



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, June 20, 2023

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) Please note that WCNC is currently unavailable to AT&T U-verse (Ch. 99) customers. We encourage these customers to view meetings online at <https://naperville.legistar.com>.

- 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 June 20 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 June 20. 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 June 20.

Online sign-up closes at 4 p.m. on June 20, 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 June 20.
- 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:**B. ROLL CALL:****C. CLOSED SESSION - CANCELED**

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

Present: 8 - Mayor Scott Wehrli
Councilwoman Jennifer Bruzan Taylor
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Allison Longenbaugh
Councilman Benjamin White
Councilman Nathan Wilson

Absent: 1 - Councilman Josh McBroom

Also Present

City Manager, Doug Krieger; City Attorney, Mike DiSanto; Director of Community Services/City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Director of IT, Jacqueline Nguyen; Deputy Director of TED, Jennifer Loudon; Deputy Director of TED, Allison Laff; Deputy Director of Public Utilities - Electric, Olga Geynisman; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski, Director of Communications, Linda LaCloche; Assistant to the City Manager, Marcie Schatz; Engineering Manager - TED, Andy Hynes; DEI Manager, Geneace Williams

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

F. AWARDS AND RECOGNITIONS:

G. PUBLIC FORUM:

Wehrli asked for a moment of silence for Naperville resident Eva Liu who recently died in Germany.

Amanda Wang told a story about her friend Eva Liu.

Hongwei Li thanked Council for remembering Eva Liu and told a story about her.

Chinese American Women in Action

Nancy Chen (Naperville) mourned Eva Liu and thanked the Council for recognizing her at the meeting.

3 minutes with NEST

Maureen Stillman (Naperville) discussed benefits of small modular reactors (SMR) and stated it is an option worthy of consideration in pursuit of reducing the City's carbon footprint.

The Giving Machines The Church of Jesus Christ of Latter-Day Saints, Giving Machines for downtown Naperville, Dec '23

Steve Caine (Naperville) discussed Giving Machines, asked that they be allowed to be placed in the downtown for ten days, and fielded questions regarding logistics.

Communication

Marilyn L Schweitzer (Naperville) thanked Council and the Riverwalk Commission for repairs made at the Moser Tower, discussed communication policies, and stated that staff and Council should be mindful of actions.

Water Main Project

Chuck Lesnik (Naperville) discussed the staging area for equipment on south Main Street and stated that the street is only being cleaned once/week.

Blenniss discussed contract requirements, explained that additional cleaning

may incur an additional cost, and said he would follow up with the vendor.

West St, Speed Limits, Parking structure at library

Peter Portincasa (Naperville) discussed driving habits in Naperville.

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

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

I. CONSENT AGENDA:

Approval of the Consent Agenda

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the Consent Agenda with the exception of items I12, I15, and I25-28. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

1. [Approve the Cash Disbursements for the period of 05/01/2023 through 05/31/2023 for a total of \\$28,486,051.41](#)

Council approved.

2. [Approve the regular City Council meeting minutes of June 6, 2023](#)

Council approved.

3. [Approve the City Council meeting schedule for July, August, September and October 2023](#)

Council approved.

4. [Receive the year-to-date budget report through May 31, 2023](#)

Council received.

5. [Approve the award of Option Year Three to Contract 19-310, Naper Settlement Maintenance Support Services, to JP Superior Cleaning and Janitorial Services Corporation for an amount not to exceed \\$157,607.74](#)

Council approved.

6. [Approve the award of Option Year One to Contract 20-213 Cross Connection Control Testing Records Administration to Aqua Backflow, Inc for an amount not to exceed \\$161,687.75 and for a seven-month term](#)

Council approved.

7. [Approve the award of Bid 23-131, Naper Settlement Perimeter Fence and Entry Gates Improvements, to Peerless Fence, for an amount not to exceed \\$459,922.04, plus a 5% contingency and for a six-month term](#)

Council approved.

8. [Approve the recommendation by Alliant Insurance Services to award Excess Liability Insurance Coverage to Great American Insurance Company for an amount not to exceed \\$267,750 and for a one-year term](#)

Council approved.

9. [Approve the award of Change Order #1 to Contract 22-180, Southwest Wastewater Pump Station Rehabilitation for an additional 120 days](#)

Council approved.

10. [Approve the Emergency Procurement 23-175 West-Southwest Elevated Tank Painting Project - Additional Work to ERA-Valdivia Contractors, Inc. for an amount not to exceed \\$581,000](#)

Council approved.

11. [Approve the award of Change Order #7 to Contract 16-135, North Aurora Road Underpass Design, to TranSystems Corporation for an amount not to exceed \\$113,320 and a total award of \\$2,528,936.35](#)

Council approved.

12. [Approve the amended 2023-2025 Annual New Sidewalk Program redistributing the approved locations across three years and adding Loomis Street and Book Road locations](#)

Kathy Benson requested the City fill the sidewalk gap on Douglas Avenue, stated that the section was to be installed in 2023 but does not show in any of the upcoming years, and that staff should reconsider how priorities are decided.

Council discussed trees on Loomis Street, the sidewalk gap on Douglas and the proximity to the school, that no crosswalk is marked, that this should be a priority, and asked how it can be included in the program.

Hynes explained that no mature trees will be lost when adding sidewalks on Loomis, that gap segments are rated against specific criteria, that the sidewalk gap on Douglas was evaluated as part of the annual sidewalk program but did not rate as high as others, and that it could be added to the program at a cost of approximately \$125,000.

WRITTEN COMMENT ONLY

Marilyn L Schweitzer (Naperville) - Please support this. I am particularly looking

forward to: • Washington St from Osler Dr to Gartner Rd - East • Sleight St from Wellner Rd to Hillside Rd - East • Loomis St from Highland Ave to Porter Ave - East • Sunset Dr from Thornwood Dr to Loomis St - North • Thornwood Dr from Sunset Dr to Hillside Rd - East

A motion was made by Councilwoman Bruzan Taylor, seconded by Councilman Holzhauer, to table the 2023-2025 Annual New Sidewalk Program to July 18 and reprioritize the program by adding Douglas Avenue between West and Laird streets. The motion carried by a voice vote.

13. [Adopt the resolution approving the grant agreement between the City and the Muthusmai Paravel Foundation whereby the City shall provide up to \\$500,000 in local tornado recovery assistance grant funding related to the June 20, 2021 tornado \(Item 1 of 2\)](#)

RES 23-20

Council adopted.

14. [Pass the ordinance approving an amendment to the City of Naperville 2023 Annual Budget in the amount of \\$500,000 for Tornado Recovery Assistance \(Item 2 of 2\)](#)

ORD 23-078

Council passed.

15. [Waive the first reading and pass an ordinance amending Chapter 7 Article F \(OCI: Conditional Uses\) of Title 6 \(Zoning Regulations\) related to eating establishments within a PUD \(requires six positive votes\) - PZC 23-1-031](#)

Marilyn L Schweitzer (Naperville) requested the item be tabled because the desired use is currently allowed but not mentioned in the memo and that the original rationale for restricting eating establishments is not included.

Laff stated that it is common practice to process amendments based on developer requests, that the current amendment is a corrective action to what was done previously, and staff is supportive of the change.

ORD 23-087

A motion was made by Councilman White, seconded by Councilman Kelly, to waive the first reading and pass the ordinance amending Chapter 7 Article F (OCI: Conditional Uses) of Title 6 (Zoning Regulations) related to eating establishments within a PUD. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

16. [Waive the first reading and pass the ordinance amending Section 3-3-11:1 of the Naperville Municipal Code to decrease the cap on the Class C - Tavern liquor license to four and provide automatic reduction of the number of Class C - Tavern liquor licenses available by one upon revocation, termination, or non-renewal of a license \(requires six positive votes\)](#)

ORD 23-079

Council waived and passed.

17. [Waive the first reading and pass the ordinance to establish a “No Parking Zone” on the north side of Highland Avenue from the centerline of Brainard Street to a point 171 feet to the east \(requires six positive votes\)](#)

ORD 23-080

Council waived and passed.

18. [Pass the ordinance to establish a two-way stop control at the intersection of Sunnybrook Drive/Stauffer Drive/Monterey Court](#)

ORD 23-081

Council passed.

19. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the Naperville Sprint Triathlon on Sunday, August 6, 2023](#)

ORD 23-082

Council passed.

20. [Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the India Day Parade and Celebration on Sunday, August 13, 2023](#)

ORD 23-083

Council passed.

21. [Pass the ordinance approving a fence variance for the property located at 947 Mortonsberry Drive - PZC 23-1-028](#)

ORD 23-084

Council passed.

22. [Pass the ordinance approving acceptance of Outlot H of Naper Commons and conveying Outlot H of Naper Commons to the Naperville Park District](#)

ORD 23-085

Council passed.

23. [Pass the ordinance amending Sections 2-1-14, 2-5-2, 2-9-2, 2-16-2 and 2-19-2 of the Naperville Municipal Code to update certain Board and Commission membership to include City Council representatives \(Item 1 of 2\)](#)

ORD 23-086

Council passed.

24. [Approve the appointment of City Council representatives to various boards and commissions \(Item 2 of 2\)](#)

Council approved.

25. [Receive the staff report for 1296 E. Chicago Avenue \(McAlister's Deli\) - PZC 22-1-095 \(Item 1 of 4\)](#)

Marilyn L Schweitzer (Naperville) requested the item be tabled until I15 is approved and final plans are submitted, reviewed and included in the Council agenda.

A motion was made by Councilman White, seconded by Councilman Kelly, to use the Omnibus method to approve items I25-I28. The motion carried by a voice vote.

A motion was made by Councilman White, seconded by Councilman Kelly, to receive the staff report for 1296 E. Chicago Avenue (McAlister's Deli) - PZC 22-1-095. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

26. [Pass the ordinance revoking ordinance 76-137 applicable to property located at 1296 E. Chicago Avenue - PZC 22-1-095 \(Item 2 of 4\)](#)

ORD 23-088

A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance revoking ordinance 76-137 applicable to property located at 1296 E. Chicago Avenue - PZC 22-1-095. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

27. [Pass the ordinance rezoning the property located at 1296 E. Chicago Avenue to OCI - PZC 22-1-095 \(Item 3 of 4\)](#)

ORD 23-089

A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance rezoning the property located at 1296 E. Chicago Avenue to OCI - PZC 22-1-095. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

28. [Pass the ordinance approving a conditional use for an eating establishment in the OCI zoning district and granting setback and drive-through stacking variances for the property located at 1296 E Chicago Avenue - PZC 22-1-095 \(Item 4 of 4\)](#)

ORD 23-090

A motion was made by Councilman White, seconded by Councilman Kelly, to

pass the ordinance approving a conditional use for an eating establishment in the OCI zoning district and granting setback and drive-through stacking variances for the property located at 1296 E Chicago Avenue - PZC 22-1-095. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

J. PUBLIC HEARINGS:

1. [Conduct the public hearing for the Program Year 2022 Community Development Block Grant \(CDBG\) Consolidated Annual Performance Evaluation Report \(Item 1 of 2\)](#)

The public hearing was opened at 7:57 p.m.

A motion was made by Councilman White, seconded by Councilman Kelly, to close the public hearing for the Program Year 2022 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report at 7:57 p.m. The motion carried by a voice vote.

2. [Accept the Program Year 2022 Community Development Block Grant \(CDBG\) Consolidated Annual Performance Evaluation Report \(Item 2 of 2\)](#)

A motion was made by Councilman White, seconded by Councilman Kelly, to accept the Program Year 2022 Community Development Block. The motion carried by a voice vote.

3. [Open and continue the public hearing to consider the Annexation Agreement for Orion/Prosperita to the July 18, 2023 City Council meeting - PZC 22-1-097](#)

A motion was made by Councilman White, seconded by Councilman Kelly, to open the public hearing at 7:58 p.m. and continue consideration of the Annexation Agreement for Orion/Prosperita to the July 18, 2023 City Council meeting - PZC 22-1-097. The motion carried by a voice vote.

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Waive the first reading and pass the ordinance amending Chapter 1 \(Zoning Title, Purpose, Definitions\) and Article B \(ORI Office, Research and Light Industry District\) of Chapter 8 \(Industrial Districts\) of Title 6 \(Zoning Regulations\) of the Naperville Municipal Code - PZC 23-1-041 \(requires 6 positive votes\)](#)

Marilyn L Schweitzer (Naperville) spoke in favor of a more cautious approach regarding revisions, gave examples of what should be retained as conditional uses, and stated that the recommendation goes beyond what Council requested.

ORD 23-091

A motion was made by Councilman White, seconded by Councilman Kelly, to

waive the first reading and pass the ordinance amending Chapter 1 (Zoning Title, Purpose, Definitions) and Article B (ORI Office, Research and Light Industry District) of Chapter 8 (Industrial Districts) of Title 6 (Zoning Regulations) of the Naperville Municipal Code - PZC 23-1-041. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [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 \\$1,125,106 and for a one-year term](#)

A motion was made by Councilman White, seconded by Councilman Kelly, to 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 \$1,125,106 and for a one-year term. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, White, and Wilson

Absent: 1 - McBroom

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. [Receive the report on the status of American Rescue Plan Act funds and direct staff to obligate funds to approved 2023 capital improvement projects](#)

Beth Schwartz (Naperville - NEST) requested the City use funds for investment in stormwater such as a flood study of the West Branch of the DuPage River watershed, drinking water, and sewer infrastructure including projects that address the impacts of climate change, and replacement of lead service lines.

WRITTEN COMMENT ONLY

Marilyn L Schweitzer (Naperville) Please direct staff to allocate the \$\$13,308,689 unspent CLFRF funds to approved 2023 capital improvement projects.

Council discussed the request to allocate to approved CIP items, current mental health issues and public safety expenditures, and taking time to allocate funds for something impactful.

Krieger explained that the action does not spend any money but rather allows the City time to continue to find impactful initiatives.

Mayer explained that there has been no consensus around a transformative or impactful project and that staff will file paperwork for expenditures that qualify in order to access the funds now.

A motion was made by Councilman White, seconded by Councilman Kelly, to receive the report on the status of American Rescue Plan Act funds and direct staff to obligate funds to previously approved 2023 capital improvement projects. The motion carried by the following vote:

Aye: 5 - Wehrli, Kelly, Leong, Longenbaugh, and White

Nay: 3 - Bruzan Taylor, Holzhauer, and Wilson

Absent: 1 - McBroom

2. [Receive an update on the City's diversity, equity and inclusion initiatives](#)

Williams presented on organizational efforts such as employee retention specifically focused on the Information Technology (IT) Department, engagement, training, recruitment and highlighted external efforts like the Embrace Naperville Series.

Council discussed DEI training availability, cost of turnover, and department retention goals.

Williams stated no decision has been made on whether to have the DEI training be mandatory or highly recommended and Council and Commission members would be welcome to attend.

Nguyen explained that no retention goals have been set and that IT staff is still developing a strategy to identify a theme since not everyone leaves for the same reason.

Arres stated that the issue for the Police Department is getting applicants and that staff would like to speed up the hiring process.

WRITTEN COMMENT ONLY

Marilyn L Schweitzer (Naperville) - I overall appreciate the city's DEI initiatives. Dr William's notes under Employee Retention that 2 key take aways of the Metropolitan Mayors Caucus/University of Illinois pilot were "(a) a focused effort on improving the workplace for all employees will yield a positive impact on the entire workforce, and (b) there is direct correlation between purposeful community engagement and building trust with those residents who do not regularly engage." I would like to add that beyond employee retention that working towards improving communication and trust for the entire community will also improve communication and trust for residents who may feel or be marginalized.

The report was received.

P. NEW BUSINESS:

Upcoming celebrations

Wilson announced that the Salute will be held June 30-July 3 on Rotary Hill and is an appreciation for first responders and military. He also announced that the community fireworks display will be on July 4 at Frontier Sports Complex.

Juneteenth

White stated that the recent event was a success and brought the community together.

Cars in the downtown

White suggested more of a police presence in the downtown on weekends due to the amount of vehicles revving engines in parking lots.

Drought

White inquired about the sprinkling schedule.

Blenniss explained that the City is required to have an ordinance with water restrictions, that staff will increase awareness of the days/times, and that staff will investigate on a complaint basis.

Board and Commission review

Wehrli thanked the League of Women Voters for the detailed report and recommendations, explained the current efforts to comprehensively review board and commission processes, and announced that staff is developing a Board and Commission Guide that will help applicants better understand requirements and expectations.

Q. ADJOURNMENT:

A motion was made by Councilman White, seconded by Councilman Kelly, to adjourn the Regular City Council Meeting of June 20, 2023 at 8:51 p.m. The motion carried by a voice vote.

/S/ Pam Gallahue
Pam Gallahue, PhD
Director of Community Services/City Clerk