



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, February 7, 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 7 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 7. 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 7. Online sign-up closes at 4 p.m. on February 7, 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 7.
- 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:**B. ROLL CALL:****C. CLOSED SESSION - CANCELED**

OPEN SESSION - 7:00 p.m.

Mayor Pro Tem White 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; 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.; Director of Public Works, Dick Dublinski, Director of Communications, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

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

F. AWARDS AND RECOGNITIONS:

1. [Proclaim February 3, 2023 as #203Day for the Naperville 203 Community](#)

White presented the Proclamation.

G. PUBLIC FORUM:

"3 Minutes with NEST" Update

Carl VanDril (NEST) discussed reducing and phasing out natural gas.

Update from Naperville Tornado Relief

Kristy Kennedy (Naperville Tornado Relief/M.P. Foundation) discussed funding received from the State of Illinois for yard replacement and remediation, explained how funds will be dispersed to affected neighbors, and requested \$500,000 funding from the City.

By consensus, Council directed staff to research the appropriateness of using ARPA funding to assist and to present options in a report.

DuPage Monarch Project

Catherine Cox (Warrenville) discussed the project, requested the City join, and adopt a resolution in support of the project.

Council discussed adopting a resolution, what the City would commit to, and what projects have been done by others who participate in the project.

Gallahue explained that each community determines their commitment via a resolution based on circumstances, available resources and long range plans.

Cox further explained the group's outreach efforts and formal recognition awards.

By consensus, Council directed staff to draft a resolution in support of the

DuPage Monarch Project.

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

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to use the Omnibus method to approve the Consent Agenda. The motion passed by a voice vote.

I. CONSENT AGENDA:

Approval of the Consent Agenda

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, 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 regular City Council meeting minutes of January 17, 2023](#)
Council approved.
2. [Approve the City Council meeting schedule for March, April and May 2023](#)
Council approved.
3. [Waive the applicable provisions of the Naperville Procurement Code and award Procurement 23-036, Fire Station 10 Overhead Door Replacement - Phase VI and Final, to Allied Door, Inc. for an amount not to exceed \\$180,487.27 and a 5% contingency \(Requires six positive votes\)](#)
Council approved.
4. [Approve the award of Work Order 17-122H, Sylvan Circle and E. Porter Avenue Roadway Improvements Phase I & II Engineering, to Thomas Engineering Group, LLC, for an amount not to exceed \\$304,025](#)
Council approved.
5. [Approve the award of Cooperative Procurement 23-023, ESRI Advantage Program - ArcGIS Utility Network Implementation, to ESRI for an amount not to exceed \\$672,400 over a period of three years](#)
Council approved.
6. [Approve the award of Cooperative Procurement 23-043, Unit 242 Replacement - Compact Excavator, to Atlas Bobcat for an amount not to exceed \\$106,138](#)
Council approved.
7. [Approve the award of Cooperative Procurement 23-044, Police Department Jail Hallway](#)

[Floor Restoration, to Garland/DBS Inc. for an amount not to exceed \\$239,799 and a 5% contingency](#)

Council approved.

8. [Approve the award of Option Year One to Contract 22-058, Storm Sewer Lining, to Hoerr Construction for an amount not to exceed \\$650,000, and a 3% contingency](#)

Council approved.

9. [Approve the award of Option Year One to Contract 22-038, Tree Planting, to The Fields on Canton Farm, Inc for an amount not to exceed \\$472,000](#)

Council asked how the program is marketed and an estimate of City cost prior to the assistance program being in place.

Dublinski explained that the City uses postcards and phone calls, that since 2018 five-ten households have opted out and typically cite cost and wanting more light in the yard, that both before and after the cost-share program the City has planted approximately 800 trees annually, and that the City allows residents to be on a payment plan.

Mayer stated that the City spends \$250,000 annually on the program.

Council approved.

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

10. [Approve the award of Option Year Two to Contract 20-036, Street Sweeping Services, to Lakeshore Recycling Systems LLC for an amount not to exceed \\$196,485](#)

Council approved.

11. [Approve the award of Option Year Two to Contract 20-339, Electric Equipment Painting, to BP&T Construction for an amount not to exceed \\$450,000](#)

Council approved.

12. [Approve the award of Change Order #3 to Contract 22-002, 2022 Street Resurfacing Program - MFT, to K-Five Construction for an additional 242 days](#)

Council approved.

13. [Approve the award of Change Order #8 to Contract 21-149, Moser Tower and Eagle Street Pedestrian Walkway Rehabilitation, to StruxC-MC LLC, for an amount not to exceed \\$3,450.00 and a total award of \\$2,151,387.40 and for an additional 244 days](#)

Council approved.

14. [Pass the ordinance approving a variance to Section 6-6B-7 and a deviation to Section 7-1-13 to permit a new single-family home at 525 E. Hillside Road - PZC 22-1-124](#)

ORD 23-006

Council passed.

15. [Pass the ordinance approving a variance to Section 6-2-10:1 to allow a detached garage at 2517 Lindenwood Lane - PZC 22-1-123](#)

ORD 23-007

Council passed.

16. [Pass the ordinance approving a conditional use for public assembly 1701 Quincy Avenue Suite 17-19 \(Align Ministries\) - PZC 22-1-121](#)

ORD 23-008

Council passed.

17. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the St. Paddy's Day 5K and the St. Patrick's Day Parade scheduled on Saturday, March 11, 2023](#)

ORD 23-009

Council passed.

18. [Adopt the resolution appointing an Authorized IMRF Agent under the Illinois Municipal Retirement Fund Act](#)

RES 23-02

Council adopted.

19. [Adopt the resolution authorizing a workers' compensation settlement between Lawrence Ehrhart and the City of Naperville](#)

RES 23-03

Council adopted.

J. PUBLIC HEARINGS:

1. [Conduct the public hearing for the Community Development Block Grant \(CDBG\) Program Year 2023 Annual Action Plan \(Item 1 of 2\)](#)

The public hearing was opened at 7:37 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to close the public hearing for the Community Development Block Grant (CDBG) Program Year 2023 Annual Action Plan at 7:37 p.m. The motion carried by a voice vote.

2. [Approve the Community Development Block Grant \(CDBG\) Program Year 2023 Annual Action Plan allocating \\$535,000 \(Item 2 of 2\)](#)

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly,

to approve the Community Development Block Grant (CDBG) Program Year 2023 Annual Action Plan allocating \$535,000. 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. [Pass the ordinance and schedule a public hearing for February 21, 2023 for the Block 59 Business District](#)

Andy Balzar (Petitioner) discussed the impact of the requested boundary change on revenue generation and number of years for payback, current vacancy levels, and said that façade improvements are being made to the area outside the boundary.

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

Council discussed Hollywood Palms improvements, the definition of blight, and including the traffic light installation in the ordinance provisions.

Krieger explained the approval timeline and stated that the provision requiring the developer to pay \$250,000 for the traffic signal will be included.

ORD 23-010

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to pass the ordinance and schedule a public hearing for February 21, 2023 for the Block 59 Business District. The motion carried by the following vote:

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

Nay: 3 - Bruzan Taylor, Holzhauser, and Sullivan

2. [Pass the ordinance approving a Purchase and Sale Agreement for approximately 4.68 acres of City-owned property, located east of Illinois Route 59 and south of 103rd Street, between the City of Naperville and Tower Court Naperville, LLC \("TCN"\) including major business terms for the development of affordable senior and IDD housing \(requires seven positive votes\)](#)

Ron Clewer (Petitioner) explained that the ordinance approves the Purchase and Sale Agreement, including the major business terms, and that Tower Court does not expect a response from the State of Illinois until June.

POSITION STATEMENT - SUPPORT

Allison Longenbaugh (Naperville)

ORD 23-011

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to pass the ordinance approving a Purchase and Sale Agreement for 4.8 acres of

city-owned property, located east of Illinois Route 59 and south of 103rd Street, between the City of Naperville and Tower Court Naperville, LLC ("TCN") including major business terms for the development of affordable senior and IDD housing. The motion carried by the following vote:

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

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Bid 23-018, Main Street and Washington Street Water Main and Roadway Improvements, to A Lamp Concrete Contractor, Inc., for an amount not to exceed \\$2,458,000](#)

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to approve the award of Bid 23-018, Main Street and Washington Street Water Main and Roadway Improvements, to A Lamp Concrete Contractor, Inc., for an amount not to exceed \$2,458,000. 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:

1. [Provide direction on the Temporary Use request for a construction staging area at 1951 W. Jefferson Avenue](#)

Byron DeBord (Chicago - Target Corporation - Petitioner) discussed the similar Super Target renovation project in Algonquin, the Naperville staging area, and the anticipated 28-week construction period

Marco Capellupo (Chicago - Target Corporation - Petitioner) further discussed the remodel.

Council discussed Target funding a portion of the traffic signal installation on Jefferson Avenue and putting the staging area behind the store.

Krieger gave an overview of staff's conversation with Target Corporate and stated historical traffic and crash data is being sent for their review.

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to approve the Temporary Use request for a construction staging area at 1951 W. Jefferson Avenue. The motion carried by a voice vote.

P. NEW BUSINESS:

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilman Kelly, to adjourn the Regular City Council Meeting of February 7, 2023 at 8:09 p.m. The motion carried by a voice vote.

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