



**CITY COUNCIL MEETING OF JULY 19, 2016
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
August 16, 2016 AS WRITTEN.**

CALL TO ORDER:

5:00 P.M.

- A** Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judith Brodhead
Councilman Kevin M. Coyne
Councilman Kevin Gallaher – Arrived at 5:14 p.m.
Councilwoman Patricia A. Gustin – Arrived at 5:14 p.m.
Councilman Paul Hinterlong
Councilman John J. Krummen
Councilwoman Rebecca Boyd-Obarski

Absent

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
City Attorney, Jill Pelka-Wilger
City Clerk, Pam Gallahue
Communications Manager, Linda LaCloche
Fire Chief, Mark Puknaitis
Deputy Fire Chief, Richard Sander
Police Chief, Robert Marshall
Director of Finance, Rachel Mayer
Director of Human Resources, James Sheehan
Director of IT, Jeff Anderson
Director of TED, Bill Novack
Deputy Director of TED, Jennifer Loudon
Deputy Director of TED, Allison Laff
Director of Public Utilities – Electric, Mark Curran
Director of Public Utilities – Water, Jim Holzapfel
Director of Public Works, Dick Dublinski

Press

Chicago Sun Times, Daily Herald, Naperville Sun, NCTV-17

B ROLL CALL:

A handwritten signature in black ink, appearing to be the initials 'JF' followed by a flourish.

FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 2

C CLOSED SESSION:

Obarski moved to recess to Closed Session to discuss **5 ILCS 120/2(C)(2)** Collective negotiating matters between the public body and its employees or their representatives; **(1)** The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body; **(5)** The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussion whether a particular parcel should be acquired; **(6)** Setting of a price for sale or lease of property owned by 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 as mandated by Section 2.06. Second, Anderson.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Hinterlong, Krummen, Obarski

Nays: None

Absent: Gallaher, Gustin

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 5:14 P.M.

CLOSED SESSION ADJOURNED AT 6:58 P.M.

Clerk's Note: Councilman Gallaher and Gustin arrived at 5:14 p.m.

ROLL CALL:

Mayor Chirico called the meeting back to order at 7:04 p.m.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin

Hinterlong, Krummen, Obarski

Nays: None

Motion declared carried.

E PLEDGE TO THE FLAG:

PLEDGE GIVEN

F AWARDS AND RECOGNITIONS:

F1 The School of Performing Arts

Gallaher presented a Proclamation honoring the 25th Anniversary of the School of Performing Arts to Barbara Yokom, Founding Director.

THE SCHOOL OF
PERFORMING ARTS

F2 Monarch Landing

Gallaher presented a Proclamation honoring the 10th Anniversary of Monarch Landing to residents and staff of Monarch Landing.

MONARCH LANDING

G PUBLIC FORUM:

G1 Mariano's

H. R. Hofmann, discussed the noise from both delivery and refrigerated trucks and offered solutions.



**FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 3**

G2 Mariano's
Ed Doyle, spoke about the noise from Mariano's delivery dock and delivery trucks.

Novack stated Mariano's has been cited for violations and will be appearing in court. He explained steps that have been taken to remedy the noise situation. Council directed staff to continue to work with Mariano's to find a solution.

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

Brodhead moved to use the Omnibus method to approve the Consent Agenda. Second, Hinterlong

VOICE VOTE: Motion declared carried.

I **CONSENT AGENDA:**

Brodhead moved to approve the Consent Agenda with the exception of items I9, I10, I15, I17, I18, and I21. Second, Hinterlong.

ROLL CALL:

Ayes: Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krümmen, Obarski

Nays: None
Motion declared carried.

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| <p>1 <u>Cash Disbursements</u>
Council approved the 6/1/16 thru 6/29/16 cash disbursements in the amount of \$28,806,889.13.</p> | <p>CASH DISBURSEMENTS</p> |
| <p>I2 <u>Regular City Council Minutes</u>
Council approved the Regular City Council Meeting Minutes of June 21, 2016.</p> | <p>REGULAR CITY COUNCIL
MINUTES</p> |
| <p>I3 <u>Bid 16-208, Sanitary Sewer Smoke Testing</u>
Council approved the award of Bid 16-208, sanitary sewer smoke testing, to RJN Group Inc. for an amount not to exceed \$299,096.38, plus a 5% contingency.</p> | <p>BID 16-208, SANITARY
SEWER SMOKE TESTING</p> |
| <p>I4 <u>Contract 16-102, Raymond Drive Interceptor Sewer, Phase II</u>
Council approved the award of Change Order #1 to Contract 16-102, Raymond Drive interceptor sewer, Phase II, CIPP Rehabilitation 36" diameter sanitary sewer main, to extend the contract by 183 days with a final completion date of December 31, 2016.</p> | <p>CONTRACT 16-102,
RAYMOND DRIVE
INTERCEPTOR SEWER,
PHASE II</p> |
| <p>I5 <u>Bid 16-221, Raymond Drive Interceptor Sewer-Phase III</u>
Council approved the award of Bid 16-221, Raymond Drive interceptor sewer – Phase III, to Insitutform Technologies for an amount not to exceed \$401,430.00 plus a 5% contingency.</p> | <p>BID 16-221, RAYMOND
DRIVE INTERCEPTOR
SEWER-PHASE III</p> |
| <p>I6 <u>RFP 15-058, Security Camera Installation</u>
Council approved the award of RFP 15-058, security camera installation to PACE Systems, Inc. for an amount not to exceed \$233,433.00.</p> | <p>RFP 15-058, SECURITY
CAMERA INSTALLATION</p> |



**FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 4**

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| <p>17 <u>Bid 16-234, 2016 Water Department Paving Projects</u>
Council approved the award of Bid 16-234, 2016 Water Department Paving Projects, to Schroeder Asphalt Services, Inc. for an amount not to exceed \$177,786.00 plus a 5% contingency.</p> | <p>BID 16-234, 2016 WATER DEPARTMENT PAVING PROJECTS</p> |
| <p>18 <u>Procurement 16-279, Cisco Hardware Phase II</u>
Council approved the award of Procurement 16-279, Cisco Hardware Phase II, to CDW-Government, through the proposed State of Illinois Joint Procurement Contract, for an amount not to exceed \$579,297.40, conditioned upon the final approval of the proposed Joint Procurement Contract by the State of Illinois.</p> | <p>PROCUREMENT 16-279, CISCO HARDWARE PHASE II</p> |
| <p>111 <u>Best Buy Carpet and Granite Tops</u>
Council continued discussion regarding the petitioner's request for a pre-annexation agreement for the property located at 9S065, 9S080, and 9S081 Route 59 to the August 16, 2016 City Council meeting.</p> | <p>BEST BUY CARPET AND GRANITE TOPS</p> |
| <p>112 <u>Ordinance No. 16-093, 2016 Scott S'Cool Scoot</u>
Council passed ordinance No. 16-093, to establish temporary street closures and issue a Special Event and Amplifier permit for the Scott S'Cool Scoot on Saturday, August 27, 2016.</p> | <p>ORDINANCE NO. 16-093, 2016 SCOTT S'COOL SCOOT</p> |
| <p>113 <u>Ordinance No. 16-094, India Day Parade and Celebration</u>
Council passed Ordinance No. 16-094, to establish temporary street closures and parking restrictions for the India Day Parade and Celebration and issue a Special Event permit for the event to be held on Sunday, August 14, 2016.</p> | <p>ORDINANCE NO. 16-094, INDIA DAY PARADE AND CELEBRATION</p> |
| <p>114 <u>Ordinance No. 16-095, 50th Anniversary of the Lantern</u>
Council passed Ordinance No. 16-095, to establish temporary street closures and issue a Special Event permit for the 50th Anniversary of the Lantern to be held on Sunday, August 21, 2016.</p> | <p>ORDINANCE NO. 16-095, 50TH ANNIVERSARY OF THE LANTERN</p> |
| <p>116 <u>Ordinance No. 16-096, Iskcon Temple, PZC 16-1-070</u>
Council passed Ordinance No. 16-096, approving a rezoning to OCI (office, commercial, and institutional district) for the subject property located at 1505 McDowell Road, Naperville, Illinois, PZC 16-1-070.</p> | <p>ORDINANCE NO. 16-096, ISKCON TEMPLE, PZC 16-1-070</p> |
| <p>119 <u>Resolution No. 16-022, I.B.E.W. Local 9 Collective Bargaining Agreement</u>
Council adopted Resolution No. 16-022, authorizing execution of a collective bargaining agreement between the City of Naperville and I.B.E.W. Local 9.</p> | <p>RESOLUTION NO. 16-022, I.B.E.W. LOCAL 9</p> |
| <p>120 <u>Resolution No. 16-023, M.A.P. Ch #582 Collective Bargaining Agreement</u>
Council adopted Resolution No. 16-023, authorizing execution of a collective bargaining agreement between the City of Naperville and M.A.P. Ch #582.</p> | <p>RESOLUTION NO. 16-023, M.A.P. CH #582</p> |
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- 19** Valet Parking Transfer Zone for Empire Restaurant
Jim Shanchuk, Petitioner, explained that the application was submitted on behalf of Empire Restaurant and the proposed zone will be located on the south side of Chicago just east of Main Street.
- VALET PARKING TRANSFER ZONE FOR EMPIRE RESTAURANT**



FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 5

19 Valet Parking Transfer Zone for Empire Restaurant **Continued**

VALET PARKING
TRANSFER ZONE FOR
EMPIRE RESTAURANT

Louden stated that the spaces are currently designated as a multi-use loading zone and will continue to serve in that capacity during non-valet hours, that the Downtown Naperville Alliance supports the recommendation, and that the property owner recommended the Sullivan's zone be shared or a new zone be designated in the middle of the block. She continued by explaining that staff supports valet service as a parking solution, recommends that the two westernmost spaces be used for the new transfer zone to minimize conflicts with night time cab stand operations, and that TAB approved the recommendation by an 8-0 vote.

Council discussed the logistics of having one location service both sides of Chicago Avenue, the use of alternative parking locations, driving patterns in the downtown and at the valet parking area, dedicating more valet spaces, safety, length of the permit, the Water Street development, trial period for the proposal, and the need for valet services in the downtown.

Louden explained where valet parking is allowed and stated that while the permit is renewed annually, it can be revoked at any time.

Gallaher moved to establish a valet parking transfer zone on the south side of Chicago Avenue between Main Street and Washington Street with the addition of one additional spot on each side for a total of three valet spaces on each side. The transfer zone will be in place for a period of one year at which time it will be reviewed in relation to the impact of the Water Street development. Second, Brodhead.

ROLL CALL:

Ayes: Brodhead, Gallaher, Krummen, Chirico
Nays: Anderson, Coyne, Gustin, Hinterlong, Obarski
Motion declared **not** carried.

Brodhead moved to establish a valet parking transfer zone on the south side of Chicago Avenue between Main Street and Washington Street. Second, Gustin.

ROLL CALL:

Ayes: Brodhead, Coyne, Gustin, Krummen, Chirico
Nays: Gallaher, Hinterlong, Obarski, Anderson
Motion declared carried.

I10 St. Raphael's Youth Football Responder Respect Day

ST. RAPHAEL'S YOUTH
FOOTBALL RESPONDER
RESPECT DAY

Krummen moved to remove the request by Convenient Care Plus to use the Naperville Fire Department and Naperville Police Department patches on materials for a St. Raphael's Youth Football Responder Respect Day. Second, Hinterlong.

VOICE VOTE: Motion declared carried.

I15 Ordinance No. 16-097, Raising Cane's, PZC 16-1-069

ORDINANCE NO. 16-097,
RAISING CANE'S, PZC 16-
1-069

MD Skeet, Naperville, discussed the lack of tree diversity and discussed his recommendation to add more species.

Laff said staff can revisit the landscape plan to ensure a variety of trees, that the Code has landscape regulations and that she would partner with the City's forester and the speaker to discuss alternatives.



**FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 6**

- 115** Ordinance No. 16-097, Raising Cane's, PZC 16-1-069 **Continued** ORDINANCE NO. 16-097,
Krummen moved to pass Ordinance No. 16-097, approving variances to the RAISING CANE'S, PZC 16-1-069
Naperville Municipal Code pertaining to the required major arterial setback, required off street parking spaces, and required interior side yard setback for a monument sign, in order to construct a fast food restaurant on the subject property located at 698 S. Route 59, Naperville, IL 60540, PZC 16-1-069. Second, Hinterlong.
- ROLL CALL:**
Ayes: Coyne, Gallaher, Gustin, Hinterlong, Krummen, Obarski, Chirico, Anderson Brodhead
Nays: None
Motion declared carried.
- 117** Ordinance No. 16-098, Water Street Minor Change (2016), PZC 16-1-099 ORDINANCE NO. 16-,098
Robert Fischer, spoke against the proposed minor change. WATER STREET MINOR CHANGE (2016), PZC 16-1-099
Gallaher moved to pass Ordinance No. 16-098, approving a minor change to the Water Street District – North Phase/South Phase pertaining to the Loggia Building and other minor changes. Second, Brodhead.
- ROLL CALL:**
Ayes: Gallaher, Gustin, Hinterlong, Krummen, Chirico, Brodhead, Coyne
Nays: Obarski, Anderson
Motion declared carried.
- 118** Ordinance No. 16-099, Douglas Avenue and Webster Street ORDINANCE NO. 16-099,
David Wentz, Naperville, spoke in favor of the proposed ordinance. DOUGLAS AVENUE AND WEBSTER STREET
Jim Ruhl, spoke in favor of the proposed ordinance.
Gustin moved to waive first reading and pass Ordinance No. 16-099, to establish an all-way stop at the intersection of Douglas Avenue and Webster Street. Second, Coyne.
- ROLL CALL:**
Ayes: Gustin, Hinterlong, Krummen, Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher
Nays: None
Motion declared carried.
- 121** The Joint Corporation – River Square, PAC 16-1-083 THE JOINT CORPORATION
Dr. Stacey Cline, Naperville and Advanced Wellness, spoke against the proposed – RIVER SQUARE, PAC 16-1-083
variance.
Dr. Justin Hunter, Naperville, spoke against the proposed variance.
Gallaher moved to deny the petitioner's request for approval of a variance to Section 6-7D-4:1 (B4: required conditions) to allow a chiropractic clinic at 22 E. Chicago Avenue, Suite 117. Second, Anderson.
- ROLL CALL:**
Ayes: Hinterlong, Krummen, Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin
Nays: None
Motion declared carried.



FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 7

BREAK: 8:49 P.M.
Mayor Chirico called the meeting back to order at 8:57 p.m.

J PUBLIC HEARINGS:

K OLD BUSINESS:

L ORDINANCES AND RESOLUTIONS:

L1 Fair Housing

FAIR HOUSING

Michael Ryder, Naperville, spoke in support of the housing authority process, the need to give consideration to housing voucher residents, and recommended tabling the item to October.

Robert Fischer, Naperville, spoke in favor of the text amendment.

Kenneth Coles, Wheaton, spoke in favor of the text amendment and explained the background check and voucher application/approval process.

Council discussed potential landlord exposure, the City's desire to embrace diversity, efforts to provide affordable housing, concentrating vouchers in certain areas, the need to stop discrimination, and that a DuPage County voucher also applies in Will County.

Dr. Robert Buckman, Naperville, spoke in favor of the proposed text amendment.

Anne Houghtaling, Hope Fair Housing Center- DuPage County, spoke in favor of the proposed text amendment and explained different layers of discrimination.

Colin Dalough, Naperville Area Chamber of Commerce, asked Council to table so the full board can consider the proposed text amendment.

Carl Skrabacz, Senior Task Force, spoke in favor of the text amendment.

Gallaher moved to table this item to October 4, 2016. Second, Krummen.

VOICE VOTE: Motion declared carried.

L2 Written Lease, PZC 16-1-080

WRITTEN LEASE, PZC 16-1-080

Laff explained the proposal to require a written lease for the rental of any shared home, that the lease will not be required to be filed with the City, but the landlord will be required to provide the written lease to the City upon request.

Council discussed public safety issues, notification of residents, requirements of boarding rooms, that the focus should be on problem properties, and lease requirements.

Laff explained the difference between a boarding home and a shared home, that safety and access are problematic for boarding homes, that the lease is the appropriate document to clarify the distinction, and that the Planning and Zoning Commission unanimously recommended approval.

First reading held.



**FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 8**

L3 B3 Amendments, PZC 16-1-081

B3 AMENDMENTS, PZC 16-1-081

Council discussed specific definitions for gas stations, the Ogden Avenue Plan, appropriateness of B3 uses by right, and the goal of applying all five recommendations citywide.

First reading held.

L4 Public Referenda Questions on Townships

PUBLIC REFERENDA
QUESTIONS ON
TOWNSHIPS

Coyne moved to adopt Resolution No.16-024, initiating the submission of a public referenda question on entering into an intergovernmental agreement for shared roadway services between the City of Naperville and the Naperville Township Road District and adopt Resolution No. 16-025, initiating the submission of a public referenda question on abolishing townships within the City of Naperville when savings are shown and services are assumed by other governmental bodies. Second, Gustin.

ROLL CALL:

Ayes: Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin,
 Hinterlong, Krummen

Nays: None

Motion declared carried.

L4a Resolution No. 16-024, Shared Roadway Services with Naperville Township Road District

RESOLUTION NO. 16-024,
SHARED ROADWAY
SERVICES WITH
NAPERVILLE TOWNSHIP
ROAD DISTRICT

L4b Resolution No. 16-025, Abolishing townships within the City of Naperville

RESOLUTION NO. 16-025,
ABOLISHING TOWNSHIPS
WITHIN THE CITY OF
NAPERVILLE

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

N **PETITIONS AND COMMUNICATIONS:**

O **REPORTS AND RECOMMENDATIONS:**

O1 City Council Meeting Schedule

CITY COUNCIL MEETING
SCHEDULE

Gallaher moved to approve the City Council Meeting Schedule for August, September and October 2016. Second, Krummen.

VOICE VOTE: Motion declared carried.

Clerk's Note: Gallaher recused himself and left the dais at 10:30 p.m. due to a conflict of interest.



FINAL AGENDA
CITY COUNCIL MEETING
JULY 19, 2016
PAGE 9

O2 Shared Road District Services with Naperville Township Road District

SHARED ROAD DISTRICT
SERVICES WITH
NAPERVILLE TOWNSHIP
ROAD DISTRICT

Wilger informed the Council that the judge dismissed the Township Road District's case in its entirety and the Township Road District filed an appeal on July 14.

Clerk's Note: Gallaher returned to the dais at 10:33 p.m.

P **NEW BUSINESS:**

P1 Development Information

Gustin discussed posting development information on the website.

Laff responded that the Planning and Zoning Commission packet is available on the website and is not posted until final plans and staff analysis are complete. She stated that the signs that are posted on development sites direct requests to staff.

Novack suggested including the date the final packet will be available on the sign.

P2 Signs on 95th

Hinterlong stated that signs are blocked by trees and bushes and asked that the area be checked.

P3 Supreme Court Ruling

Coyne inquired how the City is responding to the ruling.

Laff explained that the Supreme Court ruled sign regulations based on content are not allowed under the First Amendment. She stated staff is developing appropriate sign code revisions.

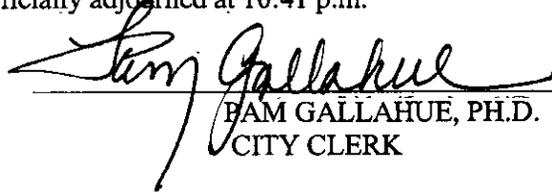
Q **ADJOURNMENT:**

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of July 19, 2016 at 10:41 p.m. Second, Obarski.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of July 19, 2016 officially adjourned at 10:41 p.m.


PAM GALLAHUE, PH.D.
CITY CLERK

PG: bk

