



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Final

City Council

Tuesday, February 1, 2022

7:00 PM

Council Chambers

Agenda Introductory Language

Due to the COVID-19 pandemic, members of the public attending the meeting may do so subject to compliance with COVID-19 safety protocols, including wearing face coverings at all times while inside City buildings.

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 February 1 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 February 1. 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 February 1. Online sign-up closes at 4 p.m. on February 1, at which time no other speakers or comments will be accepted. There will be no on-site speaker sign up.

Online sign-up closes at 4 p.m. on February 1, 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 February 1.
- 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.

A. CALL TO ORDER:

Chirico called the meeting to order at 7:00 p.m.

B. ROLL CALL:**C. CLOSED SESSION - Canceled**

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

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

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to allow Councilman Kelly to participate via teleconference. The motion carried by a voice vote.

Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; Director of Community Services/City Clerk, Pam Gallahue; Deputy Fire Chief, Amy Scheller; 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; Budget Manager-Finance, Ray Munch

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

G. PUBLIC FORUM:

Sno Problems Food Truck

Britt Harriman (co-owner/operator) discussed the health department permit process, opportunities to give back to the community, and spoke against imposing additional requirements on food truck operations. Harriman's partner spoke about regulations in other municipalities, difficult turnaround time, and the number of permits necessary to operate.

Laff explained that the City does not regulate food truck operation on private property, that operators need to seek approval from the health department and property owners, and that staff is meeting with the Downtown Naperville Alliance and the Chamber to discuss the appropriateness of developing food truck requirements on private property.

Gallahue confirmed that there is no permitting process or City fee for food truck operations at special events and that trucks are inspected by the Fire Marshal as part of the overall site/vendor inspection process.

Land Use Master Plan

Max W. Coolidge II discussed concerns about an unincorporated parcel that is a home to vet conversion but is designated as residential property on the plan.

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:

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 I11. The motion carried by the following vote:

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

1. Approve the regular City Council meeting minutes of January 18, 2022
Council approved.
2. Approve the City Council meeting schedule for February, March and April 2022
Council approved.
3. Approval of Mayoral appointment to the Public Utilities Advisory Board
Council approved.
4. Approve the award of Change Order #1 to Contract 21-192, Hosting Capacity Study, to CMY Solutions LLC for an additional one year and a new completion date of December 31, 2022
Council approved.
5. Approve the award of Change Order #1 to Contract 21-275, Springbrook Water Reclamation Center Structural Repairs, to Crossroad Construction, Inc. for an amount not to exceed \$18,664.70 for a total award of \$148,664.70 and for an additional 59 days
Council approved.
6. Approve the award of Change Order #2 to Contract 21-163, Springbrook Water Reclamation Center Structural Engineering, to Fehr Graham & Associates LLC (formerly Deuchler Engineering Corporation) adding 105 days
Council approved.
7. Approve the award of Option Year Three to Contract 17-133, Land Surveying Services, to Christopher B. Burke Engineering, Engineering Resource Associates, Farnsworth Group, Hampton, Lenzini and Renwick, Inc., Ridgeline Consultants and Robinson Engineering for an amount not to exceed \$200,000
Council approved.
8. Approve the award of Option Year 1 to Contract 21-017, Sanitary Sewer Manhole Rehabilitation, to Spectra Tech, LLC for an amount not to exceed \$185,460, plus a 5% contingency
Council approved.
9. Approve the award of Cooperative Procurement 22-061, Police Department Roof Restoration - Phase Three and Final, to Weatherproofing Technologies Inc./Tremco for an amount not to exceed \$215,645.36 and a 5% contingency

Council approved.

10. Approve the award of Bid 21-376, Transmission Pole Painting, to Morris Painting, Inc. for an amount not to exceed \$650,700 and for a one-year term

Council approved.

11. Adopt the resolution authorizing the City Manager to execute the 2022 Pace Paratransit Local Share Agreement for the operation of the Ride DuPage Program

Enactment No.: RES 22-02

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adopt the resolution authorizing the City Manager to execute the 2022 Pace Paratransit Local Share Agreement for the operation of the Ride DuPage Program and to direct staff to work with the City's partners on improved efficiency of the program. The motion carried by the following vote:

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

12. Pass the ordinance granting a variance to the sign requirements to permit Napleton Mazda to install a new ground sign at the property located at 2363 Aurora Avenue - PZC 21-1-122

Enactment No.: ORD 22-006

Council passed.

13. Pass the ordinance authorizing the issuance of General Obligation (GO) Bonds for an amount not to exceed \$7,500,000

Enactment No.: ORD 22-007

Council passed.

14. Pass the ordinance approving a two-year extension of the effective period of the deviations and fee-in-lieu of parking approved by Ordinance 20-014 for the River Main development from February 19, 2022 to February 19, 2024 - PZC 19-1-131

Enactment No.: ORD 22-008

Council passed.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. Conduct the first reading of the ordinance amending Title 6 (Zoning Regulations) Chapter 1 (Zoning Title, Purpose, Definitions) Section 6 (Definitions) and Title 6 (Zoning

Regulations) Chapter 8 (Industrial Districts) Article B (ORI Office, Research and Light Industry District) of the Naperville Municipal Code regarding the ORI Zoning District - PZC 21-1-144

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to conduct the first reading. The motion carried by a voice vote.

2. Receive the staff report for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 1 of 6)

Patti A. Bernhard (Attorney for Petitioner) explained the proposal and highlighted contiguous areas, the ROW variance, and building set back.

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

3. Conduct the public hearing to consider the Annexation Agreement for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 2 of 6)

The public hearing was opened at 7:29 p.m.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to close the public hearing at 7:29 p.m. The motion carried by a voice vote.

4. Pass the ordinance authorizing the execution of the Annexation Agreement (requires six positive votes) for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 3 of 6)

Enactment No.: ORD 22-009

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance authorizing the execution of the Annexation Agreement (requires six positive votes) for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101. The motion carried by the following vote:

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

5. Pass the ordinance annexing 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 4 of 6)

Enactment No.: ORD 22-010

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance annexing 8S201 College Road (Timec Resubdivision) - PZC 21-1-101. The motion carried by the following vote:

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

6. Pass the ordinance rezoning 8S201 College Road (Timec Resubdivision) to E2 upon annexation - PZC 21-1-101 (Item 5 of 6)

Enactment No.: ORD 22-011

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance rezoning 8S201 College Road (Timec Resubdivision) to E2 upon annexation - PZC 21-1-101. The motion carried by the following vote:

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

7. Pass the ordinance approving a deviation to the width of the parcels at the right-of-way and the preliminary/final plat of subdivision for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101 (Item 6 of 6)

Enactment No.: ORD 22-012

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance approving a deviation to the width of the parcels at the right-of-way and the preliminary/final plat of subdivision for 8S201 College Road (Timec Resubdivision) - PZC 21-1-101. The motion carried by the following vote:

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

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Cooperative Procurement 21-281, Police Department Body Worn Cameras and In-Car Video System to Axon Enterprise, Inc for an amount not to exceed \$2,257,634.97 and for a five-year term

Council discussed the selection process and maintenance plan going forward.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Cooperative Procurement 21-281, Police Department Body Worn Cameras and In-Car Video System to Axon Enterprise, Inc for an amount not to exceed \$2,257,634.97 and for a five-year term. 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. Approve the proposed CY2022 SECA Grant Fund Program allocations

Dawn DeSart (Naper Pride) thanked the Council for supporting the event, reviewed the 2021 event, discussed financial support and attendance numbers, and changes that will be made in 2022.

Andi Dempsey (Naper Pride) clarified social media comments regarding the event and organization, stated that Naper Pride is becoming a resource for other communities, and corrected discrepancies in the Final Report regarding attendance.

Katherine Kennedy (Naper Pride) discussed growth goals, vendor bookings, and potential future event locations.

Josh Stell (Naper Pride) discussed attendance in 2021, budget review, positive event goer experiences, that organizers returned grant money in 2020, and broke even in 2021.

Council asked about lessons learned from visiting other Pride events.

Margie Wolf (Naper Pride) discussed site layout, vendor costs to participate, the cost of national talent, and the importance of marketing locally. She went on to say that after attending Irish Fest the group decided against locating at Frontier Park Sports Complex due to the distance from the train station.

Council thanked the SECA Commission members for their hard work of reviewing, meeting, and proposing allocations; the SECA mission statement; the importance of being a welcoming community; and whether the event date could be moved.

Wolf responded that Chicago and suburban Pride events are in June, that hosting a Naperville event in June would negatively impact neighbor communities, and that the Naper Settlement schedule is very full.

Michael Brown (Soul2Soul Foundation & Naperville Soulfest) thanked the Council for supporting the event.

Council discussed the Naper Pride event and appropriateness of funding it to the amount recommended by the SECA Commission by using SECA Grant Fund underspend from 2021.

A motion was made by Councilwoman Sullivan, seconded by Councilwoman Gustin, to approve the proposed CY2022 SECA Grant Fund Program allocations as amended by funding Naper Pride-Operations at the \$69,155 amount recommended by the SECA Commission by using 2021 underspend. The motion carried by the following vote:

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

2. Receive feedback from the Planning and Zoning Commission on Downtown Design Standards and direct staff accordingly

Laff reviewed the item and explained that the Planning and Zoning Commission (PZC) recommended creating a new guideline that would require accent colors, which include a design element but are not clearly identifiable with a brand or logo, be reviewed and approved prior to their allowance in the Downtown. She went on explain that If the new guideline is approved, PZC review and approval would only be required when a design element is proposed on a downtown façade and that façade changes that include new logos/branding would continue to be reviewed by staff through the sign permit process.

Council discussed businesses in the Downtown, current building designs, paint colors, and stain.

By a show of hands, there was not consensus supporting the proposed new design guideline.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to concur with the PZC to add a new design guideline that would require accents that include a design feature to be reviewed and approved by the PZC and add a requirement that stain is prohibited from being applied to an unpainted building. The motion failed by the following vote:

Aye: 4 - Bruzan Taylor, Gustin, Hinterlong, and White

Nay: 5 - Chirico, Holzhauser, Kelly, Leong, and Sullivan

3. Receive the Preliminary 2021 Year-End Financial Report

Munch presented the report and stated an investment report regarding federal funding will be brought to the Council in mid-2022.

Mayer discussed the self-insurance fund and reserve strategy.

Report received.

P. NEW BUSINESS:

Fire Department

Holzhauser thanked Deputy Chief Scheller for the service provided by the EMTs.

SECA Grant funding

Chirico discussed establishing funding criteria related to event success, funding need, community impact, and attendance. Council also discussed the appropriateness of developing a list of events/initiatives that may receive funding if additional money is found or an event is canceled.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilman Holzhauser, to adjourn the Regular City Council Meeting of February 1, 2022 at 9:20 p.m. The motion carried by a voice vote.

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