



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Final

City Council

Tuesday, April 19, 2022

7:00 PM

Council Chambers

REVISED AGENDA 4/15/22: ADDED ITEM 22-0364 UNDER CONSENT AGENDA

Agenda Introductory Language

TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>

TO SUBMIT PUBLIC COMMENT OR SPEAK LIVE AT THE MEETING: To address the City Council in-person in City Council Chambers, members of the public must register by 4 p.m. on April 19 at: www.naperville.il.us/speakersignup

The public may choose to provide public comment in any of the following ways:

1. Submit a written comment to the City in advance of the City Council meeting by 4 p.m. on April 19. Written comments will be compiled and posted with the electronic meeting agenda on the City's website prior to the start of the meeting. The cumulative number of comments will be announced during the City Council meeting.
2. Submit a one-word statement of "SUPPORT" or "OPPOSITION" regarding a specific agenda item. The names of participants who submitted position statements will be compiled and posted with the electronic meeting agenda on the City's website prior to the start of the meeting. The cumulative number of position statements will be announced during the City Council meeting.
3. Address the City Council live during the City Council meeting in-person in City Council Chambers. Individuals wishing to address the Council during the meeting must sign up to speak by 4 p.m. on April 19.
Online sign-up closes at 4 p.m. on April 19, at which time no other speakers or comments will be accepted. There will be no on-site speaker sign up.

PUBLIC ACCOMMODATION:

- Any individual who may require an accommodation to listen to or participate in the meeting should contact the Community Services Department at (630) 305-5300 by 4 p.m. on April 19.
- Questions regarding online sign-up may be directed to the Community Services Department by calling (630) 305-5300.

PARTICIPATION GUIDELINES:

The citizen participation guidelines are outlined in 1-5-6-6: - CITIZEN PARTICIPATION of the Naperville Municipal Code.

- **ALL VIEWPOINTS AND OPINIONS WELCOME:** All viewpoints are welcome, positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Council members, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.
- **SPEAKER TIME LIMITS:** Speakers must limit their remarks to no more than three minutes. Petitioners may speak on an agenda item first and have up to 10 minutes and are also granted a five-minute rebuttal once all other speakers have commented.
- **IF YOU SIGNED UP TO SPEAK,** staff will call your name at the appropriate time during the City Council meeting. Once your name is called you may identify yourself for the public record and then address remarks to the City Council as a whole. Speak clearly and try to limit remarks directly to the matter under discussion. Speakers are called in the order they sign up.

A. CALL TO ORDER:

Chirico called the meeting to order at 6:30 p.m.

B. ROLL CALL:

Present: 9 - Mayor Steve Chirico
Councilwoman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White

C. CLOSED SESSION - 6:30 p.m.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to recess to Closed Session to discuss 120/2(c)(11) Pending Litigation and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, 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 Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White

Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; Director of Community Services/City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Director of Human Resources, James Sheehan; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Deputy Director of TED, Jennifer Loudon; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Brian Groth; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski, Director of Communications, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

Chirico and members of Council offered condolences to former Councilwoman Judy Brodhead on the recent loss of her husband, Gary.

F. AWARDS AND RECOGNITIONS:

1. Proclaim April 19, 2022 Edward-Elmhurst Health Donor Registration Day in the City of Naperville

Gustin presented the Proclamation to Dr. Robert Payton, Chief Medical Officer; Patricia Fairbanks, Chief Nursing Officer; and Colin Dalough, Manager of Community and Government Relations for Edward-Elmhurst Health.

2. Proclaim April 17-24, 2022 Earth Week Naperville

Bruzan Taylor and Sullivan presented the Proclamation to Angelique Harshman, Nature Center Manager of the Knoch Knolls Nature Center.

G. PUBLIC FORUM:**H. CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR THE CONSENT AGENDA:**

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to use the Omnibus method to approve the Consent Agenda. The motion carried by a voice vote.

I. CONSENT AGENDA:

Present: 9 - Mayor Steve Chirico
Councilwoman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White

Approval of the Consent Agenda

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the Consent Agenda with the exception of item I16. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

1. Approve the Cash Disbursements for the period of 03/01/2022 through 03/31/2022 for a total of \$25,974,642.08
Council approved.
2. Approve the regular City Council meeting minutes of April 5, 2022
Council approved.
3. Approve the City Council meeting schedule for May, June and July 2022
Council approved.
4. Approve the award of RFQ 22-109, Engineering Consulting Services for Springbrook Water Reclamation Center, to Black & Veatch, Carollo Engineers, CDM Smith and Donohue & Associates for future projects and a three-year term
Council approved.
5. Approve the award of Option Year Three to Contract 18-008, Electric Tree Trimming, to D. Ryan Tree & Landscape, LLC for an amount not to exceed \$100,000
Council approved.

6. Approve the award of Cooperative Procurement 22-077, Dump Trucks, Units 224 and 228, to JX Peterbilt for an amount not to exceed \$535,649

Council approved.

7. Approve the award of Cooperative Procurement 22-132, Influent Screening Building Heater/Ventilation Replacement to Trane Commercial Systems and Services for an amount not to exceed \$394,154, plus a 5% contingency

Council approved.

8. Approve the award of Cooperative Procurement 22-134, West-Southwest Waterworks 8.0 MG Ground Storage Reservoir Rehabilitation, to Garland/DBS for an amount not to exceed \$312,861, plus a 5% contingency

Council approved.

9. Approve the award of Change Order #1 to Option Year One of Contract 18-022, Motor Fuel Tank Wagon, to Heritage FS, Inc. for an amount not to exceed \$21,382.68 and a total award of \$171,382.68

Council approved.

10. Approve the award of Change Order #2 to Contract 21-394, Electrician Services, to Volt Electric Inc. for an amount not to exceed \$69,846 for a total award of \$188,491

Council approved.

11. Approve the award of Bid 22-020, Summerfield Lift Station Rehabilitation, to Marc Kresmery Construction, LLC. for an amount not to exceed \$433,500, plus a 5% contingency

Council approved.

12. Approve the award of Bid 22-003, 2022 Crackfilling Program, to Denler Inc. for an amount not to exceed \$362,305.75, plus a 5% contingency (Item 1 of 2)

Council approved.

13. Adopt an IDOT resolution in the amount of \$362,305.75 to allow expenditure of state motor fuel tax dollars to fund the 2022 Crackfilling Program (Item 2 of 2)

Enactment No.: RES 22-08

Council adopted.

14. Approve the award of Bid 22-005, 2022 Micro-Surfacing Program, to AC Pavement Striping, Inc. for an amount not to exceed \$639,186.00, plus a 3% contingency (Item 1 of 2)

Council approved.

15. Adopt an IDOT resolution in the amount of \$575,321.00 to allow expenditure of state

motor fuel tax dollars to fund the 2022 Micro-Surfacing Program (Item 2 of 2)

Enactment No.: RES 22-09

Council adopted.

16. Pass the ordinance approving the 2022 Sidewalk Removal and Replacement Program Property Owner's Cost Sharing Program

Council discussed total program cost, the cost share between residents and the City, administrative time, local government services, best practices of other municipalities, and the appropriateness of the City funding 100% of the program in 2023.

Novack explained that the City spent \$1M in replacement costs and billed \$300K for 2021, that staff time is approximately \$35,000, and that residents have declined the Social Services Grant assistance program that is in place.

Council discussed the number of households versus the number of complaints, that the current system works well, coordination of performing sidewalk repairs during teardown construction and infrastructure repair, liens, the appropriateness of committing to a program with no associated revenue stream, and requested data from area municipalities with similar programs.

Enactment No.: ORD 22-043

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving the 2022 Sidewalk Removal and Replacement Program Property Owner's Cost Sharing Program. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

17. Pass the ordinance granting an extension to the temporary use for parking facilities located on Monarch Landing Lots 1B, 1C, and 2 to remain in place until commencement of construction on the property or until June 2, 2025, whichever occurs first - PZC 22-1-020

Enactment No.: ORD 22-039

Council passed.

18. Pass the ordinance establishing temporary traffic controls and issue a Special Event permit for the Memorial Day Parade on Monday, May 30, 2022

Enactment No.: ORD 22-040

Council passed.

19. Pass the ordinance establishing temporary traffic controls and issue a Special Event permit for the G.L.O.W. 5K Run on Saturday, May 21, 2022

Enactment No.: ORD 22-041

Council passed.

20. Pass the ordinance granting a variance to Section 6-2-3:3.2 for a front porch at 228 4th Avenue - PZC 22-1-012

Enactment No.: ORD 22-042

Council passed.

21. Waive the applicable provisions of the Naperville Procurement Code and award Procurement 22-135, Emergency Notification System Renewal, to Everbridge, Inc. for an amount not to exceed \$41,028.98 and for a one-year term (requires 6 positive votes)

Council approved.

22. Approve the award of Cooperative Procurement 22-125, Pierce Enforcer Pumper, Unit 317, to MacQueen Emergency Group, for an amount not to exceed \$736,000

Council approved.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. Pass the ordinance approving an amendment to increase the City of Naperville Annual Budget for Calendar Year 2021 by \$1,000,000 and approving a cash transfer from the General Fund to the Naper Settlement Fund (requires six positive votes)

Mary Lou Wehrli discussed Naper Settlement finances and asked that certain stipulations be attached to the transfer.

Council discussed tabling the item to allow representatives from Naper Settlement to be present.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to table the ordinance approving an amendment to increase the City of Naperville Annual Budget for Calendar Year 2021 by \$1,000,000 and approving a cash transfer from the General Fund to the Naper Settlement Fund to May 3, 2022. The motion carried by a voice vote.

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Bid 22-001, 2022 Street Resurfacing Program - MFT, to K-Five Construction, for an amount not to exceed \$4,973,248.50, plus a 3% contingency (Item 1 of 2)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Bid 22-001, 2022 Street Resurfacing Program - MFT, to K-Five Construction, for an amount not to exceed \$4,973,248.50, plus a 3% contingency. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

2. Adopt an IDOT resolution in the amount of \$4,973,248.50 to allow expenditure of state motor fuel tax dollars to fund the 2022 Street Resurfacing Program - MFT (Item 2 of 2)

Enactment No.: RES 22-010

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to adopt an IDOT resolution in the amount of \$4,973,248.50 to allow expenditure of state motor fuel tax dollars to fund the 2022 Street Resurfacing Program - MFT. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. Receive the Bridge to 2023 Priorities Plan status update

WRITTEN COMMENT ONLY

Catherine Clarkin (Naperville Environment and Sustainability Task Force)
As co-chairs of the Naperville Environment and Sustainability Task Force we would like to wish you all a happy Earth Day. Since the first Earth Day in 1970, visionary leaders and citizen action lead to the passage of the Clean Water Act, the Clean Air Act, fuel efficiency standards, the cleanup of polluted lakes and rivers, and countless other laws and regulations that mean we can breathe (relatively) clean air and drink clean water. Here in Naperville, our City government has expressed a commitment to environmental sustainability, most recently with the Sustainability Workshop on August 31 of last year and the adoption of Naperville's strategic plan. Tonight, you will hear an update on progress on some of the City's sustainability efforts. NEST has appreciated the opportunity to have a seat at the table as Naperville implements these various efforts. Sustainability means leaving future generations the same access to opportunities and resources that we enjoy today. This is something that we all want! And looking at Naperville's strategic plan, sustainability is stated as a guiding principle. But, looking forward, as City Council considers how to make a deeper commitment to sustainability, setting specific, measurable goals is required. Swift action to address climate change is needed if the planet AND Naperville are to avoid further climate catastrophe. The current sustainability work plan is a checklist of sustainability initiatives. However, if the City sets a goal to reduce greenhouse gas emissions by 50% by 2030, in line with international goals, then sustainability and climate change start to be something that is considered across the board in every government policy and project. Each project, each ordinance has a new metric to consider - what is its impact on our greenhouse gas emissions goal? This shift in thinking will allow Naperville to make meaningful progress and do our part as a member of the global community to address climate change. Other cities in our region and across the country are making commitments to greenhouse gas reduction

goals. We can join them and also show the way for others. We can also prioritize and set other goals that will guide us towards sustainable action, for example, waste diversion, solar adoption, electric vehicle infrastructure goals. You will also be hearing tonight about the metrics that the City will be tracking that relate to sustainability and climate change. Tracking these in light of progress towards our goals to become more sustainable, resilient, and address climate change is what makes all that data meaningful. If we are not making progress towards our goals, we know that something needs to change. Let's take the next step together to deepen Naperville's commitment to creating a truly sustainable, resilient community. Thank you, and once again, happy Earth Day! Cathy Clarkin Carl VanDril NEST Co-Chairs

Schatz gave an overview of the Bridge to 2023 Priorities Plan and Arres, Puknaitis, and Gallahue updated the Council on the status of the public safety and sustainability priorities.

The status update was received.

P. NEW BUSINESS:

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of April 19, 2022 at 8:29 p.m. The motion carried by a unanimous vote.

/S/ Pam Gallahue
Pam Gallahue, PhD
Community Services Director/City Clerk