

Council QA – Dec. 20, 2022

Wednesday, December 14, 2022 4:27 PM

F. AWARDS AND RECOGNITIONS:

1.	22-1572	Recognition of former Councilwoman Patty Gustin for her years of service
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I. CONSENT AGENDA:

1.	22-1525	Approve the Cash Disbursements for the period of 11/01/2022 through 11/30/2022 for a total of \$41,800,093.41
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2.	22-1410	Approve the Budget Workshop #1 minutes of October 24, 2022
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3.	22-1411	Approve the Budget Workshop #2 minutes of November 9, 2022
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4.	22-1412	Approve the Budget Workshop #3 minutes of November 21, 2022
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5.	22-1544	Approve the regular City Council meeting minutes of December 6, 2022
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6.	22-1537	Approve the award of Option Year One of Bid 21-042, Street Lighting Controller, Public Building and Municipal Lots Lighting Maintenance, to Meade Electric Inc. for an amount not to exceed \$324,540
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7.	22-1470	Approve the award of Option Year One to Contract 21-053, Medium-Heavy Duty Truck and Off-Road Equipment Repairs, to Aurora Truck Center and Interstate Power Systems for an amount not to exceed \$114,590
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8.	22-1504	Approve the award of Option Year One to Contract 09-144, Bill Print and Mail Services, to AB Data for an amount not to exceed \$214,637
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9.	22-1557	Approve the award of Option Year Two to Contract 21-040, Tree Removal and Stump Grinding, to D. Ryan Tree and Landscape LLC and Steve Piper and Sons for an amount not to exceed \$152,500
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10.	22-1567	Approve the award of Option Year One to Contract 20-390, Staffing Services, to Addison Group, Pace Systems, Sentinel Technologies, and Stivers Staffing for an amount not to exceed \$525,000
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11.	22-1426	Approve the award of Change Order #1 to Contract 22-001, 2022 Street Resurfacing Program - MFT, to K-Five Construction for an additional 80 days	
Q.	Is the completion date supposed to be 9/29/22? Just checking because we are past that date already		Taylor
A.	The original completion date of the contract was July 11, 2022. Due to the strike and material shortage, the actual completion date of the project was September 29, 2022. The change order is being processed after the fact because the duration of the strike and its impacts on the schedule were unknown at the time.		Rhoades & Lu
12.	22-1534	Approve the award of Change Order #1 to Contract 22-031, Electric Substations - Springbrook Fixed Axis Solar Photovoltaic System, to GRNE for an additional six months	
13.	22-1515	Approve the award of Change Order #1 for the Specific Stop-Loss Insurance, to Stealth Partner Group, LLC for an amount not to exceed \$61,835 and a total award of \$1,206,185	
14.	22-1522	Approve the award of Change Order #1 to Contract 22-010, 2022 Sanitary Manhole Replacement, to Rossi Contractors, Inc., for an amount not to exceed \$12,353 and for a total award of \$111,751	
15.	22-1547	Approve the award of Change Order #1 to Bid 21-274, Curbside Leaf Collection Services, to Western Gradall Corporation and Steve Piper and Sons, Inc. for an amount not to exceed \$45,000 and a total award of \$378,300	
Q.	Why did this take a year to come to us for approval?		Hinterlong
A.	During year one of the two-year contract, the vendors performed an extra collection due to late-falling leaves. The extra funding needed was available under the two year contract award amount, but meant that there was not enough funding for year two of the contract. A change order could have been processed after year one to ensure enough funding was available for year two. Staff decided to wait to see if conditions during 2022 would allow for the contractors to skip the first collection cycle and to make up the difference. Leaf volumes were heavy in 2022 (over 60,000 cubic yards collected) and staff decided that they could not do the districts assigned to the contractors in-house and stay on schedule. As a result, the extra funding needs to be added to the award amount.		Dublinski
16.	22-1538	Approve the award of Cooperative Procurement 22-260, Refuse Carts, to Otto Environmental Systems for an amount not to exceed \$142,500 and for a one-year term	
17.	22-1562	Approve the award of Cooperative Procurement 22-361, Elevator Maintenance, to Otis Elevator Company for an amount not to exceed \$128,740 and for a two-year term	

18.	22-1512	Approve the 2023 Special Events Calendar and designate the calendar as closed
19.	22-1469	Approve the award of Change Order #1 and Final to Contract 22-005, 2022 Micro-Surfacing Program, to AC Pavement Striping, Inc. for an amount not to exceed \$39,757.71 and a total award of \$678,943.71 and for an additional 0 days (Item 1 of 2)
20.	22-1413	Adopt an IDOT resolution in the amount of \$55,064.38, to allow expenditure of state motor fuel tax dollars to fund the 2022 Micro Surfacing Program (Item 2 of 2)
21.	22-1488	Adopt the resolution authorizing the City Manager to execute the 2023 Pace Paratransit Local Share Agreement for the operation of the Ride DuPage Program
22.	22-1440	Authorize an additional \$41,154.71 in funding for the Washington Street Pedestrian Bridge Improvements (CIP# BR031 and EU12) in accordance with the terms of the intergovernmental agreement with the Illinois Department of Transportation
Q:	Can you please provide a one or two sentence overview of the Washington Street pedestrian bridge, an update on the timeline, etc?	
	Holzauer	
A.	The construction of the pedestrian bridge (located just south of Ring Road) was completed in 2017. This project is federally funded. IDOT made payments to the Contractor and the City reimbursed IDOT for Naperville's share. IDOT recently closed out the construction contract and sent City's final invoice.	Fano & Lu
23.	22-1559	Accept the public street and streetscape improvements at Wagner Farm Phase 1 and Central Park Place and authorize the City Clerk to reduce the corresponding public improvement surety
24.	22-1466	Pass the ordinance and schedule a public hearing for January 17, 2023 for the proposed Block 59 Business District
Q.	Please compare the total incentive amount currently being requested to the amount that was being requested when this request was previously before City Council.	
	Kelly	
A.	The initial discussions envisioned an incentive value of up to \$20 million. The current proposal is for an incentive value of \$13.4 million net present value.	Krieger
Q.	If we ever raise the tax rate over the next 23 years, does the tax increase get added to whatever we add to it? So, will the 1% always be added to whatever we change the tax to?	
	Hinterlong	
A.	Yes, the business district tax would always be added to the standard rate.	Krieger
Q.	If the financial performance of the business district falls short of the performance included in the pro forma (or if it is not built in a timely fashion), could some form of reduction in the tax incentive be baked into	
	Holzauer	

	the ordinance?	
A.	The state business district act does not address any penalties for lack of performance against a developer. From a practical standpoint, if the financial performance falls short of amounts included in the pro forma, the developer (in addition to the City) would be penalized financially for the underperformance.	Krieger
Q.	If the business district is approved as proposed, what guarantee would the city have that the developer would invest the capital currently being suggested to make the improvements being proposed? If there is currently no such guarantee, could the proposed ordinance be revised to add a guarantee or a refund mechanism in the event that the additional tax is collected by existing tenants but the proposed improvements are not made for some unforeseen reason?	Kelly
A.	There is no currently proposed mechanism that would prevent the business district from being established and no building taking place. As a practical matter, the business district tax funds are received by the City and are restricted as to use, so if the developer did not satisfy the City that the funds were being used for purposes approved in the business district ordinance, the City could withhold payment to the developer.	Krieger
25.	22-1494	Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2023 and ending December 31, 2023 adopting a total levy of \$98,939 for Special Service Area No. 23 (Naper Main)
26.	22-1495	Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2023 and ending December 31, 2023 adopting a total levy of \$68,000 for Special Service Area No. 25 (IL Route 59 and Lacrosse Lane)
27.	22-1496	Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2023 and ending December 31, 2023 adopting a total levy of \$80,000 for Special Service Area No. 30 (Downtown Streetscape)
28.	22-1497	Pass the ordinance for the Levy and Assessment of Taxes for the Fiscal Year beginning January 1, 2023 and ending December 31, 2023 adopting a total levy of \$23,680 for Special Service Area No. 31 (Downtown Streetscape - Block 423)
29.	22-1498	Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2023 and ending December 31, 2023 adopting a total tax levy of \$1,252,829 for Special Service Area No. 33 (Downtown Maintenance Expenses and Marketing Costs)
30.	22-1502	Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2023 and ending December 31, 2023 adopting a total levy of \$18,010 for Special Service Area No. 34 (Downtown Streetscape)
31.	22-1490B	Pass the ordinance granting a variance to the off street parking requirements for 235 West Jefferson Avenue (The Alice Chin Team) - PZC 22-1-080

32.	22-1492B Pass the ordinance granting a major change to the Fox River Commons Resubdivision PUD for a land use deviation to allow a religious institution at 776 South Route 59 (Sri Veda Dharmashala) - PZC 22-1-088	
Q.	Will this become a tax exempt property, due to the use change?	Hinterlong
A.	The owners of the Mall of India, thru its Management Company, has submitted the attached letter concerning their intention to maintain the taxable status of the entire property- even if this non-profit use is authorized by City Council.	

33.	22-1545 Pass the ordinance approving a platted setback deviation for the property at 126 N Laird Street - PZC 22-1-115	
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Q.	The Standards and the Developmental Petition said that the houses torn down were in "disrepair," which from my personal knowledge I know is an exaggeration. This exaggeration makes me question the accuracy of what was written by petitioner. Has anyone from staff checked the front setbacks of the homes in that portion of Laird that is south of Douglas and north of Benton to see if they are 30 ft or 35 ft? The new culdасac on Laird located north of Douglas should not be included because it was just created from vacant land and is visually distant from the location of this house. I'm concerned about this house overpowering the homes near it especially if we allow the 30 ft front setback. The homes nearby, even the newer construction, are going to be much smaller than this home and this lot.	Taylor
A.	Using the City's GIS software, staff has reviewed the properties surrounding 126 N Laird (south of Douglas and north of Benton), and found the homes fronting Laird Street to have front yard setbacks ranging from approximately 20 ft. to 35 ft. The homes south of the subject property appear to generally maintain 30 ft. front yards, and the properties across the street from the subject property have setbacks measuring less than 25 ft. Staff also notes that the adjacent property to the south has a platted setback of 30 ft., which is consistent with the front yard requirements of the R1B zoning district and the Petitioner's proposal. Staff remains supportive of the platted setback deviation due to the varying platted setback lines and front yard depths existing today, and compliance with the R1B requirements.	Beaver

34.	22-1467B Pass the ordinance approving a policy for interconnection and fair crediting of customer renewable self-generation and storage facilities and amending Sections 6-15 and 8-1 of the Naperville Municipal Code	
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J. PUBLIC HEARINGS:

1.	22-1500 Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2023 and ending December 31, 2023 adopting a total property tax levy of \$65,004,372 (Item 2 of 3)	
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2.	22-1499	Conduct a Truth-in-Taxation hearing for the 2022 property tax levy (Item 1 of 3)
3.	22-1501	Pass the ordinance to abate a portion of the 2022 property tax levy for the City of Naperville authorizing an abatement of \$9,776,137 from the total property tax levy of \$65,004,372 for a net total 2022 property tax levy of \$55,228,235 (Item 3 of 3)

L. ORDINANCES AND RESOLUTIONS:

1.	22-1561	Adopt the resolution appointing Nicki Anderson to fill the City Council vacancy
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2.	22-1468B	Waive the first reading and pass the ordinance amending Chapter 11 (Historic Preservation) of Title 6 (Zoning Ordinance) regarding the Designation of Landmarks and owner consent - PZC 22-1-11
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Q.	Has staff looked into doing some updated architectural studies to determine what buildings are considered architecturally significant so that this can help guide Council when faced with these landmarking requests?	Taylor
A.	No. Additional surveying would require significant funds (likely \$100k +) and staff time, neither of which have been accounted for in the 2023 budget. We have included funds in the 2023 budget for limited research projects (i.e., 1-2 specific parcels) should the need arise through this process.	Laff

3.	22-1459	Receive the staff report for the Heinen Business District located at 1256 through 1290 East Chicago Avenue (Item 1 of 3)
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Q.	What is the duration in years for this property to receive the ½ %?	Hinterlong
A.	The maximum duration of the business district tax would be 23 years. The actual duration will be the lesser of either 23 years or until the tax generates \$4.4 million, at which time the additional tax would be ended. The developer does not have a pro forma which predicts when the \$4.4 million would be recovered therefore there is no estimate of ultimate length. This uncertainty is due to the developer not knowing who will be occupying the plaza moving forward.	Krieger

4.	22-1461	Pass the ordinance designating a business district, approving the business district plan, and making a blighted area finding in relation to the Heinen Business District (Item 2 of 3)
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Q.	What is the duration in years for this property to receive the ½ %?	Hinterlong
A.	The maximum duration of the business district tax would be 23 years. The actual duration will be the lesser of either 23 years or until the tax generates \$4.4 million, at which time the additional tax would be ended. The developer does not have a pro forma which predicts when the \$4.4 million would be recovered therefore there is no estimate of ultimate length. This uncertainty is due to the developer not knowing who will be occupying the plaza moving forward.	Krieger

5.	22-1462	Pass the ordinance imposing a business district retailers' occupation tax in the City of Naperville, DuPage County, Illinois for the Heinen Business District (Item 3 of 3)
Q.	What is the duration in years for this property to receive the ½ %?	
A.	The maximum duration of the business district tax would be 23 years. The actual duration will be the lesser of either 23 years or until the tax generates \$4.4 million, at which time the additional tax would be ended. The developer does not have a pro forma which predicts when the \$4.4 million would be recovered therefore there is no estimate of ultimate length. This uncertainty is due to the developer not knowing who will be occupying the plaza moving forward.	
		Hinterlong Krieger

O. REPORTS AND RECOMMENDATIONS:

1.	22-1536	Receive an update on the City's diversity, equity and inclusion initiatives
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2.	22-1568	Approve the proposed CY2023 Social Services Grant funding allocations
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Q.	How was it decided that this be the methodology? If the councilmember allocations were simply averaged, then exactly \$100,000 would be allocated.	
A.	<p>Last year, Council commented that the methodology (detailed below) was complicated and resulted in most all applicants getting a small portion of money regardless of the application score. Also, the money awarded may/may not meet the minimum required for the project as indicated in the application.</p> <p>The allocation methodology used this year mirrors the SECA Commission strategy. Specifically, when an application receives an award from a majority of commissioners, those individual award allocations are averaged which results in the final recommendation given to the City Council.</p> <p>Regarding CY2023 SSG councilmembers allocations, not all councilmembers allocated the full \$100,000.</p>	
Q.	Why did we not allocate the full \$100K? \$10,967 is a lot of money to have left.	
A.	Not all councilmembers allocated the full \$100,000.	
Q.	Please show CY2023 allocations using last year's methodology side-by-side with allocations using this year's methodology. Thank you.	
A.	<p>Comparison attached.</p> <p>Last year the City Council had \$50,000 to allocate. Staff used a two-step calculation process to determine a final award:</p> <p>Step 1 - Individual Councilmember Recommendation When councilmembers recommended different funding amounts for a project, the average funding was calculated.</p> <p>For example: Councilmember 1 - \$10,000 for Project A Councilmember 2 - \$3,000 for Project A Councilmember 3 - \$5,000 for Project A</p> <p>\$18,000/3 = \$6,000 Individual Councilmember Recommendation</p>	
		Holzhauser Ozkaptan Sullivan Ozkaptan

If a single councilmember recommended an increase, that figure was used.

For example:

Councilmember 4 - \$5,000 for Project B

$\$5,000/1 = \$5,000$ Individual Councilmember Recommendation

Step 2 - Unified City Council Award

After the Individual Councilmember Recommendation was determined in Step 1, it was then multiplied by a factor based on the number of councilmembers who allocated funding [the number of councilmembers recommending the funding divided by the number of councilmembers participating in the allocation process].

For example:

3 councilmembers recommended funding of \$6,000 for Project A

8 councilmembers participated in the allocation process

$3/8 = .38$

$\$6,000 \times .38 = \$2,250$ Unified City Council Award

The Unified City Council Award was rounded to the nearest hundred dollars and added to the evaluation team's recommendation for a total applicant award.



Mall Of India, Inc.
776 S Route 59 Naperville, Illinois 60540
MallofIndia@outlook.com

To
City Council
City of Naperville
400 S. Eagle Street
Naperville, IL 60540

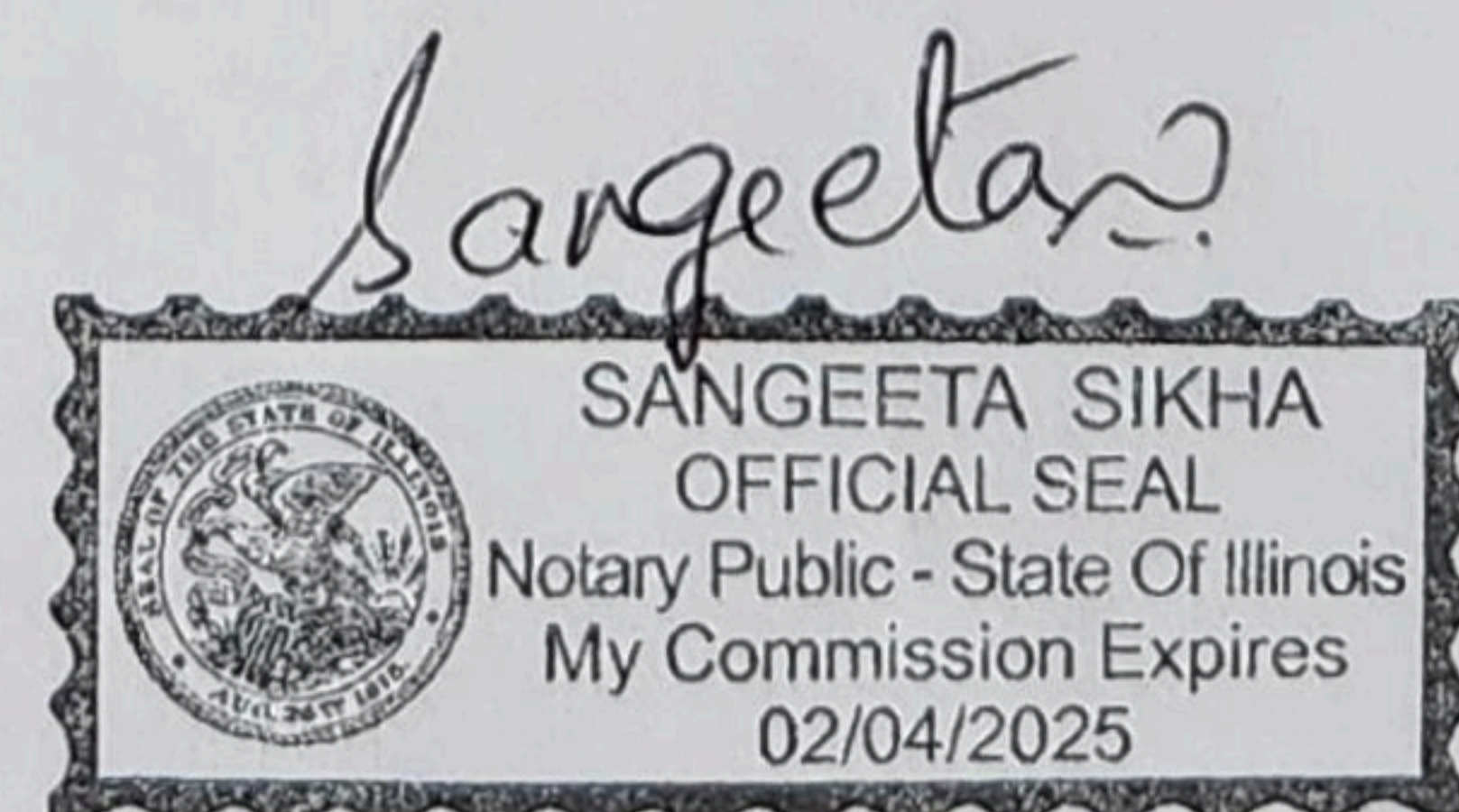
Subject Property: Mall of India at 776 S. Rt 59, Naperville, IL

The purpose of this letter is to state that the ownership of Mall of India will not seek a tax exemption for any portion of the property being used for religious purposes. In effect, the Mall of India, which currently supports the diverse mix of for-profit businesses in the mall will remain an important tax-generating destination use in Naperville.

Sincerely,

Michael Chintamaneni

Michael Chintamaneni
Manager
Mall Of India



CY23 Social Services Grant Projects

	Organization	Project	Requested Amount	Score	Committee Recommendation	Current Methodology - Averages	Previous Methodology - Multiplier
1	360 Youth Services	Mental Health Counseling for Naperville Youth	65,000	97	43,170	50,970	47,503
2	Loaves & Fishes Community Services	Child and Senior Nutrition	60,000	97	39,696	39,696	42,752
3	SamaraCare	Mental Health Access Program - Naperville Residents	45,000	97	29,772	29,772	31,605
4	Teen Parent Connection	Pathways to Prevention	15,000	97	9,924	9,924	10,368
5	DuPage Senior Citizens Council	Social Determinants of Health (SDOH) Services: Home Delivered Meals (Meals on Wheels), Well-Being Checks, Community Dining, Drive-Thru Food Events, and Friendly Phone Calls in Naperville.	50,000	96	25,000	25,000	28,056
6	YMCA of Metropolitan Chicago	YMCA Safe 'n Sound Out-of-School Time Care and Enrichment	50,000	95	25,000	25,000	28,222
7	360 Youth Services	Youth Emergency Housing Services	25,000	94	12,500	21,700	17,611
8	360 Youth Services	Naperville Operation Snowball - Providing Belonging, Community and Mental Health Awareness for High School Students	14,000	94	7,000	7,000	7,944
9	SamaraCare	Mental Health Access Program - Loaves & Fishes Clients	8,000	94	4,000	6,700	5,500
10	Metropolitan Family Services	Naperville Seniors' Mental Health Program	10,000	94	5,000	5,000	6,111
11	Family Shelter Service, Inc.	Family Shelter Services Domestic Violence Program	20,000	94	10,000	18,167	15,444
12	Naperville Youth Development Coalition Inc (DBA KidsMatter)	Youth Mental Health and Family Support	28,000	93	14,000	22,600	18,778
13	Bridge Communities, Inc.	Essential Transitional Housing Program Services for Homeless Families Promoting Self-Sufficiency	35,000	91	14,000	23,800	19,444
14	Naperville Seniors in Action d/b/a Ride Assist Naperville	Naperville Seniors In Action (dba Ride Assist Naperville) On-going Operational Funding 2023	16,000	91	6,400	6,400	7,567
15	DuPage Health Coalition	Access DuPage Naperville (ADN)	15,000	91	6,000	6,000	6,444
16	Naperville Elderly Homes, Inc.	Tenant Assistance	35,000	91	14,000	14,000	16,222
17	NAMI DuPage County	Bridge to Self-Sufficiency	56,946	91	22,778	22,778	23,223
18	Little Friends Inc	Respite Family Services	10,000	90	4,000	4,000	4,444
19	Indian Prairie Educational Foundation	BACK ON TRACK Counseling Services for At-Risk Middle School Students in Indian Prairie School District 204	22,400	90	8,960	8,960	11,571
20	YWCA Metropolitan Chicago	Strong Families Parent Education Workshops	22,000	88	8,800	8,800	9,467
21	DuPagePads	Interim Housing Center (IHC)	95,000	87	38,000	38,000	42,222
22	Turning Pointe Autism Foundation	Adult Services	15,000	86	6,000	6,000	7,611
23	Ray Graham Association For People With Disabilities	Support for Two Direct Service Professionals	50,000	86	20,000	20,000	21,556
24	NaperBridge Alive, The Alive Center	Teen-Initiated After School Drop-in Program	30,000	85	12,000	20,000	16,444
25	ChildServ	Naperville Group Home Therapist	10,000	85	4,000	4,000	5,111
26	Nicks Network of Hope NFP	Nationally acclaimed "Send Silence Packing" suicide prevention and awareness exhibit by Active Minds.	5,150	85	-	-	444
27	Senior Home Sharing, Inc.	Senior Home Sharing 2023 Naperville Program Expansion	10,000	85	4,000	4,000	5,083
28	People's Resource Center	Essential Services to Promote a Healthy, Engaged DuPage	20,000	84	3,000	3,000	3,750
29	Naperville Youth Development Coalition Inc (DBA KidsMatter)	KidsMatter 2023 Youth and Community Education Programs	82,500	81	3,000	28,667	20,111
30	Career & Networking Center	Empower the Job Seeker	20,000	80	-	-	2,333
31	Metropolitan Asian Family Services	Home Delivered Meals for Seniors	70,000	80	-	5,000	2,778
32	NAMI DuPage County	Ending the Silence: Mental Health Awareness and Intervention for Students Program	52,116	79	-	-	1,667
33	360 Youth Services	Vaping Prevention - Educating Youth and Parents about Underage Vaping of Nicotine and Marijuana.	18,000	78	-	4,100	2,278
34	Community Access Naperville	Expansion of Community Based Program	15,000	75	-	-	2,222
35	Riverwalk Adult Day Services	Art Therapy for Participant Enrichment	10,000	69	-	-	1,833
36	Sanjeevani 4 U	Mental health counselling and outreach	5,000	67	-	-	583
37	Kids Teen Rider	Wheels To Education - (General Operating)	150,000	61	-	-	3,333
38	Mays Music Centre of Excellence	Divine Sound Gospel Choir Naperville	80,789	50	-	-	-
TOTAL SOCIAL SERVICES GRANT ALLOCATION			1,340,901		400,000.00	489,033	497,639