

March 1, 2022 Council QA

Monday, February 28, 2022

8:46 AM

I. CONSENT AGENDA:

1. **22-0271** Approve the regular City Council meeting minutes of February 15, 2022

Q:	Staff can you please double check my attendance time during closed session? I know I was late due to a death in the family. If so please correct the minutes.	Gustin
A:	Councilwoman Gustin is correctly shown in the Open Session minutes as ABSENT for the 6:00 pm Roll Call and the Roll Call vote to recess to Closed Session. The Closed Session minutes [distributed in the agenda on Friday, February 25] reflect Gustin arriving in Closed Session at 6:29 pm. Gustin is then shown as PRESENT at 7:00 pm for Open Session.	Bright

2. **22-0274** Approve the City Council meeting schedule for March, April and May 2022

3. **22-0129** Approve the award of Cooperative Procurement 22-078, Unit 779 Vehicle Replacement, to Vac-Con for an amount not to exceed \$520,851

Q:	How much will we save a year from using outside contractors to do those larger jobs? Or what did we usually spend a year for those outside services?	Hinterlong
A:	<ul style="list-style-type: none">• Outside contractors cost \$300/hour, which equates to \$3.09/foot• Rate for City personnel to do the work is \$0.43/foot, which includes 2.97% overhead• The City moved away from outside contractors for this work beginning in 2013 because it is more cost-effective to do in-house	Dublinski/Blenniss
Q:	What is the anticipated yearly cost savings by not contracting out the large diameter sanitary interceptor	Bruzan Taylor

	sewer work? What is the anticipated life of this vehicle?	
A:	The estimated yearly savings by not contracting out this work is \$30,000 - \$45,000 depending on the annual cleaning schedule for large trunk/interceptor sewers. The anticipated life of this vehicle is 9 years.	Dublinski/Blenniss

4. 22-0130 Approve the award of Cooperative Procurement 22-079, Water Utility Service Truck Unit 774, to National Auto Fleet Group for an amount not to exceed \$183,205

5. 22-0153 Approve the award of Bid 21-345, Daily Fee Parking Machine Maintenance and Repair, to Electronic Security Solutions, Inc. For an amount not to exceed \$203,777.80 for a two-year Term

Q:	This seems like a lot of money when we could probably put an employee in a small hut and collect fees thru a window for a lot less? With ridership down, do we need as many machines or are there some ways to reduce this cost?	Hinterlong
A:	<p>Many years ago the City collected only cash payments for daily fee spaces by using a lock box at each station. This practice was discontinued because the use of payment machines offers many advantages. The machines offer commuters a quick transaction and the ability to pay using cash, credit card or smart card. Stopping to make a payment to a live person would add time to people's commutes. Having multiple daily fee parking machines is necessary during the morning rush when there are multiple commuters paying for parking at the same time. While ridership is temporarily reduced due to the pandemic, it is anticipated that ridership will continue to increase over the next several years.</p> <p>The payment machines will continue to be an important tool as the City continues to look at how to improve commuter parking operations. For example, the City added 121 daily fee parking spaces at the beginning of the year with the conversion of the Parkview lot from permit parking to daily fee parking, further increasing the need to be able to quickly pay for daily fee spaces. Aside from the paper rolls which are used to print receipts, a large part of the contract is for replacement parts that</p>	Nair

	would only be replaced if a current part broke. The vendor is require to have approval from the City before ordering the replacement parts.	
Q:	Staff is there an opportunity to embrace technology with this equipment or is the equipment stagnant? An example might be that riders can pay with their smart phones or use an App.	Gustin
A:	The payment machines are an important part of the technology that the City is already using to manage commuter parking operations. The City currently uses PayByPhone as an alternative option to the daily fee machines, allowing commuters to pay through their smart phones. However, not all commuters own or are comfortable with using a smart phone, and therefore, the City needs to maintain the ability for commuters to pay at the station using the machines.	Nair
Q:	Have we found less wear and tear and, therefore, less maintenance due to reduced usage during the pandemic? If so, is this information reflected in the contract pricing?	Bruzan Taylor
A:	Routine maintenance happens on a biweekly basis and that has continued throughout the pandemic. Replacement of parts is only done as needed. The contract pricing shows the cost of those parts if they would need to be replaced. However, there is not a specific timeline when the parts are replaced. The City did not need to replace any parts in 2021.	Nair

6. 22-0128 Approve the award of Option Year One to Contract 21-128, Emergency and Amber Lighting and Related Equipment, to Fleet Safety Supply Inc. for an amount not to exceed \$175,000, and for a one-year term

7. 22-0180 Approve the award of Option Year Three to Contract 18-024, Generator Maintenance Services, to Interstate Power Systems, Inc. for an amount not to exceed \$120,000

8. 22-0183 Approve the award of Bid 22-059, EAB Insecticidal Treatments, to Kinnucan Tree Experts and Landscape Company, Inc., for an amount not to exceed \$253,922

Q:	Staff as we spend to save these trees, I have noticed more than previous years trees being hit by vehicles in the parkways and medians. Will there be a program established or may be someone to correct and replant the destroyed trees? Trees are an asset of the city and are positive for the environment.	Gustin
A:	Trees that are damaged by vehicles are replaced through the city's tree replacement program. If the offender is known, that person is charged the cost of the replacement tree.	Dublinski

9. 22-0184 Approve the award of Bid 22-036, Landscape Restoration Services, to Semper Fi Landscaping Inc and Local Lawn Care and Landscaping for an amount not to exceed \$325,000 and a one-year term

Q:	Is this contract for areas of the city where snow plows and other equipment damaged the parkways, etc.? If so, there is a large area of grass sliced from the ground on the parkway at 2495 Basin Trail near the park.	Gustin
A:	Sod damage caused by winter operations is repaired with in-house staff and is not part of this contract. A service request has been entered to repair the parkway mentioned above.	Dublinski

10. 22-0233 Approve the award of Bid 22-049, Fire and Security Alarm, Fire Suppression System and Extinguisher Maintenance Services to Fox Valley Fire and Safety Company for an amount not to exceed \$187,290.45 and for a two-year term

11. 22-0251 Approve the award of Bid 22-046, Panasonic Toughbooks to CDS Office Technologies for an amount not to exceed \$223,832

Q:	Staff what happens to the 3 year old computers that are replaced? Is there a way to repurpose or donate to schools, or not-for-profit organizations in the city.	Gustin
A:	To ensure the safety and security of City data, all hard drives are removed from old computers and destroyed. Per the surplus management process, these computers are then sold through one of the City's online auction sites	Nguyen/Catalano

	<p>and funds from the sale are put back in the General fund. Schools/Not for Profits may bid. On occasion, department directors may recommend that an item be donated in lieu of sale if it's believed that the public benefit exceeds the estimated value. Other than items of de minimis value, which the CPO may authorize, requests are presented to council for approval. However, in this case the cost of staff time to administer the charitable donation of incomplete, non-working, and out of warranty computers far outweighs any benefit.</p>	
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12. 22-0255 Approve the award of Change Order #3 to Contract 19-009, 248th Avenue Phase I, to Civiltech Engineering for an amount not to exceed \$55,889 and a total award of \$403,207

Q:	<p>It was known for 10 years now that ICN very well may develop its track of land. ICN had publicized its intent as to size and traffic volumes since before the original engineering was approved. How come none of the previous engineering work included the potential ICN development?</p>	Taylor
A:	<p>While ICN has owned the property for over ten years and we knew that they would one day develop it, they had not made any submittals to the City prior to us starting this Phase I engineering work in 2019. Our consultant followed the IDOT and Federal Highway Administration procedures for what to include and what not to include in their noise analysis, which is to only include future projects for which building permits have been issued. After the December 8 public information meeting, staff worked with Civiltech and IDOT to see if we could re-run the noise impact model with the ICN traffic projections added to the CMAP projections. The results of that analysis showed eight blocks with impacts as opposed to the two blocks in the original proposal. This change order is for the additional run of the impact model, the analysis of the six additional blocks, and the additional public meetings we decided to conduct.</p>	Novack

13. 22-0244 Approval of Mayoral appointment to the Historic Preservation Commission

Q:	Could you give a list of requirements needed to serve on a board or commission? Including running for City Council please.	Hinterlong
A:	Each Board/Commission member subject to appointment by the Mayor and confirmation by the City Council must be a resident of the City of Naperville. Some boards and commissions have additional requirements (ex. specific professional experience) which is clearly included in the municipal code. To qualify as a candidate for City Council, applicants must be a registered voter of the City of Naperville and have resided within the corporate limits of the City for at least one year.	Barfuss

14. 22-0237B Pass the ordinance granting a variance to reduce the amount of required off-street parking for the property located at 2244 Corporate Lane - PZC 21-1-131

Q:	Staff report indicates, “Neither tenant obtained the required building permits prior to occupying their tenant space, thus triggering Code Enforcement involvement.” I note that this failure to comply with Code caused a significant deficit of 77 parking spaces. Was a fine imposed on the tenants that failed to seek the permitting at the appropriate time?	Holzauer
A:	The City will assess a work without a permit fee, as provided in the Code, which shall be paid prior to issuance of the two occupancy permits pending for the subject property.	Laff

15. 22-0236B Pass the ordinance approving a variance to Section 6-16-5:2.2.1 to allow a ground sign at 3032 English Rows - PZC 21-1-138

Q:	Is there precedent for other variances to the 500 linear foot of frontage rule? How many times have such variances been granted over the past five years?	Holzauer
A:	Staff believes that similar variances have been previously approved; however, unfortunately, short of pulling and reviewing each variance application that has been processed over the last five years, there is no easy way to pull this historical data.	Laff

16. 22-0211B Pass the ordinance granting a variance to permit the construction of a 20.5 foot tall detached garage at 132 South Loomis Street -

PZC 21-1-141

Q:	Staff will this new garage be used for housing now or in the future? If for future housing what fire & safety codes are required? If for future housing what would staff recommend as desired green space, if any?	Gustin
A:	The existing zoning code does not permit accessory dwelling units at single-family residential properties. In order to permit such units in the future, staff would need to prepare and process a text amendment through the PZC public hearing process (with City Council final approval). At such time that the text amendment was prepared, staff would complete research into all requirements that would be recommended for accessory dwelling units.	Laff
Q:	Why does our current code have a detached garage height maximum that does not allow someone to stand up in a storage attic? Is this to prevent people from easily turning that garage attic space into living quarters?	Taylor
A:	The code limits the height of detached accessory structures to allow a visual contrast between the primary and accessory structure, so it does not appear that there are two primary structures on one lot. Additionally, the petitioner has detailed that the height of the garage's first floor is taller than usual to accommodate the property owner's vehicles, which limits the height of the attic space above.	Russell

17. 21-1550B Waive the first reading and pass the ordinance to establish a “No Parking, Stopping, or Standing Zone” on Honey Locust Drive From 600’ north of Winterberry Avenue to a point 100’ north of the centerline of Winterberry Avenue on school days from 8:45AM - 9:15 AM and from 3:15 PM - 3:45 PM (requires six positive votes)

J. PUBLIC HEARINGS:

1. 21-1651B Receive the staff report for 7S345 Columbia Street (Rocas Hill Subdivision) and conduct the public hearing to consider the Annexation Agreement for said property - PZC 21-1-119 (Item 1 of 5)

Q:	Staff are there any flooding concerns in the area? What input has been received by the neighbors? Will the road be improved and who shall incur that cost?	Gustin
A:	<p>Yes, there were flooding concerns in the area and particularly from the resident at 646 S Wright Street that have his driveway connected to Columbia Street. However, storm sewer improvements that included installing inlets and catch basins were made back in 2015. This greatly improved the drainage at Columbia.</p> <p>We did not receive any public comments concerning this case.</p> <p>S10 of the annexation agreement includes a provision that allows the customer the option to either pay the road improvement fee or to improve the road as shown on the final engineering plans. The road improvement fee is \$57,000.00 (200' of frontage at \$285 per linear foot). The customer has to notify the City Engineer in writing prior to recording the ordinances/annexation agreement whether they chose to pay the fee or improve the road.</p>	Russell

2. 22-0242 Pass the ordinance authorizing the execution of the Annexation Agreement (requires six positive votes) for 7S345 Columbia Street (Rocas Hill Subdivision) - PZC 21-1-119 (Item 2 of 5)

3. 22-0243 Pass the ordinance annexing 7S345 Columbia Street (Rocas Hill Subdivision) - PZC 21-1-119 (Item 3 of 5)

4. 22-0245 Pass the ordinance rezoning 7S345 Columbia Street (Rocas Hill Subdivision) to R1A upon annexation - PZC 21-1-119 (Item 4 of 5)

5. 22-0246 Pass the ordinance approving the preliminary/final plat of Subdivision and deviation to the 90% rule lot size for 7S345 Columbia Street (Rocas Hill Subdivision) - PZC 21-1-119

(Item 5 of 5)

L. ORDINANCES AND RESOLUTIONS:

1. 22-1606D Pass the ordinance amending Title 1 (Administrative), Chapter 11 (Comprehensive Plan) of the Naperville Municipal Code to adopt a new Land Use Master Plan as presented - PZC 19-1-134

OR

Pass the ordinance amending Title 1 (Administrative), Chapter 11 (Comprehensive Plan) of the Naperville Municipal Code to adopt a new Land Use Master Plan including a modification that reclassifies the future land use for the properties immediately west and Northwest of the Plank Road and Naper Boulevard intersection to Neighborhood Center - PZC 19-1-134

Q:	Please provide the concept plan submitted by Mike Siurek for his property located within the Plank Road Study Area.	
A:	Please see attached ("Project Summary"). In addition, following staff's recent conversation with Mike Roth, he provided the attached illustration ("Wood Partners") to depict their proposed uses for the overall area (note: Roc Development does not own the parcels marked as "future development").	Laff

O. REPORTS AND RECOMMENDATIONS:

1. **22-0170** Receive the report regarding food trucks and direct staff accordingly

Q:	Staff report indicates, "Christmas tree lots and greenhouses are regulated in accordance with Section 6-2-23 (Outdoor Sales and Storage); these regulations are specific to the sale and storage of <i>seasonal merchandise</i>. Prior to installation, such uses require submittal of a temporary structure permit, which includes an application, site plan, and one inspection (cost \$134)." What would be the feasibility of simply publishing guidelines for the installation of such seasonal structures, removing the permitting requirement, and switching to a complaint-based system?	Holzhauser
A:	It is feasible to publish guidelines for the majority of the seasonal sales requirements (maintaining required circulation, utilizing flame retardant fabrics, location of the structure, etc.). However, staff would continue to recommend a permit and	Laff

	inspection for any structure that includes temporary electric connections.	
Q:	<p>A. Who were the 3 permit holders mentioned in the write up for mobile food vending in the City’s right of way?</p> <p>B. Is the reason ice cream trucks are licensed, is because they use City streets? If so, what about food trucks that use our streets for birthday parties, block parties, etc. Should that trigger the same license?</p> <p>C. The chambers recommendation states that a license should be triggered on the 4th day. Would that be consecutive days or total days within a year?</p> <p>D. I believe it is code that if you have seating at a brick and mortar establishment, it triggers the need for bathroom facilities. Is this true? Or what does trigger the use of a bathroom requirement?</p>	Hinterlong
A:	<p>A. Nicks Happy Ice Cream (2 trucks) and Danny Ice Cream Truck</p> <p>B. Ice cream trucks are regulated for two primary reasons: 1. they engage in retail sale from public streets and on public ways; and 2. the proximity to children presents a heightened need for regulation (background checks, signage/warnings, hours of operation, etc.).</p> <p>Staff does not view the current ice cream truck regulations as generally applicable to food trucks because it is relatively unusual for food trucks to vend from public streets in Naperville. At times, food trucks may be invited to vend on public property during a permitted event, such as a block party or a citywide special event. In those circumstances, and other instances where a food truck may vend from a residential driveway (private party) or a street parking space, the food truck as well as the private party who contracted with the food truck, will likely carry the primary liability exposure. In this case, the food truck is typically vending from a single location for a defined period of time, which is unlike ice cream trucks which go from place to place peddling/soliciting and stopping for less than 15 minutes.</p> <p>C. Based on the letter submitted by the Chamber, staff believes that the Chamber is recommending that a license would be applicable to any food truck vending for 4 or more calendar days per year.</p>	Ozkaptan/ Laff

	<p>D. Per Illinois Plumbing Code, a restroom is required for any brick and mortar food service establishment. However, the number/type of restrooms required for that establishment is determined by the following:</p> <ol style="list-style-type: none"> 1. If there are up to 5 employees, one unisex restroom is required. If there are more than 5 employees, separate male and female bathrooms are required. 2. Any space less than 5000 s.f OR with less than 100 occupants do not require public restrooms. However, if it is a food service space and the total number of employees and patron seats is more than 10, separate male and female restrooms are required. The total number of fixtures in each restroom is based on a Table listed in the code. 	
<p>Q:</p>	<p>In the attached memo no food and beverage taxes had been paid, however per past vendor testimony and staff acknowledgement some taxes were being paid. Please provide list of taxes paid. There is much excitement around food trucks, they offer customers something different than a sit down restaurant, or drive-thru. In the event that the ordinance is passed to require food trucks to pay food and beverage taxes how would staff insure that collection? Would staff drive around the city on a weekly or monthly basis?</p> <p>Would staff recommend restricting food trucks in certain zoning districts? Staff can any business zoning district have a food truck? Staff why did council enact the need for permitting of Christmas trees, plant sales, car shows and other uses?</p>	<p>Gustin</p>
<p>A:</p>	<p>Staff has reviewed historical Food & Beverage Tax records to the extent possible and found that SnoProblems has reported and paid Food & Beverage Tax, including the Downtown Food & Beverage Tax since it began operating in the summer of 2020. This came to light when the food truck issue was raised in 2022 and staff is working with the business owner to correct the issue. Staff also located receipts from several other known food trucks, but they were very sporadic and likely tied to permitted special events, such as Last Fling or Ribfest. In those cases, payment of the tax would be appropriate. No records have been located for other food trucks known to be operating in the City.</p>	<p>Munch/Laff</p>

	<p>Collection of Food & Beverage Tax from food trucks does present challenges, particularly in those instances where the truck does not stay in one location. If regulations were changed, staff would need to develop a process to ensure business owners were aware of their responsibilities to pay applicable fees or taxes.</p> <p>Food trucks which are parked long-term on private property are limited to the commercial and industrial zoning districts.</p> <p>Section 6-2-23 (Outdoor Sales and Storage) was adopted in 1988. Per the March 4, 1987 Plan Commission meeting minutes at which the proposed code section was discussed, "at present all businesses must be conducted inside a building... many of the businesses in town, such as KMart, Jewel/Osco and Ace, do business outside. In the summer they have plants and in the winter they have salt blocks... DCD [former TED] has a tremendous problem controlling this, because a permit is required for any outside storage and presently the ordinance is almost unenforceable.... they want to make sure that they don't diminish the parking area requirements in the process of doing business outside".</p>	
<p>Q:</p>	<p>I get the difference in permitting for seasonal set ups versus food trucks, but how is it fair to charge ice cream trucks but not food trucks? It seems as though the ice cream truck is the original food truck? What is the rationale for permitting ice cream trucks?</p>	<p>Bruzan Taylor</p>
<p>A:</p>	<p>Ice cream trucks are regulated for two primary reasons: 1. they engage in retail sale from public streets and on public ways; and 2. the proximity to children presents a heightened need for regulation (background checks, signage/warnings, hours of operation, etc.).</p> <p>Staff does not view the current ice cream truck regulations as generally applicable to food trucks because it is relatively unusual for food trucks to vend from public streets in Naperville. At times, food trucks may be invited to vend on public property during a permitted event, such as a block party or a citywide special event. In those circumstances, and other instances where a food truck may vend from a residential driveway (private party) or a street parking space, the food truck as well as the private party who contracted with the food truck, will likely carry the primary liability exposure. In this case, the food truck is typically vending from a single location for a</p>	<p>Ozkaptan/Laff</p>

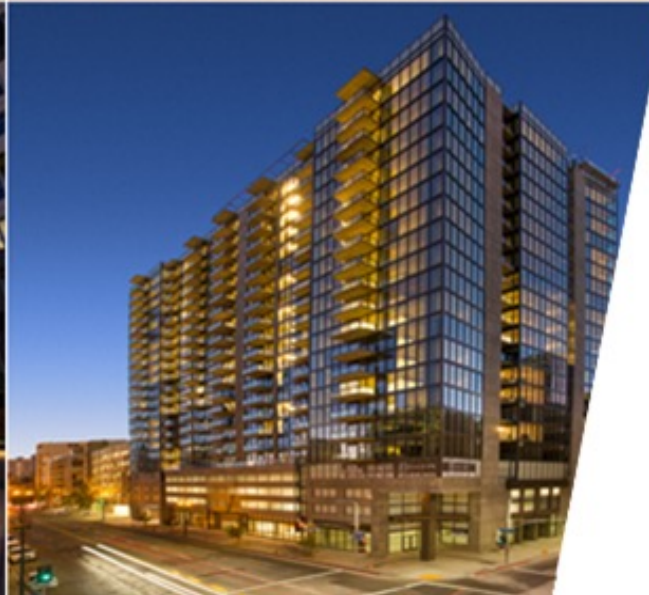
	defined period of time, which is unlike ice cream trucks which go from place to place peddling/soliciting and stopping for less than 15 minutes.	
Q:	As for our current rules for requiring sales & beverage tax to be paid, what about the Menards taco truck? It has multiple picnic benches set up outside for on site consumption and takes up about 6-8 parking spaces in the lot.	Bruzan Taylor
A:	Staff's interpretation of the code is that on-premise seating does not include chairs or picnic tables placed outside a food truck. Regardless of that interpretation, municipal code section 3.1 of 3-1-9 Food and Beverage Taxes specifically excludes "mobile food or beverage or ice cream vehicles" from remitting taxes.	Munch

2. 22-0252 Receive the report regarding the proposed improvements to 248th Avenue from 95th Street to 103rd Street (Item 1 of 3)

Q:	Staff when will the noise wall be included in the proposal? If not included in this proposal does staff anticipating dropping the sound wall from the project? With private property improvements in the area will some private owner funds be required to accommodate road widening, median, landscaping, sidewalk changes and potential sound wall?	Gustin
A:	The question of the limits of noise wall installation will be brought to the City Council when the analysis is completed and approved by IDOT, which is expected to be late this summer. Adjacent private property owners and developers do not pay for the capacity improvements with a widening project like this, except for site specific improvements that solely benefit them. An example includes the Islamic Center of Naperville paying for half of the cost of the future traffic signal at their entrance.	Novack

3. 22-0253 Confirm that Alternative No. 2 is the preferred alternative for the 248th Avenue Improvements

4. 22-0257 Direct staff to submit federal funding applications for the 248th Avenue improvements (Item 3 of 3)



Alta Naperville
Naperville, IL
DuPage County

Concept Meeting Submittal Package

Submitted by:
Matt Katsaros
1/31/2022

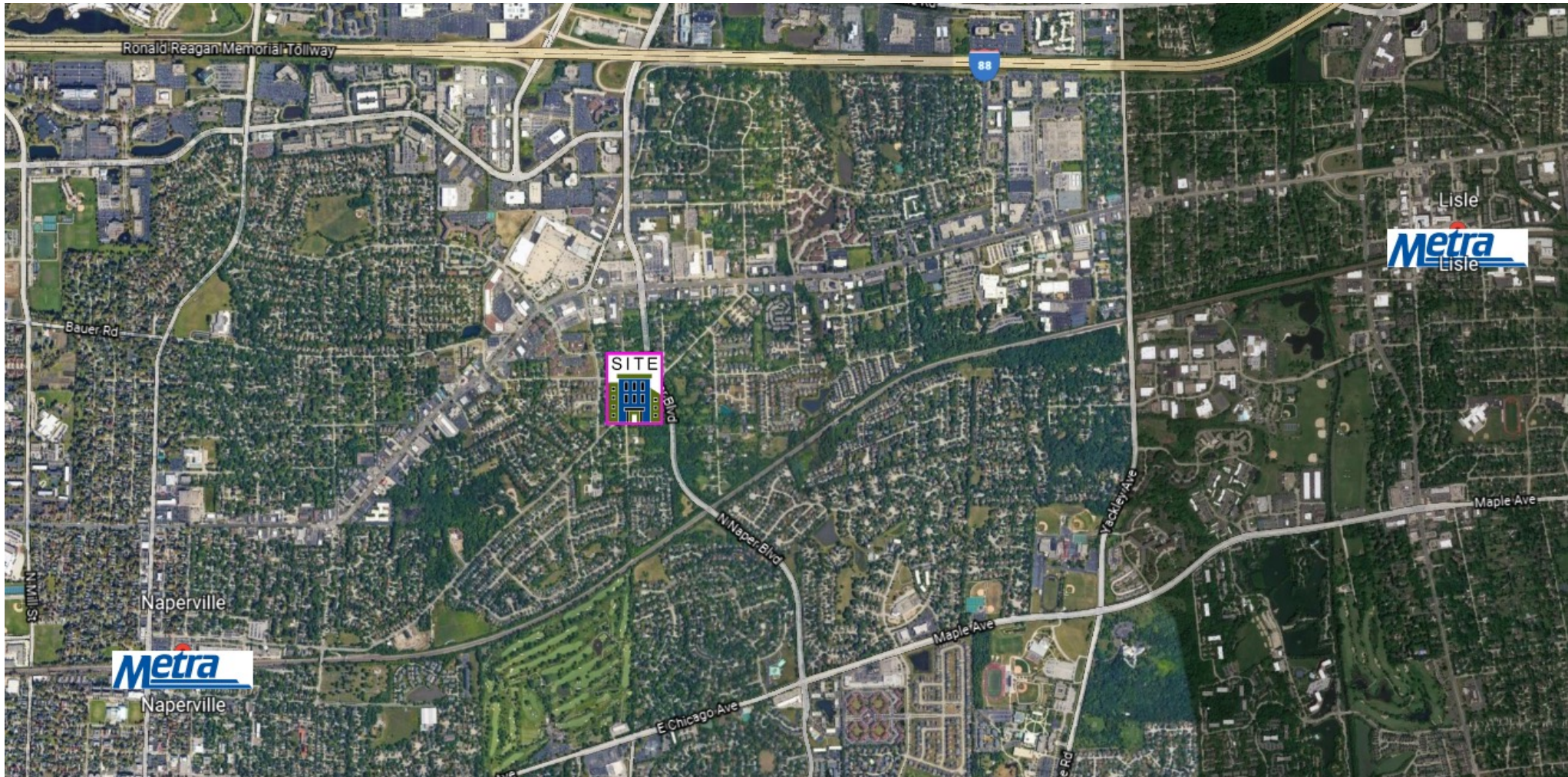
Project Summary

Project Overview

- ❑ Alta Naperville is a proposed project located at the intersection of Naper Blvd and Plank Road. The approximately 260-unit wrap complex will offer Class A amenities and structured parking in a location with little supply in this asset class.
- ❑ Wood Partners in partnership with ROC Inc, the current owner, is working with Weis Construction, Kage Engineering and BSB Design on this project.
- ❑ Unit size will average 850-900 square feet. The preliminary mix consists of 12% studios, 50% one bedrooms, and 37% two bedrooms. Rents will average \$2,088/ month, or \$2.43/ SF. The underwritten rents are comparable to the primary rental comps today.
- ❑ Interior finishes will be relative to class A housing product in the submarket and will include granite countertops, stainless steel appliances, upgraded fixtures, and wood plank flooring, tile backsplashes and washers/dryers.
- ❑ Alta Naperville will have community amenities that feature a state-of-the art fitness facility, remote working capabilities with enhanced Wi-Fi, and room for social gatherings. There will also be a programmed courtyard with grilling areas and pet facilities and pool.



Location Maps



Location Maps



Market Overview: *Site Description*



NAPERVILLE WHEATON ROAD

BURLINGTON AVE

Townhome Residential
Three Story Units
12-16 Units Total



TUTHILL ROAD

PLANK ROAD

Multifamily Residential
Four-Five Story Building
260-280 Rental Units
10-20 Live Work Units

Future Development

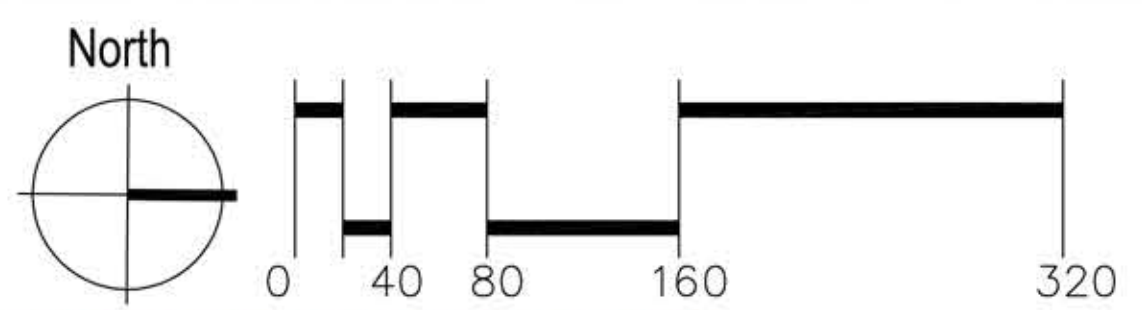


OGDEN AVENUE

Future Development

Retail/ Office

NAPER BOULEVARD



WOOD PARTNERS

Concept Master Plan
TUTHILL ROAD CORRIDOR
Du Page County, Illinois



Date: February 23, 2022

The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.) © 2022 BSB Design, Inc.