



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, February 21, 2023

7:00 PM

Council Chambers

Agenda Introductory Language

TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-Astound, 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 21 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 21. 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 21.

Online sign-up closes at 4 p.m. on February 21, 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 21.
- 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 7:00 p.m.

B. ROLL CALL:**C. CLOSED SESSION - AT THE CONCLUSION OF OPEN SESSION**

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

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

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, Phil Giannattasio; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Deputy Director of TED, Allison Laff; Director of Public

Utilities - Electric, Brian Groth; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Budget and Administrative Manager - Public Works, Christine Schwartzhoff; Director of Communications, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

1. [Proclamation honoring the North Central College Women's Triathlon Team for its fourth National Championship, 100 years of women's sports at North Central, and the 50th anniversary of Title IX](#)

This item will be presented at the March 7 meeting.

G. PUBLIC FORUM:

Responsible Bidder Ordinance

Suzanne Hart (Naperville) asked that Council bring the item back for further discussion.

Council discussed directing staff, under New Business, to bring the item back at a future meeting.

Mayer said Council previously directed staff to bring the item back with a Financial Advisory Board (FAB) recommendation, that the topic was not on the January FAB agenda but will be presented at the April FAB meeting, and explained that the Finance Department is short-staffed and focusing on getting bids out.

Mary Ann Curtis (Naperville) discussed Black History Month, the need to implement a comprehensive housing solution, as well as reparations for slavery.

Karyn Charvat (Naperville - The GFWC II Naperville Juniores) discussed the issue of teen dating violence education.

Naperville Environment & Sustainability Task Force - "3 Minutes with NEST"
Cathy Clarkin (Naperville) discussed heat pumps as replacements for furnaces, induction stoves, and purchase incentives from Naperville and the federal government.

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

A motion was made by Councilman Hinterlong, seconded by Councilman White, to use the Omnibus method to approve the Consent Agenda with the exception of items I6, I9, and I14. The motion carried by a voice vote.

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

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

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

1. [Approve the Cash Disbursements for the period of 01/01/2023 through 01/31/2023 for a total of \\$32,313,902.73](#)

Council approved.

2. [Approve the regular City Council meeting minutes of February 7, 2023](#)

Council approved.

3. [Approve the City Council meeting schedule for March, April and May 2023](#)

Council approved.

4. [Approve the award of Change Order #1 to Contract 22-303, SEL Equipment, to A Star Electric Inc. for an amount not to exceed \\$70,000 and a total award of \\$920,000 and for a one-year term](#)

WRITTEN COMMENT ONLY

Marilyn L Schweitzer (Naperville) From analog to now digital, this is the sort of investment our city should be proud of. Support for our infrastructure may not be glamorous, but keeping up with technologies such a this reduces down time, aides staff, increases customer satisfaction, and in the long, term reduces cost. I hope our staff has time and expertise to investigate other such infrastructure technologies and will gain the support of council.

Council approved.

5. [Approve the award of Change Order #4 to Contract 15-181, Multi-Functional Copiers Cost-per-Copy Phase 3, to Canon Solutions America, Inc. for an amount not to exceed \\$31,500 for a total contract award of \\$315,584 and an additional six months](#)

Council approved.

6. [Approve the award of Bid 23-026, Biosolids Removal Services, to Stewart Spreading, Inc. for an amount not to exceed \\$588,380 and for a 22-month term](#)

Council discussed "forever chemicals" and confirmed that regulatory changes are being researched by staff.

A motion was made by Councilman Hinterlong, seconded by Councilman

White, to approve the award of Bid 23-026, Biosolids Removal Services, to Stewart Spreading, Inc. for an amount not to exceed \$588,380 and for a 22-month term. The motion carried by the following vote:

Aye: 8 - Chirico, Hinterlong, Holzauer, Kelly, Leong, Sullivan, White, and Anderson

Nay: 1 - Bruzan Taylor

7. [Approve the award of Option Year One to Bid 22-059, EAB Insecticidal Treatments, to Kinnucan Tree Experts and Landscape Company, Inc., for an amount not to exceed \\$270,000](#)

Council approved.

8. [Approve the award of Option Year One for Bid 22-016, Lift Station Force Main Inspection, to RJN Group, Inc. for an amount not to exceed \\$184,500](#)

Council approved.

9. [Approve the proposed CY2023 SECA Grant Fund Program Allocations](#)

Michael A Brown (Naperville - Soul2Soul Foundation) asked Council to increase the award allocation from \$18,000 to \$40,000, discussed shortcomings of the 2022 event, the event impact to Downtown parking, and committed to not oversell tickets again.

Council stated that it is not appropriate to change allocations on the dais when all available funding has been awarded.

WRITTEN COMMENT ONLY

Margie Wolf (Naperville) - Naper Pride Inc.- I apologize for not being there in person to make my comments, but a work commitment has prevented that. On behalf of Naper Pride, we would like thank the SECA commission and the City of Naperville for their continued support of Naperville's LGBTQ community. We remain committed to being good stewards of this grant, and to providing quality programming for Naperville and its citizens. For some city council members, this will be the last time you vote on SECA allocations. We, and the other SECA recipients past and present, want to thank you for your service. We whole heartedly appreciate the time and effort that you have spent in considering each application. That dedication has provided Naperville with the well rounded and diverse programming that makes Naperville second to none. Again, thank you all very much. Naper Pride - Naper Proud

A motion was made by Councilman Hinterlong, seconded by Councilman White, to approve the proposed CY2023 SECA Grant Fund Program Allocations. The motion carried by the following vote:

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

10. [Adopt the resolutions authorizing the City Manager to execute the Intergovernmental Agreements between the City of Naperville and Will and DuPage Counties for the](#)

[continued operation of the regional Household Hazardous Waste Facility](#)

RES 23-04

RES 23-05

Council adopted.

11. [Waive the first reading and pass the ordinance to establish two-way stop controls at various uncontrolled intersections throughout Naperville \(requires six positive votes\)](#)

ORD 23-012

Council passed.

12. [Waive the first reading and pass the ordinance approving revisions to the City's Investment and Cash Management Policy \(requires six positive votes\)](#)

ORD 23-013

Council passed.

13. [Pass the ordinance granting a variance to permit an auxiliary parking space at 203 S Columbia Street - PZC 22-1-118](#)

ORD 23-014

Council passed.

14. [Pass the ordinance granting a variance to reduce the amount of required off-street parking for Glacier Park Resubdivision No. 13 \(Freddy's\) - PZC 22-1-091](#)

John Zemenak (Petitioner) requested a parking variance and explained that Freddy's must take steps to improve any parking issues that are caused by their presence excluding cutting employees or changing business operation.

ORD 23-017

A motion was made by Councilman Hinterlong, seconded by Councilman White, to pass the ordinance granting a variance to reduce the amount of required off-street parking for Glacier Park Resubdivision No. 13 (Freddy's) - PZC 22-1-091 as amended. The motion carried by the following vote:

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

15. [Receive the staff report for The Belvedere Final - PZC 22-1-100 \(Item 1 of 3\)](#)

Council received.

16. [Pass the ordinance approving a final plat of subdivision and OAA for The Belvedere \(The Belvedere Final\) - PZC 22-1-100 \(Item 2 of 3\)](#)

ORD 23-015

Council passed.

17. [Pass the ordinance approving the final PUD plat for The Belvedere \(The Belvedere Final\) - PZC 22-1-100 \(Item 3 of 3\)](#)

ORD 23-016

Council passed.

J. PUBLIC HEARINGS:

1. [Conduct the public hearing and direct staff to prepare ordinances approving the Block 59 Business District Plan and setting an associated Business District tax of one percent](#)

The public hearing opened at 7:41 p.m.

Phil McKenna (Petitioner) discussed the proposed Business District, the sales tax application, the economic underutilization of the area, reviewed the changes that have been made to the proposal in response to Council direction, and stated that the Plan is what can be done not what will be done.

Basim Esmail (Naperville) spoke against the proposed Business District Plan.

A motion was made by Councilman White, seconded by Councilman Hinterlong, to close the public hearing at 7:55 p.m. and direct staff to prepare ordinances approving the Block 59 Business District Plan and setting an associated Business District tax of one percent. The motion carried by a the following vote:

Aye: 6 - Chirico, Hinterlong, Kelly, Leong, White, and Anderson

Nay: 3 - Bruzan Taylor, Holzhauer, and Sullivan

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Pass the ordinance approving a purchase and sale agreement between the City of Naperville and LTF Real Estate Company for the sale of 12.55 acres of City property located at the southeast corner of Route 59 and 103rd Street to LTF Real Estate Company for \\$6,560,000 \(requires seven positive votes\)](#)

George Howard (Naperville) spoke against the purchase and sale agreement.

POSITION STATEMENT

Howard Salk (Naperville) - SUPPORT

A motion was made by Councilman White, seconded by Councilman Hinterlong, to table the ordinance approving a purchase and sale agreement between the City of Naperville and LTF Real Estate Company for the sale of 12.55 acres of City property located at the southeast corner of Route 59 and 103rd Street to LTF Real Estate Company for \$6,560,000 to March 7, 2023. The motion carried by a voice vote.

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Bid 23-029, Van Buren Parking Facility Maintenance Improvements, to J. Gill and Company for an amount not to exceed \\$1,071,088 plus a 3% contingency](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Bid 23-029, Van Buren Parking Facility Maintenance Improvements, to J. Gill and Company for an amount not to exceed \$1,071,088 plus a 3% contingency. The motion carried by the following vote:

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

2. [Approve the award of Bid 23-013, Residential Water Meter Replacement Program to Calumet City Plumbing Co., Inc., for an amount not to exceed \\$1,570,330.00, plus a 3% contingency and for a two-year term](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Bid 23-013, Residential Water Meter Replacement Program to Calumet City Plumbing Co., Inc., for an amount not to exceed \$1,570,330.00, plus a 3% contingency and for a two-year term. The motion carried by the following vote:

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

3. [Approve the award of Bid 22-294, 11th Avenue Water Main Replacement, to Bolder Contractors, for an amount not to exceed \\$2,130,027 plus a 3% contingency](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Bid 22-294, 11th Avenue Water Main Replacement, to Bolder Contractors, for an amount not to exceed \$2,130,027 plus a 3% contingency. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Responsible Bidder Ordinance (RBO)

Taylor asked for consensus to direct staff to bring back the original RBO on March 21, 2023 without input from FAB.

Council discussed the appropriateness of not getting input from FAB, the importance of board/commission review, whether Council cast the previous vote with all the information, and that Council has since done research on the topic.

Mayer stated the Procurement Code is unique to Naperville, that the RBO overlaps with the current code, and that FAB will provide a perspective on where overlaps exist and what needs to be changed.

Council discussed whether the action being proposed for FAB should be assigned to staff and asked that a FAB meeting be added in March prior to the March 21 Council meeting.

Mayer stated that if a quorum of FAB is available a meeting will be scheduled and that the original RBO can be brought back for Council discussion on March 21.

Council asked for a list of who could not bid with an RBO, the financial impact of not using the particular vendor, and the City's relationship with the vendor.

Parking Facilities in the Downtown

Chirico discussed the Central Parking Facility (CPF) replacement schedule, finding a location to relieve parking stress while CPF is under construction, and by using money in the parking fund and sale of property a reasonable bond issuance could be secured without impacting tax payers.

Council discussed surface lot parking, charging stations, ride share services, and the appropriateness of committing to a location at this time.

Novack explained post-pandemic parking activity and data collection.

By consensus, Council directed staff to develop a plan to address anticipated parking shortages, to reconvene the prior task force to review the original Nichols Parking Deck design, and bring information back to a future meeting.

CLOSED SESSION

A motion was made by Councilman Hinterlong, seconded by Councilman White, to recess to Closed Session to discuss 120/2(c)(6) Sale of Property and to adjourn the meeting at the conclusion of Closed Session. The motion carried by the following vote:

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

Q. ADJOURNMENT:

Council adjourned the regular City Council meeting and Closed Session of February 21, 2023 at 9:16 p.m.

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