



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, November 1, 2022

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 November 1 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 November 1. 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 November 1. Online sign-up closes at 4 p.m. on November 1, 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 November 1.
- 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:

Mayor Chirico called the meeting to order at 7:01 p.m.

B. ROLL CALL:**C. CLOSED SESSION - CANCELED**

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

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

Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; Deputy City Clerk, Nancy Bright; Fire Chief, Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Director of Human Resources, James Sheehan; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Deputy Director of TED, Jennifer Loudon;

Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, 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:

F. AWARDS AND RECOGNITIONS:

1. [Proclaim November 1, 2022 as SewaDiwali Food Drive Day in the City of Naperville](#)

Leong presented the proclamation to Sudheer HN and Sewa Diwali volunteers

2. [Proclaim November 1, 2022 as The Conservation Foundation Day in the City of Naperville](#)

WRITTEN COMMENTS ONLY

Marilyn L Schweitzer (Naperville) - Congratulations to The Conservation Foundation on their 50th anniversary. When my husband and I moved to Naperville in 1987, we sought a local organization that supported environmental stewardship and happily discovered The Conservation Foundation. We appreciate all their accomplishments and wish them the best in their future endeavors.

Gustin presented the proclamation to members of The Conservation Foundation.

G. PUBLIC FORUM:

Recognition of staff, mayor, and council

Mimi Cowan of the Will County Board thanked the Naperville Mayor, Council, City Manager and staff for their assistance during her term.

City recognition of HSS

Pieter Friedrich discussed the principles of Hindu Swayamsevak Sangh and its relation to RSS.

Budget meeting comments

Marilyn L. Schweitzer commented on police resources and traffic enforcement

COMMENT ONLY

George Kalinka (Naperville) - I live in the Ivy Ridge subdivision in Naperville. There is a red and white biplane regularly practicing stunt flying over the Springbrook Prairie Forest Preserve across 75th Street from our subdivision. This takes place afternoons many weekends. The noise, besides being annoying, is very loud and an unfortunate example of noise pollution. Is acrobatic flying allowable in Naperville so close to so many residential areas? Thank you for allowing me to submit my comment.

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

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

I. CONSENT AGENDA:

Approval of the Consent Agenda

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

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

1. [Approve the regular City Council meeting minutes of October 18, 2022](#)
Council approved.
2. [Approve the City Council meeting schedule November and December 2022 and January 2023](#)
Council approved.
3. [Approve the award of Bid 22-223, Washington Street Sanitary Lateral Rehabilitation Project, to Performance Pipelining, Inc. for an amount not to exceed \\$273,130 for a six-month term](#)
Council approved.
4. [Approve the award of Option Year 2 to Contract 18-184, Fire Alarm System Monitoring and Maintenance, to Chicago Metro Fire Prevention Company \(CMFP\) for an amount not to exceed \\$145,000](#)
Council approved.
5. [Approve the award of Change Order #1 to Option Year One of Contract 20-002, Leak Survey, to ADS Environmental Services for an amount not to exceed \\$169,048 for a](#)

[one-year term](#)

Council approved.

6. [Approve appointments to various Boards & Commissions](#)

Council approved.

7. [Pass the ordinance approving a variance related to the proposed ground sign at 1661 Aurora Avenue \(Gerald Kia\) - PZC 22-1-086](#)

ORD. 22-118

Council passed.

8. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the Turkey Trot 5K Run on Thursday, November 24, 2022](#)

ORD. 22-119

Council passed.

9. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the Rotary Clubs of Naperville Holiday Parade of Lights on Friday, November 25, 2022](#)

ORD. 22-120

Council passed.

10. [Table the ordinance amending Section 10-7-1 of the Naperville Municipal Code regarding approval of fireworks permit applications to November 15, 2022](#)

Tabled to November 15, 2022.

11. [Adopt the resolution approving the Fourth Amendment to the Intergovernmental Agreement between the City of Naperville, the City of Aurora and the Naperville Township for the additional land acquisition and additional design engineering for the North Aurora Road Underpass](#)

RES. 22-36

Council adopted.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. [Provide feedback on the items provided under the Discussion section and direct staff to prepare the necessary agreements and ordinances approving the Naperville Polo Club development \(6 positive votes\) - PZC 22-1-056](#)

SPEAKERS

Russ Whitaker (for Petitioner) provided an overview of the Polo Club development plan highlighting the type of homes and price points, open space, and traffic calming measures. He spoke about sustainability measures including products to increase energy and water efficiency, using recycled materials, and the option for electric vehicle (EV) charging station infrastructure.

Barbara Benson (Naperville - NEST) discussed reducing greenhouse gases by using electric appliances, including EV charging and solar panel infrastructure, and preserving ponds and trees on the site.

Michael Krzywinski (Naperville) lives next to Hawkweed connection and opposes the gate.

Jeremy Embalabala (Naperville/Plan for Us) spoke in favor of keeping Hawkweed gated until 119th Street improvements are finished.

Jeff Maxick (Naperville/Plan for Us) spoke in favor of keeping Hawkweed gated until 119th Street improvements are finished.

Dan Shaffron (Naperville) spoke in favor of keeping Hawkweed gated.

James Urso (Naperville) spoke about emergency vehicle access and extending turn lanes.

Should a new boundary agreement be pursued with the Village of Plainfield to allow Naperville Polo Club?

Council discussed the responsibility for Route 59 corner improvements and about previous discussions with Plainfield regarding the boundary agreement.

Council directed staff to pursue with the boundary agreement with Plainfield by a show of hands.

Should Pulte to contribute \$500,000 to fund the Phase 1 engineering study 119th Street Improvements?

Council said that Pulte should cover the full \$500,000 of the Phase 1

Engineering Study for 119th Street improvements. Whitaker agreed that Pulte would pay up to \$500,000 if it could be structured in the annexation agreement with an initial payment and a final payment up to a total of \$500,00.

Council agreed by show of hands.

Should Pulte redesign the layout of the northern intersection of Road C and Road D to address engineering staff's safety concerns?

Council discussed the reason for the safety concerns, the probability of resident complaints to the Transportation Advisory Board (TAB), the difference between this "Y" and a "T" intersection in the development, pedestrian versus vehicle perspective, the transition between housing types, whether a stop sign would help and the possibility of using a roundabout.

Novack responded that a stop sign wouldn't resolve the confusion about who has right-of-way and there is also a sight distance issue. The area doesn't have enough space to put in a roundabout.

Council agreed with staff's recommendation to redesign the intersection by a show of hands.

Should the Hawkweed Drive connection be gated only during the construction of the Naperville Polo Club. Or, should the Hawkweed Drive connection remain closed until improvements to 119th Street are completed?

Russ Whitaker discussed the timeline for the full buildout (2029/2030) and the traffic improvement completion which is based on IDOT approvals.

Council stated that the plan presented was reached between Pulte and the Plan for Us group. Council was not a party to the agreement and is considering the plan now along with staff recommendations.

Council clarified Russ Whitaker's statement that Pulte has a policy prohibiting construction traffic from going through adjoining subdivisions.

Whitaker said that Pulte would include that in the annexation agreement and Pulte would deal with trades that didn't abide by the policy.

Council discussed whether the gating should be tied to the completion development or traffic improvement which may take ten years. They discussed construction traffic being heavier while infrastructure and first

wave of houses is put in and then becoming lighter. They considered traffic concerns for pedestrians and children at the nearby park and restricted school bus and emergency vehicle delays because of the gate.

Council considered whether to open the gate at five years, ten years, when construction is complete or after all traffic improvements are complete. They asked whether staff would do a traffic study to determine if there was cut-through traffic after Hawkweed Drive was opened.

Novack said that traffic studies would be done before and after Hawkweed was opened to determine whether traffic calming solutions were needed. If so, then the matter would be reviewed by TAB and referred to the City Council.

Council directed that Hawkweed Drive be gated for five years or until construction is complete or 119th Street final improvements are done, whichever is first.

Is Pulte's proposal for below-market units sufficient to support the deviations/variances requested for these units?

Russ Whitaker stated that Pulte designed lot sizes of some of their home series to fit an 80% to 100% AMI category from the S.B. Friedman, Inc. report with prices \$350,000 to \$400,000. The homes in these series are for sale to any buyer and not a qualified target. The homes are going for market rates for the lot sizes and home product and Pulte didn't ask for more density.

Council discussed the homes not meeting the lower 60% AMI which Naperville needs to meet the gap but are satisfied with the 80% to 100% AMI since the lower AMI isn't codified yet. They praised Pulte for providing smaller starter homes on smaller lots as naturally occurring affordable housing.

Council asked Pulte to add brick to the front of the townhomes.

Whitaker said that the vinyl siding has improved dramatically in recent years, so it doesn't fade quickly, comes with a guarantee and is more sustainable than brick. He stated that the masonry on the building is less than the required fifty percent but the varied roof lines on the façade makes townhome more attractive.

He showed examples of the variations in roof lines and compared Pulte's elevations to boxy products by other developers. Whitaker explained that

adding more brick would make the townhome more expensive and Pulte would need to raise the price of the other series of homes to differentiate the products. This would push the development out of the lower price point currently proposed.

Council asked staff about the zoning requirements for brick on the townhomes and single-family homes.

Laff responded that there is no requirement for single-family and that for townhomes it is, on average, fifty percent of the façades are covered in brick and any townhome facing a roadway must be fifty percent brick.

Questions were raised about who was responsible for maintaining the landscaping in the single-family homes and how installing solar panels would work with the HOA.

Whitaker responded that single-family homeowners are responsible for maintaining landscaping. HOA approval won't be necessary for installing solar panels.

Council discussed the attractiveness of the rendering and asked Pulte put a minimum percentage of brick as shown in the example into the agreement. They asked NEST to study the sustainability of vinyl and brick facades.

Council agreed that the proposal was sufficient by a show of hands.

P. NEW BUSINESS:

Equity and Inclusion Event

Chirico invited residents to attend the first event in the Embrace Naperville equity and inclusion series: The Power of Inclusion on Thursday, November 10th.

Utility bill late fees

Holzhauser asked Finance Director Rachel Mayer about the policy for utility bill due date and late fees and if it could be changed.

Mayer said they currently charged late fees based on the receipt date of the payment. She said the policy could be changed to accept the postmark date instead.

Council participation at parades

White asked for clarification on Gustin's comment about restrictions on

Council members attending parades.

Gustin said that she meant participating in parade and asked staff to provide guidance.

Hate Crime Incident - Campaign Signs

Gustin thanked Police for identifying perpetrator of the hate crime regarding her election signs.

Q. ADJOURNMENT:

/S/ Nancy Bright
Nancy Bright, Deputy
City Clerk