



**CITY COUNCIL MEETING OF FEBRUARY 7, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
February 21, 2012 AS WRITTEN.**

CALL TO ORDER:

6:30 P.M.

- A** Mayor A. George Pradel
Councilman Judy Brodhead
Councilman Steve Chirico
Councilman Robert Fieseler
Councilman Paul Hinterlong
Councilman Douglas Krause
Councilman Joe McElroy
Councilman Kenn Miller
Councilman Grant Wehrli

Absent

None

Also Present

City Manager, Doug Krieger
Assistant City Manager, Robert Marshall
City Clerk, Pam LaFeber
City Attorney, Margo Ely
Fire Chief, Mark Puknaitis
Police Chief, David E. Dial
Finance Director, Karen DeAngelis
T.E.D. Business Group Director, Marcie Schatz
T.E.D. Operations Manager, Allison Laff
Director of Public Works, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzapfel
I.T. Team Leader, 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; (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, Krause.

ROLL CALL:

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

Nays: None

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 6:33 P.M.

CLOSED SESSION ENDED AT 6:58 P.M.

OPEN SESSION:

MAYOR PRADEL CALLED THE MEETING BACK TO ORDER AT 7:03 P.M.

ROLL CALL to determine Quorum:

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

Absent: Hinterlong, McElroy

Clerk's Note: Councilman Hinterlong and McElroy arrived at 7:06 p.m.

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 "Smart Meter Billing Update and Testing" February Team Award

FEBRUARY TEAM
AWARD

Councilman Brodhead presented the February Team Award to Account Representatives Melissa Rickenbaugh and Glenn Desrosiers for the Smart Meter Billing Update and Testing initiative.

E PUBLIC FORUM:

E1 North Central College Tragedy

Rick Spencer, 839 Chancellor Court, thanked the police department, Edward Hospital, city staff, and Council members for the response and care shown during and after the incident.

E2 Late Night Liquor Service

Rick Strawbridge, 1193 Johnson Drive, urged Council re-examine late night liquor service in the downtown.

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| I6 | <u>Ordinance No. 12-006, 131 E. Hillside – Fence Variance – PCZ 11-1-156</u>
Council moved to pass Ordinance No. 12-006, granting a variance from Section 6-2-12 (fences) to construct a 54-inch (4-1/2 foot) fence within the required corner side yard for the property at 131 E. Hillside Road. | ORDINANCE NO. 12-006,
131 E. HILLSIDE - PCZ 11-1-156 |
| I7 | <u>Bid 10-188, Biosolids Removal Services</u>
Council moved to approve the award of Bid 10-188, biosolids removal services, to Synagro Central, LLC for an amount not to exceed \$505,500 for the contract period 5/1/10 thru 4/30/12. | BID 10-188, BIOSOLIDS
REMOVAL SERVICES |
| I8 | <u>Ordinance No. 12-007, Changing the Street Name of Ironwood Drive to Driftwood Court</u>
Council moved to pass Ordinance No. 12-007, changing the street name of Ironwood Drive to Driftwood Court. | ORDINANCE NO. 12-007,
CHANGING THE STREET
NAME |
| I9 | <u>Public Hearing for Stormwater Variance Standard Market of Naperville</u>
Council moved to schedule a public hearing for February 21, 2012 to consider the petition for a variance from the DuPage Countywide Stormwater Ordinance for the Standard Market of Naperville located at 1520 Aurora Avenue. | PUBLIC HEARING –
STORMWATER
VARIANCE |
| I10 | <u>Resolution No. 12-002, Capital Improvement Program (CIP) 2013-2017</u>
Council moved to adopt Resolution No. 12-002, authorizing the 2013-2017 Capital Improvement Program. | RESOLUTION NO. 12-002,
CAPITAL IMPROVEMENT
PROGRAM |
| I11 | <u>Jurisdictional Transfers with DuPage County</u> | JURISDICTIONAL
TRANSFERS |
| I11a | <u>Ordinance No. 12-008, Agreement with DuPage County for transfer of roadway jurisdiction of Naper Boulevard</u>
Council moved to pass Ordinance No. 12-008, approving an agreement between the City of Naperville and DuPage County, Illinois for the transfer of roadway jurisdiction of Naper Boulevard from Ridgeland Avenue to Ogden Avenue. | ORDINANCE NO. 12-008,
NAPER BLVD. |
| I11b | <u>Ordinance No. 12-009, Agreement with Dupage County for transfer of roadway jurisdiction of Naperville-Wheaton Road</u>
Council moved to pass Ordinance No. 12-009, approving an agreement between the City of Naperville and DuPage County, Illinois for the transfer of roadway jurisdiction of Naperville-Wheaton Road from Ridgeland Avenue to Ogden Avenue. | ORDINANCE NO. 12-009,
NAPERVILLE-WHEATON
RD. |

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- I11c** Ordinance No. 12-010, Agreement with DuPage County for transfer of roadway jurisdiction of West Street ORDINANCE NO. 12-010, WEST ST.
Council moved to pass Ordinance No. 12-010, approving an agreement between the City of Naperville and DuPage County, Illinois for the transfer of roadway jurisdiction of West Street from Bauer Road to Mill Street.
- I11d** Ordinance No. 12-011, Agreement with DuPage County for transfer of roadway jurisdiction of Bauer Road ORDINANCE NO. 12-011, BAUER RD.
Council moved to pass Ordinance No. 12-011, approving an agreement between the City of Naperville and DuPage County, Illinois for the transfer of roadway jurisdiction of Bauer Road from Washington Street to West Street.
- I11e** Resolution No. 12-003, Deed for Right-of-Way Triangle RESOLUTION NO. 12-003, DEED FOR RIGHT OF WAY TRIANGLE
Council moved to adopt Resolution No. 12-003, accepting the deed from DuPage County for the Right-of-Way Triangle at the intersection of Bauer Road and West Street.
- I13** Resolution No. 12-004, F.O.P. Labor Council (911 Telecommunicators) Collective Bargaining Agreement RESOLUTION NO. 12-004, F.O.P. COLLECTIVE BARGAINING AGREEMENT
Council moved to adopt Resolution No. 12-004, authorizing execution of a collective bargaining agreement between the City of Naperville and the F.O.P. Labor Council covering the City 911 Telecommunicators.

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- I12** Ordinance No. 12-012, St. Paddy's Day 5K Run and the St. Patrick's Day Parade on March 17, 2012 ORDINANCE NO. 12-012, ST. PATRICK'S DAY
Hinterlong moved to pass Ordinance No. 12-012, to establish temporary traffic controls and issue special event permits and amplifier permits for the St. Paddy's Day 5K Run and the St. Patrick's Day Parade on March 17, 2012 and change the No Parking/Tow Zone to the West side of West Street. Second, Wehrli.

ROLL CALL:

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

Nays: None

Motion declared carried.

J OLD BUSINESS:

- J1** Ordinance No. 12-013, Regulating Fowl in Residential Districts ORDINANCE NO. 12-013, REGULATING FOWL IN RESIDENTIAL DISTRICTS
David Laird, 202 Rivanna Court, thanked staff for their work on this ordinance.
John Krummen, 2640 Haddassah, discussed the proposed ordinance.
Laura Kemner, 25W671 Surrey Ave, spoke in favor of the benefit of raising chickens.

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- J1** Ordinance No. 12-013, Regulating Fowl in Residential Districts
Continued **ORDINANCE NO. 12-013,**
Ellery Kemner, 25W671 Surrey Ave, spoke in favor of the benefit of **REGULATING FOWL IN**
raising chickens. **RESIDENTIAL DISTRICTS**
- Wehrli moved to waive first reading and pass Ordinance No. 12-013, amending Section 10-4-6 (Fowl and Livestock) of the Naperville Municipal Code. Second, Chirico.
- ROLL CALL:**
- Ayes:** Chirico, Fieseler, Hinterlong, McElroy, Pradel, Brodhead
Nays: Krause, Miller, Wehrli
Motion declared carried.
- J2** Resolution No. 12-005, City Gate Grille, PCS No. 11-1-149 **RESOLUTION NO. 12-005,**
Wehrli moved to adopt Resolution No. 12-005, granting a variance **CITY GATE GRILLE, PCS**
from Section 5-4-5:2.2 (Commercial Signs; Monument Signs: **NO. 11-1-149**
Monument Sign Area) of the Naperville Municipal Code in order to increase the sign area of an existing monument sign from 56 square feet to 74 square feet and exceed the maximum square footage of monument signage allowed in order to add a tenant panel from CityGate Grille to the monument sign located at the intersection of Westings Avenue & Calamos Court, PCS No.11-1-149. Second, Hinterlong.
- ROLL CALL:**
- Ayes:** Fieseler, Hinterlong, Krause, McElroy, Wehrli, Pradel, Brodhead, Chirico
Nays: Miller
Motion declared carried.
- K** **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L** **REPORTS AND RECOMMENDATIONS:**
- L1** City Council Meeting Schedule **CITY COUNCIL MEETING**
Wehrli moved to amend the City Council Meeting Schedule for **SCHEDULE**
February, March and April 2012 reschedule the SECA workshop to March 12, 2012 at 5:00 p.m. Second, Chirico
- VOICE VOTE:** Motion declared carried.
- L2** Vacant Police Officer position in Police Department **VACANT POLICE**
Miller moved to authorize the City Manager to fill one vacant Police **OFFICER POSITION**
Officer position in the Police Department. Second, Chirico.
- ROLL CALL:**
- Ayes:** Hinterlong, Krause, McElroy, Miller, Wehrli, Pradel, Brodhead, Chirico, Fieseler
Nays: None
Motion declared carried.
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M PUBLIC HEARINGS:

M1 Ordinance No. 12-014, Expansion of SSA 21 to Include 121 S. Webster Street

ORDINANCE NO. 12-014,
EXPANSION OF SSA 21

Pradel opened the public hearing at 7:42 p.m.

Krause moved to close the public hearing at 7:42 p.m. Second, Miller.

VOICE VOTE: Motion declared carried.

Wehrli moved to pass Ordinance No. 12-014, and approve Ordinance No. 12-014, expanding Special Service Area No. 21 to include 121 S. Webster Street. Second, Chirico.

ROLL CALL:

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

Nays: None

Motion declared carried.

N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

O1 Late Night Permit

Krause requested Council to reconsider late night permit text amendment.

Council discussed not reacting to the event at Frankie's Blue Room until all facts are known and evaluated. Council also discussed NPD calls for service statistics in the downtown and license caps.

P 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 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. Second, Chirico.

ROLL CALL:

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

Nays: None

Motion declared carried.

THE MEETING RECESSED TO CLOSED SESSION AT 7:43 P.M.

CLOSED SESSION ENDED AT 9:35 P.M.

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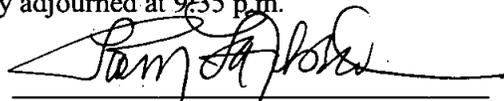
Q ADJOURNMENT:

Wehrlı moved to adjourn the Regular City Council meeting of February 7, 2012 at 9:35 p.m. Second, Chirico.

VOICE VOTE: Motion declared carried.

ADJOURNMENT – 9:35
P.M.

The Regular City Council Meeting of February 7, 2012 officially adjourned at 9:35 p.m.



PAM LAFERBER PH.D.
CITY CLERK

PL: BK

