



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, December 17, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER:

Chirico called the meeting to order at 6:30 p.m.

B. ROLL CALL:

Present: 8 - Mayor Steve Chirico
Councilwoman Judith Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Patrick Kelly
Councilwoman Theresa Sullivan
Councilman Benjamin White

Absent: 1 - Councilman John Krummen

C. CLOSED SESSION - 6:30 p.m.

A motion was made by Councilwoman Gustin, seconded by Councilman White, to recess to Closed Session to discuss 120/2(c)(1) Performance of a Specific Individual; 120/2(c)(5) Purchase of Property; and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

OPEN SESSION - 7:00 p.m.

Chirico called the meeting to order at 7:00 p.m.

D. ROLL CALL:

Present: 8 - Mayor Steve Chirico
Councilwoman Judith Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Patrick Kelly
Councilwoman Theresa Sullivan
Councilman Benjamin White

Absent: 1 - Councilman John Krummen

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 Louden; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Lucy Podlesny; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

Chirico offered the Council's condolences to Councilman Krummen on the recent loss of a family member.

Podlesny discussed the new EMPOWER dashboard for electric utility customers and explained that the website will securely display customers' daily, monthly, and annual consumption by the hour.

G. PUBLIC FORUM:Driveway apron

Jim Hill, Senior Task Force, requested that the homeowner at 115 N. Wright St. be allowed to keep the standalone driveway apron.

Novack explained that the initiative to remove the aprons began with a neighbor complaint, that Council direction to staff was to remove aprons as part of the MIP, and charge neighbors 40% of the cost of removal.

Laff explained that staff proceeded with enforcement per Council direction.

Council discussed how to take action different from what was previously directed to staff.

Historic District

Tim Messer discussed the importance of preservation, banners, and marketing efforts for the Historic District.

Fraudulent business practices, Naperville businesses

Colleen Addante discussed a recent experience with a local pet store and the purchase of a puppy.

Pensions

Dick Furstenu discussed a recent Letter to the Editor regarding pension consolidation.

Kroehler Mansion

Mark Urda asked for clarification on the decision made the December 3 Council meeting.

Chirico explained that the Council adopted a resolution authorizing the City to tender up to \$562,000 to Little Friends in exchange for recording covenants upon the Kroehler Mansion to preserve it from demolition with an additional provision in the resolution that would require an insurance policy from the buyer of the property for the preservation of the mansion.

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

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, to use the Omnibus method to approve items. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

I. CONSENT AGENDA:

Approval of the Consent Agenda

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, to approve the Consent Agenda with the exception of items I4 and I5. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

1. Approve the 11/01/2019 through 11/30/2019 cash disbursements for a total of \$46,009,356.84.

Council approved.

2. Approve the regular City Council meeting minutes of December 3, 2019

Council approved.

3. Approve the minutes from the November 18, 2019 Budget Workshop

Council approved.

4. Approve the City Council meeting schedule for January, February and March 2020

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, to approve the City Council meeting schedule for January, February and March 2020 as amended and reschedule the 5th Avenue Workshop to February 10, 2020. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

5. Approve the recommendation by Customized Energy Solutions to award Renewable Energy Certificates for Solar and Wind to Galt Power, 3Degrees Group, Inc. and ACT Commodities, Inc. for an amount not to exceed \$184,800

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to approve the recommendation by Customized Energy Solutions to award Renewable Energy Certificates for Solar and Wind to Galt Power, 3Degrees Group, Inc. and ACT Commodities, Inc. for an amount not to exceed \$184,800. The motion carried by the following vote:

Aye: 7 - Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Nay: 1 - Chirico

Absent: 1 - Krummen

6. Approve the award of RFP 19-256, Parking Deck Consultant Services, to Walker Consultants for an amount not to exceed \$300,000 and for a three-year term

Council approved.

7. Approve the award of Option Year Two to Contract 18-126, Sanitary Manhole Replacement, to Sheridan Plumbing & Sewer, Inc. for an amount not to exceed \$554,950, plus a 3% contingency

Council approved.

8. Approve the award of Change Order #2 to Contract 18-007, Elevator Maintenance, to Otis Elevator for an amount not to exceed \$45,000 and a total award of \$143,600

Council approved.

9. Approve the award of Option Year One to Contract 18-052, Cast Iron Manhole Covers and Grates, to EJ USA, Inc. for an amount not to exceed \$118,257

Council approved.

10. Waive the first reading and pass the ordinance amending Section 3-4A (Raffles) of the Naperville Municipal Code to accommodate progressive raffle contests and reflect recent changes made by the Illinois General Assembly (requires six positive votes)

Enactment No.: ORD 19-164

Council waived the first reading and passed.

11. Pass the ordinance granting a variance to reduce the required width of a monument sign at the subject property located at 1837 Centre Point Circle (Holiday Inn Express) - PZC 19-1-117

Enactment No.: ORD 19-165

Council passed.

12. Adopt the Route 672 Resolution authorizing the City Manager to execute the attached agreement with Pace to establish the City of Naperville share for service from the 95th Street Park-and-Ride to the Route 59 Metra Station at \$152,007.05 (Item 1 of 3)

Enactment No.: RES 19-48

Council adopted.

13. Adopt the Route 673 Resolution authorizing the City Manager to execute the attached agreement with Pace to establish the City of Naperville share for service for the Community Christian Church Park-n-Ride to the Route 59 Metra Station at \$72,682.62 (Item 2 of 3)

Enactment No.: RES 19-49

Council adopted.

14. Adopt the Route 675 Resolution authorizing the City Manager to execute the attached agreement with Pace to establish the City of Naperville share for the service from the Wheatland Salem Church Park-and-Ride to the Route 59 Metra Station at \$77,890.41 (Item 3 of 3)

Enactment No.: RES 19-50

Council adopted.

J. PUBLIC HEARINGS:

1. Conduct a Truth-in-Taxation hearing for the City's property tax levy. (Item 1 of 3)

Hinterlong opened the public hearing at 7:45 p.m.

Dick Furstenau spoke against the proposed budget.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the truth-in-Taxation hearing for the City's property tax levy at 7:48 p.m. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Kruppen

2. Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020, adopting a total tax levy of \$60,609,772.50 (Item 2 of 3)

Enactment No.: ORD 19-166

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020, adopting a total tax levy of \$60,609,772.50. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

3. Pass the ordinance to abate a portion of the 2019 tax levy for the City of Naperville authorizing an abatement of \$9,094,512.60 from the total tax levy of \$60,609,772.50 for a net total of 2019 tax levy of \$51,515,259.90

Enactment No.: ORD 19-167

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance to abate a portion of the 2019 tax levy for the City of Naperville authorizing an abatement of \$9,094,512.60 from the total tax levy of \$60,609,772.50 for a net total of 2019 tax levy of \$51,515,259.90. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

4. Conduct a Truth-in-Taxation hearing for the Special Service Area No. 23 (Naper Main) property tax levy (Item 1 of 2).

Hinterlong opened the public hearing at 7:49 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the Truth-in-Taxation hearing for the Special Service Area No. 23 (Naper Main) property tax levy at 7:49 p.m. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

5. Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020 adopting a total levy of \$98,939 for Special Service Area No. 23 (Naper Main) (Item 2 of 2)

Enactment No.: ORD 19-168

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020 adopting a total levy of \$98,939 for Special Service Area No. 23 (Naper Main). The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

6. Conduct a Truth-in-Taxation hearing for the Special Service Area No. 25 (IL Route 59 and Lacrosse Lane) property tax levy (item 1 of 2)

Hinterlong opened the public hearing at 7:50 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the Truth-in-Taxation hearing for the Special Service Area No. 25 (IL Route 59 and Lacrosse Lane) property tax levy at 7:50 p.m. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Kruppen

7. Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020 adopting a total levy of \$68,000 for Special Service Area No. 25 (IL Route 59 and Lacrosse Lane) (Item 2 of 2)

Enactment No.: ORD 19-169

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020 adopting a total levy of \$68,000 for Special Service Area No. 25 (IL Route 59 and Lacrosse Lane). The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Kruppen

8. Conduct a Truth-in-Taxation hearing for the Special Service Area No. 26 (Downtown Maintenance Expenses and Marketing Costs) property tax levy (Item 1 of 2)

Hinterlong opened the public hearing at 7:51 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the Truth-in-Taxation hearing for the Special Service Area No. 26 (Downtown Maintenance Expenses and Marketing Costs) property tax levy at 7:51 p.m. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Kruppen

9. Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020 adopting a total tax levy of \$1,046,216 for Special Service Area No. 26 (Downtown Maintenance Expenses and Marketing Costs) (Item 2 of 2)

Enactment No.: ORD 19-170

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2020 and ending December 31, 2020 adopting a total tax levy of \$1,046,216 for Special Service Area No. 26 (Downtown Maintenance

Expenses and Marketing Costs). The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

- 1. **Option A:** Concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving variances for the northwest monument sign, southeast monument sign, and the tower identity sign for the subject property located at 1504-1516 N. Naper Boulevard (Tower Crossing Shopping Center) - PZC 19-1-104; or

Option B: Concur with staff and pass the ordinance approving the variances for the southeast monument sign and the tower identity sign and deny the requested variances for the northwest monument sign for the subject property located at 1504-1516 N. Naper Boulevard (Tower Crossing Shopping Center) - PZC 19-1-104

Richard Braudstatter, Napleton Investment Partnership and Petitioner, explained the request for variances for ground signs located near the Ogden Avenue entrance and the north Naper Boulevard entrance, and variances to install a sign on the building's tower feature.

Council discussed the gateway location, makeover, improvement on Ogden Avenue, investment in the corridor, traffic patterns, sign requirements, address,

Enactment No.: ORD 19-171

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving variances for the northwest monument sign, southeast monument sign, and the tower identity sign for the subject property located at 1504-1516 N. Naper Boulevard (Tower Crossing Shopping Center) - PZC 19-1-104 (Option A). The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

- 1. Approve the award of Change Order #1 to Contract 17-242, Microsoft Enterprise Agreement, to CDW-G for an amount not to exceed \$475,608 and a total award of \$1,914,572.76

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of Change Order #1 to Contract 17-242, Microsoft Enterprise Agreement, to CDW-G for an amount not to exceed \$475,608 and a total award of \$1,914,572.76. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

- 1. Approve the 2020 Special Events calendar and designate the calendar as closed

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the 2020 Special Events calendar and designate the calendar as closed. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

- 2. Consider and approve a revised mission statement for the City of Naperville

Jodi Trendler, Naperville Environment and Sustainability Task Force, requested the item be tabled.

Council discussed several edits to the statement, the difference between a mission statement and a vision statement, that not all special interests can be included in a mission statement, and that the City's commitment to the statement comes in the form of goals and actions.

A motion was made by Councilman White, seconded by Councilwoman Gustin, to approve the following revised mission statement for the City of Naperville, "To provide services that ensure a high quality of life, sound fiscal management, and a dynamic business environment while creating an inclusive community that values diversity." The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

P. NEW BUSINESS:

Puppy Mills

Kelly discussed a humane animal ordinance that prohibits the local sale of dogs and cats sourced from commercial breeders.

Council discussed whether or not there is legislation in Springfield on this topic and the appropriateness of moving forward if there is legislation.

By consensus Council directed staff to draft a humane animal ordinance that prohibits the local sale of dogs and cats sourced from commercial breeders research state legislation, determine what action each Naperville senator/representative is taking on the topic, and determine how the City can enforce the HSUS's recommendation to the USDA on the humane care of animals.

EJ&E

Hinterlong asked about the schedule and whether or not trains are allowed during rush hour.

Novack said the trains are not the City's jurisdiction and there are no regulations on when not to run.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to adjourn the regular City Council meeting of December 17, 2019 at 8:57 p.m. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Sullivan, and White

Absent: 1 - Krummen

/S/ Pam Gallahue
Pam Gallahue, PhD
City Clerk