



# City of Naperville

400 S. Eagle Street  
Naperville, IL 60540

## Meeting Minutes

### City Council

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Tuesday, January 19, 2021

7:00 PM Zoom - Open agenda to see cable, phone & streaming options

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On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

On Tuesday, June 16, 2020, Mayor Chirico issued an executive order determining that in-person meetings of the City Council and the City's boards and commissions are not currently practical or prudent due to the COVID-19 pandemic.

TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>
- Listen by telephone (audio only) – registration to receive dial-in phone number required by calling the City Clerk's Office, (630) 305-5300, by 5 p.m. on January 19

TO SUBMIT PUBLIC COMMENT IN THE MEETING:

To address the City Council via Zoom and provide public comment, members of the public must register by 5 p.m. on January 19 at: [www.naperville.il.us/speakersignup](http://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 5 p.m. on January 19) to be read into the public record during the City Council meeting by a member of staff.
2. Submit a one-word statement of "SUPPORT" or "OPPOSITON" regarding a specific agenda item to be read into the public record during the City Council meeting by a member of staff.
3. Address the City Council live during the City Council meeting via spoken audio. Individuals who want to address the Council live must sign up to speak in advance of the City Council meeting (by 5 p.m. on January 19).

Once signed up, the individual will receive an email from the City Clerk's Office after the sign-up time ends with information about how to join the meeting.

- Online sign-up closes at 5 p.m. on January 19, at which time no other speakers or comments will be accepted.

**PUBLIC ACCOMMODATION:**

- Any individual who would prefer to listen to the meeting by telephone, to speak during the meeting by telephone, or who may require an accommodation to listen to or participate in the meeting, should contact the City Clerk at (630) 305-5300, by 5 p.m. on January 19.
- Questions regarding online sign-up may be directed to the City Clerk's Office 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 - CANCELED**

OPEN SESSION - 7:00 p.m.

**D. ROLL CALL:**

**Present:** 9 - Mayor Steve Chirico  
Councilwoman Judith Brodhead  
Councilman Kevin Coyne  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman Patrick Kelly  
Councilman John Krummen  
Councilwoman Theresa Sullivan  
Councilman Benjamin White

Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Police Chief, Robert Marshall; 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, Communications Manager, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

**E. PLEDGE TO THE FLAG:**

The pledge was given.

**F. AWARDS AND RECOGNITIONS:**

1. [Commemorate and honor the 60th anniversary of Martin Luther King Jr.'s visit to Naperville](#)

White read the Proclamation.

**COMMENTS TO BE READ BY STAFF**

Philip Buchanan

Thanks to Mayor Chirico and Council Members and staff for the Proclamation honoring this important 60th Anniversary of Dr. Martin Luther King, jr. visit to Naperville. Sadly, he spoke about affordable housing, a topic we are still working on today. Dr. King spoke at Pfeiffer Hall, North Central College... just a few blocks from the City Council chambers. He spoke again at Elmhurst College in 1966 at Hammerschmidt Memorial Chapel to a standing room only audience. Naper Settlement had a temporary exhibit in 2017 called "Freedom: A History of U.S....from the founding to 1968. They are planning another larger, temporary exhibit about Dr. Martin Luther King jr. in 2022. Elmhurst Museum will have an exhibition in March "In Focus: the Chicago Freedom Movement and the Fight for Fair Housing". (talk about timely) Photos by Bernie Kleina. The history of Dr. King should be talk in every school in America. When students and families visit our museums, whether Naper Settlement or nearby museums - they should be able to see and learn about him and Naperville's important role in it. We need a permanent exhibit honoring Dr. King.

**SPEAKER**

Anthony Castagnoli discussed hate groups and hate speech.

**G. PUBLIC FORUM:****COMMENTS TO BE READ BY STAFF**

**Gerald Roethel**

It has been reported that the incoming administration hopes to make use of “community vaccination centers” as vaccines become more widely distributed. Has the city considered if, or how, this process might be applied in Naperville? If so, would there be a call for citizen volunteers to assist?

Krieger explained that the City will serve as a conduit and assist with distribution assignments as appropriate.

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

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to use the Omnibus method to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

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

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

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

1. [Approve the cash disbursements for the period of 12/01/2020 through 12/31/2020 for a total of \\$28,030,414.65](#)

**Council approved.**

2. [Approve the regular City Council meeting minutes of January 5, 2021](#)

**Council approved.**

3. [Approve the City Council meeting schedule for February, March & April 2021](#)

**Council approved.**

4. [Approve the award of Cooperative Procurement 21-009, Oracle Support Renewal, to Mythics, Inc. for an amount not to exceed \\$107,853 and for a one year term](#)

**Council approved.**

5. [Approve the award of Cooperative Procurement 21-043, Police Department Roof Restoration Phase 2 to Tremco Weatherproofing Technology Inc. for an amount not to exceed \\$283,999.22 and a 5% contingency](#)

**Council approved.**

6. [Approve mayoral appointments to the Human Rights and Fair Housing Commission](#)

**Council approved.**

7. [Waive the first reading and pass an ordinance amending Section 6-7F-3 of the Naperville Municipal Code to allow eating establishments, when located within a Planned Unit Development, as a conditional use in the Office, Commercial, and Institutional zoning district \(PZC 20-1-124\) \(requires 6 positive votes\)](#)

Enactment No.: ORD 21-006

**Council passed.**

8. [Waive the first reading and pass an ordinance amending Chapter 2 \(General Zoning Provisions\) of Title 6 \(Zoning Ordinance\) regarding Bed and Breakfast Establishments \(PZC 20-1-123\) \(requires 6 positive votes\)](#)

Enactment No.: ORD 21-007

**Council passed.**

9. [Conduct the first reading regarding an ordinance amending Chapter 3 \(Administration and Enforcement\) and Chapter 4 \(Planned Unit Developments\) of Title 6 \(Zoning Regulations\) related to deviations, zoning decisions by the City Council, and PUD revocations - PZC 20-1-122](#)

**Council passed.**

10. [Pass the ordinance approving a variance to Section 6-2-10:6 for the property located at 1516 Mya Court - PZC 20-1-112](#)

Enactment No.: ORD 21-008

**Council passed.**

11. [Pass the ordinance reserving the City's 2021 Volume Cap](#)

Enactment No.: ORD 21-009

**Council passed.**

12. [Adopt the resolution of Official Intent for Reimbursement of Capital Projects](#)

Enactment No.: RES 21-01

**Council adopted.**

**J. PUBLIC HEARINGS:**

**K. OLD BUSINESS:**

**L. ORDINANCES AND RESOLUTIONS:**

1. [Adopt the resolution regarding HB 3653 \(Criminal Justice Reform Bill\), disapproving of the legislative process and recommending Governor Pritzker's veto](#)

Speakers, Comments, and Position Statements are attached.

Council identified other state legislative issues that it has considered and offered formal support/opposition, discussed the impacts of HB 3653, when HB 3653 was passed, the typical procedure at the state level, public input, transparency, violent crime statistics, and the City's ethics ordinance. Council also discussed specifics of HB 3653, the incident at Buffalo Wild Wings in 2019, how many pages of HB 3653 is new text, that positive/overdue changes are included while some provisions lack clarity, and reliance on subject matter experts. The Council also stated that it supports the police department and recently approved new equipment and five new positions, discussed the Council vote for the 2021 budget, the impact of HB 3653 on the department, and that HB 3653 does not go into effect until 2023 so there will be time to make amendments.

Marshall explained filling out witness slips and testifying in Springfield on other matters, that he did not testify on this bill, that the president of the Illinois Law Enforcement Coalition spoke on concerns with HB 3653, that law enforcement is opposed, and that discussing the impacts of the bill with the department is a top priority.

**A motion was made by Councilman Coyne, seconded by Councilwoman Gustin, to adopt the resolution regarding HB 3653 (Criminal Justice Reform Bill), disapproving of the legislative process and recommending Governor Pritzker's veto. The motion failed by the following vote:**

**Aye:** 4 - Chirico, Coyne, Gustin, and Hinterlong

**Nay:** 5 - Brodhead, Kelly, Krummen, Sullivan, and White

**M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

**N. PETITIONS AND COMMUNICATIONS:**

**O. REPORTS AND RECOMMENDATIONS:**

1. [Approve the 2021 Special Events calendar and designate the calendar as closed](#)

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the 2021 Special Events calendar and designate the calendar as closed. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

2. [Adopt the resolution approving the establishment of a Temporary Utility Assistance Program in partnership with Loaves & Fishes Community Services and receive the staff report on the viability of additional assistance initiatives](#)

**COMMENTS TO BE READ BY STAFF**

**Jim Hill - Senior Task Force**

This is a great program, and I'm glad to see the city moving forward with it. I know there are a number of seniors in Naperville that will benefit from this. I am, however, concerned that as much as \$30,000 will be spent on administrative costs rather than on direct benefits to city residents. This means that as many as 100 people that could benefit from this program won't be able to benefit. Loaves and Fishes is a great organization, but I am surprised they are asking for money to cover administrative costs. They already have staff in place to administer this program, so I don't understand why if they get more money they need more staff. More money doesn't necessarily translate into more work for them. I was part of this year's social services grant review committee, so I went back and looked at their grant application, and in their application they indicated that all of the grant money provided by the city would go to financial assistance and none of it would be used to cover administrative costs, so I don't understand why this grant should be any different. I hope that before you finalize a contract with Loaves and Fishes that you will look closer at why some of the money has to be used for administrative costs.

Enactment No.: RES 21-02

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adopt the resolution approving the establishment of a temporary utility assistance program in partnership with Loaves & Fishes Community Services and receive the staff report on the viability of additional assistance initiatives. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**3. [Receive the January 2021 Financial Report](#)**

Mayer gave a presentation and stated that the City did reap the benefits of federal financial assistance in 2020, that the The Coronavirus Aid, Relief, and Economic Security (CARES) Act provided federal funding to DuPage and Will counties, and that both counties shared funding with municipalities on a per capita basis for reimbursement of eligible expenses under the Act. She went on to explain that the City submitted requests for \$7.2 million in reimbursement for eligible salary costs tied to providing public safety services during the pandemic and that the counties approved and disbursed all \$7.2 million to the City by year-end. She also discussed the status of the various funds in the City and stated that what appeared to be a potentially dire financial situation for the City in March turned out to be a manageable economic downturn by the end of the year.

The report was received.

**P. NEW BUSINESS:**

Insurance for water lines

Hinterlong discussed solicitors, explained the quality water infrastructure, and asked that the City share information with the community.

MLK celebrations

White recognized organizations that celebrated MLK Day and congratulated

them on a job well done.

Coyne schedule

Coyne stated he would be abstaining from any CityGate West items and will not be at the February 2, 2021 meeting.

Civility on the dais

Coyne reflected on civility.

Council chambers A/V project

Gustin asked for an update on the project.

LaCloche stated that the disparate equipment is being installed with the goal of completing testing by the end of March.

Apartment security deposit ordinance

Gustin requested that provisions in the ordinance be suspended until after COVID.

Mayer discouraged changing the Municipal Code and explained that payment plans are available to residents.

Power outage

Brodhead asked about a January power outage.

Groth explained the incident and that power was restored in 18 minutes.

Solar installations

Krummen stated the City has seen a 300% increase in solar installations.

Purchases

Krummen encouraged staff to evaluate the total cost of ownership, and not just purchase price when considering vehicles, electric vehicles, and other items.

White discussed the efficiency of charging stations.

Grant

Gustin asked about solar grant opportunities.

Groth stated that staff will research.

## **Q. ADJOURNMENT:**

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of January 19, 2021 at 10:27 p.m. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

/S/ Pam Gallahue



Pam Gallahue, PhD  
City Clerk