

Council QA – June 21, 2022:

F. AWARDS AND RECOGNITIONS:

1. **22-0754** Presentation of Fire Chief’s Citizen Awards

2. **22-0762** Proclaim June 21, 2022 Lucy Westlake Day in the City of Naperville

I. CONSENT AGENDA:

1. **22-0699** Approve the Cash Disbursements for the period of 05/01/2022 through 05/31/2022 for a total of \$26,711,928.28

2. **22-0753** Approve the regular City Council meeting minutes of June 7, 2022

3. **22-0691** Approve the City Council meeting schedule for July, August & September 2022

4. **22-0746** Approve the award of Change Order #1 to Contract 20-399, Elevator Maintenance Service, to Urban Elevator Service, LLC for an amount not to exceed \$41,475 and a total contract value of \$136,475

Q:	Do we have cameras in our public elevators? Is it legal to put them in our elevators to help prevent crime?	Hinterlong
A:	It is not illegal to put security cameras in the elevators, but installing them in a location where they won't get vandalized is a challenge. We have security cameras in some of the lobby areas right outside the elevators and are working on having them installed in all of the lobby areas over the next year.	Dublinski
Q:	How often in the past 5 years have our elevators been vandalized? Is any one elevator more vandalized then others?	Bruzan Taylor
A:	In the last 3 years, Water St. Parking facility elevators have been vandalized 6 times at a cost of over \$50,000 and the Van Buren Parking facilities elevators have been vandalized 3 times.	Dublinski

5. **22-0752** Approve the award of Change Order #1 to Contract 20-375, Axon Taser Equipment, to Axon Enterprise for an amount not to exceed \$177,256.96 over three years and a total award of \$453,256.96

6. **22-0609** Approve the award of Change Order #2 to Option Year One of Contract

17-020, Custodial/Janitorial Services for City Sites, to Citywide Building Maintenance for an amount not to exceed \$81,981 and a total award of \$586,597

- 7. **22-0721** Approve the award of Option Year Two to Contract 19-310, Naper Settlement Maintenance Support Services, to JP Superior Cleaning and Janitorial Services Corporation for an amount not to exceed \$150,254.40
- 8. **22-0760** Approve the award of Cooperative Procurement 22-203, Darktrace EIS, to SHI, for an amount not to exceed \$110,614.13
- 9. **22-0680** Approve the award of Cooperative Procurement 22-197, Ford Automotive Parts & Supplies, to Ford Motor Company for an amount not to exceed \$235,000 and for a 2.5-year term
- 10. **22-0761** Approve the award of Bid 22-168, 2022 Parking Lot Maintenance Program, to Denler, Inc., for an amount not to exceed \$714,086.10, plus a 3% contingency

Q:	Is it possible to have interns or summer help take a stencil around and repaint these numbers? (cheaper and will get it done sooner?)	Hinterlong
A:	It is possible for summer interns to perform this work. However, the work needs to be done after any scheduled maintenance on the lot is completed. Having all of the pavement markings included in the contract results in better coordination of the work and leaves the contractor as the sole party responsible for it all. Staff strongly supports keeping the space numbering in the contract.	Novack
Q:	Why do you think that for 2 contract terms in a row have we only had one bidder?	Bruzan Taylor
A:	Staff has made the same observation and has already started talking about what changes we need to make to attract more bidders in future years. Two years ago we thought it was due to Covid, and this year we initially thought it may be due to the very volatile prices associated with asphalt and petroleum. It could also be due to the wide range of services we require with this contract; ranging from sealing and striping to repaving of lots. We will continue our internal and external discussions to determine what changes we need to make two years from now.	Novack

- 11. **22-0673** Approve the recommendation by Alliant Insurance Services to award Excess Liability Insurance coverage to Great American Insurance Company for a one-year term and an amount not to exceed \$245,669
- 12. **22-0688** Approve the recommendation by Alliant Insurance to award Property, Cyber Liability, and Pollution Liability insurance coverage through the Alliant Property Insurance Program for an amount not to exceed

\$788,006.78 and for a one-year term

13. **22-0695** Approve the fireworks display application and issue a permit for the Naperville Country Club event on June 26, 2022

14. **22-0713** Approve the fireworks display application and issue a permit for the Naperville Park District event on July 3, 2022

Q:	Do we have a traffic plan, road closures or restricted parking plans for this event? What are the fencing requirements and what type of fencing will be used for this event?	Hinterlong
A:	The site map, which includes parking information, is attached. All roads will remain open, however the Police Department has contingency plans for soft closures at strategic locations if necessary after the event. There are no fence requirements but, consistent with the past two years, staff will be using bicycle rack/FEMA fence to secure the fireworks blast zone. The fireworks blast zone is the only location in the park that will have restricted pedestrian access.	Gallahue

15. **22-0745** Approve the fireworks display application and issue a permit for the White Eagle Golf Club event on July 2, 2022

16. **22-0720** Approve the Intergovernmental Agreement with DuPage County Forest Preserve District for the South-Central Interceptor Bank Stabilization Project Phase 2 and authorize payment of associated fees in the amount of \$244,910.19

Q:	Is the required deposit typical in these type of inter-governmental projects?	Bruzan Taylor
A:	Yes, it is a common permitting requirement for these types of projects.	Blenniss

17. **22-0698** Approve the disposition of surplus property, Unit 332 - 2009 International Medtec Ambulance, by donation to Ukraine

Q:	What resources does Sister Cities have?	Hinterlong
A:	Sister Cities has a budget of \$3,350 but will not be contributing any funds to this effort. Rotary is covering 100% of the costs.	Schatz

18. **22-0757** Adopt the resolution for major business terms related to the sale of

City-owned land at IL Route 59 and 103rd for affordable senior and IDD
Housing

Q:	Why would the city be on the hook for the route 59 improvements? Seems to me, anyone that wants to develop there should have the responsibility for their needs?	Hinterlong
A:	Unlike a market-rate development, the funding sources and requirements for affordable housing are different. Very limited funds are available for off-site improvements (e.g. sidewalk extension, utility connections). The scope of the IL Route 59 improvements is well beyond any allowance for off-site improvements. The added costs make it impossible to develop an affordable project. However, investment in the IL Route 59 improvements will increase the market value of the remaining lands owned by the City, providing opportunity for return on the investment.	Emery
Q:	Did Mercy give a reason for not proceeding?	Bruzan Taylor
A:	As the Mercy Housing-Lakefront Team noted during the public meeting hosted by the Human Rights and Fair Housing Commission on March 7, 2022, they had much to learn about Naperville and its community needs. At that meeting, they presented multiple concept ideas to demonstrate they were early in their research and design process. The Mercy Housing-Lakefront Team participated faithfully in negotiation of the Major Business Terms (MBTs) for several weeks. The decision to leave the process was unexpected by staff, as they provided no specific reason and were intimately involved in the crafting of the MBTs elements including the milestones and amenities.	Emery
Q:	Please provide more details regarding why Mercy withdrew from the process?	Kelly
A:	See above	Emery

19. **22-0684B** Receive the staff report for La Dimora di Douglas Resubdivision - PZC
22-1-007 (Item 1 of 3)

Q:	So the view from Highland Ave will be on a fence where there once was a house? I do understand it will follow the front yard setbacks, but the view will still be of a fence since there will be a pool installed, correct? Also, by changing the zoning will the newly built single family house be allowed to be taller than if the zoning remained the same?	Bruzan Taylor
A:	Current plans for the property include a fence that is set back 30 ft. from the Highland Avenue property line - this is what will be seen from the Highland Ave. right-of-way. The note added to the Preliminary/Final Plat of Subdivision will prohibit any additional accessory structures from being placed in this 30 ft. setback (with the exception of a 10 ft. wide vehicular access), and will prevent the property owner from installing a fence directly along the Highland Avenue frontage.	Kopinski

The rezoning from R2 to R1B will not allow for any increases in building height. Both zoning districts have a maximum building height of 2 ½ stories, not to exceed 35 ft. Furthermore, the City's Tear Down/Infill Regulations specify that the maximum height shall be 2½ stories not to exceed 35'. In addition, the maximum roof peak height shall be 40 feet to the peak of the roof.

- 20. **22-0750** Pass the ordinance rezoning the property located at 416 E. Chicago Avenue from R2 to R1B (La Dimora di Douglas Resubdivision) - PZC 22-1-007 (Item 2 of 3)
- 21. **22-0751** Pass the ordinance approving a preliminary/final plat of subdivision for La Dimora di Douglas Resubdivision - PZC 22-1-007 (Item 3 of 3)
- 22. **22-0759** Waive the first reading and pass the ordinance amending Section 3-3-11:3 of the Naperville Municipal Code increasing the cap on Outdoor Seating permits from six to ten (requires six positive votes)

Q:	Will there still be public access to the bench and the bike rack in front of La Sorella di Francesca? Will there be 6 feet between the fence and the light pole at Le Chocolat du Bouchard?	Hinterlong
A:	Yes, TED will work with La Sorella di Francesca to ensure that there is public access. Yes, there is a break in the fencing near the light pole to ensure there is proper clearance.	Lutzke
Q:	Is Francesca's using the public bench as seating like they did last year? If not, it looks as though they are blocking public access to the bench by the 36x36 and 24x36 tables. I remember how tight that space was last year and very difficult to navigate for pedestrians. Are they open to removing those two tables so that the space can be available to the public, as designed?	Bruzan Taylor
A:	No. The layout is preliminary and will need to be reviewed by TED. Staff will work with La Sorella di Francesca to ensure that public access to the bench is not impacted.	Lutzke

- 23. **22-0763** Waive the first reading and pass the ordinance amending Sections 1-5-6-2 and 2-1-13 of the Naperville Municipal Code regarding Conduct of Members provisions for City Council and Board and Commission members (requires six positive votes)

Q:	A) How and to whom would one report a violation of this code of conduct by a board or commission member?	Sullivan
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	<p>B) What are the possible courses of action if a commissioner violates the code of conduct?</p> <p>C) What is the process of dealing with a possible violation and who has the authority to judge and/or impose whatever consequences might be appropriate?</p>	
A:	<p>A) How and to whom would one report a violation of this code of conduct by a board or commission member?</p> <p>The public body has the ultimately authority and means for enforcing its code of conduct. It is expected that suspected violations be reported by a member of the public body to the chair of the public body. The chair may then choose to either address the violation directly with the alleged violator or may direct staff to conduct an investigation (overseen by City Attorney, as ethics officer). If the alleged violation concerns the chair, then the member of the public body should report the matter to the Mayor or City Manager.</p> <p>B) What are the possible courses of action if a commissioner violates the code of conduct?</p> <p>If a board or commissioner violates the code of conduct, there are a variety of potential actions depending on the circumstances, including: verbal coaching, written reprimand, censure, request to resign, or removal by Council action.</p> <p>C) What is the process of dealing with a possible violation and who has the authority to judge and/or impose whatever consequences might be appropriate?</p> <p>See above.</p>	Schatz & DiSanto
Q:	<p>Does this new Code of Conduct apply to current Board and Commission members? Will they be required to sign to keep their position? Also, why did you not put into place that Board and Commission members should not be allowed to use their titles when speaking on matters outside of their Commission/Board purview?</p>	Bruzan Taylor
A:	<p>A) Does this new Code of Conduct apply to current Board and Commission members?</p> <p>Yes.</p> <p>B) Will they be required to sign to keep their position?</p> <p>If adopted, new board and commission members will be required to acknowledge that they have received the code of conduct and will comply with it. The code of conduct will be shared with all existing board and commission members and they will be instructed that they are responsible for compliance.</p> <p>C) Also, why did you not put into place that Board and Commission members should not be allowed to use their titles when speaking on matters outside of their Commission/Board purview?</p> <p>The proposed code of conduct for board & commission members states, in part: <i>"Board and Commission members making statements about City business should clarify that they are speaking for themselves and not on behalf of the Board or Commission. Board and Commission members should also make this clarification when speaking on non-City business and using their Board or Commission title."</i></p> <p>Staff did not include restricting board and commission members from ever</p>	Schatz & DiSanto

using their titles when communicating on any matter outside their purview because there may be incidents where a title is used inadvertently as part of a signature block or on social media or by way of an introduction or background/resume making strict enforcement of such a policy ineffective.

J. PUBLIC HEARINGS:

1. **22-0586B** Receive the staff report and conduct the public hearing to consider the Annexation Agreement for property located at 722 Woodlawn Avenue - PZC 21-1-128 (Item 1 of 5)

2. **22-0709** Pass the ordinance authorizing the execution of the Annexation Agreement for property located at 722 Woodlawn Avenue - PZC 21-1-128 (requires six positive votes) (Item 2 of 5)

3. **22-0710** Pass the ordinance annexing 722 Woodlawn Avenue - PZC 21-1-128 (Item 3 of 5)

4. **22-0711** Pass the ordinance rezoning 722 Woodlawn Avenue to R1A upon annexation - PZC 21-1-128 (Item 4 of 5)

5. **22-0712** Pass the ordinance approving a deviation to the platted setback for property located at 722 Woodlawn Avenue - PZC 21-1-128 (Item 5 of 5)

6. **22-0582B** Receive the staff report and conduct the public hearing to consider the Annexation Agreement for property located at 5S578 Tuthill Road - PZC 22-1-025 (Item 1 of 4)

7. **22-0700** Pass the ordinance authorizing the execution of the Annexation Agreement for property located at 5S578 Tuthill Road - PZC 22-1-025 (requires six positive votes) (Item 2 of 4)

8. **22-0701** Pass the ordinance annexing 5S578 Tuthill Road - PZC 22-1-025 (Item 3 of 4)

9. **22-0702** Pass the ordinance rezoning 5S578 Tuthill Road to R1 upon annexation - PZC 22-1-025 (Item 4 of 4)

- 10. **22-0765** Conduct the public hearing for the Program Year 2021 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (Item 1 of 2)
- 11. **22-0764** Accept the Program Year 2021 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (Item 2 of 2)

L. ORDINANCES AND RESOLUTIONS:

- 1. **22-0428C** Concur with staff recommendation to establish an Overnight Parking Program and pass the ordinance creating overnight parking exemptions for subdivisions designated as multi-family and built prior to November 17, 2015 (Item 1 of 3)

Q:	Does the City get reimbursement for the purchase of the hang tags?	Bruzan Taylor
A:	The City will not be reimbursed for the purchase of the hang tags.	Prousa

- 2. **22-0568C** Pass the ordinance amending Section 11-2A-8 of the Naperville Municipal Code to allow all-night parking as designated in the Traffic Schedule (Item 2 of 3)
- 3. **22-0567C** Pass the ordinance amending the Traffic Schedule to include overnight parking exemptions for streets in The Villages of Westglen and The Enclave at Country Lakes (Item 3 of 3)

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

- 1. **22-0642** Approve the award of Bid 22-002, 2022 Street Resurfacing Program - City, to K-Five Construction Corp., for an amount not to exceed \$4,382,430.00, plus a 3% contingency

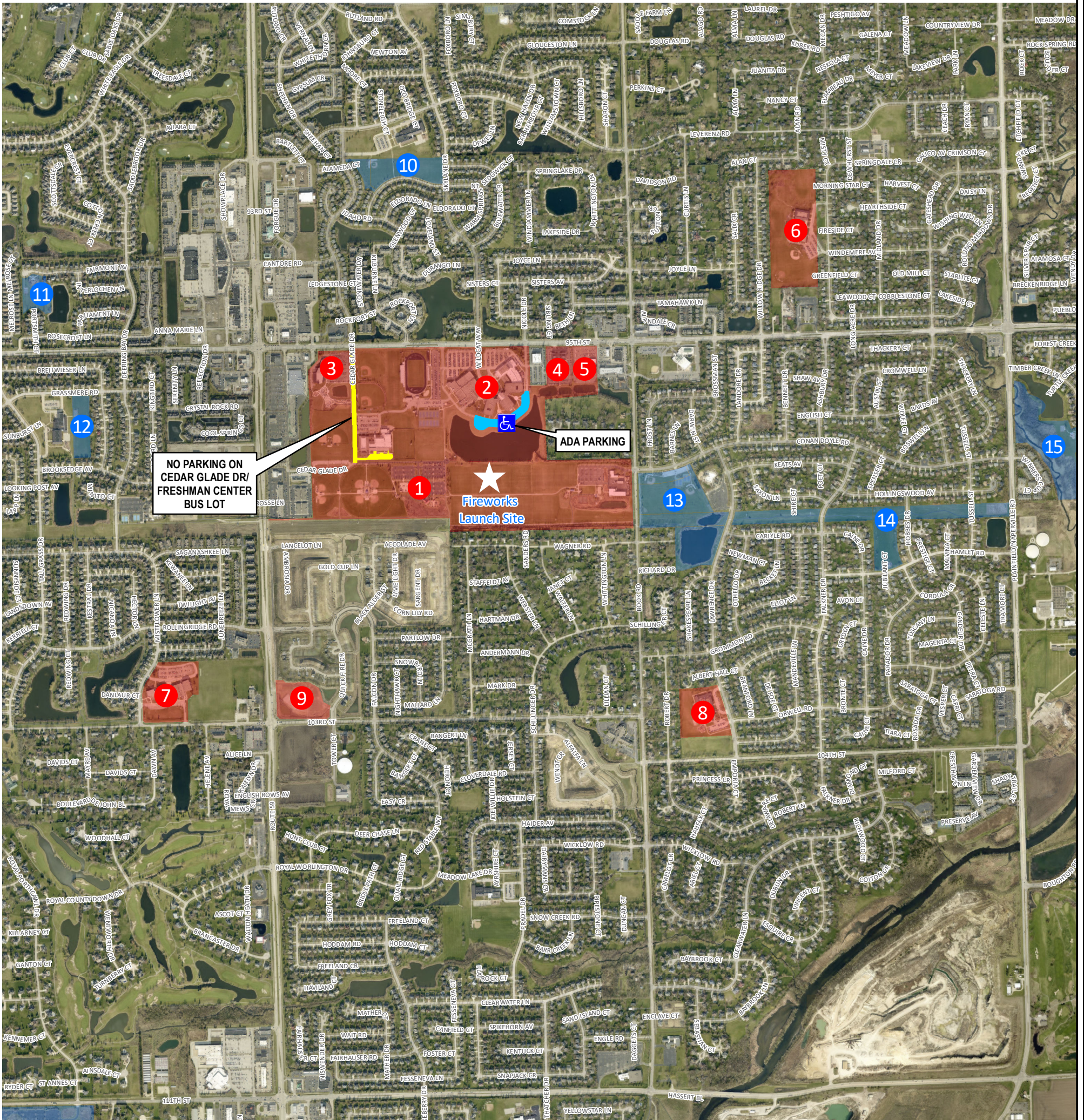
O. REPORTS AND RECOMMENDATIONS:

- 1. **22-0647** Receive the report regarding the City’s landmarking procedures and direct staff to draft amendments and facilitate review/approval processes as

Appropriate

<p>Q:</p>	<p>A) If a property is landmarked, what does that mean in terms of what an owner can and cannot do to improve or change things on the property?</p> <p>B) The 50 year distinction in land marking means that a structure built in the 1970s could potentially apply for landmarking in this City. Many northside neighborhoods have whole subdivisions built in the 60s and 70s, which could mean those homes could be up for landmarking if perhaps someone “famous” once lived in them. In 20 years it could be that the majority of the City’s neighborhood homes could be eligible for landmarking. Do other municipalities have a specific time period rather than a rolling 50 year designation on how old a building has to be before being up for landmark consideration?</p> <p>C) Currently the Mayor (with Council approval) chooses at their discretion who to put on Naperville’s boards and commissions. Are there any commissions whose members can make a decision that is binding without it coming to Council, besides Police and Fire Board? If this power were given to HPC in this instance, would their decisions be binding whether they said yes or no to a landmarking application, or only if they denied it?</p>	<p>Sullivan</p>
<p>A:</p>	<p>A) Property owners who seek to alter, construct, demolish or make a material change to that portion of a landmark property which is visible from the public right-of-way are required to first obtain a certificate of appropriateness (COA). The Code provides a detailed list of changes that do not require a COA, changes that require a COA that can be administratively approved by staff, and changes that require a COA that are subject to review and approval by the Historic Preservation Commission (HPC).</p> <p>B) The rolling requirement that a property be at least 50-years old to be eligible for landmark designation is a standard code requirement used by most municipalities. It is also the standard for eligibility for designation on the National Register.</p> <p>C) The Building Review Board issues a final determination on code interpretations, unless their determination is appealed to the City Council for further review. The Liquor Commission has the authority to change their Liquor Commission Rules, but any code changes are subject to review and approval by the City Council. The Human Rights and Fair Housing Commission has final decision making authority regarding claims of discrimination that are brought before the Commission.</p> <p>As proposed, the HPC's denial of a landmark application would be final, unless appealed by the City Council. Any HPC recommendation in support of landmarking would be subject to final review and approval by the City Council.</p>	<p>Laff</p>
<p>Q:</p>	<p>How many times has a non-owner applied to landmark a property?</p>	<p>Kelly</p>
<p>A:</p>	<p>From memory, I believe 3 non-owner landmark applications have been submitted in the past 15 years: Hammerschmidt house on Chicago Avenue; Old Nichols Library; and YMCA.</p>	<p>Laff</p>

City of Naperville
SUGGESTED PARKING LOCATIONS
JULY 3, 2022



NO PARKING ON CEDAR GLADE DR/ FRESHMAN CENTER BUS LOT

Fireworks Launch Site

ADA PARKING



FIREWORK PARKING LOCATIONS

- ① Frontier Sports Complex
- ② Neuqua Valley High School
- ③ Naperville Public Library
- ④ 95th Street Center
- ⑤ Fry Family YMCA
- ⑥ Gregory Middle School
- ⑦ Thomas Scullen Middle School
- ⑧ Patterson Elementary
- ⑨ Compass Church

- No Parking on Cedar Glade Dr
- No Parking in Freshman Center Bus Lot

IMPORTANT DETAILS

- In-person attendees may start gathering after 5 p.m. (No Tailgating)
 - Fireworks will begin at 9:30 p.m. (No Rain Date)
- visit: www.naperville.il.us/eventinfo for more information

NEIGHBORHOOD PARKS

- ⑩ Cantore Park
- ⑪ Heatherstone Park
- ⑫ Tall Grass Park
- ⑬ Ashbury Park
- ⑭ Ashbury Greenway
- ⑮ Timber Creek Park
- ⑯ Commissioners Park

City of Naperville
 Special Events
 Dawn Portner
 (630) 305-5340
www.naperville.il.us
 May 2022

NOT TO SCALE

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