



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, August 21, 2018

7:00 PM

Council Chambers

A. CALL TO ORDER:

Chirico called the meeting to order at 6:00 p.m.

B. ROLL CALL:

Present: 8 - Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Judith Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilwoman Rebecca Obarski
Councilman Benjamin White

Absent: 1 - Councilman John Krummen

C. CLOSED SESSION - 6:00 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)(2) Collective Bargaining; 120/2(c)(11) Pending Litigation; and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

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

Absent: 1 - Krummen

OPEN SESSION - 7:00 p.m.

Chirico called the meeting to order at 7:04 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 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; Director of Public Utilities - Electric, Mark Curran; Deputy Director of Public Utilities - Water, Amy Ries; Director of Public Works, Dick Dublinski; Fire Marshall, Scott Scheller

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:**1. Presentation of a Fire Chief's Award to Christine Sentman**

Chief Puknaitis presented the award.

G. PUBLIC FORUM:

Willowgate Subdivision Construction

Rikki Amesquita, discussed communication and instructions regarding parking during construction.

Novack explained the construction being performed, the letter that was sent to residents, and stated that the communication could have been clearer.

Marshall said that, should an incident occur, first responders would not be delayed due to the construction.

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 with the exception of items I20-City

Council meeting scheduled for September-November 2018; I27-Staff report for Whirlyball located at 3103 Odyssey Ave, PZC 18-1-038; I28-ordinance granting a variance to Section 6-9-3 to reduce the off-street parking requirements for the property located at 3103 Odyssey Ave, PZC 18-1-038; I29-ordinance approving the preliminary/final plat of subdivision for Odyssey West Lot 1B subdivision (Whirlyball) PZC 18-1-038; and I33-ordinance amending Sections 3-3-3 and 3-3-11 amending the Class P liquor license to incorporate craft distilleries. The motion carried by the following vote:

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

1. Approve 07/05/18 thru 07/26/18 Cash Disbursement for \$31,669,412.33

Council approved.

2. Approve the regular City Council meeting minutes of July 17, 2018

Council approved.

3. Approve the award of Cooperative Procurement 18-156, SmartNet Maintenance, to CDW-Government for an amount not to exceed \$268,356.67 and a one-year term

Council approved the award.

4. Approve the award for Cooperative Procurement, 18-166, Mobile Broadband Data Services, to Verizon Wireless for an amount not to exceed \$117,500 and for a one-year term

Council approved the award.

5. Approve the award of Cooperative Procurement 18-534, Cellular Phone Services, to Verizon Wireless for an amount not to exceed \$318,000 and for a one-year term

Council approved the award.

6. Waive the applicable provisions of the Naperville Procurement Code and award the Surplus Donation of Units 9308 and 9190 to the Naperville Heritage Society/Naper Settlement

Council waived the Procurement Code and approved the award.

7. Approve the award of Change Order #1 to Bid 17-124, Fire Department Personal Protection Gear, to LION First Responder for an amount not to exceed \$20,000 and a total award \$292,440

Council approved the award.

8. Approve the award of Bid 18-137, Northwest Pump Station Odor Control, to R.J. O'Neil, Inc. for an amount not to exceed \$174,200, plus a 5% contingency

Council approved the award.

9. Approve the award of Bid 18-142, North Pump Station Interceptor Sewer Phase 1 - 30" Diameter CIPP Sanitary Sewer Main, to J.C. Dillion Inc. for an amount not to exceed \$740,330, plus a 3% contingency
- Council approved the award.**
10. Approve the award of RFQ 18-032, Engineering Services for Storm Water Management and Special Management Area Projects, to Christopher B. Burke Engineering, Ltd., Engineering Resource Associates, V3 Companies Ltd., and WBK Engineering Ltd. as approved vendors for future projects and for a two-year term.
- Council approved the award.**
11. Approve the award of Bid 18-178, 2018 Royal St George Water Main Replacement, to Copenhaver Construction, for an amount not to exceed \$475,386.78, plus a 5% contingency
- Council approved the award.**
12. Approve the award of the First Extension to Contract 13-025A, Depository Banking, Lockbox and Safekeeping Services, to BMO Harris Bank for an amount not to exceed \$235,000 and for a 16-month term
- Council approved the award.**
13. Approve the award of Option Year One to Contract 16-260, Contract Meter Reading Services for Water, to Alexander's Inc. for an amount not to exceed \$421,200
- Council approved the award.**
14. Approve the award of Change Order #1 to Contract 18-004, 2018 Patching Program, to J A Johnson Paving Company for an amount not to exceed \$27,927 and a total award of \$426,127 and for an additional seven days
- Council approved the award.**
15. Approve the award of Cooperative Procurement 18-206, 2019 Peterbilt Model 348 Cab and Chassis, to J X Enterprises, Inc., for an amount not to exceed \$191,450.54
- Council approved the award.**
16. Approve the award of Change Order #2 to Contract 16-134, Municipal Advisory Services, to Speer Financial, Inc. for an amount not to exceed \$20,000 and a total award of \$111,671.66
- Council approved the award.**
17. Approve the award of Change Order #1 to Contract 18-012, IDenticard Building Access Control, to Pace Systems, Inc. for an amount not to exceed \$81,765 and a total award of \$146,015
- Council approved the award.**

18. Approve the award of Change Order #3 to Contract 18-006, 2018 Sidewalk Removal and Replacement, to Whiteline Construction, Inc. for an amount not to exceed \$18,488.50 and a total award of \$533,983

Council approved the award.

19. Accept the public improvements at Atwater, Ashwood Park North 4, Wolf Crossing Rd and Party City Bldg. Expansion and authorize the City Clerk to reduce the corresponding public improvement surety.

Council accepted.

20. Approve the City Council meeting schedule for September, October and November 2018

A motion was made by Councilwoman Gustin, seconded by Councilman Coyne, to approve the calendar as amended and move the November 6 meeting to Wednesday, November 7 due to the general election. The motion carried by the following vote:

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

21. Approve the use of an occupancy through December 31, 2018 at the owner's risk for Avis Rental Car at the subject property located at 504 S. Route 59, Unit 504, Naperville

Council approved the use.

22. Pass the ordinance approving a conditional use to permit a pet care establishment to have an outdoor area in the City's I (Industrial) District for the property located at 1847 West Jefferson Avenue (Wag N' Paddle) - PZC 18-1-043

Enactment No.: ORD 18-093

Council passed.

23. Pass the ordinance approving a variance to permit a screened-in porch addition in the required corner side yard at the subject property located at 570 S. Julian Street, Naperville - PZC 18-1-057

Enactment No.: ORD 18-094

Council passed.

24. Waive the first reading and pass the ordinance to establish two one-way stops at the intersection of Whirlaway Avenue and Jaipur Street/Riva Ridge Court (requires six positive votes).

Enactment No.: ORD 18-095

Council passed.

25. Waive the first reading and pass the ordinance amending Section 109.4 (Work Commencing Before Permit Issuance) of Section 5-1A-3 (Building Code: Amendments)

of the Naperville Municipal Code (requires six positive votes).

Enactment No.: ORD 18-096

Council passed.

- 26.** Pass the ordinance approving a variance to Section 6-16-4:2 of the Naperville Municipal Code to allow a wall sign to be installed on a residential property located at 2920 Leverenz Road, Naperville (Arbor Terrace) - PZC 18-1-063

Enactment No.: ORD 18-097

Council passed.

- 27.** Receive the staff report for Whirlyball located at 3103 Odyssey Avenue, Naperville - PZC 18-1-038 (Item 1 of 3)

Council discussed parking availability, traffic study, and potential congestion because of Top Golf guests parking in the proposed location.

Adam Alias, Petitioner, explained the Lombard parking study, stated that Naperville was compared to the Chicago location, and said the study showed 140 spots would be necessary for the Naperville but 150 would be accommodated. He said the facility is event driven, discussed subdividing the lot, the hours of operation, shared access locations, and independent lots.

Laff clarified that Top Golf did not receive a variance, discussed the Code requirements, and explained the reason for the proposed variance. She said parking must be contained on the site, so any problems must be resolved by the business.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the staff report. The motion carried by the following vote:

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

- 28.** Pass the ordinance granting a variance to Section 6-9-3 to reduce the off-street parking requirements for the property located at 3103 Odyssey Avenue, Naperville (Whirlyball) - PZC 18-1-038 (Item 2 of 3)

Enactment No.: ORD 18-101

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance granting a variance to Section 6-9-3 to reduce the off-street parking requirements for the property located at 3103 Odyssey Avenue, Naperville (Whirlyball) - PZC 18-1-038 (Item 2 of 3). The motion carried by the following vote:

Aye: 7 - Anderson, Brodhead, Coyne, Gustin, Hinterlong, Krummen, and White

Nay: 2 - Chirico, and Obarski

- 29.** Pass the ordinance approving a preliminary/final plat of subdivision for Odyssey West Lot 1B subdivision (Whirlyball) - PZC 18-1-038 (Item 3 of 3)

Enactment No.: ORD 18-102

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving a preliminary/final plat of subdivision for Odyssey West Lot 1B subdivision (Whirlyball) - PZC 18-1-038 (Item 3 of 3). The motion carried by the following vote:

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

- 30.** Waive the first reading and pass the ordinance to amend the parking restriction on the east side of Brainard Street from the centerline of Hillside Road to a point 150' north of the centerline of Hillside Road and to establish a no parking, stopping, or standing zone between 7:45 a.m.-8:15 a.m. and 2:15 p.m.-2:45 p.m. on school days on the north side of Hillside Road from Thornwood Drive to a point 95' west of the centerline of Thornwood Drive (requires six positive votes).

Enactment No.: ORD 18-098

Council passed.

- 31.** Pass the ordinance establishing temporary traffic controls and issue a Special Event permit for the 2018 Riverwalk Fine Art Fair on September 15-16, 2018

Enactment No.: ORD 18-099

Council passed.

- 32.** Waive the first reading and pass the ordinance to establish traffic-control signal intersections on Trumpet Avenue and rescind the signal at the 248th Avenue and Wolf's Crossing Road intersection (requires six positive votes)

Enactment No.: ORD 18-100

Council passed.

- 33.** Pass the ordinance amending Sections 3-3-3 and 3-3-11 of the Naperville Municipal Code amending the Class P liquor license to incorporate craft distilleries.

DiSanto clarified that distilleries are regulated by the State Liquor Commission, locations in Naperville are regulated by the Zoning Code, and that the present request is expanding the Class P to include distilleries.

Laff explained where distilleries would be located per the Zoning Code.

Enactment No.: ORD 18-103

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance amending Sections 3-3-3 and 3-3-11 of the Naperville Municipal Code amending the Class P liquor license to incorporate craft distilleries. The motion carried by the following vote:

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

34. Adopt the resolution approving a land use permit from the Naperville Park District for the South Central Interceptor Bank Stabilization project.

Enactment No.: RES 18-014

Council adopted.

35. Adopt the resolution approving a workers' compensation settlement between the City of Naperville and Steve Woodham

Enactment No.: RES 18-015

Council adopted.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Bid 18-177, Residential Water Meters, to Core and Main for an amount not to exceed \$1,799,380

Council asked about appropriateness of replacing meters at this time.

Krieger explained that the lifespan of the current manual meters is ending and that any meters purchased will have the ability to be read via an automated system.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of Bid 18-177, Residential Water Meters, to Core and Main for an amount not to exceed \$1,799,380. The motion carried by the following vote:

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

2. Approve the award of Change Order #1 to Contract 17-085, North Aurora Road Widening, to TranSystems Corporation for an amount not to exceed \$38,275 and a total award of \$1,380,948.23

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of Change Order #1 to Contract 17-085, North Aurora Road Widening, to TranSystems Corporation for an amount not to exceed \$38,275 and a total award of \$1,380,948.23. 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. Provide direction regarding the upcoming Downtown Vending Permit cycle.

Laff explained the two existing downtown permits and that one vendor is still active but the second vendor has relocated out of state, the history of the program, the two options being proposed, and that staff is seeking Council direction on how to move forward.

Council discussed setting a cap on the number of permits, input over the years from the Downtown Advisory Commission (DAC) and the Downtown Naperville Alliance (DNA), the desire to limit the amount of time staff spends on the process, and the appropriateness of regulating food trucks.

Laff explained that food trucks are prohibited on the streets in the downtown unless they are approved on private property.

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, directed staff to move forward with Option 2: Discontinue the downtown vending program and "grandfather" one existing vending permit. The motion carried by the following vote:

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

2. Finalize the list of 2018 International Building Code significant changes to be presented for public comment and direct staff to begin the public review period.

Council discussed GFI on sump pumps, smoke and carbon monoxide detector smart devices, egress windows, decks, life-saving surveys, fence around pools, and liability.

Novack explained that safety and quality of GFI is the builder's responsibility and that changes to the Code apply to remodels only.

Scheller explained how and when emergency escape windows would be required.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to finalize the list of 2018 International Building Code significant changes to be presented for public comment and direct staff to begin the public review period. The motion carried by the following vote:

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

3. Receive the 2018 2nd Quarter Financial Report

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the 2018 2nd Quarter Financial Report. The motion carried by the following vote:

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

4. Receive the 2019 Financial Projection Report

Council discussed Principle 2 (The City commits to continuous improvement in the delivery of necessary and cost-effective services) and the need to show metrics, revenue forecast, budget workshops, debt service, ability to maintain the Financial Principles and keep tax rate flat, taking advantage of growth, that the levy is not part of the Financial Principles, the possibility of modifying debt reduction, AAA bond rating, input from the Financial Advisory Board (FAB), inflation, and a potential future recession.

Mayer explained that staff is just starting to see indicators that show a dip in service, specifically in the finance department, and that additional examples of where departments are seeing service impacts will be presented at the September 4 Council meeting.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to received the 2019 Financial Projection Report. The motion carried by the following vote:

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

5. Receive the report on the City's 2019 Financial Priorities and Budget Development

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the report on the City's 2019 Financial Priorities and Budget Development. The motion carried by the following vote:

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

P. NEW BUSINESS:

Efficiency Study

Obarski discussed the recent Efficiency Study that was conducted and the existing Relationship Agreement.

By consensus, Council directed staff to draft a new Relationship Agreement with Naper Settlement for review.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of August 21, 2018 at 8:41 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

