



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, April 18, 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) Please note that WCNC is currently unavailable to AT&T U-verse (Ch. 99) customers. We encourage these customers to view meetings online at <https://naperville.legistar.com>.

- 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 18 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 18. 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 18.

Online sign-up closes at 4 p.m. on April 18, 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 18.
- 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
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White
Councilwoman Nicki Anderson

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

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

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

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
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; 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 IT, Jacqueline Nguyen; Director of TED, Bill Novack; 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; Deputy Director - Finance, Ray Munch

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

1. [Proclaim April 16-23, 2023 Earth Week in Naperville](#)

White presented the Proclamation.

WRITTEN COMMENT ONLY

Catherine Clarkin (Naperville) - Naperville Environment and Sustainability Task Force (NEST) Mayor and Council, On behalf of the Naperville Environment and Sustainability Task Force (NEST), we would like to thank Councilwoman Theresa Sullivan for being our liaison for the last two years. Councilwoman Sullivan's advice and insights helped us navigate interactions with city staff and Council. She was instrumental in getting us an important meeting with our electricity provider, IMEA, which has helped us better understand the obstacles we need to go around in order to reduce our greenhouse gas emissions. We appreciated her commitment to making Naperville a more sustainable city and wish her well in her future endeavors. She will be missed on Council and as our liaison. We would also like to thank you for the official recognition of Earth Week at tonight's Council meeting. It raises awareness about environmental issues and encourages people to take action. By organizing events and activities, Naperville will help to inspire its residents to make small changes in their daily lives that collectively can have a significant impact on the environment. Recognizing Earth Week is a powerful symbol of a city's commitment to sustainability. This recognition can help to foster a sense of

community and social responsibility. When a city comes together like this, it sends a message that environmental stewardship is a shared responsibility. By working together, individuals, businesses, and government can create a more sustainable future for all. Thank you. Cathy Clarkin NEST Co-Chair

2. [Proclaim April 28, 2023 as Arbor Day in the City of Naperville](#)

White presented the Proclamation.

3. [Proclamation April 2023 Military Child Month](#)

White presented the Proclamation.

G. PUBLIC FORUM:

Boarding houses within city limits

Tim Messer (Naperville) urged Council to be more proactive regarding boarding houses.

Plant trees in Meadow Glen

Sherry Huang (Naperville) discussed downed trees as a result of the 2021 tornado and asked the City to allocate funding to plant replacement trees in the parkway and on private property.

Recognize Paul Hinterlong

Anna Zimmerman (Warrenville) thanked Councilman Hinterlong for his years of service to the Naperville community.

Traffic Stop and Ticket for Burned Headlight

Basim A. Esmail (Naperville) discussed a recent ticket received.

Council discussed the incident and stated the Police Department handled it appropriately.

Election issues

Mimi Cowan discussed election mailers.

Chirico explained that PSAP received a call of a potential drowning victim in the quarry on Monday, April 17, that the Naperville Fire Department and partner communities did a search and located no one, and no one has been reported missing.

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. The motion carried by a voice vote.

I. 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, Holzhauser, Kelly, Leong, Sullivan, White, and Anderson

1. [Approve the Cash Disbursements for the period of 03/01/2023 through 03/31/2023 for a total of \\$29,073,115.02](#)

Council approved.

2. [Approve the regular City Council meeting minutes of April 5, 2023](#)

Council approved.

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

Council approved.

4. [Waive the applicable provisions of the Naperville Procurement Code in order to establish pricing for the 2023 construction season and award Procurement RFQ 23-071, Concrete Restoration Program - Citywide, to various contractors for an amount not to exceed \\$350,000 and for the period of May 1, 2023 through December 31, 2023 \(requires six positive votes\)](#)

Council waived and awarded.

5. [Approve the award of Bid 23-004, 2023 Street Patching Program, to Chicagoland Paving Contractors for an amount not to exceed \\$600,000, plus a 3% contingency](#)

Council approved.

6. [Approve the award of Bid 22-277, Naper Boulevard Stormwater Lift Station Rehabilitation, to Martam Construction, Inc. for an amount not to exceed \\$962,740, plus a 3% contingency](#)

Council approved.

7. [Approve the award of Bid 23-052, Brush Collection Services, to Steve Piper and Sons and Trees "R" Us, Inc. for an amount not to exceed \\$493,936 and for a two-year term](#)

Council approved.

8. [Approve the award of Bid 23-005, 2023 Micro-Surfacing Program, to Microsurfacing Contractors, LLC for an amount not to exceed \\$848,845.25, plus a 3% contingency \(Item 1 of 2\)](#)

Council approved.

9. [Adopt an IDOT resolution in the amount of \\$827,625.25 to allow expenditure of State Motor Fuel tax dollars to fund the 2023 Micro-Surfacing Program \(Item 2 of 2\)](#)

RES 23-13

Council adopted.

10. [Approve the award of Bid 23-003, 2023 Crackfilling Program, to Denler Inc. for an amount not to exceed \\$331,639, plus a 5% contingency \(Item 1 of 2\)](#)

Council approved.

11. [Adopt the IDOT resolution in the amount of \\$331,639 to allow expenditure of State Motor Fuel tax dollars to fund the 2023 Crackfilling Program \(Item 2 of 2\)](#)

RES 23-14

Council adopted.

12. [Approve the award of Option Year One to Sole Source Procurement 21-094, Leaf Disposal Services, to BioAg for an amount not to exceed \\$100,000 \(Item 1 of 2\)](#)

Council approved.

13. [Adopt the resolution authorizing the City Manager to enter into an agreement to lease two parcels of City property to Drendel Farms for leaf disposal \(seven positive votes required\) \(Item 2 of 2\)](#)

RES 23-15

Council adopted.

14. [Approve the award of Option Year Two to Contract 21-128, Emergency and Amber Lighting and Related Equipment, to Fleet Safety Supply, Inc. for an amount not to exceed \\$175,000 and for a one-year term](#)

Council approved.

15. [Pass the ordinance approving a variance to allow the issuance of a Class D - Package Store liquor license for a premise less than 60,000 square feet to Star 7 Corporation at 3027 English Rows Avenue #115](#)

ORD 23-048

Council passed.

16. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the 2023 Memorial Day Parade scheduled on Monday, May 29, 2023](#)

ORD 23-049

Council passed.

17. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the 2023 G.L.O.W. 5K Run scheduled on Saturday, May 20, 2023](#)

ORD 23-050

Council passed.

18. [Pass the revised ordinance to establish temporary traffic controls to accommodate route changes and issue Special Event and Amplifier permits for the 2023 Naperville Women's Half Marathon and 5K scheduled on Sunday, April 23, 2023](#)

ORD 23-051

Council passed.

J. PUBLIC HEARINGS:

1. [Receive the report for Naperville Wheaton Townhomes \(Pearl Subdivision\) located at 5S275 and 5S311 Naperville/Wheaton Road and conduct the public hearing to consider an amendment to the Annexation Agreement - PZC 23-1-002 \(Item 1 of 5\)](#)

Vincent M. Rosanova (Petitioner) described the proposed development of two townhome buildings consisting of 19 dwelling units and a surface parking lot consisting of 40 off-street parking spaces.

Public hearing opened at 7:46 p.m.

Clifton Shay spoke against the proposed development.

Jim Knef (Petitioner's engineer) described the stormwater management plan.

Novack described the City's stormwater management plan and spoke in favor of the storm sewer system being proposed by the Petitioner.

Rosanova concurred with the speaker's recommendation to install an 8' fence, explained outreach efforts to residents, the school district and park district, and the open house at one of the libraries. He stated that the open house was not well attended and explained the concerns that were raised by those that did attend.

Council discussed the number of guest parking spaces proposed, that the project will diversity the housing stock, that variances approved on this development may not be appropriate for others, and clarified that all variances requested will be reviewed on a case by case basis.

Rosanova explained that property management companies will be interviewed and parking supply will be managed by permits.

POSITION STATEMENT

Renee Hacker - OPPOSE

A motion was made by Councilman White, seconded by Councilman Hinterlong, to closed the public hearing at 7:51 p.m. to consider an amendment to the Annexation Agreement and receive the report for Naperville Wheaton Townhomes (Pearl Subdivision) located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 23-1-002. The motion carried by a voice vote.

2. [Pass the ordinance revoking ordinance 19-019 and ordinance 19-094 - PZC 23-1-002](#)

[\(Item 2 of 5\)](#)

ORD 23-052

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the ordinance revoking ordinance 19-019 and ordinance 19-094 - PZC 23-1-002. The motion carried by the following vote:

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

3. [Pass the ordinance authorizing the execution of an amendment to the Leigh Subdivision Annexation Agreement for Naperville Wheaton Townhomes \(Pearl Subdivision\) - PZC 23-1-002 \(Item 3 of 5\)](#)

ORD 23-053

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the ordinance authorizing the execution of an amendment to the Leigh Subdivision Annexation Agreement for Naperville Wheaton Townhomes (Pearl Subdivision) - PZC 23-1-002. The motion carried by the following vote:

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

4. [Pass the ordinance approving variances for Naperville Wheaton Townhomes \(Pearl Subdivision\) - PZC 23-1-002 \(Item 4 of 5\)](#)

ORD 23-054

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the amended ordinance approving variances for Naperville Wheaton Townhomes (Pearl Subdivision) including replacing the proposed 6' fences with 8' fences - PZC 23-1-002. The motion carried by the following vote:

Aye: 8 - Chirico, Bruzan Taylor, Hinterlong, Holzhauser, Kelly, Leong, White, and Anderson

Nay: 1 - Sullivan

5. [Pass the ordinance approving a variance to the exterior wall construction requirements - PZC 23-1-002 \(Item 5 of 5\)](#)

ORD 23-055

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the ordinance approving a variance to the exterior wall construction requirements - PZC 23-1-002. The motion carried by the following vote:

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

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Receive the staff report for 10 Martin Avenue and 801 S. Washington Street \(Naperville Medical Office Building\) - PZC 22-1-030 \(Item 1 of 3\)](#)

Curt Pascoe (Westmont, Ryan Companies US Inc, Petitioner) described the proposal to demolish the existing building and constructing a new, 96,430 square foot cardiovascular center that will complement the larger Edward Hospital campus.

Council discussed the sign variance, stair access, graded path, the appropriateness of receiving input from the Senior Task Force, staff parking, width of sidewalks, access in the event of a traffic accident, and reducing the size of the gateway sign.

Novack stated the proposal went to PZC but not Senior Task Force, that the Senior Task Force is notified of concept meetings but are not required to attend, the barrier-free route to Washington, and that the proposal improves access.

Anissa Olley (Naperville) spoke against the proposal and variances requested.

Marilyn Schweitzer (Naperville) discussed parking and trees.

Council discussed elevations, variances, fencing, lighting, future Riverwalk extension, east elevation, fire department access and egress, and ramps for people coming off the Riverwalk.

A motion was made by Councilman White, seconded by Councilman Hinterlong, to receive the staff report for 10 Martin Avenue and 801 S. Washington Street (Naperville Medical Office Building) - PZC 22-1-030. The motion carried by a voice vote.

2. [Pass the ordinance rezoning certain property located at 10 Martin Avenue from OCI \(Office/Commercial/Institutional District\) to HS \(Health Services District\) \(Naperville Medical Office Building\) - PZC 22-1-030 \(Item 2 of 3\)](#)

ORD 23-056

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the ordinance rezoning certain property located at 10 Martin Avenue from OCI (Office/Commercial/Institutional District) to HS (Health Services District) (Naperville Medical Office Building) - PZC 22-1-030. The motion carried by the following vote:

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

Nay: 1 - Holzhauer

3. [Pass the ordinance approving multiple variances related to setbacks and signage for certain property located at 10 Martin Avenue and 801 S. Washington Street \(Naperville Medical Office Building\) - PZC 22-1-030 \(Item 3 of 3\)](#)

ORD 23-057

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the amended ordinance approving multiple variances related to setbacks and signage, including a 75 sq ft gateway sign, for certain property located at 10 Martin Avenue and 801 S. Washington Street (Naperville Medical Office Building)

- PZC 22-1-030. The motion carried by the following vote:

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

Nay: 1 - Holzhauer

4. [Adopt the resolution authorizing the City Manager to enter into an agreement between the City and the Century Walk Corporation \(Item 1 of 2\)](#)

Philip Buchanan (Naperville) spoke against the proposed resolution.

Marilyn Schweitzer (Naperville) discussed four recommendations regarding the exhibits.

Mary Lou Wehrli (Naperville) discussed the agreement, stated the need to resubmit an updated application and conduct an asset management walk, and the need for increased transparency and to memorialize rights and responsibilities.

Council discussed financial transparency, stipulations require "audited" financials and that records are subject to inspection, the appropriateness of expanding language to be more specific regarding what types of records will be acceptable, and that the City Council should have input on what projects are approved.

DiSanto gave examples of what would be acceptable records and clarified that no funds will be allocated until a contract or invoice is presented by Century Walk.

Brand Bobosky (Century Walk) stated that Century Walk will not agree to an audit.

Krieger stated that if all five stipulations are not met then each Century Walk request for funding will need to be reviewed by the City Council.

Council discussed projects on City-owned property, that the agreement should be amended to clearly state "City-owned land," and the need to have an accurate list of art pieces.

DiSanto stated that staff has partnered with Century Walk to identify pieces, that the agreement is a starting point, and that Century Walk would prefer the City take ownership of as many pieces as possible.

Bobosky discussed Century Walk's long-range plan, that he plans to retire in 2023, and that an audit will cost \$5,000.

Krieger stated the audit would be done by a certified public accountant.

DiSanto stated there is insurance is for pieces located on City-owned property and that Century Walk is not obligated to insure pieces not on City property.

Mayer explained the City audit is less than \$100,000 and that an audit for

Century Walk may be \$1,200.

Council stated there was no vagueness in the direction to require audited financials and that audits are commonly required of non-profits.

DiSanto stated that the list of art can be reviewed in detail after the agreement is signed and summarized Council direction as: 1) modifying Section 2A1(2) to indicate grants are restricted to art on City-owned property; 2) modifying Section 2A1(3) to read that funds distributed to Century Walk upon submitting a contract or invoice to staff; 3) modifying Section 2A1(5) to read that Century Walk will provide audited financial statements to the City; and 4) modifying Section 2E to add detailed examples to "financial records" language.

RES 23-16

A motion was made by Councilman White, seconded by Councilman Hinterlong, to adopt the resolution authorizing the City Manager to enter into an agreement between the City and the Century Walk Corporation.

An amended motion was made by Councilman White, seconded by Councilman Hinterlong, to adopt the resolution authorizing the City Manager to enter into an agreement between the City and the Century Walk Corporation with the following changes: 1) modifying Section 2A1(2) to indicate grants are restricted to art on City-owned property; 2) modifying Section 2A1(3) to read that funds distributed to Century Walk upon submitting a contract or invoice to staff; 3) modifying Section 2A1(5) to read that Century Walk will provide audited financial statements to the City; and 4) modifying Section 2E to add detailed examples to "financial records" language. The motion carried by the following vote:

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

Nay: 1 - Holzhauer

5. [Approve the Calendar Year 2023 SECA Grant Fund Program City Obligation allocation \(Year 2 of 3\) to Century Walk for the establishment of capital public art projects in the amount of \\$100,000 and for maintenance of public art in the amount of \\$50,000 \(Item 2 of 2\)](#)

Council stated that not all stipulations have been met, that SECA Commission provides for a clear review and approval process, discussed the appropriateness of removing City Obligation status, and whether Century Walk should be reassigned as a discretionary funding grantee.

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the Calendar Year 2023 SECA Grant Fund Program City Obligation allocation (Year 2 of 3) to Century Walk for the establishment of capital public art projects in the amount of \$100,000 and for maintenance of public art in the amount of \$50,000. The motion carried by the following vote:

Aye: 6 - Chirico, Bruzan Taylor, Hinterlong, Leong, White, and Anderson

Nay: 3 - Holzhauer, Kelly, and Sullivan

6. [Pass the ordinance repealing Section 1-13-1:1 of the Naperville Municipal Code striking the regulation requiring public disclosure of certain campaign contributions](#)

Tim Messer (Naperville) spoke against the proposed ordinance.
Marilyn Schweitzer (Naperville) spoke against the proposed ordinance.

DiSanto explained how an item that has been tabled indefinitely can be put back on an agenda.

Council discussed appropriateness of tabling indefinitely, giving staff time to research best practices, having a workshop to deliberate, donations raised in the most recent campaign, whether the dollar threshold should be raised, and taking the opportunity to make the ordinance better.

POSITION STATEMENT

Jan Pfeifer (Naperville) - OPPOSE
Allison Longenbaugh (Naperville) - OPPOSE
Patty (Naperville) - OPPOSE

WRITTEN COMMENT ONLY

Derek Miller (Naperville) - I would again like to OPPOSE the repeal of Section 1-13-1:1 that currently requires public disclosure of certain campaign contributions. The ordinance was a great step forward in transparency in our local government elections when it was originally passed and has served as a model for other communities. I agree that the ordinance needs to be modernized (even if it is only a few years old), but if you need to modernize a house by updating the kitchen or bathrooms you don't do it by first tearing down the entire house. I appreciate the desire to give the new city council a fresh start, but life doesn't always provide clean timelines. If there are council members who receive donations from the firefighter's union and have to disclose that every time they vote on a budget or other item impacting firefighters, that is not an undue burden and is something I want to know as a constituent. I vehemently disagree that this ordinance has caused outside money to come into our community. Outside money has flowed into communities all over the country. Naperville is not unique in this regard. All of the money flowing into local elections is even more of a reason to strengthen Section 1-13-1:1. Please keep this important regulation in place and improve it. Thank you.

Tom Rose (Naperville) I strongly disagree with this proposed ordinance. Transparency in government is vital to maintaining our trust in city government. While campaign contributions are reported to the Board of Elections, it is not clear to the everyday citizen if a Council member has received a contribution from a party directly related to a specific issue before the Council. There should be no question Council members are open about their relationships with those who are involved with issues before them. To repeal this

requirement is taking a giant step backward and I really question the motive. At the very least, this issue should be tabled until the new Council gets seated in May. Naperville should lead in government transparency, not in making it easier for the good-old-boy system to flourish.

J Murray (Naperville) I oppose repealing this ordinance as tax payers need more transparency on campaign contributions, not less. As you can see from the questions of the attorney Mr. DiSanto: 1. The Mayor nor any Council member has ever been found in violation. 2. There is no criminal or civil penalties for non compliance. Council has discretion to censure members who violate the ordinance. 3. There has been only one disclosure made pursuant to the ordinance and the disclosure did not impact the councils quorum or the councils ability to vote. Since nobody has ever been found in violation and only one disclosure made that didn't impact a vote, it makes no sense for the urgency to repeal this ordinance. The urgency to overturn this ordinance is suspicious. It is best to keep the ordinance in place and let the new mayor and Council amend the current ordinance. If the ordinance is repealed then the new Mayor and Council will have no urgency to pass campaign disclosures and it threatens the transparency of the tax payers for the new council and Mayor as they won't be compelled to disclose campaign contributions. I oppose the repeal of this ordinance.

Renee Hacker (Naperville) I absolutely and vehemently oppose repealing the ordinance requiring public disclosure of campaign contributions. In the 15 years I have lived in Naperville I have seen more and more \$\$ from mega-donors and PACs pouring into our local elections. Campaign contributions should absolutely be disclosed when business comes before the council pertaining to individuals or groups who made those contributions. Full transparency should be the standard. If you have nothing to hide you should oppose removal of this ordinance.

A motion was made by Councilman White, seconded by Councilman Hinterlong, to pass the ordinance repealing Section 1-13-1:1 of the Naperville Municipal Code striking the regulation requiring public disclosure of certain campaign contributions

A motion in substitution was made by Councilwoman Bruzan Taylor, seconded by Councilman Hinterlong, to table the item to October 17, 2023 and schedule a September workshop to discuss improvements. The motion carried by the following vote:

Aye: 7 - Chirico, Bruzan Taylor, Hinterlong, Holzhauser, Leong, White, and Anderson

Nay: 2 - Kelly, and Sullivan

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Bid 23-006, 2023 Sidewalk and Curb Maintenance Program, to Schroeder & Schroeder, Inc for an amount not to exceed \\$1,182,905, plus a 3% contingency](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Bid 23-006, 2023 Sidewalk and Curb Maintenance Program, to Schroeder & Schroeder, Inc for an amount not to exceed \$1,182,905, 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 Cooperative Procurement 23-084, Advanced Timekeeping and Scheduling Software, to Ultimate Kronos Group Inc., for an amount not to exceed \\$1,327,112, plus a 3% contingency, and for a five-year term](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Cooperative Procurement 23-084, Advanced Timekeeping and Scheduling Software, to Ultimate Kronos Group Inc., for an amount not to exceed \$1,327,112, plus a 3% contingency, and for a five-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 23-046, Fuel Delivery - Motor Fuel & Tank Wagon, to Luke Oil Company, Inc and Al Warren for an amount not to exceed \\$1,772,166.55 and for a one-year term](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Bid 23-046, Fuel Delivery - Motor Fuel & Tank Wagon, to Luke Oil Company, Inc and Al Warren for an amount not to exceed \$1,772,166.55 and for a one-year term. The motion carried by the following vote:

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

4. [Approve the award of Bid 23-001, 2023 Street Resurfacing Program - MFT, to K-Five Construction, for an amount not to exceed \\$6,720,546.20, plus a 3% contingency \(Item 1 of 2\)](#)

A motion was made by Councilman White, seconded by Councilman Hinterlong, to approve the award of Bid 23-001, 2023 Street Resurfacing Program - MFT, to K-Five Construction, for an amount not to exceed \$6,720,546.20, plus a 3% contingency. The motion carried by the following vote:

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

5. [Adopt the IDOT resolution in the amount of \\$6,720,546.20 to allow expenditure of](#)

[State Motor Fuel tax dollars to fund the 2023 Street Resurfacing Program - MFT \(Item 2 of 2\)](#)

RES 23-17

A motion was made by Councilman White, seconded by Councilman Hinterlong, to adopt the IDOT resolution in the amount of \$6,720,546.20 to allow expenditure of State Motor Fuel tax dollars to fund the 2023 Street Resurfacing Program - MFT. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Pam Davis Drive

Council discussed construction on the Edward-Elmhurst campus and directed staff to work with the developer to rename Osler Drive as Pam Davis Drive.

Farewell Remarks

Chirico, Holzhauer, Kelly, White, Hinterlong, and Taylor made farewell remarks to Sullivan.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilman White, to adjourn the Regular City Council Meeting of April 18, 2023 at 10:03 p.m. The motion carried by a voice vote.

/S/ Pam Gallahue

Pam Gallahue, PhD

Community Services Director/City Clerk