



# City of Naperville

400 S. Eagle Street  
Naperville, IL 60540

## Meeting Minutes

### City Council

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Tuesday, December 3, 2019

7:00 PM

Council Chambers

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#### 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  
Councilwoman Judith Brodhead  
Councilman Kevin Coyne  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman Patrick Kelly  
Councilman John Krummen  
Councilwoman Theresa Sullivan  
Councilman Benjamin White

#### Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Police Chief, Robert Marshall; 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, Lucy Podlesny; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski

Daily Herald, Naperville Sun, NCTV-17

#### E. PLEDGE TO THE FLAG:

The pledge was given.

#### F. AWARDS AND RECOGNITIONS:

**G. PUBLIC FORUM:**

Chirico called for a moment of silence for Naperville Central graduate, Ruth George.

Chirico explained the new online speaker signup process and encouraged people to use it for upcoming meetings.

**Veto Session Update**

State Rep. Anne Stava-Murray gave a veto session update on a number of issues.

**Historic District**

Tim Messer discussed opportunities to better market the Historic District.

**Driveway apron to be removed as part of the MIP**

Ron Franczyk requested he be allowed to keep the driveway in place.

Novack explained that, as a result of complaints, Council directed staff to remove aprons without driveways behind them and neighborhood notifications went out last week.

**Race relations in Naperville**

Michael Childress discussed the recent incidents in Naperville and the response of the members of City Council.

Council commented on the incidents and clarified that several members have attended events and that staff and Council were at the most recent Naperville Neighbors United meeting.

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

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to use the Omnibus method to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**I. CONSENT AGENDA:****Approval of the Consent Agenda**

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

1. Approve the regular City Council meeting minutes of November 19, 2019  
**Council approved.**
2. Approve the City Council meeting schedule for December 2019 and January & February 2020  
**Council approved.**
3. Approve the award of Option Year Two to Contract 16-219, Temporary Employment Services, to FutureNet Group, LaSalle Network, Sentinel Technologies and Stivers Staffing Services for an amount not to exceed \$100,000.  
**Council approved.**
4. Approve the award of Option Year One to Contract 18-221, Government Accounting and Payroll Services, to Lauterbach & Amen, LLP for an amount not to exceed \$172,020  
**Council approved.**
5. Waive the applicable provisions of the Naperville Procurement Code and award Procurement 19-317, External Audit Services, to Sikich LLP for an amount not to exceed \$102,760 and for a one-year term (Requires six positive votes)  
**Council approved.**
6. Approve the award of RFP 19-209, GIS Database Consolidation, to SSP Innovations for an amount not to exceed \$147,490  
**Council approved.**
7. Approve the award of Bid 19-282, Molded Rubber and Cold Shrink Products, to Fletcher-Reinhardt Company, G&M Sales, Inc., Universal Utility Supply Company (UUSCO) and WESCO Distribution, Inc. for an amount not to exceed \$163,209.75 and for a one-year term  
**Council approved.**
8. Approve the award of Option Year Two to Contract 18-026, Tree Removal and Stump Grinding, to D Ryan Tree and Landscaping Service and Steve Piper and Sons, Inc. for an amount not to exceed \$155,000  
**Council approved.**
9. Approve the award of Cooperative Procurement 19-339, Police Uniforms, Equipment and Accessories, to Galls, LLC for an amount not to exceed \$124,660 and for a one-year term  
**Council approved.**
10. Approve the award of Change Order #1 to Option Year One of Contract 18-017,

Excavation and Underground Utility Repair, to Baish Excavating, Inc. for an amount not to exceed \$59,000 and for a total award of \$179,000

**Council approved.**

11. Approve the award of Change Order #1 to Contract 19-057, North Pump Station Interceptor Phase 2, to Insituform Technologies USA, LLC for an additional 244 days

**Council approved.**

12. Receive the staff report for the property located at the northeast corner of Reflection Drive and 95th Street and known as Naperville Crossings Lot 10 (Advance Care Medical and Dog Haus) - PZC 19-1-046 (Item 1 of 3)

**Council received.**

13. Pass an ordinance approving a preliminary/final subdivision plat for ACM and Dog Haus Resubdivision - PZC 19-1-046 (Item 2 of 3)

Enactment No.: ORD 19-153

**Council passed.**

14. Pass an ordinance granting a minor change to the Naperville Crossings PUD and approving a final PUD plat for ACM and Dog Haus Resubdivision - PZC 19-1-046 (Item 3 of 3)

Enactment No.: ORD 19-154

**Council passed.**

15. Pass the ordinance approving a right-of-way encroachment agreement for 41 W. Jefferson Avenue #109 (Cinnaholics)

Enactment No.: ORD 19-155

**Council passed.**

16. Pass the ordinance amending Sections 3-3-3 and 3-3-11 of the Naperville Municipal Code regarding the Class R - Legitimate Theater House liquor license

Enactment No.: ORD 19-156

**Council passed.**

17. Receive the report regarding the subject property located at 627 & 651 Amersale Drive, Naperville - PZC 19-1-108 (Item 1 of 4)

**Council passed.**

18. Pass the ordinance rezoning the property located at 627 & 651 Amersale Drive to OCI (Office, Commercial and Institutional District) - PZC 19-1-108 (Item 2 of 4)

Enactment No.: ORD 19-157

**Council passed.**

19. Pass the ordinance approving the preliminary/final plat of subdivision for American Sale Center 1st Resubdivision - PZC 19-1-108 (Item 3 of 4)

Enactment No.: ORD 19-158

**Council passed.**

20. Pass the ordinance approving revoking a portion of the American Sale Center PUD for the property located at 627 & 651 Amersale Drive - PZC 19-1-108 (Item 4 of 4)

Enactment No.: ORD 19-159

**Council passed.**

## J. PUBLIC HEARINGS:

1. Conduct the public hearing for the 2020 Annual Operating Budget (Item 1 of 2)

Chirico opened the public hearing at 7:33 p.m.

Jim Hill, Senior Task Force, requested the Council further review the \$3M cash reserves in the electric utility, the increased cost of City services, and to not approve the budget until December 17.

Council discussed the approval timeline, that a special meeting would be necessary if the budget isn't approved, that the Financial Advisory Board (FAB) is reviewing the appropriate level of cash reserves, and the need to continue to reduce debt and adhere to the financial principles.

Krieger explained the timing of approval.

Council discussed the rate studies, the focus on reducing debt, and that capital spending was delayed for years and has now resulted in deteriorating infrastructure that will cost more if further delayed.

Mayer explained utility reserves and that residents can be rebated.

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the public hearing at 7:43 p.m. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

2. Pass the ordinance adopting the 2020 Annual Budget in the amount of \$491,503,165 (Item 2 of 2)

Enactment No.: ORD 19-160

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to pass the ordinance adopting the 2020 Annual Budget in the amount of \$491,503,165. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

## **K. OLD BUSINESS:**

## **L. ORDINANCES AND RESOLUTIONS:**

1. Receive the staff report for the property located at 1350 E. Ogden Avenue - PZC 19-1-092 (Item 1 of 5)

Jim Hill, Senior Task Force, spoke in favor of the development.

Michael Zaransky, Petitioner and MZ Capital Partners, discussed the waiving of application fees.

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the staff report for the property located at 1350 E. Ogden Avenue - PZC 19-1-092. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

2. Pass the ordinance rezoning 1350 E. Ogden Avenue to OCI (Office, Commercial and Institutional) - PZC 19-1-092 (Item 2 of 5)

Enactment No.: ORD 19-161

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance rezoning 1350 E. Ogden Avenue to OCI (Office, Commercial and Institutional) - PZC 19-1-092. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

3. Pass the ordinance approving a conditional use in the OCI zoning district to allow for a multi-family building, and variances to reduce the required minimum lot area and reduce the required number of off-street parking spaces, for the property located at the southwest corner of Ogden Avenue and Tuthill Road (1350 E. Ogden) - PZC 19-1-092 (Item 3 of 5)

Enactment No.: ORD 19-162

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving a conditional use in the OCI zoning district to allow for a multi-family building, and variances to reduce the required minimum lot area and reduce the required number of off-street parking spaces, for the property located at the southwest corner of Ogden Avenue and Tuthill Road (1350 E. Ogden) - PZC 19-1-092. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

4. Pass the ordinance approving an electrical services agreement for 1350 E. Ogden Redevelopment - PZC 19-1-092 (Item 4 of 5)

Enactment No.: ORD 19-163

**A motion was made by Councilman Hinterlong, seconded by Councilwoman**

**Gustin, to pass the ordinance approving an electrical services agreement for 1350 E. Ogden Redevelopment - PZC 19-1-092. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

5. Pass the resolution in support of an alternative plan to demolish the existing structure and construct a new 112-unit micro-apartment community at the property located at 1350 E. Ogden Avenue - PZC 19-1-092 (Item 5 of 5)

Enactment No.: RES 19-46

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the resolution in support of an alternative plan to demolish the existing structure and construct a new 112-unit micro-apartment community at the property located at 1350 E. Ogden Avenue - PZC 19-1-092. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

6. Consider adopting a resolution authorizing the City to tender up to \$562,000 to Little Friends in exchange for recording covenants upon the Kroehler Mansion to preserve it from demolition.

Krummen recused himself due to a conflict of interest and left the dais from 7:53 p.m. - 8:38 p.m.

Carol Schmidt spoke in favor of adopting the resolution.

Tim Messer spoke in favor of adopting the resolution.

George Howard spoke against adopting the resolution.

Becky Simon spoke in favor of adopting the resolution.

Karen Solomon spoke in favor of adopting the resolution.

DiSanto explained the resolution may be revised to add certain provisions that would allow the City to recoup its investment.

Council discussed appropriateness of approving incentives without first seeing the final proposed use of the property, the use of SECA Grant funding, whether or not the proposed amount is appropriate, restriction on covenants, the role of boards and commissions, that the resolution is similar to a Letter of Intent, and the appropriate length of the offer.

DiSanto further explained that the resolution is intended to be high level and to give Little Friends a guarantee of Council support.

Council discussed opportunities to use private money to save a private residence and having a broader conversation about the appropriate use of SECA Grant funds.

DiSanto stated the City has given incentives to revenue-generating businesses and SECA Grant funding has been used for public buildings but not to preserve a private residence.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adopt a resolution authorizing the City to tender up to \$562,000 to Little Friends in exchange for recording covenants upon the Kroehler Mansion to preserve it from demolition.

Enactment No.: RES 19-47

A motion in substitution was made by Councilman Kelly, seconded by Councilman Hinterlong, to adopt a resolution authorizing the City to tender up to \$562,000 to Little Friends in exchange for recording covenants upon the Kroehler Mansion to preserve it from demolition with an additional provision in the resolution that would require an insurance policy from the buyer of the property for the preservation of the mansion. The motion carried by the following vote:

**Aye:** 6 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, and White

**Nay:** 2 - Coyne, and Sullivan

**Recused:** 1 - Krummen

**M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

**N. PETITIONS AND COMMUNICATIONS:**

**O. REPORTS AND RECOMMENDATIONS:**

**P. NEW BUSINESS:**

Historic District Aprons

Hinterlong asked that staff determine how long aprons have been in place.

Ethics

Coyne asked for and received consensus to direct staff to review existing City of Naperville ordinances relative to conflict of interest and ethical conduct and suggest updates to Council, if any, that could be implemented to strengthen said ordinances.

CY2020 Budget

Gustin asked for consensus to direct staff to bring back recommendations for efficiencies and proposals to further reduce the budget by 2%.

Council stated that staff continues to look for efficiencies all year, not just during the budget season, and that without identifying line items or projects a 2% reduction appears arbitrary.

Krieger clarified that the budget has been presented and any further cuts would not be the recommendation of staff.



The direction to reduce the budget did not receive consensus.

Hinterlong urged departments to continue to reduce costs associated with overtime.

ERP implementation

Gustin asked Krieger to give an update on the implementation.

Krieger stated a detailed explanation will be provided in an upcoming Manager's Memorandum.

SECA Grant Fund

Coyne asked that the SECA Commission liaison begin discussing the possibility of using SECA Grant funds as the source for the Little Friends/Kroehler Mansion incentive.

#### **Q. ADJOURNMENT:**

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of December 3, 2019 at 8:52 p.m. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White