

June 5, 2018 QA

Wednesday, May 30, 2018 3:33 PM

I. CONSENT AGENDA:

1. **18-444** Approve the regular City Council meeting minutes of May 15, 2018

2. **18-446** Approve the Minutes from the May 15, 2018 City Council 5th Avenue Workshop.

3. **17-949** Approve the award of Bid 18-103, Municipal Center Front Plaza and Parking Deck Restoration, to Mertes Contracting Corporation for an amount not to exceed \$293,758, plus a 5% contingency

4. **18-389** Approve the award of the Two-Year Extension to Contract 15-187, 15-187, Cross-Connection Control Testing Records Administrator, to Backflow Solutions Inc. Cross-Connection Control Testing Records Administrator, to Backflow Solutions Inc. Cross-Connection Control Testing Records Administrator, to Backflow

5. **18-430** Approve the award of Bid 18-052, Cast Iron Manhole Covers and Grates, Covers and Grates, to EJ USA, Inc. for an amount not to exceed \$118,257 to EJ USA, Inc. for an amount not to exceed \$118,257

- 6. **18-437** Approve the award of Cooperative Procurement 18-136, Four 2018 Ford Four 2018 Ford F-150 XL Pickup Trucks, to Roesch Ford for an amount not to exceed \$118,092
Roesch Ford for an amount not to exceed \$118,092

- 7. **18-424** Approve the Calendar Year 2019 (CY19) allocations for the City the City Obligations category of the SECA Grant Fund Program in the amount of \$1,002,388
Obligations category of the SECA Grant Fund Program in the amount of \$1,002,388

Q:	<ul style="list-style-type: none"> a. What caused the significant increase in the cost of the SECA Grant management software? b. Are all of these obligations the max that the city will pay and the actual costs are paid via reimbursement? Or, are these funds transferred out to the entities at these levels? E.g., NDP, Naperville Band, Century Walk Maintenance 	Boyd-Obarski, Rebecca
A:	<ul style="list-style-type: none"> a. The \$1,220 increase includes the annual 5% increase for maintenance, updates, and bug fixes. The increase also includes the addition of CDBG and Social Services grant application functionality and rights for a second grant administrator. b. The obligations are the maximum that the City will pay. Actual costs for some maintenance items and the City's portion of the 4th of July celebrations may be reimbursed at a lesser amount than what was awarded. Other obligations such as DCM debt, NDP marketing and promotion, and salary are disbursed at the approved amount on a quarterly basis. 	Gallahue, Pam

8. **18-400** Approve the award of Change Order #1 to Contract 17-129, South Central 17-129, South Central Protection Engineering Design-Phase II, Interceptor Sewer Hardening and Protection Engineering Design-Phase II, to Strand Associates for an amount not to exceed \$42,904 and a total award of \$276,224

9. **18-456** Approve the City Council meeting schedule for June, July and August 2018 and August 2018

10. **18-440** Conduct the first reading of an ordinance amending Title 1, Chapter 6, Article A of the Naperville Municipal Code and adding Chapter 14 to Title 1 to the Naperville Municipal Code to establish an administrative procedure for assessing and determining claims made under the Public Safety Employee Benefits Act.

Q:	I 10. To what age are dependent children covered?	Hinterlong, Paul
A:	Per the PSEBA dependent children are covered "until the end of the calendar year in which the child reaches the age of 25...".	DiSanto, Mike

11. **18-402B** Pass the ordinance approving a variance to permit a 6' tall solid fence in the required corner side yard at the subject property located at 2609 Springdale Circle, Naperville - PZC 18-1-034

- 12. **18-448** Pass the ordinance approving a preliminary/final plat of subdivision and owner's acknowledgement & acceptance (OAA) for Center Place Subdivision located at 815 Center Street and 35 E. 8th Avenue, Naperville PZC 18-1-014
- 13. **17-849B** Adopt the resolution approving an amendment and execution of a temporary lease agreement with Partners in Performance
- 14. **18-420** Pass the ordinance establishing temporary traffic controls and issue a Special Event Permit and Amplifier Permit for Ribfest 2018
- 15. **18-426** Approve the firework display application and issue a permit for the July 4th, 2018 display at Knoch Park for The Exchange Club of Naperville
- 16. **18-445** Approve the firework display application and issue a permit for the June 30, 2018 display at White Eagle Golf Club

J. PUBLIC HEARINGS:

- 1. **18-323D** Receive the staff report for Enclave on Book located at east of Book Road and north of Hassert Boulevard, PZC 18-1-001 (Item 1 of 7)

Q:	Does the street width and court bulb meet all codes? I don't see storm water pipes on the plan. How will the water be conveyed?	Hinterlong, Paul

A:	The street and the cul-de-sac designs meet city standards for local streets. Drainage for the site is conveyed through storm sewers from north to southeast. The storm sewer outlet is restricted so stormwater will back up into the detention basin on the south side of the development.	Zibble, Peter
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2. **18-447** Conduct the public hearing for Enclave on Book located at 11007 S. Book Road - PZC 18-1-001 (Item 2 of 7)
3. **18-449** Pass the ordinance authorizing the execution of an annexation agreement for the property located at 11007 S. Book Road - PZC 18-1-001 (Item 3 of 7)
4. **18-452** Pass the ordinance annexing certain property located at 11007 S. Book Road - PZC 18-1-001 (Item 4 of 7)
5. **18-391B** Pass the ordinance rezoning the property located at 11007 S. Book Road to R1 (Low Density Single Family Residence District) - PZC 18-1-001 (Item 5 of 7)
6. **18-453** Pass the ordinance approving the preliminary/final plat of subdivision for Enclave on Book - PZC 18-1-001 (Item 6 of 7)
7. **18-392B** Pass the ordinance approving a variance to Section 6-6L-7 of the Naperville Municipal Code for the property located at 11007 S. Book Road - PZC 18-1-001 (Item 7 of 7)

L. ORDINANCES AND RESOLUTIONS:

1. **18-438** Conduct the first reading of the ordinance amending Chapter 4 (Animal Control) of Title 10 (Police Regulations) of the Naperville Municipal Code

Q:	<p>Shouldn't 10-4-17 mirror 10-4-18 and be 48 months if the paperwork may need to be referred to between 2 years and 4 years?</p> <p>10-4-18:3 how old can a report from the USDA be? 6 months, year, 2 years, etc?</p> <p>10-4-5-4:2.1 I'd like to see these times reduced if there's consensus.</p>	Hinterlong, Paul
A:	<p>10-4-17 mirrors the state law requiring pet stores to keep USDA inspection paperwork for two years. The inspection paperwork and the warranty requirements are separate and not related and therefore do not need to have the same timeframe.</p> <p>The USDA generates a report after each inspection of a commercial breeding facility. As a general rule, inspections occur at least once a year, however, facilities that are substantially compliant may only be inspected every 18 months. Facilities that have certain violations are re-inspected to ensure compliance, and therefore may have several inspections each year.</p> <p>Noted.</p>	Foley, Kristen

Q:	Can you explain how the proposed ordinance would be impacted by the	
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	passage of the Good Samaritan law that is moving along in Springfield. Do any parts of this ordinance conflict with that proposed law?	Coyne, Kevin
A:	<p>The City ordinance would not be impacted if SB 2294 were passed. SB 2294 proposes immunity from criminal and civil liability for a person who has a good faith belief that an animal locked in a car is in imminent danger and takes action to remove the animal from the vehicle. This means that the person removing an animal would be able to assert an immunity defense if criminally charged for breaking the car window or sued civilly to recover the cost of the damage. This bill is currently assigned to the Assignments Committee.</p> <p>The City ordinance is designed as a prohibition from keeping animals in cars under certain weather conditions and allows the animal owner to be cited for violating the ordinance. Further, police, animal control officers or other people authorized by law can enter the vehicle to protect the health and safety of the animal.</p>	Foley, Kristen
Q:	Would staff please list communities in Illinois that have passed ordinances that have prohibited the sale of puppies in pet stores unless they are sourced from rescue or shelter organizations. Also please list any successful legal challenges to those passed ordinances.	Anderson, Becky
A:	Chicago, Warrenville, Crest Hill, Waukegan, Cook County and Kankakee County have all banned the sale of puppies from commercial breeders in pet stores. Both the City of Chicago and Cook County ordinance were challenged in federal court and both ordinances were upheld.	Foley, Kristen

2. **18-461** Receive the staff report for the Naperville IPT Subdivision (IPT Industrial Building) - PZC 18-1-025 (Item 1 of 4)

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Q:	Am I reading the plan correctly for Frontenac Court easement to go onto lot 1 with a 52 foot easement and then to ours at 43 feet? Is that how we are going to get access to our lot?	Hinterlong, Paul
A:	That is correct. The public right-of-way for Frontenac Court will terminate at the east property line of Lot 1. The developer for the IPT Subdivision will then provide a 52 foot wide ingress-egress easement and construct a roadway to connect the public right-of-way to the city-owned Lot 2.	Zibble, Peter

3. **18-462** Pass the ordinance approving the preliminary/final plat of subdivision for the Naperville IPT Subdivision (IPT Industrial Building) - PZC 18-1-025 (Item 2 of 4)
4. **18-463** Adopt the resolution approving an easement agreement with IPT - PZC 18-1-025 (Item 3 of 4)
5. **18-464** Adopt the resolution approving a purchase and sale agreement with IPT - PZC 18-1-025 (Item 4 of 4)

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. **18-379** Approve the award of Change Order #1 to fund years two and three of Contract 17-119, Spot Purchases of Single Phase and Three-Phase Transformers, to CG Power Systems USA, Inc., Graybar Electric Company, Power Line Supply, RESCO, Universal Utility Supply Co, and WESCO for an amount not to exceed \$1,520,000 and a total award of \$2,215,993

O. REPORTS AND RECOMMENDATIONS:

1. **18-466** Approve the 2018 City goals

Q:	The financial goal was initially established in 2015 with an 8-year window, should that goal be edited to state by 2023? Or within 5 years?	Boyd-Obarski, Rebecca
A;	Yes, we will revise it to state "by 2023".	Schatz, Marcie