



# City of Naperville

400 S. Eagle Street  
Naperville, IL 60540

## Meeting Minutes

### City Council

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Tuesday, April 18, 2017

7:00 PM

Council Chambers

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**A. CALL TO ORDER:**

**B. ROLL CALL:**

**C. CLOSED SESSION - Canceled**

OPEN SESSION - 7:00 p.m.

**D. ROLL CALL:**

**This was approved.**

**Present:** 9 - Mayor Steve Chirico  
Councilwoman Becky Anderson  
Councilwoman Judy Brodhead  
Councilman Kevin Coyne  
Councilman Kevin Gallaher  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman John Krummen  
Councilwoman Rebecca Obarski

**E. PLEDGE TO THE FLAG:**

**This was conducted.**

**F. AWARDS AND RECOGNITIONS:**

**3. Proclaim Naperville Masonic Temple's 100th Anniversary, May 1, 2017**

Obarski presented Proclamation to Andrew Siedelmann, Masonic Temple Board President honoring the Naperville Masonic Temple's 100th Anniversary, May 1, 2017

**This Proclamation was presented.**

**1. Proclaim April 22 - 29, 2017 as Earth Week**

Krummen proclaimed April 22-29, 2017 as Earth Week and presented the Proclamation to Amy Emery, TED Strategic Projects Supervisor

**This Proclamation was presented.**

2. Proclaim April 23 to 29, 2017 as Naperville Public Library Volunteer Week

Krummen proclaimed April 23-29, 2017 as Naperville Public Library Volunteer Week and presented the Proclamation to Julie Rothenfluh, Executive Director Naperville Libraries.

**This Proclamation was presented.**

**G. PUBLIC FORUM:**

No speakers.

**H. CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR THE CONSENT AGENDA:**

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, that this agenda item be adopted. The motion carried by the following vote:

**Aye:** 9 - Obarski, Brodhead, Coyne, Gallaher, Gustin, Anderson, Hinterlong, Krummen, and Chirico

**I. CONSENT AGENDA:**

**This was approved.**

Approval of the Consent Agenda

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, to approve the Consent Agenda. The motion carried by the following vote:

**Aye:** 9 - Obarski, Brodhead, Coyne, Gallaher, Gustin, Anderson, Hinterlong, Krummen, and Chirico

1. Approve the 03/01/2017 thru 03/31/2017 Cash Disbursements in the amount of \$30,623,030.68.

**Council approved.**

2. Approve the Regular City Council Meeting Minutes from April 5, 2017

**Council approved.**

3. Approve the Award of Sole Source Procurement 17-088, Phase II - Emergency Vehicle Exhaust Extraction System Replacement, to Hastings Air Energy for an amount not to exceed \$123,599, plus a 5% contingency.

**Council approved.**

4. Approve the Award of Job Order Contract DPW001 CY17.A, Tuck-Point Masonry at Burlington Commuter Station, to F. H. Paschen for an amount not to exceed

\$101,153.

**Council approved.**

5. Approve the Award of the First Two Year Extension to Contract 14-007, Benefits Broker, to GCG Financial, Inc. for an amount not to exceed \$166,000.

**Council approved.**

6. Approve the Award of Cooperative Procurement 17-090, Purchase One Ambulance, to Foster Coach Sales for an amount not to exceed \$255,897.

**Council approved.**

7. Approve the Award of Cooperative Procurement 17-094, 2017 Six 2017 Ford Replacement Vehicles, to Currie Motors for an amount not to exceed \$184,269.

**Council approved.**

8. Approve the Award of Cooperative Procurement 17-098, for Five 2017 Ford Replacement Vehicles, to Currie Motors for an amount not to exceed \$216,037.

**Council approved.**

9. Approve the Award of Change Order #8 to Contract 11-117, Multi-Functional Copiers - Cost-Per-Copy to Canon Solutions America for an amount not to exceed \$3,389.04 and for an additional three months to July 31, 2017.

**Council approved.**

10. Approve the City Council meeting schedule for April, May, June and July.

**Council approved.**

11. Accept the Public Underground and Street Light Improvements at Gerald Subaru Inc., Heatherfield Subdivision and Villas at Trafford Place and authorize the City Clerk to reduce the corresponding public improvement surety.

**Council approved.**

12. Pass the ordinance establishing temporary traffic controls for the 2017 G.L.O.W. Run for Reading 5K and issue a Special Event permit for the event.

**Council passed.**

13. Pass the ordinance establishing temporary traffic controls and issue a Special Event Permit and Amplifier Permit for the Esprit de She Women's Triathlon on June 11, 2017.

**Council passed.**

14. Adopt the resolution approving the fourth amendment to the Intergovernmental Agreement and Lease between the City of Naperville and the Naperville Park District

for the Naperville Riverwalk.

**Council adopted.**

15. Adopt a resolution supporting the Metropolitan Mayors Caucus' Greenest Region Compact 2.

**Council approved.**

## **J. PUBLIC HEARINGS:**

## **K. OLD BUSINESS:**

## **L. ORDINANCES AND RESOLUTIONS:**

1. Pass the ordinance approving a temporary use and Owner's Acknowledgement and Acceptance to allow operation of Paul Davis Restoration Services on property located at 433-435 Spring Avenue, PZC 17-01-013.

Mary Derwinski, Naperville, spoke against the proposed eight-year term, discussed the noise generated from the property, and requested the property be developed as residential.

David L. Parta, Naperville, spoke against the proposed eight-year term and discussed the wood fence on the west end of the property.

Dave Wentz, Attorney for Petitioner, discussed the concessions made by the Petitioner and the reasoning for the fence, reviewed the OAA and proposal request. He specifically highlighted that the Petitioner is seeking approval of a temporary use to allow operation of an insurance contractor specializing in remediation and reparation of fire and water damage to residential and commercial structures. Any use which lawfully exists prior to becoming nonconforming is permitted to continue. The nonconforming use must cease if it is discontinued for a continuous period of 6 months. Also, a nonconforming use may only be changed if it is of substantially the same character as the existing conforming use, or if it is a use permitted within the zoning district in which it is located.

Laff explained the existing nonconforming use is not substantially similar to the proposed remediation and reparation contractor use; and therefore, may not operate on the subject property under the Nonconforming Uses provisions of the Code. Additionally, the proposed use would not be consistent with the recommendation of the Spring Avenue Study.

Wentz explained the high intensity equipment will be used on properties where work is being done and not on Spring Avenue, the use will be less intense than what is there now, that the large box truck will be moved to the rear of the building, and smaller vehicles will be parked in legal stalls

on property.

DiSanto explained that the terms of the temporary use and OAA limit the duration for which the Petitioner is permitted to use the property, the temporary use would expire eight years from the date granted by the City Council (approximately 2025), or within six months of the expiration (or termination) of Ozinga's lease of the property at 515 Spring Avenue, whichever occurs first. In addition, the temporary use would expire if the Petitioner ceases to operate the temporary use for a continuous period of six or more months. Upon either of these occurring, the subject property will be required to conform to the underlying R2 zoning district regulations.

Laff explained lease, sale of property, and approved temporary uses.

Council discussed the front loading dock, concerns regarding types of property use, adding additional conditions to trigger the a review, the appropriateness of reducing the time frame from eight years, fence or landscaping options for privacy, potential criminal activity, and that the goal is to get to teh underlying R2 designation.

**A motion was made by Councilwoman Obarski, seconded by Councilman Hinterlong, that this agenda item be passed as amended to state that in Section 3 the temporary use for the subject property shall expire on April 18, 2021, not 2025; that in Section 3 it be added that the temporary use for the subject property shall also expire within six months of a finding that 515 Spring Avenue's nonconforming use is not renewed due to a discontinuance of nonconforming uses for a continuous period of six months; that if the OWNER purchases the adjacent property at 515 Spring Avenue, the OWNER agrees to waive its right to continue the nonconforming use applicable to the 515 Spring Avenue; modify Section 7 to require that staff review and report to Council within two years any complaints or issues concerning the OWNER's use of the subject property; and that City staff has discretion to work with the OWNER and residents to require a nondeciduous, natural landscaping screen instead of fencing.**

**The motion carried by the following vote:**

**Aye:** 9 - Obarski, Brodhead, Coyne, Gallaher, Gustin, Anderson, Hinterlong, Krummen, and Chirico

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

1. Waive the applicable provisions of the Naperville Procurement Code and Award Procurement 17-086, Fire Engine Replacements, to Fire Services, Inc. for an amount not to exceed \$693,308 and for a 10 year term and to Global Emergency Products for an amount not to exceed \$737,300 and for a ten year term, for a total award of \$1,430,608. (Requires six positive votes.)

Mayer gave opening comments, discussed the pilot maintenance program to an outside vendor, and evaluating two types of engines and

maintenance providers.

Council discussed maintenance plan components and impact on staffing levels.

**A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 8 - Brodhead, Coyne, Gallaher, Gustin, Anderson, Hinterlong, Krummen, and Chirico

**Nay:** 1 - Obarski

2. Approve the Award of Bid 17-043, Bar Screen Replacement Project, to Joseph J. Henderson & Son, Inc. for an amount not to exceed \$1,205,000, plus a 3% contingency.

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Anderson, Brodhead, Coyne, Gallaher, Gustin, Hinterlong, Krummen, and Obarski

3. Approve the Award of Procurement 17-085, North Aurora Road Widening Design Engineering Services - Phase II, to TranSystems Corporation for an amount not to exceed \$1,342,673.23.

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 9 - Obarski, Brodhead, Coyne, Gallaher, Gustin, Anderson, Hinterlong, Krummen, and Chirico

## **N. PETITIONS AND COMMUNICATIONS:**

## **O. REPORTS AND RECOMMENDATIONS:**

## **P. NEW BUSINESS:**

P1 - Recycling Alternatives

Gustin asked about making arrangements with area scrappers to pick up discarded televisions at the recycling center.

Dublinski said the Department of Public Works will reseach this option.

P2 - Councilman Gallaher

Councilman Gallaher was recognized for his years of service on the City Council.

## **Q. ADJOURNMENT:**

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, that this agenda item be adopted. The motion carried by the following vote:**

**Aye:** 9 - Obarski, Brodhead, Coyne, Gallaher, Gustin, Anderson, Hinterlong, Krummen, and Chirico