



Meeting Minutes

City Council

Tuesday, January 4, 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 January 4 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 January 4. 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 January 4. In keeping with the current Centers for Disease Control and Prevention (CDC) and Illinois Department of Public Health guidelines, fully vaccinated individuals will not be required to wear a face covering in Council Chambers. Those who are not fully vaccinated against COVID-19 must wear a face covering if they cannot socially distance from other individuals.

Online sign-up closes at 4 p.m. on January 4, 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 January 4.
- 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.

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: 8 - Mayor Steve Chirico
Councilman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilwoman Theresa Sullivan
Councilman Benjamin White

Absent: 1 - Councilman Paul Leong

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to allow Councilman Holzhauer to participate via teleconference due to illness. The motion carried by a voice vote.

Also Present

City Manager, Doug Krieger; City Attorney, Mike DiSanto; Director of Community Services/City Clerk, Pam Gallahue; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Director of TED, Bill Novack; Director of Public Works, Dick Dublinski, Director of Communications, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:**G. PUBLIC FORUM:**

Food truck regulations
Dick Furstenau discussed food trucks in Naperville and asked the Mayor and Council to put the topic on an agenda to discuss.

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 voice vote.

I. CONSENT AGENDA:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to use the Omnibus method to approve the Consent Agenda including the edit to the December 21, 2021 minutes as reflected in the Q/A. The motion carried by the following vote:

Aye: 8 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Sullivan, and White

Absent: 1 - Leong

1. [Approve the regular City Council meeting minutes of December 21, 2021](#)

Council approved.

2. [Approve the City Council meeting schedule for January, February and March 2022](#)

Council approved.

3. [Approve the award of RFP 21-243, Consulting Services - Soil and Material Testing, to NASHnal Soil Testing, LLC, for an amount not to exceed \\$240,000, and for a two-year term](#)

Council approved.

4. [Approve the award of Bid 21-382, Parkway Tree Trimming Services, to NJ Ryan Tree & Landscape and Steve Piper and Sons Inc., for an amount not to exceed \\$170,250, and for a one-year term](#)

Council approved.

5. [Approve the award of Change Order #1 to Contract 21-273, Cartage Services, to](#)

[International Hauling for an amount not to exceed \\$48,500 and a total award of \\$211,000](#)

Council approved.

6. [Pass an ordinance granting approval of a variance to reduce the amount of required off-street parking for the subject property located at 1355 E. Ogden Ave - PZC 21-1-117](#)

Enactment No.: ORD 22-001

Council passed.

J. PUBLIC HEARINGS:

1. [Conduct the public hearing for the establishment of Special Service Area No. 34 for streetscape improvements on a portion of Block 422 of downtown Naperville \(Item 1 of 2\)](#)

Chirico opened the public hearing at 7:09 p.m.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to close the public hearing for the establishment of Special Service Area No. 34 for streetscape improvements on a portion of Block 422 of downtown Naperville at 7:09 p.m. The motion carried by a voice vote.

2. [Direct staff to prepare an ordinance to establish Special Service Area No. 34 for streetscape improvements on a portion of Block 422 of downtown Naperville if fewer than 50% of the property owners object over the next 60 days \(Item 2 of 2\)](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to direct staff to prepare an ordinance to establish Special Service Area No. 34 for streetscape improvements on a portion of Block 422 of downtown Naperville if fewer than 50% of the property owners object over the next 60 days. The motion carried by the following vote:

Aye: 8 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Sullivan, and White

Absent: 1 - Leong

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Receive the staff report for This Is Not My Yard Subdivision \(719 Center St.\) - PZC 21-1-121 - \(Item 1 of 3\)](#)

POSITION STATEMENT

Jayne Holler - OPPOSE

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to receive the staff report for This Is Not My Yard Subdivision (719 Center St.) - PZC 21-1-121. The motion carried by a voice vote.

2. [Pass the ordinance approving the Preliminary/Final Plat of Subdivision for This Is Not My Yard Subdivision \(719 Center Street\) - PZC 21-1-121 - \(Item 2 of 3\)](#)

Enactment No.: ORD 22-002

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance approving the Preliminary/Final Plat of Subdivision for This Is Not My Yard Subdivision (719 Center Street) - PZC 21-1-121. The motion carried by the following vote:

Aye: 8 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Sullivan, and White

Absent: 1 - Leong

3. [Pass the ordinance granting a temporary use for a fence to remain on Lot 2 of This Is Not My Yard Subdivision \(719 Center Street\) - PZC 21-1-121 - \(Item 3 of 3\)](#)

Enactment No.: ORD 22-003

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance granting a temporary use for a fence to remain on Lot 2 of This Is Not My Yard Subdivision (719 Center Street) - PZC 21-1-121. The motion carried by the following vote:

Aye: 8 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Sullivan, and White

Absent: 1 - Leong

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Fence requirements

Chirico discussed fence requirements and asked if Code revisions would be appropriate.

Novack explained requirements, consolidated/subdivided lots, and stated that staff will review the Code and make recommendations for revisions as appropriate.

COVID-19 rapid tests

Chirico requested that staff draft a letter urging tax-exempt status for test kits.

Krieger said staff will draft the letter with the assistance of the legislative representatives and will also determine what is required for a pop-up test site.

Food truck permits

Gustin asked about the process and discussed trucks in Aurora.

Council discussed entrepreneurial nature of food trucks and that any regulation needs to be done appropriately and safely. Council asked who confirms health department permits and what is the food and beverage tax revenue that the City can recover. Council further discussed the need to be fair to other parking lot

sales businesses, whether or not food trucks are an issue citywide, the overwhelming negative sentiment from the community about adding regulations for a food truck during the current economic climate, the process to permit food carts in the Downtown, and the need to get input from the Chamber, DNA, and DAC.

Krieger explained that staff will discuss food trucks, review best practices, and bring back a high level overview for Council. He confirmed that a food truck permit process will not be recommended at this time.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of January 4, 2022 at 7:27 p.m. The motion carried by a voice vote.

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