



**CITY COUNCIL MEETING OF NOVEMBER 5, 2012
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL ON
November 20, 2012 AS WRITTEN.**

CALL TO ORDER:

6:30 P.M.

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

Absent

Also Present

City Manager, Doug Krieger
Deputy City Manager, Marcie Schatz
City Attorney, Margo Ely
City Clerk, Pam LaFerber
Police Chief, Bob Marshall
Deputy Fire Chief, Rick Sander
Asst. Finance Director, Chris Smith
T.E.D. Director, Bill Novack
T.E.D. Operations Manager, Allison Laff
Development Services Manager, Anastasia Urban
Project Engineer, Andy Hynes
Public Works Director, Dick Dublinski
Director of Public Utilities-Electric, Mark Curran
Director of Public Utilities-Water, Jim Holzappel
Chief Information Officer, Larry Gunderson

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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

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B CLOSED SESSION:

Wehrli moved to recess to Closed Session to discuss 5ILCS/120(c) (5) The purchase or lease of real property for the use of the public body; (11) Litigation, when action against, affecting or on behalf of the particular public body has been filed and is pending; (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, Hinterlong.

ROLL CALL:

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

Nays: None

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:34 P.M.
CLOSED SESSION ENDED AT 7:02 P.M.**

OPEN SESSION:

Mayor Pradel called the meeting back to order at 7:09 p.m.

ROLL CALL to determine Quorum:

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

Absent: None

C PLEDGE TO THE FLAG:

PLEDGE GIVEN

D AWARDS AND RECOGNITIONS:

D1 Employee of the Month – November

Councilwoman Brodhead recognized Gail Dulkyns, Development Process Assistant, as the Employee of the Month for November.

EMPLOYEE OF THE
MONTH - NOVEMBER

E PUBLIC FORUM:

E1 Electric Rates

John Glass, 651 Edward, compared area municipal electric rates.

E2 Utility Bill Payment

Ned Musselman, 6S167 Cape, discussed non-payment of utility bills for tenants and how the policy applies to landlords.

Krieger explained the ordinance that makes landlords responsible for delinquent bills and the limitations of shutting off power.

Smith discussed the Third Party Notification process and will follow up with the speaker on potential remedies.

E3 Hurricane Sandy

Douglas Dallmer, 1206 Hobson Oaks Court, discussed the impact of the hurricane and urged residents to donate to recovery relief.

E4 Smart Grid

Kim Bendis, 2207 Mercer Court, spoke against the smart grid initiative.



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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 17, and 111. Second, Wehrli.

ROLL CALL:

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

Nays: None
 Motion declared carried.

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|-----------|---|---|
| 11 | <u>Cash Disbursements – 10/10/12</u>
Council moved to approve the 10/10/12 cash disbursements in the amount of \$8,738,163.21. | CASH DISBURSEMENTS -
10/10//12. |
| 12 | <u>Cash Disbursements – 10/17/12</u>
Council moved to approve the 10/17/12 cash disbursements in the amount of \$548,972.96. | CASH DISBURSEMENTS -
10/17//12 |
| 13 | <u>City Council Meeting Minutes – 10/16/12</u>
Council moved to approve the Regular City Council Meeting Minutes of October 16, 2012. | CITY COUNCIL MEETING
MINTUES – 10/16/12 |
| 14 | <u>Create Pay Grade (P07) – Non-union Professional Pay Range</u>
Council moved to authorize the creation of one additional pay grade (P07) in the non-union professional pay ranges. | PAY GRADE (P07) |
| 15 | <u>Contract 11-028, Multi-Space Parking Pay Stations</u>
Council moved to approve the award of Change Order #1 to Contract 11-028, multi-space parking pay stations, to Standard Parking Corporation, for an amount not to exceed \$23,100.00 for a total of \$249,999.00. | CONTRACT 11-028,
MULTI-SPACE PARKING
PAY STATIONS |
| 16 | <u>Procurement 13-054, Road Salt</u>
Council moved to approve the award of Procurement 13-054, road salt, to Hutchinson Salt, through a State of Illinois Joint Purchasing Contract, for an amount not to exceed \$747,504.00. | PROCUREMENT 13-054,
ROAD SALT |
| 18 | <u>Tax Levy, SSA #21, #24, and #25</u>
Council moved to confirm the tax levy amounts and set the public hearing date on the City's tax levy and the levies for SSA #21, SSA #24 and SSA #25 for December 4, 2012. | TAX LEVY, SSA #21, #24,
AND #25 |
| 19 | <u>The Oaks at Naperville Crossing, PZC 12-1-094/122</u> | THE OAKS AT
NAPERVILLE CROSSING,
PZC 12-1-094/122 |



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- I9a** Ordinance No. 12-137, final plat of subdivision , final PUD plat, Lots 14 and 15
Council moved to pass Ordinance No. 12-137, approving a final plat of subdivision and a final planned unit development (PUD) plat to allow for the development of 298 multi-family dwelling units on Lots 14 and 15 in Naperville Crossings.
- I9b** Ordinance No. 12-138, Residential Development Sign on Lots 14 and 15 in Naperville Crossings
Council moved to pass Ordinance No. 12-138, granting a variance from Section 5-4-8:3 (residential signs: residential development identification signs) of the Naperville Municipal Code to allow construction of a residential development sign for The Oaks on Lots 14 and 15 in Naperville Crossings.
- I10** Ordinance No. 12-139, Health Care Center at Monarch Landing, PZC 12-1-115
Council moved to pass Ordinance No. 12-139, approving a final plat of subdivision and a final planned unit development (PUD) plat for Monarch Landing Lot 1B – Health Care Center.
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- I7** Procurement 13-087, Meter Sense
Wehrli moved to approve the award of sole source Procurement 13-087, for MeterSense computer system integration, data management and additional overall functionality, to NorthStar Utilities Solutions, c/o N. Harris Computer Corp., for an amount not to exceed \$158,000.00. Second, Miller.
- ROLL CALL:**
Ayes: Brodhead, Chirico, Fieseler, Hinterlong, McElroy, Miller, Wehrli, Pradel
Nays: Krause
Motion declared carried.
- I11** Ordinance No. 12-140, Chase Bank at Design Pointe, PZC 12-1-132
Miller moved to pass Ordinance No. 12-140, granting a variance from Section 5-4-5:2.6 (commercial signs; monument signs; monument sign setback (front property line) of the Naperville Municipal Code to allow construction of a 10' tall monument sign at a distance of five (5) feet from the front property line for the property located at 1396 N. Route 59, PZC 12-1-132. Second, Krause.
- ROLL CALL:**
Ayes: Chirico, Fieseler, Hinterlong, Krause, McElroy, Wehrli, Pradel, Brodhead
Nays: Miller
Motion declared carried.

J OLD BUSINESS:



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K AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

L REPORTS AND RECOMMENDATIONS:

L1 Equipment Technician – DPW

EQUIPMENT
TECHNICIAN - DPW

Chirico moved to authorize the City Manager to recruit externally to fill one vacant equipment technician position in the fleet services division of the Department of Public Works. Second, Miller.

ROLL CALL:

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

Nays: None

Motion declared carried.

L2 Chase Bank, 2832 South Route 59, PZC 12-1-111

CHASE BANK, 2832
SOUTH ROUTE 59, PZC
12-1-111

Option 1 Chase Bank on Lot 2 of Bailey & Satchel's Subdivision including deviation for nonconforming signage

Option 2 Chase Bank on Lot 2 of Bailey and Satchel's Subdivision, and denial of requested deviation to nonconforming sign

Laff explained that staff has been in discussions with the petitioner regarding landscaping and decorative signage.

Miller moved to concur with staff and direct staff to prepare an ordinance approving the Chase Bank on Lot 2 of Bailey and Satchel's Subdivision, including the denial of the requested deviation to revise a nonconforming sign revision. Second, Hinterlong.

ROLL CALL:

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

Nays: None

Motion declared carried.

BREAK: 7:55 P.M.

Mayor Pradel called the meeting back to order at 8:05 p.m.

L3 Water Street District – North/South Phase, PZC 12-1-039 and PZC 12-1-040

WATER STREET
DISTRICT, PZC 12-1-039,
PZC 12-1-040

Kathy West, 123 Water Street and Petitioner's Attorney, Rick Hitchcock, 1130 Omaha, and Mark Sullivan, 350 W. Hubbard Street, Chicago, summarized the proposed Water Street District development and specifically sought approval of various entitlements, including approval of Final PUD and Subdivision Plats and associated plans, a conditional use for a hotel, and parking/signage deviations.

Peggy Frank, 65 Foxcroft Road and on behalf of Naper Settlement and the Naperville Heritage Society, spoke in favor of the proposed development.



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L3 Water Street District – North/South Phase, PZC 12-1-039 and PZC 12-1-040 Continued

WATER STREET
DISTRICT, PZC 12-1-039,
PZC 12-1-040

Thom Higgins, 725 N. Ellsworth, spoke against the proposed development.

Bob Buckman, 1325 Heatherton, spoke against the proposed development.

KC Swininoga, 1241 Marls, spoke against the proposed development.

Jim Carpenter, 840 Mobile Court, spoke in favor of the proposed development.

Chuck Bokar, 3995 Winberie, spoke in favor of the proposed development.

Peter Foyo, 520 S. Washington, spoke in favor of the proposed development.

Dick Galitz, 1017 Bailey Road, spoke against the proposed development.

Lisa Folkerth, 1042 N. Wood Street, Chicago, spoke in favor of the proposed development.

Dick Furstenau, 709 Zaininger, spoke against the proposed development.

Urban explained parking models, including cost per space, demand, and occupancy.

Charles Lesnik, 519 S. Main, spoke against the proposed development.

Mike Costello, 24 Hoffman Street, spoke against the proposed development.

Patrick Murphy, 504 Tupelo, spoke in favor of the proposed development.

Kathy Benson, 51 Forest, spoke against the proposed development.

Council discussed the Shadow Study, seasonal amenities of the area, maintenance of the Riverwalk, and whether a change to the number of police resources would be necessary if the development is approved.

Tom O'Hale, 620 Gardner, spoke against the proposed development.

Bryan Bottarelli, 30 Forest, spoke in favor of the proposed development.

Gary Waits, 913 Jackson, spoke in favor of the proposed development.

Steve Monteith, 952 Savannah, spoke in favor of the proposed development.

Thomas Hennessy, 511 Cloverleaf, spoke in favor of the proposed development.

During rebuttal, West responded by specifically discussing the building materials, clarified that nothing will be painted on the exterior, and said the project is in conformance with 2030 Downtown Plan and the Water Street Vision Statement

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L3 Water Street District – North/South Phase, PZC 12-1-039 and PZC 12-1-040 Continued

**WATER STREET
DISTRICT, PZC 12-1-039,
PZC 12-1-040**

Nick Ryan, 855 Mobile Court, compared the height of the development to the Moser building, explained problems associated with lowering the height, and stated that the District will be viewed as a whole and that will reduce the appearance of height.

Bruno Bottarelli, 30 Forest, spoke in favor of the proposed development.

Council reviewed the Water Street Vision Statement, stated that businesses, North Central College and Edward Hospital are in favor of the development, that this development will create retail and construction jobs, and clarified why the location qualifies as a TIF district.

Council discussed the impact on traffic, garbage, the Riverwalk, stormwater management requirements, school/park donations, and emergency response vehicle clearance.

Novack clarified that the proposed stormwater design meets the DuPage County requirement and provides sufficient compensatory storage.

Sander responded that the Fire Department has no concerns with vehicle access in the area.

At 10:55 p.m. Krause moved to extend the meeting to 11:30 p.m.
Second, Fieseler

VOICE VOTE: Motion declared carried.

Laff summarized why staff supports the development, including but not limited to, underutilization of the area since 2000, the first major development south of the Riverwalk, will provide a link to cultural amenities, improvement over what currently exists, and designed with quality building materials.

Schatz discussed traffic and stated that new traffic is generated when a new development is built, this development puts a parking deck on the south side of the downtown, and a traffic signal at Aurora/Webster will be proposed.

Miller moved to table to November 20, 2012. Second, Hinterlong

ROLL CALL:

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

Nays: None
 Motion declared carried.

L4 City Council Meeting Schedule

**CITY COUNCIL MEETING
SCHEDULE**

Miller moved to approve the City Council meeting schedule for November and December 2012 and January 2013. Second, Chirico.

VOICE VOTE: Motion declared carried.

M **PUBLIC HEARINGS:**



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N ORDINANCES AND RESOLUTIONS:

O NEW BUSINESS

P CLOSED SESSION:

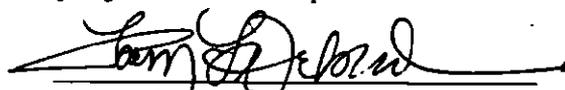
Q ADJOURNMENT:

ADJOURNMENT

Miller moved to adjourn the Regular City Council meeting of November 5, 2012 at 11:16 p.m. Second, Krause.

VOICE VOTE: Motion declared carried.

The Regular City Council Meeting of November 5, 2012 officially adjourned at 11:16 p.m.



PAM LAEBER PH.D.
CITY CLERK

PL: BK

