



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, May 16, 2017

7:00 PM

Council Chambers

A. CALL TO ORDER:

Chirico called the meeting to order at 7:00 p.m.

B. ROLL CALL:

C. CLOSED SESSION - Cancelled

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

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

Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; Deputy City Attorney, Mike DiSanto; City Clerk, Pam Gallahue; 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, Jennifer Loudon; Deputy Director of TED, Allison Laff; Deputy Director of Public Utilities - Electric, Lucy Hynes; Director of Public Utilities - Water, Jim Holzapfel; Director of Public Works, Dick Dublinski, Planner/Community Grants Coordinator, Ruth Broder

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

E. PLEDGE TO THE FLAG:

The Pledge was given.

F. AWARDS AND RECOGNITIONS:

Mayor recognized Peace Officer Memorial Week.

1. Proclaim May 22 - 29, 2017 as VFW Buddy Poppy Days

Anderson presented the Proclamation.

2. Proclaim June 4, 2017 as Take Steps for Crohn's & Colitis Day

Anderson presented the Proclamation.

3. Presentation to students for the best overall re-design of 5th Avenue Station

Anderson recognized students from District 203 for the winning submission of the 5th Avenue Station re-design competition.

G. PUBLIC FORUM:

Park Graffiti

Beverly Lashus, Naperville, discussed graffiti on park benches at Platinum and Bond and asked who should be notified.

Dublinski explained the online work request system and stated the graffiti should be removed within 24 hours of being reported.

Marshall stated that the Police Department is also involved in reviewing graffiti and can cite the offender for ordinance violations.

Original Library

Paulette Goodman, Naperville, spoke against redeveloping the original Nichols Library.

Nichols Library

Charlotte F. Johnson, Naperville, spoke against redeveloping the original Nichols Library.

Chirico stated an Open House is being held to solicit public input on redevelopment.

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

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to use the Omnibus method to approve the Consent Agenda. The motion carried by the following vote:

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

I. CONSENT AGENDA:

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

Aye: 9 - Chirico, Anderson, Brodhead, Coyne, Gustin, Hinterlong, Kruppen, Obarski, and White

1. Approve 04/05/2017 thru 04/28/2017 Cash Disbursement for \$21,009,545.58
2. Approve the Special City Council Meeting Minutes of April 30, 2017
3. Approve the Regular City Council Meeting Minutes of May 2, 2017.
4. Approve the Award of RFP 17-002, Commuter Parking Daily Fee Machines, to Electronic Security Solutions, Inc. for an amount not to exceed \$220,253.10 and a two-year term for maintenance services.
5. Approve the Award of Bid 17-073, Carrolwood Lift Station Rehabilitation, to Marc Kresmery Construction LLC for an amount not to exceed \$233,855, plus a 5% contingency.
6. Approve the Award of RFP 17-084, Riverwalk Consultant, to Engineering Resource Associates, Inc. for an amount not to exceed \$274,292 and for a 43-month term.
7. Approve the Award of Sole Source Procurement 17-103, NICE Communications Recording Enterprise Upgrade, to Word Systems, Inc. in an amount not to exceed \$112,355.
8. Approve Mayoral Appointments to the Board of Library Trustees, Planning and Zoning Commission, SECA, Sister Cities Commission and Transportation Advisory Board.
9. Approval of Mayoral reappointments to the Building Review Board, Downtown Advisory Board, Emergency Telephone System Board, Financial Advisory Board, Housing Advisory Board, Naperville Historic Preservation Commission, Naperville Public Library Board of Trustees, Naper Settlement, Police Pension Fund, Public Utilities Advisory Board, Riverwalk Commission, SECA, Sister Cities Commission, and Transportation Advisory Board.
10. Pass the ordinance to establish temporary street closures and issue a Special Event permit for the Downtown Naperville Car Show to be held on Saturday, June 17, 2017.
11. Adopt the Resolution authorizing the City Manager to enter into a license agreement for the installation of small cell antennae and ancillary equipment on the City's light pole located at 485 Diehl Road.
12. Receive the staff report for Court Place Townhomes located at 17 Court Place, PZC 17-1-023. (Item 1 of 3)

13. Pass the Ordinance approving the Preliminary/Final Plat of Subdivision and Owner's Acknowledgement and Acceptance for Court Place at Central Park located at 17 Court Place, PZC 17-1-023. (Item 2 of 3)
14. Pass the Ordinance approving a variance to Section 6-7I-5:2 to reduce the minimum lot area per dwelling unit, a variance to Section 6-9-2:4.3 to reduce the driveway setback, and a variance to Section 6-2-10 to allow patios to be located in the front yard for the property located at 17 Court Place, PZC 17-1-023. (Item 3 of 3)
15. Approve the City Council meeting schedule for June, July and August, 2017.

J. PUBLIC HEARINGS:

1. Receive the staff report for Mulberry Hill Unit 2 located at 5S650 Tuthill Road, PZC 17-1-021 (Item 1 of 6).
2. Conduct the public hearing to consider the Annexation Agreement for the Subject Property located at 5S650 Tuthill Road, PZC 17-1-021 (Item 2 of 6).

The Public Hearing was opened at 7:22 p.m.

At 7:22 p.m. a motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, that the Public Hearing be closed. The motion carried by the following vote:

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

3. Pass the Ordinance authorizing execution of the Annexation Agreement (*requires six positive votes*), PZC 17-1-021 (Item 3 of 6).

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

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

4. Pass the Ordinance annexing the Subject Property located at 5S650 Tuthill Road (*simple majority*), PZC 17-1-021 (Item 4 of 6).

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

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

5. Pass the Ordinance rezoning the Subject Property to R1A (Low Density Single-Family Residence District) upon annexation (*simple majority*), PZC 17-1-021 (Item 5 of 6).

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

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

6. Pass the Ordinance approving the Preliminary/Final Plat of Subdivision and a Variance from Section 6-6A-6 (R1A District: Lot Width) to reduce the minimum lot width requirements for Mulberry Hill Unit 2 (*simple majority*), PZC 17-1-021 (Item 6 of 6).

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

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

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the Award of Bid 17-075, Electric Utility Distribution, to Meade Electric Company, Inc. for an amount not to exceed \$9,578,988.09, plus a 3% contingency and for a 19 month term.

Hynes gave opening comments and explained this contract is a unit price bid and includes furnishing all labor, equipment and tools necessary for installation and maintenance of the underground and overhead 12kV-34kV electric utility facilities including: fiber optics, street lights and directional boring. She stated at least 90% of capital costs associated with new development are recouped through the Facility Installation Charge (FIC) fees. Work will continue to be completed through a combination of Utility crews and the contractor. Utility crews concentrate on the customer sensitive and day-to-day operation of the utility and the contractor takes on the larger new development and maintenance work. To date, with the assistance of the contractor, the Utility has able to meet the developer deadlines.

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

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

N. PETITIONS AND COMMUNICATIONS:**O. REPORTS AND RECOMMENDATIONS:****1. Receive 1st Quarter Financial Report**

Mayer gave a presentation and discussed the real estate transfer tax, charges for services including the ambulance and garbage collection fees, and sales tax including the home rule sales tax.

Council Council discussed the home rule sales tax expiration and requested that FAB review the tax and make a recommendation regarding its renewal. Council also discussed decreased water usage due to appliance efficiencies, 2018 bond amount, payments toward old bond payments, \$4M net decrease in debt, pension obligations, actuarial assumptions, and the borrowing interest rate.

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

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

2. Accept the 2017 Analysis of Impediments to Fair Housing Choice Report.

DiSanto gave opening comments and discussed the requirement to complete an analysis of impediments, that the last report was completed in 2007, the 2017 analysis was done by an outside consultant, the four impediments identified, and the proposed Action Plan.

Council discussed whether the report contains items that conflict with state and federal law, the appropriateness of having the Housing Advisory Commission (HAC) review the report, the Community Development Block Grant (CDBG) funding that was approved to address education and outreach programs, accepting the report does not commit the Council to implement all action items within five years, action items that do not require use of funds, prioritization of the action items, language barriers, contacting other municipalities, and data reflecting community households and opportunities for future development.

Broder explained the Action Plan categorizes items according to complexity and length of implementation, stated how Council and HAC would review items to be implemented, explained requirements for the Language Access Plan and how complaints can be filed per the Municipal Code.

DiSanto stated that education and outreach efforts are voluntary and will include staff, Council, board and commission members, as well as outside entities.

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

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

P. NEW BUSINESS:

Q. ADJOURNMENT:

At 8:18 p.m., a motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the meeting. The motion carried by the following vote:

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

**/S/ Pam Gallahue
Pam Gallahue, PhD
City Clerk**