



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, October 16, 2018

7:00 PM

Council Chambers

A. CALL TO ORDER:

Chirico called the meeting to order at 6:15 p.m.

B. ROLL CALL:

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

C. CLOSED SESSION - 6:15 p.m.

A motion was made by Councilwoman Gustin, seconded by Councilwoman Obarski, to recess to Closed Session to discuss: 120/2(c)(1) Performance of a Specific Individual; 120/2(c)(5) Purchase of Property; 120/2(c)(6) Sale of Property; and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

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

OPEN SESSION - 7:00 p.m.

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

D. ROLL CALL:

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

Also Present

Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; City Clerk, Pam Gallahue; Fire Marshall, Scott Scheller; Police Chief, Robert Marshall; Director of Finance, Rachel Mayer; Director of Human Resources, James Sheehan; Director of IT, Jeff Anderson; Deputy Director of TED, Jennifer Loudon; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Mark Curran; Deputy Director of Public Utilities - Water, Amy Ries; Director of Public Works, Dick Dublinski; Jennifer Lutzke, Senior Assistant City Attorney

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

- 1. Proclaim November 2018 as Homeless Kids Awareness Month

Hinterlong presented the Proclamation.

G. PUBLIC FORUM:

Singing for Seniors

Gary Leavenworth, thanked the Council for it's support through the SECA Grant and extended an invitation to the October 20, 2018 performance.

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:

Approval of the Consent Agenda

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to approve the Consent Agenda with the exception of items: I14-I16 Charleston Row II; I17-I19 Wash-U; I12 Tailoring by Monica; I21 Text amendment for Municipal Code Section 3-3-11; and I24 Text amendment for Article C-Chapter 1-Title 8. The motion carried by the following vote:

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

- 1. Approve 09/06/2018 thru 09/28/2018 Cash Disbursement for \$30,311,443.40

Council approved.

2. Approve the regular City Council meeting minutes of October 2, 2018

Council approved.

3. Approve the award of Cooperative Procurement 18-209, Office Supplies, to Office Depot for an amount not to exceed \$125,000 and for a one-year term

Council approved.

4. Approve the award of Option Year One to Contract 17-169, Parkway Tree Trimming, to Steve Piper and Sons for an amount not to exceed \$150,000

Council approved.

5. Approve the award of Sole Source Procurement 18-224, SunGard Public Sector Software Maintenance and Support, to CentralSquare Technologies (formerly CentralSquare Technologies and SunGard Public Sector) for an amount not to exceed \$336,450.14 and a one-year term

Council approved.

6. Approve the Award of Cooperative Procurement 18-250, Hewlett Packard Hardware, to Hewlett Packard, Inc. for an amount not to exceed \$260,136

Council approved.

7. Approve the award of Cooperative Procurement 18-251, Panasonic Ruggedized Hardware, to CDS Office Technologies for an amount not to exceed \$231,174

Council approved.

8. Approve the award of Change Order #1 to Contract 16-313, Psychological Testing, to The Friedman Group for an amount not to exceed \$12,500 and a total award of \$87,500 and for an additional six months

Council approved.

9. Approve the award of Change Order #1 to Contract 17-097, Holiday Lighting and Decorations, to Holiday Creations Pro, Inc. for an amount not to exceed \$50,210 for a total award of \$245,710

Council approved.

10. Approve recommended adjustment to pay ranges.

Council approved.

11. Approve the appointments of Student Representatives on Boards and Commissions.

Council approved.

12. Accept the public underground, street and street light improvements at Burlington Woods Estates and authorize the City Clerk to reduce the corresponding public improvement surety.

Council approved.

13. Approve the City Council meeting schedule for October, November, December 2018 and January 2019

Council approved.

14. Receive the staff report for Charleston Row II located at the southeast corner of Aurora Avenue and Main Street - PZC 18-1-062 (Item 1 of 3).

Toby Hayer, Naperville, spoke against the proposed conditional use.
Chuck Lesnik, spoke in favor of the proposed conditional use.
Vince Rosanova, Attorney for Petitioner, discussed how the roof design will handle snow and ice accumulation.

Louden explained signage for parking and delivery routes.

A motion was made by Councilman Coyne, seconded by Councilwoman Gustin, to receive the staff report for Charleston Row II located at the southeast corner of Aurora Avenue and Main Street - PZC 18-1-062. The motion carried by the following vote:

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

15. Pass the ordinance approving a Preliminary Plat of Subdivision and Abrogation of the Platted Setback Line along Main Street for Charleston Row II - PZC 18-1-062 (Item 2 of 3)

Enactment No.: ORD 18-119

A motion was made by Councilman Coyne, seconded by Councilman Hinterlong, pass the ordinance approving a Preliminary Plat of Subdivision and Abrogation of the Platted Setback Line along Main Street for Charleston Row II - PZC 18-1-062. The motion carried by the following vote:

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

16. Pass the ordinance approving a conditional use in the R2 District to permit single-family attached dwellings; and, variances to increase the maximum building height, decrease the required minimum lot area, and reduce the required rear yard setback along the south property line for Charleston Row II - PZC 18-1-062 (Item 3 of 3)

Enactment No.: ORD 18-120

A motion was made by Councilman Coyne, seconded by Councilwoman Gustin, pass the ordinance approving a conditional use in the R2 District to permit single-family attached dwellings; and, variances to increase the maximum

building height, decrease the required minimum lot area, and reduce the required rear yard setback along the south property line for Charleston Row II - PZC 18-1-062. The motion carried by the following vote:

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

17. Receive the staff report for Wash-U located at 1150 E. Ogden - PZC 18-1-072 (Item 1 of 3)

Kathy West, Attorney for Petitioner, detailed the request for a conditional use for an automobile service station and variances to allow a drive-through facility, to reduce the required major arterial setback, to reduce the required interior side yard setback for a ground sign, and to reduce the required five-foot setback around the perimeter of a parking lot.

Craig Nelson, Petitioner, discussed the sustainable efforts of the business and cars-per-hour data.

Dorin Ciucur, Naperville, spoke against the proposed development.

Steve Timmer, Petitioner, discussed the water reclamation investment and regeneration system of the car wash.

West discussed idling and stacking cars, the dual conveyor belt operation, proposed landscaping, the noise study, lighting, fencing, and that the time to complete a wash cycle is less than four minutes.

Council discussed variances, resident complaints, proposed location, and the challenges of attracting other businesses to Ogden Avenue.

Laff explained that a restaurant would need to request significant variances and that the proposed variances would not prevent redevelopment opportunities for the adjacent property.

West described the traffic control plan if a back-up occurs at the business.

Timmer said he has met with the Naperville Development Partnership and businesses in the area are supportive of the car wash. He said the proposal is a good fit for the area and that the business will bring quality, longevity, and stability. He also mentioned the two primary business investors.

Council discussed fencing, height of landscaping, traffic control plan, hours of operation, and lighting. Council described Ogden Avenue as a service corridor, not a retail corridor, and discussed other businesses located by existing car washes.

Laff stated that the City has not received complaints regarding other car washes, the proposed sign is an electronic message board, and that text changes are timed to prevent driver distraction.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the staff report for Wash-U located at 1150 E. Ogden - PZC

18-1-072. The motion carried by the following vote:

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

- 18.** Pass the ordinance approving a conditional use in the B3 District to permit an automobile service station for the property located at 1150 E. Ogden (Wash-U) - PZC 18-1-072 (Item 2 of 3)

Enactment No.: ORD 18-121

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving a conditional use in the B3 District to permit an automobile service station for the property located at 1150 E. Ogden (Wash-U) - PZC 18-1-072. The motion carried by the following vote:

Aye: 6 - Chirico, Brodhead, Hinterlong, Krummy, Obarski, and White

Nay: 3 - Anderson, Coyne, and Gustin

- 19.** Pass the ordinance approving variances to allow a drive-through facility to have a reduced setback adjacent to a residential property, reduce the required major arterial setback for the subject property, reduce the required interior side yard setback for a monument sign, and reduce the required five-foot setback around the perimeter of a parking lot for the property located at 1150 E. Ogden (Wash-U) - PZC 18-1-072 (Item 3 of 3)

Enactment No.: ORD 18-122

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving variances to allow a drive-through facility to have a reduced setback adjacent to a residential property, reduce the required major arterial setback for the subject property, reduce the required interior side yard setback for a monument sign, and reduce the required five-foot setback around the perimeter of a parking lot for the property located at 1150 E. Ogden (Wash-U) - PZC 18-1-072. The motion carried by the following vote:

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

- 20.** Pass the ordinance granting variances to reduce the parking setbacks and relocate the existing ground sign for the subject property located at 7 7th Avenue, Naperville (Tailoring by Monica) - PZC 18-1-071

Chirico recused himself to avoid the appearance of a conflict and left the dais from 8:18 p.m. - 8:46 p.m.

Hinterlong assumed Mayor Pro Tem.

Luke Gawalek, Tailoring by Monica, discussed the project and outlined the proposal to construct four parking spaces in the front of the building along Washington Street to accommodate additional customer parking.

Vince Rosanova, Attorney for Petitioner, discussed the easements and employee parking and stated the spaces will require variances to reduce the

setback, the corner side setback on 7th Avenue, and on the northern interior property line. The construction of the parking spaces will trigger the relocation of the existing ground sign and require variances for the style, setback, and location of the sign.

Laff explained that any variance is tied with the site, not the owners, and discussed the the need for a variance to permit the ground sign to stay in place.

Jeffrey Havel, Naperville, spoke against the requested variances.

Council discussed consistent signage on Washington and the appropriateness of requiring the installation of a conforming sign within a certain number of years.

Enactment No.: ORD 18-123

A motion was made by Councilman Krummen, seconded by Councilman Coyne, to pass the ordinance granting variances to reduce the parking setbacks and relocate the existing ground sign for the subject property located at 7 7th Avenue, Naperville (Tailoring by Monica) - PZC 18-1-071 as amended to grant staff authority to partner with the petitioner to install a monument sign within five years. The motion carried by the following vote:

Aye: 8 - Anderson, Brodhead, Coyne, Gustin, Hinterlong, Krummen, Obarski, and White

Recused: 1 - Chirico

- 21.** Conduct the first reading of an ordinance amending Section 3-3-11 of the Naperville Municipal Code increasing the serving limitation of the Class S - Specialty Wine Shop and Class P - Manufacturer as well as removing the restriction that wine and beer be manufactured on premises in the Class P - Manufacturer license classification, and increasing the yearly Marketing Permits available per Class P licensee from 2 to 12.

Council discussed location and zoning, products to be sold on site, co-branding opportunities, liquor code, food service, manufacturing requirements, and the amount brewed on site.

Laff discussed zoning code and how it delineates types of liquor establishments.

Lutzke explained the percentage of the premises to be designated for tastings.

First reading held.

- 22.** Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the Hometown Holidays/Friends of Little Friends Parade on Saturday, December 1, 2018

Enactment No.: ORD 18-117

Council passed.

- 23.** Pass an ordinance authorizing the City Manager to execute the third amendment to four

revocable license agreements between the city of Naperville and New Cingular Wireless PCS, LLC (“AT&T Mobility”)

Enactment No.: ORD 18-118

Council passed.

- 24.** Conduct the first reading of an ordinance amending Article C (Electric Service Rates) of Chapter 1 (Electricity) of Title 8 (Public Utilities) of the Municipal Code.

Jim Hill, Naperville, asked Council to do a more thorough review of the proposal.

Council discussed the review process, stated that the amendment has been seen by the Public Utility Advisory Board (PUAB) and the recommended cash reserve levels are currently being reviewed by the Financial Advisory Board (FAB). Council also discussed SMART meter benefits, that the voltage regulation system has performed as anticipated, and that the City is becoming more efficient.

Curran detailed the \$22/year savings per customer.

First reading held.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

- 1.** Pass an Ordinance authorizing a delegated sale of General Obligation (G.O.) Bonds for an amount not to exceed \$7,500,000

Enactment No.: ORD 18-124

A motion was made by Councilman Krummen, seconded by Councilman Hinterlong, to pass an ordinance authorizing a delegated sale of General Obligation (G.O.) Bonds for an amount not to exceed \$7,500,000. The motion carried by the following vote:

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

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

- 1.** Approve the award of Bid 18-204, Large Diameter Water Meters, to Core & Main LP, for an amount not to exceed \$1,401,948.50 and for a two-year term

A motion was made by Councilman Hinterlong, seconded by Councilman Krummen, to approve the award of Bid 18-204, Large Diameter Water Meters, to Core & Main LP, for an amount not to exceed \$1,401,948.50 and for a two-year term. The motion carried by the following vote:

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

Meeting recessed from 9:14 p.m. - 9:23 p.m.

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. OPTION A: Approve Ryan Companies request to initiate Phase II (Concept Refinement) of the Concept Creation process for the 5th Avenue area.

OPTION B: Continue the request to initiate Phase II (Concept Refinement) until December 4, 2018.

Louden gave opening comments regarding the current state of commuter parking at the Naperville Station and how staff is evaluating the number of parking spaces that would need to be added to make a measurable impact on the commuter quarterly parking permit waitlists.

Council discussed space turnover, residents selling spaces, that more than 90% of permit holders have a Naperville zip code, space capacity on the train, methods to identify people that have a permit but not using it, Metra predictions on load shifts, that Marquette is doing study on Lisle ridership, developments near train stations, what causes people to choose or not choose to park at Route 59, ask Downers Grove about ridership, the impact on PACE if parking permits were increased, and traffic in the neighborhood.

Louden stated Naperville and Route 59 stations are the busiest of Metra's 11 commuter rail service lines with nearly 10,000 riders per day, explained how riders access the stations, quarterly permit and daily use data, and the use of a commuter survey to gain insight into commuting patterns and preferences.

Patrick Kelly, Naperville, read a letter from the Steering Committee stating its support for delaying moving on to Phase II.

James Koller, Naperville, spoke against initiating Phase II at this time.

Marilyn Schweitzer, Naperville, spoke against initiating Phase II at this time.

Ann Graham, Naperville, discussed her experiences as a commuter.

Jeffrey Havel, Naperville, spoke against initiating Phase II at this time.

A motion was made by Councilman Krummen, seconded by Councilwoman Gustin, for Option B to continue the request to initiate Phase II (Concept Refinement) until December 4, 2018. The motion carried by the following vote:

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

2. Approve the award of RFP 18-182, City Advocate for 5th Avenue Redevelopment, to S.B.

Friedman for an amount not to exceed \$100,000 plus a 10% contingency (Item 1 of 2)

Jim Hill, Naperville, spoke in favor of using an outside consultant and questioned the compensation model for the firm.

DiSanto explained that, at this time, the proposed hourly-based fee model is preferred.

A motion was made by Councilman Krummen, seconded by Councilman Hinterlong, to approve the award of RFP 18-182, City Advocate for 5th Avenue Redevelopment, to S.B. Friedman for an amount not to exceed \$100,000 plus a 10% contingency. The motion carried by the following vote:

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

3. Adopt the resolution authorizing the City Manager to enter into an agreement with S.B. Friedman to act as an advocate to the City in connection with the 5th Avenue Redevelopment (Item 2 of 2)

Enactment No.: RES 18-016

A motion was made by Councilwoman Gustin, seconded by Councilwoman Brodhead, to adopt the resolution authorizing the City Manager to enter into an agreement with S.B. Friedman to act as an advocate to the City in connection with the 5th Avenue Redevelopment . The motion carried by the following vote:

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

P. NEW BUSINESS:

Pay Range Changes

Chirico discussed the approval of the changes and suggested using a consistent methodology for future recommendations.

By consensus Council directed staff to link annual pay range adjustments to a known benchmark such as CPI or other appropriate data.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of October 16, 2018 at 10:31 p.m. 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