

O1 Appreciation

Councilman Fieseler thanked Doug Krieger for attending tonight's meeting.

O2 Cash Distribution Report

Councilman Miller requested that this report be placed online and be text searchable.

O3 Commercial Stormwater

Councilman Miller requested a report on the preferred type of paving in commercial parking lots.

Novack answered that the new DuPage County ordinance does not consider permeable pavers as impervious surfaces. He also discussed accessibility and snow plowing issues with permeable pavers.

O4 Right Turn Restriction on Washington Street Survey

Councilman Chirico stated that the policy should be changed so that respondents only are counted in surveys.

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P **CLOSED SESSION:**

CLOSED SESSION

Q **ADJOURNMENT:**

ADJOURNMENT

Wehrli moved to adjourn the Regular City Council meeting of October 2, 2012 at 9:53 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of October 2, 2012 officially adjourned at 9:53 p.m.



PAM LAFERBER PH.D.
CITY CLERK

PL: BK