



# City of Aurora

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

## City Council Meeting Minutes - Final

Tuesday

October 22, 2013

6:00 PM

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### ROLL CALL

The City Council meeting was called to order at 6:06 p.m. by Mayor Pro Tem O'Connor, and the Roll was called.

**Present:** 11 - 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

**Absent:** 1 - Mayor Tom Weisner

### PLEDGE OF ALLEGIANCE

### INVOCATION

### MINUTES OF MEETINGS OF OCTOBER 8, 2013

[13-00619](#)

Approval of the Minutes of the October 8, 2013 City Council Meeting.

**Alderman Hart-Burns moved, seconded by Alderman Irvin, to approve the minutes of the Council Meeting held on October 8th, 2013. The motion carried.**

**Aye:** 10 - Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Saville, Alderman Mervine, Alderman Bugg, Alderman Johnson, Alderman Irvin and Alderman O'Connor

**Abstain:** 1 - Alderman Hart-Burns

### APPOINTMENT OF SERGEANT-AT-ARMS

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

## PRESENTATIONS

[13-00746](#)

Proclamation recognizing Lead Poisoning Prevention Week October 20 - 26, 2013.

*Mayor Pro Tem O'Connor presented the director of Kane County Health Promotion division, Theresa Heaton, with a certificate proclaiming the week of October 20-26, 2013 as Lead Poisoning Prevention Week in Aurora.*

*Ms. Heaton thanked the Mayor and City Council, on behalf of the Kane County Health Department and the Kane County Healthy Places Coalition, for recognizing their persistent efforts to protect children against lead poisoning.*

[13-00731](#)

Proclamation recognizing the 20th Anniversary of Dominican Literacy Center.

*Mayor Pro Tem O'Connor presented the Dominican Literacy Center's Advisory board with a certificate proclaiming September of the year 2013 to be Dominican Literacy Center of Aurora month. Among the members present were Executive Director sister Kathleen Ryan, sister Ann Clennon, sister Jane Ann Beckman, and Board of Directors President Amy Manion.*

[13-00780](#)

Seize the Future Presentation

*Chairman of the Seize the Future Board of Directors, Charlie Doss, introduced the new President and CEO of the Seize the Future Development Foundation, David Hulseberg. Mr. Hulseberg comes from the Village of Lombard, where he was City Manager, and has extensive economic development experience.*

*Mr. Hulseberg is looking forward to a great relationship with all, and to be able to help the growth of the business community.*

## CONSENT AGENDA

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

**Aye:** 11 - 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

[13-00602](#)

A Resolution Approving a Developer Agreement between the City of Aurora and Joseph Corporation Regarding the Neighborhood Stabilization Program (NSP)

**This Resolution was approved.**

Enactment No: R13-292

[13-00630](#)

Ordinance to Authorize the Disposition of a Property Located at 329 South Lincoln Avenue - Neighborhood Stabilization Program (NSP)

**This Ordinance was adopted.**

Enactment No: O13-058

- [13-00632](#) Ordinance to Authorize the Disposition of a Property Located at 458 South Union Street - Neighborhood Stabilization Program (NSP)  
**This Ordinance was adopted.**  
Enactment No: O13-059
- [13-00633](#) Ordinance to Authorize the Disposition of a Property Located at 590 East Downer Place - Neighborhood Stabilization Program (NSP)  
**This Ordinance was adopted.**  
Enactment No: O13-060
- [13-00635](#) Resolution Authorizing the Mayor and City Clerk to Approve the Local Agency Agreement for Federal Participation with the State of Illinois, to Execute the Construction Engineering Agreement with HR Green, Inc. and to Appropriate Motor Fuel Tax Funds for Construction and Construction Engineering Services for the Indian Trail Bridge Project  
**This Resolution was approved.**  
Enactment No: R13-293
- [13-00688](#) Resolution Establishing the Maximum Number of City of Aurora Liquor Licenses by Class.  
**This Resolution was approved.**  
Enactment No: R13-294
- [13-00689](#) Resolution Establishing the Maximum Number of City of Aurora Liquor Licenses by Class.  
**This Resolution was approved.**  
Enactment No: R13-295
- [13-00690](#) Resolution Authorizing the Purchase of Cisco computing and networking equipment for the Police Department in the amount of \$231,072.45 from Sentinel Technologies, Inc.  
**This Resolution was approved.**  
Enactment No: R13-296
- [13-00697](#) Resolution Authorizing the City of Aurora to Enter into a Residential Lease Agreement for 22 West Park Place  
**This Resolution was approved.**  
Enactment No: R13-297

[13-00712](#)

Resolution Establishing the Maximum Number of City of Aurora Liquor Licenses by Class.

**This Resolution was approved.**

Enactment No: R13-298

[13-00714](#)

Resolution approving a preservation grant to James P. & Ramona Schweizer in the amount of \$24,000 for the property located at 425 West Park Avenue, Aurora, Illinois. (James P. Schweizer - AU21/2-13.355-AG/GR- SP/CW - Ward 6)

**This Resolution was approved.**

Enactment No: R13-299

[13-00715](#)

Resolution approving a Preservation Grant to Thomas F. Orlowski in the amount of \$6,000 for the property located at 333 Lawndale Avenue, Aurora, Illinois. (Thomas F. Orlowski - AU15/3-13.365-AG/GR- SP/CW - Ward 6)

**This Resolution was approved.**

Enactment No: R13-300

[13-00716](#)

Resolution approving a Preservation Grant to Pamela K. & Herman E. Shelton in the amount of \$1,100 for the property located at 427 W. New York Street, Aurora, Illinois. (Pamela K. & Herman E. Shelton - AU21/2-13.363-AG/GR - CW/SP - Ward 6)

**This Resolution was approved.**

Enactment No: R13-301

[13-00717](#)

Resolution approving a Preservation Grant to Rachel & Kevin Trenkamp in the amount of \$3,800 for the property located at 358 Sunset Avenue. (Rachel & Kevin Trenkamp - AU16/4-13.356-AG/GR - SP/CW - Ward 6)

**This Resolution was approved.**

Enactment No: R13-302

[13-00719](#)

Resolution approving a Preservation Grant to John & Melinda Wright in the amount of \$1,800 for the property located at 381 Spruce Street, Aurora, Illinois. (John and Melinda Wright - AU21/2-13.364-AG/GR - CW/SP - Ward 6)

**This Resolution was approved.**

Enactment No: R13-303

[13-00721](#)

An Ordinance Dissolving the City of Aurora Tax Increment Financing District #2 (Farnsworth TIF).

**This Ordinance was adopted.**

Enactment No: O13-061

### UNFINISHED BUSINESS

[13-00486](#)

An Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, in order to rezone from M-1 and M-2 to PDD, approve a Concept Plan and grant a Variance to parking stall width for the 45.08 acre property located at 1901 Bilter Road (The Northern Trust Company, Trustee - Au01/4-13.082-Rz/V - JR/TD - Ward 1)

**A motion was made by Alderman Johnson, seconded by Alderman Bugg, that this agenda item be held. The motion failed**

**Aye:** 4 - Alderman Saville, Alderman Bugg, Alderman Johnson and Alderman Irvin

**Nay:** 7 - Alderman Garza, Alderman Mesiacos, Alderman Donnell, Alderman Peters, Alderman Hart-Burns, Alderman Mervine and Alderman O'Connor

Enactment No: O13-062

*Bill Wiet introduced Danielle De Vita, Senior Vicepresident of Development with Simon Property Group, who lead a presentation on the concept plan and concept drawings on the proposed 290,000 sq.ft. expansion, contiguous to the existing center. The plan includes green spaces and customer features such as fountains and additional seating. Ms. De Vita said they estimate the expansion will generate numerous retail full and part time jobs.*

*Project Architect Doug Williams with FRCH presented a power point with imagery for the project's proposed design.*

*Ms. De Vita answered questions from several aldermen in regards to the layout, tenant occupation, and the community forum that was held in September.*

*A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, to allow speakers to address City Council. The motion carried by voice vote.*

*Mr. Roger Vernon, of Ginger Woods Dr., addressed the City Council in regards to some concerns related to the expansion.*

*Gary Behling, of Barkston Ln, addressed City Council in regards to high taxes for homeowners at Carillon at Stonegate.*

*There was additional questions and comments from some Aldermen in regards to the parking variance. Questions were addressed by Civil Engineer Greg Wolterstorff, and Bill Wiet.*

**A motion was made by Alderman Saville, seconded by Alderman Hart-Burns, that this ordinance be adopted. The motion carried.**

**Aye:** 11 - 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: O13-062

[13-00566](#)

An Ordinance providing for the execution of an Annexation Agreement providing for M-1(S) Manufacturing District, Limited with a Special Use Planned Development with the Owners of Record Of Territory which may be Annexed to the City Of Aurora and which is located south of Mettel Road, north of Sullivan Road, between Clearwater Drive and Nottingham Drive in Kane County Illinois  
(Commonwealth Edison Company - AU10/1-13.268-PA - TM - Ward 1)

*Corporation Counsel Alayne Weingartz spoke briefly in regards to this item.  
Mr. Goldsmith addressed City Council in regards to the process, and expressed gratitude for the opportunity to move this project forward.*

**A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this agenda item be adopted. The motion carried.**

**Aye:** 11 - 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: O13-063

**A motion was made by Alderman Hart-Burns, seconded by Alderman Mervine, to take together related items numbered 13-569, 13-570, 13-571, 13-572, and 13-573. The motion carried by voice vote.**

**A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that agenda items 13-569, 13-570, 13-571, 13-572, and 13-573 be adopted. The motion carried unanimously.**

[13-00569](#)

An ordinance annexing territory located south of Mettel road, north of Sullivan Road between Clearwater Drive and Nottingham drive to the City of Aurora, Illinois 60505 (Commonwealth Edison Company - AU10/1-13.269-A (Ward 1 - TM)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-064

[13-00570](#)

An ordinance establishing a Special Use Planned Development and approving a plan description on 4.7 acres located at 200 E. Sullivan Road (Linda F. Claud, LLC - AU10/2-13.270-RZ/SU - TM - Ward 1)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-065

[13-00571](#)

An ordinance amending ordinance number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by rezoning property from R-1 One Family Dwelling District To M-1(S) Manufacturing District, Limited Special Use Planned Development, and establishing a plan description for 30.8 acres located south of Mettel, north of Indian Trail, and east of Aurora Avenue (Commonwealth Edison Company - AU10/4-13.271-Rz/Su - TM - Ward 1)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-066

[13-00572](#)

An ordinance establishing a Special Use Planned Development, and approving a Plan Description for non-metallic mining on 49.83 acres located at 213 Mettel Road (The City of Aurora - AU10/1-13.290-Su - TM - Ward 1)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-067

[13-00573](#)

An Ordinance Amending Ordinance Number 3100, Being The Aurora Zoning Ordinance And The Zoning Map Attached Thereto, By Rezoning Property From R-1(S) To ORI(S) Office/Research/Light Industrial Special Use Planned Development, and establishing a Plan Description for 17.99 acres located at the northeast corner of Illinois Route 25 and Sullivan Road (The City of Aurora - AU10/1-13.291-Rz/Su - TM - Ward 1)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-068

[13-00660](#)

An Ordinance providing for the execution of an Annexation Agreement providing for B-2(S) Business District, General with a Special Use Planned Development zoning with the owners of record of territory which may be annexed to the City of Aurora and which is located at the northwest corner of Molitor Road and N. Farnsworth Avenue, being 3.63 acres of vacant land in Kane County, Illinois (Estate of Adeline Diehl & Chicago Title Land Trust Co., Trust #303 - AU11/2-13.242-PA/SU - JR/MG - Ward 1) (If Moved Forward By the Planning and Development Committee at its 9/26/2013 meeting, a Public Hearing will be Scheduled for the 10/22/2013 City Council Meeting)

**Mayor Pro Tempore O'Connor opened the Public Hearing relating to this agenda item, and 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.**

Enactment No: O13-069

**A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that this ordinance be adopted. The motion carried.**

**Aye:** 11 - 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: O13-069

**A motion was made by Alderman Hart-Burns , seconded by Alderman Mervine, to take together related items numbered 13-661 and 13-662. The motion carried by voice vote.**

**A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, that agenda items 13-661 and 13-662 be adopted. The motion carried unanimously.**

[13-00661](#)

An Ordinance annexing certain property being 3.63 acres of vacant land located at the northwest corner of Molitor Road and N. Farnsworth Avenue to the City Of Aurora, Illinois, pursuant to an approved Annexation Agreement (Estate of Adeline Diehl & Chicago Title Land Trust Co., Trust #303 - AU11/2-13.243-A - JR/MG - Ward 1) (If moved forward by the Planning and Development Committee at its 9/26/2013 meeting, this item should accompany the Annexation Agreement to the 10/22/2013 City Council meeting as Unfinished Business after the Public Hearing)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-070

[13-00662](#)

An Ordinance establishing a Planned Development District for B-2(S) zoning, approving a Plan Description and a Concept Plan pursuant to the terms of the Plan Description for property located at the northwest corner of Molitor Road and N. Farnsworth Avenue, being 3.63 acres of vacant land in Kane County, Illinois (Estate of Adeline Diehl & Chicago Title Land Trust Co., Trust #303 - AU11/2-13.242-PA/Su - JR/MG - Ward 1) (If moved forward by the Planning and Development Committee at its 9/26/2013 meeting, this item should accompany the Annexation Agreement to the 10/22/2013 City Council meeting as Unfinished Business after the Public Hearing)

**This ordinance was adopted.**

**Aye:** 11 - 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: O13-071

[13-00724](#)

An Ordinance Providing for the Issuance of \$9,565,000 Aggregate Principal Amount of General Obligation Refunding Bonds, Series 2013, of the City of Aurora, Kane, DuPage, Kendall and Will Counties, Illinois, Confirming the Sale Thereof, and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of Principal of and Interest on Said Bonds.

*City Treasurer Brian Caputo briefly spoke about this item.*

**A motion was made by Alderman Hart-Burns, seconded by Alderman Mervine, that this ordinance be adopted. The motion carried.**

**Mayor Pro Tem O'Connor expressed his appreciation to Mr. Caputo and the staff for being alert to these opportunities, and the savings that these bring to the citizens of Aurora.**

**Aye:** 11 - 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: O13-072

## **NEW BUSINESS**

**A motion was made by Alderman Hart-Burns, seconded by Alderman Mervine, to consider items under New Business. Motion carried by voice vote.**

[13-00759](#)

Resolution Establishing the Maximum Number of City of Aurora Liquor Licenses by Class.

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

**Aye:** 11 - 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: R13-304

[13-00737](#)

Permission to allow 34th Street Films, an independent film company based in Aurora to film scenes utilizing Middle Avenue between Cross and Gale on four separate occasions between October 20th and 30th.

**Alderman Hart-Burns presented this item, which was forwarded from the Government Operations Committee as Information Only. The dates have been amended to October 23rd to October 30th.**

### REQUESTS AND REFERRALS

[13-00779](#)

AU27/1-13.013-Rz/Su - Rezoning and Special Use Petition on .444 acres rezoning property from B-3 and R-4 to B-2(S) with a Special Use for a gas station and convenience store at 300 S. Broadway by **M-N-M, INC.** (Ward 4 - TM)

AU16/1-13.443-Su/R - Special Use Revision for an addition to the existing religious institution building located at 1101 Foran Lane by **SAI SAMSTHAN USA** (Ward 6 - TV)

**The above Requests and Referrals were referred to the Planning Council and Planning Commission.**

### BILLS

[13-00778](#)

Bill Summary and Large Bill List

**A motion was made by Alderman Hart-Burns, seconded by Alderman Irvin, to approve and pay the bills as presented. The motion carried.**

**Aye:** 11 - 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 Irvin, to allow speakers to address City Council. The motion carried by voice vote.**

[13-00600](#)

A speaker has signed up to address the City Council at the meeting to be held on October 22nd, 2013. Joyce Scott-Smith, out of Danville, IL, would like to speak about a proposal for occupancy of the old Copley Hospital.

*This speaker was not present.*

[13-00634](#)

A speaker has signed up to address the City Council at the meeting to be held on October 22nd, 2013. Ricky Rodgers, of Stolp Av., would like to speak about the planned demolition of the property located at 126 S. Kendall St.

*Mr. Rodgers addressed City Council in regards to the possible demolition of the property located at 126 S. Kendall St.*

*Bill Wiet advised City Council members that this property is Outside City Limits.*

## 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

**Alderman Hart Burns moved, seconded by Alderman Irvin, to adjourn the meeting at 7:29 p.m. Motion carried by voice vote.**

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Isabel M. Garcia-Kodron  
City Clerk