



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, March 15, 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-WOW, 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 March 15 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 March 15. 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 March 15. Online sign-up closes at 4 p.m. on March 15, 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 March 15.
- 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 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
Councilman 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; Director of Community Services/City Clerk, Pam

Gallahue; Deputy Fire Chief, Amy Scheller; Deputy Director of Admin Services - Police, Russ Matson; Director of Finance, Rachel Mayer; 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; Budget Manager - Finance, Ray Munch

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

1. [Recognize DanceOn Inc. for anti-bullying and acceptance achievements in Naperville](#)

Holzhauser presented the Proclamation to representatives from DanceOn.

G. PUBLIC FORUM:

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 carried by a unanimous 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 with the exception of items I12, I20, and including the modifications to the minutes as indicated in the Q/A. The motion carried by the following vote:

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

1. [Approve the Cash Disbursements for the period of 02/01/22 through 02/28/2022 for a total of \\$25,062,448.95](#)
Council approved.
2. [Approve the regular City Council meeting minutes of March 1, 2022](#)
Council approved.
3. [Approve the City Council meeting schedule for April, May and June 2022](#)

Council approved.

4. [Approve the award of Bid 22-016, Lift Station Force Main Inspection, to RJN Group, Inc. for an amount not to exceed \\$167,100](#)

Council approved.

5. [Approve the award of Bid 22-017, Grouting of Sanitary Sewer Service Connections and Service Laterals - Cress Creek Phase 8, to Michels Corporation for an amount not to exceed \\$219,800 plus a 5% contingency](#)

Council approved.

6. [Approve the award of Bid 22-037, Concrete Restoration, to Globe Construction Inc. and Sumit Construction Co., Inc. for an amount not to exceed \\$300,000 and a 5% contingency](#)

Council approved.

7. [Approve the award of Bid 22-058, Storm Sewer Lining, to Hoerr Construction for an amount not to exceed \\$750,000, and a 3% contingency](#)

Council approved.

8. [Approve the award of Change Order #1 to Contract 21-394, Electrician Services, to Volt Electric Inc. for an amount not to exceed \\$53,480 and a total award of \\$118,645](#)

Council approved.

9. [Approve the award of Change Order #1 to Contract 22-064, Public Works Service Center Roof Restoration, to Garland/DBS Inc. for an amount not to exceed \\$27,000 and for a total award amount of \\$2,320,110](#)

Council approved.

10. [Approve the award of Change Order #1 to Option Year One of Contract 20-028, Insulated Conductors, to Okonite for an amount not to exceed \\$61,300 and a total award of \\$923,063](#)

Council approved.

11. [Approve the award of Cooperative Procurement 22-118, Refuse Carts, to Otto Environmental Systems for an amount not to exceed \\$130,000](#)

Council approved.

12. [Waive the applicable provision of the Naperville Procurement Code and award Procurement 22-117, Hot Mix Asphalt, to Arrow Road Construction, Builders Asphalt, Chicago Materials Corporation, PT Ferro, RW Dunteman and Superior Asphalt Materials for an amount not to exceed \\$200,000 and for a one-year term \(requires six positive votes\)](#)

Council discussed the NEST recommendation for warm mix asphalt, that warm mix still has an environmental impact due to chemicals added, and the appropriateness of the City making a recommendation to the state to endorse warm mix.

Novack stated that staff must consider the project and mix production/availability, that six different suppliers produce warm mix and can be scheduled when appropriate, that warm mix is not endorsed by IDOT, and that the City will pay more when warm mix is used. He also stated it would be more appropriate for NEST to petition IDOT.

WRITTEN COMMENT ONLY

Catherine Clarkin - From time to time NEST will take note of a City Council agenda item that either advances or impedes the sustainability goals that were adopted by Council at the August 31, 2021, Sustainability Workshop. In that context, NEST would like to share with you our thoughts on Item 12 on the Consent Agenda for the March 15 Council meeting: Waive the applicable provision of the Naperville Procurement Code and award Procurement 22-117, Hot Mix Asphalt, to Arrow Road Construction, Builders Asphalt, Chicago Materials Corporation, PT Ferro, RW Dunteman and Superior Asphalt Materials for an amount not to exceed \$200,000 and for a one-year term (requires six positive votes). Our research has found that warm mix asphalt performs on par or better than hot mix asphalt, but with lower emissions of air pollutants and greenhouse gases and typically at a lower cost. In addition, warm mix asphalt meets the City's sustainability work plan goals for green purchasing, greenhouse gas reduction, and reduction of embodied carbon in construction materials. Below please find further information and references on this topic. We request that Council reconsider the hot mix asphalt contracts and at a minimum delay approval until more information can be gathered. Warm mix will meet the City's needs without compromising performance. Please feel free to contact us with any questions or for more information. Regards, Cathy Clarkin and the NEST Building & Development Team

Warm Mix Asphalt: Effective, Cheaper, and Less Polluting Warm Mix Asphalt (WMA) is a more sustainable, proven product that is produced using lower temperatures than hot mix asphalt (HMA). According to the Federal Highway Administration, WMA reduces paving costs, extends the paving season, improves asphalt compaction, increases pavement life due to improved durability, and improves working conditions by reducing exposure to fuel emissions, fumes, and odors. "Working conditions are much healthier with WMA. Both at the production plant and on the construction site, workers inhale far less smoke and dust," (US Department of Transportation: Center for Accelerating Innovation, <https://www.fhwa.dot.gov/innovation/everydaycounts/edc-1/wma.cfm>).

WMA requires less fuel to heat the asphalt, resulting in a 30-40% reduction in carbon dioxide (CO2) emissions. WMA reduces volatile organic compounds (VOCs) by 50%; nitrogen oxides (NOx) by 60-70%; sulfur dioxide (SO2) by 30-40%; and particulate matter by 25%. All of these compounds contribute to air pollution (Environmental Protection Agency/Metropolitan Mayors Caucus, <https://mayorscaucus.org/wp-content/uploads/2019/01/Warm-Mix-Asphalt-Makra-for-EPA.pptx>). Metropolitan Mayors Caucus Environmental Committee's (<https://mayorscaucus.org/environment-committee/>) meeting on January 22, 2019, detailed sustainable paving including WMA.

According to the Illinois Tollway's presentation (<<https://mayorscaucus.org/wp-content/uploads/2019/01/WMA-Williams-ToIlway.pptx>>), WMA is available from 19 different producers at 42 plants in the region. WMA is approved for use by the Illinois Department of Transportation (IDOT). The Illinois Tollway Authority has successfully used WMA for over 10 years and mandated WMA over HMA in 2012. Chicago Department of Transportation (CDOT) has required WMA since 2015. The City of Highland Park also utilizes WMA. NEST believes that warm mix asphalt is a better alternative to hot mix asphalt and requests the City utilize it in their 2022 paving projects. Informational links are provided for staff:

<<https://www.il-asphalt.org/resources/pavement-technologies/warm-mix-asphalt/>>

<<https://www.fhwa.dot.gov/innovation/everydaycounts/edc-1/wma-faqs.cfm>>

<<https://www.fhwa.dot.gov/innovation/everydaycounts/edc-1/wma.cfm>>

<https://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_691.pdf>

<<https://idot.illinois.gov/Assets/uploads/files/Doing-Business/Specialty-Lists/Highways/Materials/Materials-&-Physical-Research/Hot-Mix-Asphalt/warmmixasphalttechnologies.pdf>> IDOT WARM MIX ASPHALT (BDE),

Revised: April 1, 2016

A motion was made by Councilman Bruzan Taylor, seconded by Councilman Holzhauser, to waive the applicable provision of the Naperville Procurement Code and award Procurement 22-117, Hot Mix Asphalt, to Arrow Road Construction, Builders Asphalt, Chicago Materials Corporation, PT Ferro, RW Dunteman and Superior Asphalt Materials for an amount not to exceed \$200,000 and for a one-year term and to allow either warm or hot mix asphalt to be used depending on the project and availability. The motion carried by the following vote:

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

13. [Waive the first reading and pass the ordinance establishing a "No Parking Zone" on the east side of Webster Street from a point 80 feet south of the centerline of Van Buren Avenue to a point 105 feet south of the centerline of Van Buren Avenue \(requires six positive votes\)](#)

Enactment No.: ORD 22-026

Council passed.

14. [Waive the first reading and pass the ordinance establishing a "No Parking Zone" on the south side of Jefferson Avenue from a point 80 feet west of the centerline of Whispering Hills Drive to a point 165 west of the centerline of Whispering Hills Drive \(requires six positive votes\)](#)

Enactment No.: ORD 22-027

Council passed.

15. [Pass the ordinance establishing City of Naperville Special Service Area No. 34 for](#)

[streetscape improvements on portions of Block 422 of downtown Naperville](#)

Enactment No.: ORD 22-028

Council passed.

16. [Pass the ordinance to establish a temporary parking regulation for the Paw Paw Parking Lot from March 18, 2022 to September 16, 2022](#)

Enactment No.: ORD 22-029

Council passed.

17. [Pass the ordinance amending the Naperville Traffic Schedule Manual to establish temporary parking regulations and a loading zone on the west side of Washington Street between Jefferson Avenue and Jackson Avenue from March 16, 2022 to June 16, 2022](#)

Enactment No.: ORD 22-030

Council passed.

18. [Pass the ordinance establishing temporary traffic control plans and issue a special event permit, including an amplifier permit, for the 2022 Naperville Women's Half Marathon and 5K on Sunday, April 24, 2022](#)

Enactment No.: ORD 22-031

Council passed.

19. [Pass the ordinance to establish a temporary street closure for the 2022 Soap Box Derby races and issue amplifier and special event permits](#)

Enactment No.: ORD 22-032

Council passed.

20. [Approve a temporary use to permit the Downtown Naperville Alliance to install temporary signs in the City's right-of-way in various locations in Downtown Naperville](#)

Danielle Tufano (Downtown Naperville Alliance) discussed temporary signage, plexiglass barriers, and decals to be used in the downtown during streetscape construction.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve a temporary use to permit the Downtown Naperville Alliance to install temporary signs in the City's right-of-way in various locations in Downtown Naperville. The motion carried by the following vote:

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

21. [Adopt the resolution authorizing the City Manager to execute the Intergovernmental Agreement between DuPage County and the City of Naperville for mowing along](#)

[County roads and rights-of-way](#)

Enactment No.: RES 22-03

Council adopted.**22.** [Adopt the resolution approving the workers' compensation settlement between David Bucher and the City of Naperville](#)

Enactment No.: RES 22-04

Council adopted.**23.** [Adopt the resolution approving the workers' compensation settlement between Brad Rogers and the City of Naperville](#)

Enactment No.: RES 22-05

Council adopted.**24.** [Adopt the resolution establishing a utility assistance program and authorizing an agreement with Loaves & Fishes Community Services for program administration](#)

Enactment No.: RES 22-06

Council adopted.**25.** [Adopt the resolution authorizing execution of a collective bargaining agreement between the City of Naperville and IBEW Local 196 representing the Naperville Water/Wastewater Utility employees](#)

Enactment No.: RES 22-07

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.** [Receive the March 2022 Financial Report](#)

Munch presented the March 2022 Financial Report.

Council discussed defining the term "qualifying homeowner," that national transportation agencies are studying changes to travel habits due to COVID-19,

impacts of inflation, fuel for the City's fleet, the franchise agreement with Nicor, and ARPA fund guidelines.

Dublinski explained the strategy of diversifying the fleet and the associated fuel portfolio.

Munch discussed the three-month delay in sales tax revenue, that the City won't see the impact of higher gas prices for at least one quarter, and that staff will make modifications as trends are presented. He also explained that spending guidelines have been communicated regarding ARPA funds, that staff is discussing ideas with community partners and will bring recommendations back to the Council before the 2023 budget season, and that no ARPA money was used to balance the 2022 budget.

The report was received.

P. NEW BUSINESS:

Happy Birthday

Chirico wished Marcie Schatz and Amy Scheller a Happy Birthday.

Community Risk Preparedness

White discussed potential threats and Naperville's preparedness.

Scheller responded that the department is currently reviewing analysis protocol for a number of threat types.

Reading Consent Agenda

Holzhauser asked if reading the Consent Agenda is legally required.

DiSanto responded that the City must read the Consent Agenda.

Q. ADJOURNMENT:

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to adjourn the Regular City Council Meeting of March 15, 2022 at 7:54 p.m. The motion carried by a unanimous vote.

/S/ Pam Gallahue

Pam Gallahue, PhD

Community Services Director/City Clerk