



City of Aurora

City Hall Council Chambers
2nd Floor
44 East Downer Place
Aurora, IL

City Council Meeting Minutes - Final

Tuesday

August 13, 2013

6:00 PM

ROLL CALL

Mayor Weisner called the meeting to order at 6:10 p.m.

Present: 13 - Mayor Tom Weisner, Alderman Abby Schuler, Alderman Juany Garza, Alderman Ted Mesiacos, Alderman Bill Donnell, Alderman John Peters, Alderman Mike Saville, Alderman Scheketa Hart-Burns, Alderman Rick Mervine, Alderman Edward Bugg, Alderman Lynne Johnson, Alderman Richard Irvin and Alderman Bob O'Connor

PLEDGE OF ALLEGIANCE

INVOCATION

MINUTES OF MEETING OF JULY 23, 2013

Alderman Hart-Burns moved, seconded by Alderman Irvin to approve the minutes of the Council Meeting held on July 23, 2013. Motion carried by voice vote.

MINUTES OF MEETING OF AUGUST 6, 2013

Alderman Hart-Burns moved, seconded by Alderman Irvin to approve the minutes of the Council Meeting held on August 6, 2013. Motion carried by voice vote.

APPOINTMENT OF SERGEANT-AT-ARMS

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, to appoint Officer Hester as Sergeant-at-Arms for this meeting. The motion carried by voice vote.

CONSENT AGENDA

Alderman Hart-Burns moved, seconded by Alderman Irvin, to approve the Consent Agenda as read.

Alderman Donnell advised that although he is a former part time employee of WBK, he has been advised that no conflict of interest exists. Thus, he will be voting on agenda item 13-00424.

[13-00428](#)

Resolution authorizing the execution of a Memorandum of Understanding between the City of Aurora, Kane County, and the City of Elgin, for the participation in the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and the use of the Aurora's portion towards the APD equipment purchases.

A motion was made by Alderman O'Connor that this item be removed from the Consent Agenda and placed on Unfinished Business, as it is in need of a Public Hearing. The motion was seconded by Alderman Hart-Burns. The motion carried by voice vote.

Enactment No: R13-241

[13-00421](#)

Ordinance granting a special use permit with a final plan on 1.37 acres for a gasoline station use and variances to setback lines located at the northeast corner of N. Farnsworth Avenue and Bilter Road, Aurora, Illinois (Chicago Title Land Trust Company, Trust #5077 / Thorntons - AU01/1-13.044-Su/Fpn/V - JR/JHS - Ward 1).

A motion was made by Alderman Schuler, seconded by Alderman Saville, that this item be removed from the Consent Agenda and placed on Unfinished Business. The motion carried by voice vote.

Enactment No: O13-043

[13-00422](#)

Resolution accepting the dedication of 40 feet of right-of-way for N. Farnsworth Avenue located at the northeast corner of N. Farnsworth Avenue and Bilter Road, Aurora, Illinois (Chicago Title Land Trust Company, Trust #5077 / Thorntons - AU01/1-13.044- Su/Fpn/V - JR/JHS - Ward 1).

A motion was made by Alderman Schuler, seconded by Alderman Saville, that this item be removed from the Consent Agenda and placed on Unfinished Business. The motion carried by voice vote.

Enactment No: R13-242

[13-00489](#)

Resolution appointing Sheila Gray, William Small, Qocavib Revolorio to the Human Relations Commission with terms to expire August 1, 2016.

A motion was made by Alderman Bugg, seconded by Alderman Irvin, that this item be removed from the Consent Agenda and placed on Unfinished Business. Alderman Bugg stated he was not able to view the nominees' résumés until forty five (45) minutes prior to this meeting. The motion carried by voice vote.

Enactment No: R13-254

Alderman Hart-Burns moved, seconded by Alderman Irvin, to approve the Consent Agenda as amended. Motion carried unanimously.

[13-00415](#)

A Resolution for acceptance of improvements and maintenance security for Phil's Irrigation - 720 N. Farnsworth Ave.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-232

[13-00416](#)

A Resolution for acceptance of improvements and maintenance security for West Suburban Bank - 1311 Butterfield Road.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-233

[13-00423](#)

Resolution authorizing the first extension of the term of the intergovernmental agreement between the City of Aurora and the Aurora Civic Center Authority regarding the management of Riveredge Park and John C. Dunham Pavilion - Planning & Zoning.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-234

[13-00424](#)

Resolution authorizing the professional services contract with R.C. Wegman and WBK Associates for Riveredge Park bridge concept development in an amount of \$98,300 plus reimbursables - Planning & Zoning.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-235

[13-00425](#)

Resolution authorizing the professional services contract with Ter Molen Watkins & Brandt LLC for Riveredge park master plan fundraising in an amount of \$48,000.00 plus reimbursables - Planning & Zoning.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-236

[13-00426](#)

Resolution accepting the quotation from Fulton Technologies, Roselle, Illinois in the amount of \$136,750.00 to purchase two (2) warning sirens and purchase one siren system controller for the Office of Emergency Management.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-237

[13-00427](#)

Resolution accepting the bid from J&S Construction Sewer and Water, Inc., Oswego, Illinois in the amount of \$55,000.00 for the demolition of the buildings located at 172-174 S. Lake Street and 178 S. Lake Street, Aurora, Illinois .

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-238

[13-00429](#)

Resolution authorizing a supplemental contribution to Aurora Downtown for year 2013.

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-239

[13-00461](#)

Resolution authorizing the execution of a Redevelopment Agreement with Modesto Ventures, LLC, for the property located at 35 and 37 West New York Street - Development Services (**held from the 7/9/2013 committee meeting**).

A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-240

UNFINISHED BUSINESS

[13-00440](#)

Ordinance Amending Chapter 6, Section 6-28 entitled "Hours of Operation" of the City of Aurora's Code of Ordinances.

A motion was made by Alderman Hart-Burns , seconded by Alderman Saville, that this agenda item be returned to the Government Operations Committee, on the agenda for 8/27/2013. The motion carried by voice vote.

(Public Hearing)

Mayor Weisner opened the Public Hearing relating to agenda item 13-00428 - Resolution authorizing the execution of a Memorandum of Understanding between the City of Aurora, Kane County, and the City of Elgin, for the participation in the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and the use of the Aurora's portion towards the APD equipment purchases.

Aurora Police Lieutenant Michael Abbs made a brief presentation. Mayor Weisner asked if there were any speakers. There being no speakers, motion was made by Alderman Hart-Burns, seconded by Alderman Irvin to close the public hearing. The motion carried by voice vote.

[13-00428](#)

Resolution authorizing the execution of a Memorandum of Understanding between the City of Aurora, Kane County, and the City of Elgin, for the participation in the Edward Byrne Memorial Justice Assistance Grant (JAG) Program and the use of the Aurora's portion towards the APD equipment purchases.

A motion was made by Alderman Hart-Burns, seconded by Alderman Mervine, that this resolution be approved. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Enactment No: R13-241

[13-00421](#)

Ordinance granting a special use permit with a final plan on 1.37 acres for a gasoline station use and variances to setback lines located at the northeast corner of N. Farnsworth Avenue and Bilter Road, Aurora, Illinois (Chicago Title Land Trust Company, Trust #5077 / Thorntons - AU01/1-13.044-Su/Fpn/V - JR/JHS - Ward 1).

A brief presentation was made by a Thornton's representative in regards to environmental concerns and their containment plans. Alderman Schuler expressed the concerns of area residents in regards to area size, area plantings, and the wetlands. A motion was made by Alderman Saville, seconded by Alderman Hart-Burns, that this ordinance be adopted. The motion carried.

Aye: 7 - Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Saville, Alderman Mervine, Alderman Bugg and Alderman Irvin

Nay: 5 - Alderman Schuler, Alderman Peters, Alderman Hart-Burns, Alderman Johnson and Alderman O'Connor

Enactment No: O13-043

[13-00422](#)

Resolution accepting the dedication of 40 feet of right-of-way for N. Farnsworth Avenue located at the northeast corner of N. Farnsworth Avenue and Bilter Road, Aurora, Illinois (Chicago Title Land Trust Company, Trust #5077 / Thorntons - AU01/1-13.044- Su/Fpn/V - JR/JHS - Ward 1).

A motion was made by Alderman Saville, seconded by Alderman Hart-Burns, that this resolution be approved. The motion carried.

Aye: 7 - Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Saville, Alderman Mervine, Alderman Bugg and Alderman Irvin

Nay: 5 - Alderman Schuler, Alderman Peters, Alderman Hart-Burns, Alderman Johnson and Alderman O'Connor

Enactment No: R13-242

[13-00489](#)

Resolution appointing Sheila Gray, William Small, Qocavib Revolorio to the Human Relations Commission with terms to expire August 1, 2016.

Chief Management Officer Carie Anne Ergo advised that a small glitch in our new system may have prevented some City Council members to be able to view the nominees' Résumés in a timely manner. This issue has already been corrected, and all Aldermen are now able to view those on their iPads.

Alderman Bugg moved, seconded by Alderman Johnson, to hold this item for two weeks. Motion carried.

Aye: 11 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

Nay: 1 - Alderman Peters

Enactment No: R13-254

REQUESTS AND REFERRALS

The following Requests and Referrals were referred to the Planning Council and Planning Commission:

[13-00531](#)

Letter of Submittal - AU02/3-12.387-Fsd - Final Plat on 18.1363 acres to resubdivide Lots 1, 2, and 3 into two lots to create two separate zoning lots located at 945 and 965 Corporate Boulevard by MITUTOYO AMERICA CORPORATION (Ward 1 - TM/DF)

Letter of Submittal - AU01/4-13.082-Rz - Rezoning Petition on 45.08 acres for the expansion of the existing retail uses at 1901 Bilter Road by THE NORTHERN TRUST COMPANY, TRUSTEE (Ward 1 - JR/DF)

Letter of Submittal - AU36/4-13.218-AR - Administrative Review for an addition to the Cancer Center and the relocation of the helicopter pad at 2000 Ogden Avenue by COPLEY MEMORIAL HOSPITAL, INC. (Ward 3 - TM)

Letter of Submittal - AU11/2-13.243-A - Plat of Annexation on 2.2 acres with B-2(S) zoning located at the NWC of Molitor Road and N. Farnsworth Avenue by ESTATE OF ADELIN DIEHL & CHICAGO TITLE LAND TRUST CO., TRUST #303 (Ward 1 - JR/DF)

REPORTS

[13-00460](#)

Corporate Funds Investment Report - Second Quarter 2013

A motion was made by Alderman O'Connor, seconded by Alderman Hart-Burns, to accept and file this report. The motion carried by voice vote.

BILLS

[13-00532](#)

Special Accounts Payable Summary ---- Dated 8/01/13 ----	\$ 588,372.94
Total Accounts Payable Summary ----- Dated 8/15/13 ----	3,888,064.41*
Payroll Summary ----- Dated 8/01/13 ----	3,963,800.66
Wire Transfers (5) -----	<u>962,359.85</u>
TOTAL	<u>\$9,402,597.86</u>

* Including (76) large bill items totaling \$3,876,019.80.

A motion was made by Alderman Hart-Burns, seconded by Alderman O'Connor, that this agenda item be approved and pay. The motion carried.

Aye: 12 - Alderman Schuler, Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Hart-Burns, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

SPEAKERS

A motion was made by Alderman Hart-Burns , seconded by Alderman Mervine, that the following speakers be allowed to address City Council. The motion carried by voice vote.

- 13-00547** Peggy Hicks addressed City Council in reference to agenda item 13-00489.
- 13-00548** Bishop Phillips, representing the Fox Valley Christian Ministerial Alliance, addressed City Council in reference to agenda item 13-00489.
- 13-00549** Jimi Allen, owner of the Gravity Building, addressed City Council in reference to a non-agenda item - the Gravity Building at 56 S. Lasalle St.
- 13-00550** Cliff Parrish, out of Somonauk, addressed City Council in reference to a non-agenda item - the Gravity Building at 56 S. Lasalle St.
- 13-00551** Eric Andersen, of West Chicago, addressed City Council in reference to a non-agenda item - the Gravity Building at 56 S. Lasalle St.
- 13-00552** Chris Rud, of West Chicago, addressed City Council in reference to a non-agenda item - the Gravity Building at 56 S. Lasalle St.
- 13-00553** Randy Schoof, of Aurora, addressed City Council in reference to a non-agenda item - the Gravity Building at 56 S. Lasalle St.
- 13-00554** Joan Solms, of Aurora, addressed City Council in reference to a non-agenda item - Jericho Circle.

CLOSED SESSION

Alderman Hart-Burns moved, seconded by Alderman Irvin that, at the close of this meeting, the City Council go into Closed Session to discuss pending litigation, exception Section 2 (c) (11) of the Open Meetings Act, which authorizes this meeting to be closed to the public and that the City Clerk be directed to record the vote of each Alderman on this motion. Motion carried.

ADJOURN

A motion was made by Alderman Hart-Burns , seconded by Alderman Irvin, that this meeting be adjourned at 7:06 p.m. The motion carried by voice vote.