



**CITY COUNCIL MEETING OF MAY 17, 2016  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
June 7, 2016 AS WRITTEN.**

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**CALL TO ORDER:**

6:32 P.M.

**A** Mayor Steve Chirico  
Councilwoman Becky Anderson  
Councilwoman Judith Brodhead  
Councilman Kevin M. Coyne  
Councilman Kevin Gallaher  
Councilman Paul Hinterlong  
Councilman John J. Krummen  
Councilwoman Rebecca Boyd-Obarski

Absent

Councilwoman Patricia A. Gustin

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  
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, Allison Laff  
Director of Public Utilities – Electric, Mark Curran  
Director of Public Utilities – Water, Jim Holzapfel  
Director of Public Works, Dick Dübliński

Press

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

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**B ROLL CALL:**

**C CLOSED SESSION:**

Obarski moved to recess to Closed Session to discuss **5 ILCS 120/2(C)(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, Gallaher, Hinterlong, Krummen, Obarski

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:37 P.M.  
CLOSED SESSION ADJOURNED AT 6:53 P.M.**

**D ROLL CALL:**

Mayor Chirico called the meeting back to order at 7:03 p.m.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**E PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**F AWARDS AND RECOGNITIONS:**

**F1 VFW Buddy Poppy Days**

VFW BUDDY POPPY DAYS

Gallaher proclaimed the week of May 23-30, 2016 as VFW Buddy Poppy Days and presented the Proclamation to Nancy Marinello, William Wood and Richard Galgano, Poppy Committee Chairpersons.

**G PUBLIC FORUM:**

**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.



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**CONSENT AGENDA:**

Brodhead moved to approve the Consent Agenda with the exception of items I9 and I12. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:** None

Motion declared carried.

- |            |   |   |
|------------|---|---|
| <b>I1</b>  | <u>Cash Disbursements</u><br>Council approved the 4/6/16 thru 4/29/16 cash disbursements in the amount of \$21,420,496.31.  | <b>CASH DISBURSEMENTS</b>                                   |
| <b>I2</b>  | <u>Legislative Plan and Governance Workshop Minutes</u><br>Council approved the City Council Legislative Plan and Governance Workshop Minutes of 3/7/16.  | <b>LEGISLATIVE PLAN AND GOVERNANCE WORKSHOP MINUTES</b>     |
| <b>I3</b>  | <u>Planning and Governance Workshop Minutes</u><br>Council approved the Planning and Governance Workshop Minutes of April 26, 2016.   | <b>PLANNING AND GOVERNANCE WORKSHOP MINUTES</b>             |
| <b>I4</b>  | <u>Regular City Council Minutes</u><br>Council approved the Regular City Council Meeting Minutes of May 3, 2016.  | <b>REGULAR CITY COUNCIL MINUTES</b>                         |
| <b>I5</b>  | <u>Bid 16-206, Century Hill Forcemain Rehabilitation</u><br>Council approved the award of Bid 16-206, Century Hill forcemain rehabilitation, to Sheridan Plumbing & Sewer for an amount not to exceed \$365,489.00 plus a 5% contingency.                                 | <b>BID 16-206, CENTURY HILL FORCEMAIN REHABILITATION</b>    |
| <b>I6</b>  | <u>Contract 12-150, Street Light Controller Maintenance</u><br>Council approved the award of change order #1 to Contract 12-150, street light controller maintenance, to Meade Inc. for an amount not to exceed \$18,917.00 and a total award not to exceed \$203,917.00. | <b>CONTRACT 12-150, STREET LIGHT CONTROLLER MAINTENANCE</b> |
| <b>I7</b>  | <u>Contract 13-147, Biosolids Removal</u><br>Council approved the award of change order #1 to Contract 13-147, biosolids removal, to BioAg Inc. for an amount of \$56,420.00 and a total award not to exceed \$250,170.00.  | <b>CONTRACT 13-147, BIOSOLIDS REMOVAL</b>                   |
| <b>I8</b>  | <u>Public Improvements</u><br>Council accepted the public underground improvements at the Naperville Korean United Methodist Church and authorized the City Clerk to reduce the corresponding public improvement surety.  | <b>PUBLIC IMPROVEMENTS</b>                                  |
| <b>I10</b> | <u>Ordinance No. 16-064, Downtown Naperville Car Show</u><br>Council passed Ordinance No. 16-064, to establish temporary street closures and issue a Special Event permit for the Downtown Naperville Car Show to be held on Saturday, June 18, 2016.                     | <b>ORDINANCE NO. 16-064, DOWNTOWN NAPERVILLE CAR SHOW</b>   |



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- |            |   |   |
|------------|---|---|
| <b>111</b> | <p><u>Ordinance No. 16-065, 730 E. Chicago Avenue, PZC 16-1-037</u></p> <p>Council passed Ordinance No. 16-065, to approve a variance to Section 6-6b-7 (R1b: yard requirements) of the Naperville Municipal Code to permit a room addition in the required corner side yard at the subject property located at 730 E. Chicago Avenue, PZC 16-1-037.</p>  | <p>ORDINANCE NO. 16-065,<br/>730 E. CHICAGO AVENUE,<br/>PZC 16-1-037</p>                  |
| <b>113</b> | <p><u>Ordinance No. 16-066, Adler Schools #1, Inc., PZC 16-01-022</u></p> <p>Council passed Ordinance No. 16-066, to approve a conditional use for a day care center in the B2 (Community Shopping Center District) pursuant to Section 6-7b of the Municipal Code to allow an Adler Schools #1, Inc. to locate at 5051 Ace Lane, Naperville, IL, PZC 16-01-022.</p>  | <p>ORDINANCE NO. 16-066,<br/>ADLER SCHOOLS #1, INC.,<br/>PZC 16-01-022</p>                |
| <b>114</b> | <p><u>Resolution No. 16-015, MAP Collective Bargaining Agreement</u></p> <p>Council adopted Resolution No. 16-015, to authorize execution of a collective bargaining agreement between the City of Naperville and MAP Ch. #363.</p>   | <p>RESOLUTION NO. 16-015,<br/>MAP COLLECTIVE<br/>BARGAINING<br/>AGREEMENT</p>             |
| <hr/>      |   |   |
| <b>19</b>  | <p><u>Ordinance No. 16-067, 2016 Naperville Marathon and Half Marathon Route</u></p> <p>Susan Rasmus - Naperville - spoke in favor of the marathon/half marathon and its charity partner program.</p> <p>Council discussed amplification and route complaints.</p> <p>Bixler, Race Director, explained changes to the Start/Finish area that will reduce noise associated with announcements.</p> <p>Gallahue explained the number of route iterations, that suggestions from the Downtown Naperville Alliance (DNA) were incorporated into the route, that members of the DNA participate in the logistics meetings, and that the DNA supports the current route.</p> <p>Brodhead moved to pass Ordinance No. 16-067, to approve the route for the fourth annual Naperville Marathon and Half Marathon scheduled for Sunday, October 23, 2016. Second, Anderson.</p> <p><b>ROLL CALL:</b></p> <p><b>Ayes:</b> Anderson, Brodhead, Coyne, Gallaher, Hinterlong, Krummen, Obarski, Chirico</p> <p><b>Nays:</b> None</p> <p><b>Absent:</b> Gustin</p> <p>Motion declared carried.</p> | <p>ORDINANCE NO. 16-067,<br/>2016 NAPERVILLE<br/>MARATHON AND HALF<br/>MARATHON ROUTE</p> |



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Ordinance No. 16-068, 629 N. Center Street, PZC 16-01-025

ORDINANCE NO. 16-068,  
629 N. CENTER STREET,  
PZC 16-01-025

Brodhead moved to pass Ordinance No. 16-068, to approve a variance from Section 6-6c-8:1 (R2 District, height limitations/bulk requirements) to permit the expansion of a half story attic to a full third story for a single-family residence at 629 N. Center Street, PZC 16-01-025. Second, Hinterlong.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**J**

**PUBLIC HEARINGS:**

**J1**

Stillwater Addition

STILLWATER ADDITION

**J1a**

Public Hearing

PUBLIC HEARING

Chirico opened the public hearing at 7:18 p.m.

Hinterlong moved to close the public hearing at 7:19 p.m. Second, Gallaher.

**VOICE VOTE:** Motion declared carried.

**b**

Ordinance No. 16-069 Third Amendment to Annexation Agreement

ORDINANCE NO. 16-069  
THIRD AMENDMENT TO  
ANNEXATION  
AGREEMENT

Hinterlong moved to pass Ordinance No. 16-069, to authorize execution of the third amendment to the annexation agreement for Stillwater Addition. Second, Gallaher.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**J2**

Bauer Place, PZC 15-1-026

**J2a**

Public Hearing

Chirico opened the public hearing at 7:20 p.m.

Len Monson, Petitioner, explained the request for annexation, rezoning the property to R3 (Medium Density Multiple-Family Residence District), and approval of a preliminary plat of subdivision in order to construct six, 3- and 4-unit townhome buildings consisting of a total of 22 units. He also discussed resident meetings and how their comments were incorporated into the development revisions.

Council discussed building height, stormwater, and flooding.

Monson explained efforts to level property and that this development is providing detention where none currently exists.



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v2a

Public Hearing Continued

Novack discussed storm water management plans and that the proposed method has been successful in other areas of Naperville.

Kevin Hynes – Naperville – spoke against the development as proposed.

Margaret Mills – Naperville – spoke against the development as proposed.

Don Hutton – Naperville – spoke against the development as proposed.

Dale Dionesotes – Naperville – spoke against the development as proposed.

Lisa Byrne – Naperville – spoke against the development as proposed.

David Shang – Naperville – spoke against the development as proposed.

Mike Marek – Naperville – spoke against the development as proposed.

Brian Cheng – Naperville – spoke against the development as proposed.

Ray Simon – Naperville – spoke against the development as proposed.

Steve Paul – Naperville – spoke against the development as proposed.

Mike Meyer – Naperville – spoke against the development as proposed.

John Byrne – Naperville – spoke against the development as proposed.

Monson responded that according to City staff and the Planning/ Zoning Commission this property is a transitional area, prior Councils have approved developments that have a greater density than the proposed development, and stated that neighboring properties have higher elevations. He discussed that “story” is a design and not a height issue, that the development has been reduced to the lowest density allowed, and that large open space with heavy landscaping has been incorporated which will serve as a buffer between Ogden Ave and the residential area.

Council discussed a privacy fence, rental agreement provisions, covenant and restrictions, model names, density, traffic and traffic control devices, school generation tables, use of open space, the desire to annex the property, appropriate zoning, development difficulties in the area, square footage of the units, the comprehensive plan and the need for diverse housing stock.

Monson explained that the sale price will be approximately \$400,000, that the sight line from the curb is lower than the neighbor’s house, there will be a 30% rental restriction, target demographics, and that a similar development is in Geneva.

Laff explained height allowances per the Municipal Code, how the height is calculated, and that School District 203 has not raised concerns regarding student generation.

Wilger explained imposing rental restriction percentages and where the language would be most appropriate.

Brodhead moved to close the public hearing at 9:07 p.m. Second, Krummen.

**VOICE VOTE:** Motion declared carried.



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- J2b**      Ordinance No. 16-070, annexation agreement      ORDINANCE NO. 16-070,  
Brodhead moved to pass Ordinance No. 16-070, to authorize execution of      ANNEXATION  
the annexation agreement. Second, Krummen. \*      AGREEMENT
- ROLL CALL:**  
**Ayes:**      Gallaher, Hinterlong, Krummen, Chirico, Anderson, Brodhead,  
                 Coyne  
**Nays:**      Obarski  
**Absent:**      Gustin  
                 Motion declared carried.
- J2c**      Ordinance No. 16-071, annexing 26W031 Bauer Road and 5S354, 5S364      ORDINANCE NO. 16-071,  
and 5S374 Charles Street      ANNEXING
- Brodhead passed Ordinance No. 16-071, to annex the subject property  
located at 26W031 Bauer Road and 5S354, 5S364 and 5S374 Charles Street.  
Second, Gallaher.
- ROLL CALL:**  
**Ayes:**      Hinterlong, Krummen, Chirico, Anderson, Brodhead, Coyne,  
                 Gallaher  
**Nays:**      Obarski  
**Absent:**      Gustin  
                 Motion declared carried.
- d**      Ordinance No. 16-072, rezoning to R3      ORDINANCE NO. 16-072,  
Brodhead moved to pass Ordinance No. 16-072, rezoning the subject      REZONING TO R3  
property to R3 (medium density multiple-family residence district) upon  
annexation. Second, Gallaher.
- ROLL CALL:**  
**Ayes:**      Krummen, Chirico, Anderson, Brodhead, Coyne, Gallaher,  
                 Hinterlong  
**Nays:**      Obarski  
**Absent:**      Gustin  
                 Motion declared carried.
- J2c**      Ordinance No. 16-073, preliminary plat of subdivision for Bauer Place      ORDINANCE NO. 16-073,  
Brodhead moved to pass Ordinance No. 16-073, approving the preliminary      PRELIMINARY PLAT OF  
plat of subdivision for Bauer Place. Second, Gallaher.      SUBDIVISION
- ROLL CALL:**  
**Ayes:**      Chirico, Anderson, Brodhead, Coyne, Gallaher, Hinterlong,  
                 Krummen  
**Nays:**      Obarski  
**Absent:**      Gustin  
                 Motion declared carried.



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Jf

Ordinance No. 16-074, variance

ORDINANCE NO. 16-074,  
VARIANCE

Brodhead moved to pass Ordinance No. 16-074, approving a variance from the design of the proposed stormwater basin on the subject property. Second, Gallaher.

**ROLL CALL:**

**Ayes:** Chirico, Anderson, Brodhead, Coyne, Gallaher, Hinterlong, Krummen

**Nays:** Obarski

**Absent:** Gustin

Motion declared carried.

K

**OLD BUSINESS:**

L

**ORDINANCES AND RESOLUTIONS:**

U1

Ordinance No. 16-075, General Obligation Bonds

ORDINANCE NO. 16-075,  
GENERAL OBLIGATION  
BONDS

Mayer explained the refunding process and that the City will incur a \$1,200 expense.

Obarski moved to pass Ordinance No. 16-075, to authorize a delegated sale of General Obligation Bonds and the refunding of General Obligation Bonds-Series 2008 and Series 2009 for a total not to exceed amount of \$68,000,000.00 in 2016 General Obligation Bonds. Second, Krummen.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

L2

Resolution No. 16-016, Memorandum of Understanding – What Works Cities Initiative

RESOLUTION NO. 16-016,  
MEMORANDUM OF  
UNDERSTANDING –  
WHAT WORKS CITIES  
INITIATIVE

Brodhead moved to adopt Resolution No. 16-016, to authorize the City Manager to execute a memorandum of understanding with Results for America, Johns Hopkins University and the Sunlight Foundation to receive consulting services to further the City's efforts to open data and performance management. Second, Krummen.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.



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

**M1** Contract 16-008, Electric Utility Distribution

CONTRACT 16-008,  
ELECTRIC UTILITY  
DISTRIBUTION

Gallaher moved to approve the award of utility-funded modified option year 1 (18 months) to Contract 16-008, electric utility distribution, to Meade, Inc. for an amount of \$2,150,230.65, plus a 3% contingency. Second, Krummen.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**M2** Surplus Property Sale

SURPLUS PROPERTY  
SALE

**M2a** Award of Bid

AWARD OF BID

Roy Spencer – Naperville – Perma Seal Basement Systems, thanked the Council for the award, stated that this property will be the corporate home of Perma Seal, that the building will include a training center which will be open to the community, and that 190 jobs will be brought to Naperville.

Hinterlong moved to award the bid to Roy E. Spencer in the amount of \$770,000.00 for the surplus property located at 1720 Quincy Avenue. Second, Anderson.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**M2b** Ordinance No. 16-076, Sale of 1720 Quincy Avenue

ORDINANCE NO. 16-076,  
SALE OF 1720 QUINCY  
AVENUE

Hinterlong moved to pass Ordinance No. 16-076, to authorize the City Manager to execute the sale of surplus property located at 1720 Quincy Avenue. Second, Anderson.

**ROLL CALL:**

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

**Nays:** None

**Absent:** Gustin

Motion declared carried.

**N PETITIONS AND COMMUNICATIONS:**

**O REPORTS AND RECOMMENDATIONS:**



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- 01**      City Council Meeting Schedule      CITY COUNCIL MEETING  
SCHEDULE  
Hinterlong moved to approve the City Council Meeting Schedule for June, July and August 2016. Second, Krummen.  
**VOICE VOTE:**      Motion declared carried.
- 02**      City of Naperville Ends Policy Statements      CITY OF NAPERVILLE  
ENDS POLICY  
STATEMENTS  
Anderson moved to approve the Ends Policy statements for the City of Naperville as revised: Public Safety – Naperville will deliver highly responsive public safety services. High Performing Government – Naperville will provide reliable, cost-efficient, high quality municipal services. Economic Development – Naperville will have a thriving and diverse business community. Second, Obarski.  
**VOICE VOTE:**      Motion declared carried.
- 03**      Police Service Officer Position      POLICE SERVICE OFFICER  
POSITION  
Marshall explained the workload analysis and that the additional 10 hours will allow for the Police Department lobby to now be open on Saturdays.  
Obarski moved to authorize the City Manager to increase the hours of one police service officer from 30 hours per week to 40 hours per week in order to open the Police Department lobby and front desk from 10 a.m. to 6 p.m. on Saturdays. Second, Anderson.  
**ROLL CALL:**  
**Ayes:**      Krummen, Obarski, Chirico, Anderson, Brodhead, Coyne, Gallaher, Hinterlong  
**Nays:**      None  
**Absent:**      Gustin  
Motion declared carried.  
**Clerk's Note:**      Gallaher recused himself due to a conflict of interest and left the dais at 9:38 p.m.
- 04**      Shared Road District Services with Naperville Township Road District      SHARED ROAD DISTRICT  
SERVICES WITH  
NAPERVILLE TOWNSHIP  
ROAD DISTRICT  
HR Hofmann, Naperville Township, urged Council to form a committee to review agreement.  
Krieger provided an update on the discussions regarding the proposed agreement including the recent Township budget meeting and the letter sent to the Township expressing the City's willingness to meet.  
Council received the report regarding the status of the second revised proposed intergovernmental agreement for shared services between the City of Naperville and the Naperville township Road District.  
**Clerk's Note:**      Gallaher returned to the dais at 9:48 p.m.



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**P**            **NEW BUSINESS:**

**P1**            Overnight Noise – May 15

Coyne stated that neighbors were concerned about an unexplained noise overnight on May 15 near 87<sup>th</sup> Street.

Dublinski explained that Waste Management was performing arterial street sweeping on May 15 and the noise was the result of a piece of conduit lodged in the sweeping mechanism. Waste Management has been contacted and has apologized for the inconvenience.

**P2**            Advisory Referendum Question - IGA

Coyne discussed the level of disconnect regarding the shared services intergovernmental agreement with the Township Road District and suggested the City draft an advisory referendum question for the November election.

By consensus Council directed staff to draft language for a non-binding referendum question regarding the intergovernmental agreement for the November election and present it to Council for review.

**P3**            Advisory Referendum Question – Township Unit of Government

Coyne discussed questions from residents regarding townships in general and suggested a question regarding the elimination of township government in Naperville.

Council discussed community education regarding levels of government and services provided by the Township.

Krieger stated that no City resources will be used for communication purposes on this topic.

By consensus Council directed staff to draft language for a non-binding referendum question regarding elimination of township government for the November election and present it to Council for review.

**P4**            Meeting Rooms at the Municipal Center

Anderson asked about the Meeting Room Policy and use of Council Chambers for religious groups.

Krieger stated that staff will provide the policy and a report showing organizations that have used Council Chambers.

**P5**            EPA Report

Chirico discussed a report from the U.S. EPA that was initiated from a resident complaint after the 2013 flood. He explained that the investigation lasted for one year and the results confirmed that the system is well-managed and was complimentary of the City's facilities. He also requested a beautification plan for the facility on Ogden Avenue.



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Q

**ADJOURNMENT:**

ADJOURNMENT

Hinterlong moved to adjourn the Regular City Council meeting of May 17, 2016 at 10:08 p.m. Second, Krummen.

**VOICE VOTE:** Motion declared carried.

The Regular City Council Meeting of May 17, 2016 officially adjourned at 10:08 p.m.

  
\_\_\_\_\_  
PAM GALLAHUE, PH.D.  
CITY CLERK

PG: bk

