



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, July 19, 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-Astound, 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 July 19 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 July 19. 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 July 19. Online sign-up closes at 4 p.m. on July 19, 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 July 19.
- 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 5:30 p.m.

B. ROLL CALL:

Present: 9 - Mayor Steve Chirico
Councilwoman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White

C. CLOSED SESSION - 5:30 p.m.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to recess to Closed Session to discuss 120/2(c)(2) Collective Bargaining, 120/2(c)(6) Sale of Property, 120/2(c)(11) Pending Litigation, and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

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

OPEN SESSION - 7:00 p.m.

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

D. ROLL CALL:

Present: 9 - Mayor Steve Chirico
Councilwoman 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; Fire Chief, Mark Puknaitis; Deputy Police Chief, Bob Lee; 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, 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

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

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

St. Patrick's Day Parade and the Irish Fest
Mike Reilly discussed the annual parade and the upcoming Irish Fest at Frontier Sports Complex.

Jim Glasgow speech
Kevin Coyne played a video of the speech given at the July Safe Suburbs events.

Plastic pollution
Dr. Anu Verma encouraged recycling.

Affordable housing
Mary Ann Curtis spoke in favor affordable housing on municipal-owned property.

Council discussed the former 5th Avenue Plan and the appropriateness of incorporating affordable housing.

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:

Approval of the Consent Agenda

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the Consent Agenda including the disclosure by

Councilwoman Bruzan Taylor that IUOE Local 150 (Agenda item I32) contributed \$1,000 to her City Council campaign. The motion carried by the following vote:

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

1. [Approve the Cash Disbursements for the period of 06/01/2022 through 06/30/2022 for a total of \\$33,257,480.54](#)
Council approved.
2. [Approve the regular City Council meeting minutes of June 21, 2022](#)
Council approved.
3. [Approve the City Council meeting schedule for August, September and October 2022](#)
Council approved.
4. [Approve appointments to various Boards & Commissions](#)
Council approved.
5. [Approve the award of Cooperative Procurement 21-136, Multifunction Copier Devices and Service Solutions Phase III, to Canon Solutions America Inc, for an amount not to exceed \\$206,250 and for a five-year term](#)
Council approved.
6. [Approve the award of Cooperative Procurement 22-208, Substation Battery Replacements, to Wesco for an amount not to exceed \\$182,847.00](#)
Council approved.
7. [Approve the award of Cooperative Procurement 22-216, Electric Control Room Workstation Upgrade, to Evans Consoles Inc. for an amount not to exceed \\$175,115.63](#)
Council approved.
8. [Approve the award of Procurement 22-205, Engineering Services for Edward Hospital Substation Expansion, to Primera Engineers for an amount not to exceed \\$131,177](#)
Council approved.
9. [Approve the award of RFP 22-031, Electric Substations - Springbrook Fixed Axis Solar Photovoltaic System, to GRNE Solar for an amount not to exceed \\$214,088](#)
Council approved.
10. [Approve the award of RFP 22-151, Springbrook Water Reclamation Center S2EBPR Pilot Testing, to Black & Veatch for an amount not to exceed \\$166,798.00](#)
Council approved.

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11. Approve the award of Bid 22-015, MSI Inspection and Condition Assessment Central - South Interceptor, to RedZone Robotics Inc. for an amount not to exceed \$119,462.40
Council approved.
12. Approve the award of Option Year Two to Contract 19-257, Emergency Vehicle Preventative Maintenance and Repair Services, to MacQueen Equipment LLC, Fire Service Inc., and Interstate Power Systems for an amount not to exceed \$125,000
Council approved.
13. Approve the award of Option Year Three to Contract 19-134, Palo Alto Firewall, to Continental Resources, Inc., for an amount not to exceed \$152,280
Council approved.
14. Approve the award of Change Order #1 to Contract 20-052, Springbrook Water Reclamation Center Facilities Plan Phase II, to Donohue and Associates for an amount not to exceed \$73,910 and a total award of \$755,630
Council approved.
15. Approve the award of Change Order #1 to Contract 21-213, General Supplies and Equipment, to Amazon for an amount not to exceed \$100,000 and a total award of \$300,000
Council approved.
16. Approve the award of Change Order #3 to Contract 15-181, Multi-Functional Copiers Cost-per-Copy Phase 3, to Canon Solutions America, Inc. for an amount not to exceed \$27,563 for a total contract award of \$284,083.74 and an additional six months
Council approved.
17. Approve the award of Change Order #5 to Contract 16-135, North Aurora Road Underpass Design, to TranSystems, Inc. for an amount not to exceed \$144,724.00 and a total award of \$2,412,083.35
Council approved.
18. Waive the first reading and pass the ordinance amending Section 3-3-11 of the Naperville Municipal Code to increase the Class P - Manufacturer liquor license cap to five (requires six positive votes)
Enactment No.: ORD 22-069
Council passed.
19. Waive the first reading and pass the ordinances switching the student loading zone on Spring Avenue and the bus loading zone on Douglas for Washington Junior High School (requires six positive votes)
Enactment No.: ORD 22-070

Council passed.

20. [Waive the first reading and pass the ordinance amending Section 11-1-5 Schedule VIA of the Naperville Municipal Code to prohibit parking, stopping, and standing along the west side of River Road from certain points on Aurora Avenue \(requires six positive votes\)](#)

Enactment No.: ORD 22-071

Council passed.

21. [Pass the ordinance approving a preliminary/final plat of subdivision and a platted setback deviation for the property at 1508 Aurora Avenue \(Naperville Ogden Aurora Subdivision\) - PZC 22-1-053](#)

Enactment No.: ORD 22-072

Council passed.

22. [Pass the ordinance approving a minor change to the conditional use for Wag’N Paddle - PZC 22-1-045](#)

Enactment No.: ORD 22-073

Council passed.

23. [Pass the ordinance approving a minor change to the CityGate Centre III Planned Unit Development approved by Ordinance 20-044 for the subject property located at Lots 2 & 3 of CityGate Centre, Naperville - PZC 22-1-050](#)

Enactment No.: ORD 22-074

Council passed.

24. [Pass the ordinance approving variances for the property located at 430 S. Washington Street - PZC 22-1-047](#)

Enactment No.: ORD 22-075

Council passed.

25. [Pass the ordinance approving rezoning from R2 to CU for the property located at 5 S. Loomis Street - PZC 22-1-048](#)

Enactment No.: ORD 22-076

Council passed.

26. [Pass the ordinance revoking ordinances 18-079 and 18-080 regarding a major change to the Monarch Landing PUD, approving a Preliminary/Final PUD plat, and a conditional use for an eating establishment within a PUD for CityGate North Centre - PZC 22-1-049](#)

Enactment No.: ORD 22-077

Council passed.

27. [Pass the ordinance approving a conditional use in the B3 district and variances for a Casey's automobile service station located at 1420 E. Ogden Avenue - PZC 21-1-130](#)

Enactment No.: ORD 22-078

Council passed.

28. [Pass the ordinance to establish temporary traffic controls and issue a Special Event and Amplifier permit for the Naperville Sprint Triathlon on Sunday, August 7, 2022](#)

Enactment No.: ORD 22-079

Council passed.

29. [Pass the ordinance to establish temporary traffic controls and issue a Special Event and Amplifier permit for the India Day Parade and Celebration on Sunday, August 14, 2022](#)

Enactment No.: ORD 22-080

Council passed.

30. [Pass the ordinance to establish temporary traffic controls and issue a Special Event permit for Old Naperville Days on Sunday, August 21, 2022](#)

Enactment No.: ORD 22-081

Council passed.

31. [Pass the ordinance to establish temporary traffic controls and issue a Special Event permit for Saints Peter & Paul Catholic Church Homecoming Fest on Saturday, August 27, 2022](#)

Enactment No.: ORD 22-082

Council passed.

32. [Adopt the resolution authorizing execution of a collective bargaining agreement between the City of Naperville and IUOE Local 150 representing Department of Public Works Fleet Services](#)

Enactment No.: RES 22-015

Council adopted.

33. [Adopt the resolution approving the Intergovernmental Agreement between County of DuPage, Illinois and the City of Naperville for the use of the American Rescue Plan Act \(ARPA\) grant for the 8th, Ellsworth, Main Stormwater Improvements Project](#)

POSITION STATEMENT

Allison Longenbaugh - SUPPORT

Enactment No.: RES 22-016

Council adopted.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Option A: Concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving five variances related to the proposed drive-through and signage for 1291-1295 E. Ogden Avenue \(Eastgate Outlot\) - PZC 21-1-126; or Option B: Concur with staff and pass the ordinance approving the requested sign variances and denying the requested drive-through variances for 1291-1295 E. Ogden Avenue \(Eastgate Outlot\) - PZC 21-1-126](#)

Ken Witkowski (Calamos Real Estate - Petitioner) presented the proposal.

Laff stated the City doesn't distinguish between drive through and drive through pick-up lanes but will continue to research it as businesses may adopt this model.

Puknaitis said stacking is a concern.

Laff explained that staff supports the requested sign variances but doesn't support the stacking and bypass lanes because the business model is unknown to Naperville and the impact to traffic and potential future tenants cannot be predicted based on experience.

Council discussed drive through pick-up lane logistics, incorporating a condition in the lease, how a window would be used for a future tenant, and when the City can intervene if the model doesn't work.

Enactment No.: ORD 22-083

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving five variances related to the proposed drive-through and signage for 1291-1295 E. Ogden Avenue (Eastgate Outlot) - PZC 21-1-126 (Option A). The motion carried by the following vote:

Aye: 8 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauser, Kelly, Leong, and White

Nay: 1 - Sullivan

2. [Adopt the resolution authorizing execution of the Affordable Senior and IDD Housing Major Business Terms between the City of Naperville and Gorman & Company, LLC](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to table the item to the August 16, 2022 meeting. The motion carried by a voice vote.

3. [Conduct the first reading of the ordinance amending Title 3 of the Naperville Municipal](#)

[Code to prohibit the local commercial sale of assault weapons and large-capacity magazines](#)

SPEAKERS

Mark Winters spoke in support of the proposed ordinance.

Kelly Lestina spoke against the proposed ordinance.

Julie Puls spoke against the proposed ordinance.

Nicole N. Abdallah spoke against the proposed ordinance.

Julie Niles (League of Women Voters - Naperville) spoke in favor of the proposed ordinance.

Felix Rivera spoke against the proposed ordinance.

Barbara Vernon spoke in support of the proposed ordinance.

Dana Bussing spoke in support of the proposed ordinance.

Robert Bevis spoke against the proposed ordinance.

The meeting recessed from 8:12 p.m. - 8:21 p.m.

Dianne McGuire spoke in support of the proposed ordinance.

The meeting recessed from 8:25 p.m. - 8:30 p.m.

James Watts spoke against the proposed ordinance.

Scott Zimmer spoke in support of the proposed ordinance.

Beverly George spoke in support of the proposed ordinance.

Porus Dadabhoy (United for Peace, Naperville) spoke in support of the proposed ordinance.

Todd Vandermyde spoke against the proposed ordinance.

Janice F. Guider, MPH, CHES® spoke in favor of the proposed ordinance.

Frank Marik spoke against the proposed ordinance.

Becky Simon (Illinois National Organization for Women) spoke in favor of the proposed ordinance.

Mary O'Connor spoke against the proposed ordinance.

Tim Dever spoke against the proposed ordinance.

Vladimir Sliva spoke against the proposed ordinance.

Renata Sliva spoke against the proposed ordinance.

Philip Buchanan spoke in favor of the proposed ordinance.

Jean Page spoke in favor of the proposed ordinance.

Pip Tegtmeyer spoke against the proposed ordinance.

Dan Eldridge (Federal Firearms Licensees of Illinois) spoke against the proposed ordinance.

Matt Seeberg spoke in favor of the proposed ordinance.

Bryan O'Connor spoke against the proposed ordinance.

Walter Baehrend spoke against the proposed ordinance.

Brian Femali spoke against the proposed ordinance.

Thom Higgins spoke in favor of the proposed ordinance.

Peter Kokayeff spoke against the proposed ordinance.

Diane Hewitt spoke in favor of the proposed ordinance.

Shannon Adcock (Awake Illinois and Moms for Liberty DuPage) spoke against the proposed ordinance.

Nelson Sotomayor spoke against the proposed ordinance.

Jim Haselhorst spoke against the proposed ordinance.

Val Adejo spoke against the proposed ordinance.

Marc Berkowicz spoke against the proposed ordinance.
Keith Klingeman spoke in favor of the proposed ordinance.
Michael Vach spoke against the proposed ordinance.
Anthony Truppa spoke against the proposed ordinance.
Tony Jaras spoke against the proposed ordinance.
Holly Blastic (Moms Demand Action) spoke in favor of the proposed ordinance
Dr. Lori Blackwell spoke against the proposed ordinance.
Yeena Yoo (Moms Demand Action for Gun Sense) spoke in favor of the proposed ordinance.

DiSanto explained that the proposed ordinance is modeled after the 1994 Federal Assault Weapons Ban and the Highland Park, IL ordinance.

Council discussed the appropriateness of including handguns on the list of prohibited weapons and that the ordinance as written prohibits law enforcement and military personnel from purchasing AR15s and high-capacity magazines in Naperville.

Lee stated that police officers are issued duty weapons and ammunition by the department, that they have the option of purchasing their own, and also explained magazine capacities for a handgun can vary from 10-15 rounds.

Council discussed not putting limits or restrictions on purchases by law enforcement personnel, applicant background flags, and whether law enforcement has adequate resources and funding to seize weapons.

Lee explained how gun seizures are managed in the department and that personnel has seen full support by the community, elected officials, and the State's Attorney's Office regarding seizure activity.

Council discussed recent criminal activity in Naperville, the no-cash bail bond that goes into effect January 1, 2023, directing staff to draft a resolution supporting a repeal of HR 3653 (Safety Act), litigation costs of gun ban legislation, federal/state authority, impact of mental illness on mass shootings, and that the solution should be a multi-faceted approach.

DiSanto discussed the litigation risk of gun legislation, stated there is a high likelihood of a legal challenge, that the City received an offer by a law firm to defend Naperville pro bono, and explained fee shifting in federal court.

Council discussed the three-day waiting period to purchase weapons, the need for more scrutiny on backgrounds, the age of shooters, that change starts at the local level, the need to continually support police, the revenue collected from cannabis sales, recent divisive agenda items, and the appropriateness of sending a resolution to Springfield when there is not Council consensus.

DiSanto summarized the discussion to revise the ordinance with limiting the ban to the sale of assault weapons and accompanying high capacity magazines, exempting handguns and magazines of all round varieties, and not applying any sales restrictions on current or retired law enforcement personnel.

By consensus, Council concurred with the modifications to be brought back on August 16, 2023.

POSITION STATEMENT - OPPOSE

Ellen Schmitz
Mark Murphy
Christie L Anderson
Dana Hengstler
John Cook
Edward Bilski
Kristen Regan
Sam Vandrhei
Craig Anthony Vlastic
David Mashek
Tom Marrapode
Gregory Camp
Joe Nasiatka
Aaron Gearhart
Carmen (Girl and a Gun)
Richard Waters
Jim Rakow
Michelle Rush (A Girl and A Gun, Naperville Chapter)
Joseph Onystok
Cherie Yetter
Jennifer Yetter
William C Storm
Arthur Dwight
Derek Wentworth
Tom Kozik
Mike Devito
James Doerge
Chad Benner
Maddie Burdick
Patricia Kramer
Ann Marie Suter
Jayne Kill
Richard Kill
Matthew Ewald
Andrew Lee
Ade Ebibi
Toni Gagliano
Ann McGowan
Raymond Doerrer
Tammy Dusenberry
Felicita vazquez
Michael Burke
Jim Meyer
Margaret J Sommers
Daniel R Devine
Donald Gadzala
Tonya Franklin

Nick Klementzos
James Lambert
Troy Vallo
Patrick Hickey
Dale Johnson
Thomas Calpin
Robert Weist II
Norm Johnson
Geraldyn Walsh
Jon Suter
Jeffrey Ramos
gary gramm
Stanley Aaron Suter
Vincent A. Porro
Mary Porro
Richard Miller
Tom Balle
Jeb Elliott
Melissa Lewis
Sheri Tucci
Matthew Mieszala
Nathan Wilson

POSITION STATEMENT - SUPPORT

Theresa Hus
Joe Hus
Saily Joshi
Anita Knotts
Meenu Jethi
Ruth Allison (Naperville Interfaith Leadership Association)
Elizabeth Sartell
Jane Bauer (Moms)
Jennifer Dietz (Moms Demand Action)
Xiomara Banos
Demi Wang
Mark Liu
Katie Brose
Kristin Louis
Nazim Nizar (Naperville Interfaith Leaders Association)
Sandra Martinich
Diana Lacy Mcclaurin
Geri Smith
Tamar
Barbara kopchak
Michael Ryder
Ginny Wehrli-Hemmeter
Annette Arnold
Anne Schultz
Anna Kirby
Bill Kirby

Lucy Nobrega
Elisabeth
Mary Hutchinson
Geraldyn Prokop
Lordina Samore
Barbara Katz
Jessica
tamara schultz
Jennifer Hoover
Marlene Eisler
Jennifer Swerdlik
Dana Merk (Moms Demand Action Kane and Kendall County)
Lynn Venderley
Charles Venderley
Joy Rosenberg
Daniel Merk (Moms Demand Action)
Erin Zimmer
Kathy Schneider Iliff
Juan Martinez-Galarza
Luzareli Setork (Range USA in Naperville, Illinois.)
Ghadeer Yacoub
Martha Johnston
Mona
Laura Kelly
Kristie Coyle
Mary Michelle Hamilton
Sara Havel
Lorey Maszka
Samuel Hus
Ben Hus
Carie Mackey
Katie bamonte
Tom and Robin Cagle
Carol Beach
Holly Patterson
Jeffrey Cagle
Lauren Jackson
Lisa Tisdale Wolf
Gunde M Iwersen-Burritt
Kate Burritt
Jack Maszka
Elizabeth Portnoy
Amy
Laura Underhile
Jen Bamonte
Pastor Sarah Swindall
Allison Longenbaugh

WRITTEN COMMENT ONLY

Richard Regan - Dear Council Members, The recent rash of armed robberies and car jackings in Naperville do not involve rifles of any type. It is peculiar that

your proposal targets so called assault weapons which are used to commit the minority of crimes. Your timing, to help disarm law abiding citizens during a crime wave is also quite poor. Looks like some kind of irrational virtue signaling to me. Thank you.

John Cook - 5 times as many people are killed by knives

Edward Bilski - There are millions of law abiding citizens who own guns. When someone runs their car or truck into people we don't ban cars or trucks. When hijackers fly a plane into the twin towers we don't ban airplanes. It is a horrible thing that a few bad people compared to the millions of law abiding citizens use guns to kill people. But banning weapons will not stop criminals from doing bad things. It only hurts law abiding citizens from protecting themselves. Japan is a prime example the average citizens can not have a gun. But a criminal still shot the former prime minister. Criminals don't care about laws. Us law abiding citizens do! Prosecute the criminals to the full extent of the law!!!

Marcy Wood - Like all citizens, I have concern about the handful of bad actors in modern society that wreak harm and havoc to the innocent general public. In IL, I believe the Governor should support the ISP with a stronger budget, rather than stripping its funds for other programs to allow the ISP to better facilitate the FOID process, one which I do not agree with but abide by these governing laws. I believe we need to participate and lead our way through this together with open minds without prejudice or caricature, by being present and participating in person in Town Halls. This is a subject for in person, not screen speak. Prior to such a broad and one-sided legislative action supported by a few, I believe working together with knowledgeable firearm dealers and their customers, local police agencies, broader news sources, and local law abiding citizens first would provide all our government leaders locally and across the nation with a better consensus of how the current laws affect the ones who already abide by the laws and how the proposed draft list does not solve broader society's problem.

James E Boyajian - I will submit my written comments to the Mayor and Council , City Manager, and the office of City Clerk for public record and wish them to be made available and part of the official record..

Denise Hayes - I strongly support this amendment

Andrew Cousar - This bill directly impacts the rights of minorities and POC from obtaining affordable and accessible means of self-defense. Firearms such as the Hi-Point Carbine, AR-15, and other affordable, entry-level firearms allow traditionally oppressed groups and POC to have the same access to self-defense as traditionally empowered groups. If this bill passes, then the right to defend oneself will be restricted to only those who can afford it (ie those who can afford to drive one or several towns away). Disenfranchising POC and those living paycheck-to-paycheck would be the greatest impact of this bill, as everyone else will simply purchase their firearms from Bolingbrook, Plainfield, or any of the surrounding towns. Those living under the duress of poverty do not have this option, so this bill is inherently classiest as well. Naperville has always been a town of opportunity, understanding, and compassion, and it is very

disheartening to see the most vulnerable groups of our town's population being the targets of discriminatory legislature. Thank you -Andrew Cousar

Shoshana Frank and Jill Lexier (National Council of Jewish Women Illinois) - Dear Mayor Chirico and the Naperville City Council, National Council of Jewish Women (NCJW) supports the proposed Ordinance Adding Chapter 19 (Regulation of the Commercial Sale of Assault Weapons and Large- Capacity Magazines) of Title 3 (Business and License Regulations) of the Naperville Municipal Code. As the Ordinance recites, our country continues to be devastated by gun violence. We are still reeling from the shock of one mass shooting when the next occurs. This does not even cover the countless acts of gun violence that happen every day and barely register in our national consciousness. We are numb to the reality that guns are now the leading cause of death for children in Illinois. Although recent federal legislation was a necessary first step in the right direction, it is simply not enough. We cannot stand by as senseless gun violence continues to plague our state, our country, and our children. Military-style assault weapons and high-capacity ammunition magazines are designed to kill large numbers of people quickly and have no legitimate use in civilian hands. I am proud that we can do something right here in Naperville to address gun violence. NCJW strongly supports using Naperville's Home Rule to pass this ban on the future sale of assault weapons to protect the public health, safety, and welfare of the residents of city. Thank you, Shoshana Frank, Director of Advocacy - Chicago North Shore Jill Lexier, State Policy Advocacy Chair - Illinois National Council of Jewish Women

Julian Vega - The banning of sale of assault weapons and high cap mags would for one put me out of a job. this would prohibit the sale of most firearms commonly available to other people and I oppose this motion.

Dr Ratnam Chitturi - I support the ordinance to prohibit the local commercial sale of assault weapons and large-capacity magazines. USA has become the number one country among the top developed countries in gun violence. Death rate of children due to gun violence is also the number one. Mass shootings have become common. According to BBC, "Firearms deaths are a fixture in American life. There were 1.5 million of them between 1968 and 2017 - that's higher than the number of soldiers killed in every US conflict since the American War for Independence in 1775." There is no reason whatsoever for people to own assault weapons and large-capacity magazines. They are not needed for self-protection.

Shujen Chen - I support the proposed Assault Weapon Sales Ban Ordinance.

Jamshed Rivetna - I strongly support the proposed ordinance banning sale of assault weapons in Naperville.

Monica Reed - I strongly support a ban on assault weapon sales in Naperville.

Nina - I strongly support this amendment.

David J. Atkins - I OPPOSE the bill before the Naperville City Counsel to ban the same of semi-automatic weapons and high capacity magazines Attempting to

curb crime by punishing the innocent never works. The ability to purchase such weapons are not the cause of incidents listed in this proposal. The problems that caused these incidents are a mixture of: 1) the breakdown of the family and lack of support for parents. The problems were born months and years before the incidents took place. 2) mental illness and inability to function within society 3) the decrease in the willingness or the ability of law enforcement to enforce the law and fully prosecute those that break the law. 4) a breakdown within the educational system caused by the inability of teachers to enforce a moral standard of conduct. Several members of council have indicated that the "need to do something" . Agree- but banning the sale does not address the issues and actually punishes the law-abiding citizens.

Anne V Swanson - The Second Amendment to the United States Constitution states as follows: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. As it specifically states "militia," it was intended as a means for citizens to protect themselves from foreign enemies, not each other. Thus, it seems patently obvious, that unless one is in the "militia" one does not need to bear arms. I laud the City Council for any steps to limit the purchase or sale of military assault weapons and magazines within the city limits. This violence has to stop!

Mr. David L. Parta - 1. Why drive business out of Naperville into surrounding communities? Just like the marijuana topic, buyers will just spend their funds next door. 2. This ordinance will have ZERO effect to dissuade the criminals, just hinder free exercise of our Second Amendment rights and you know it. 3. Highland Park has had a similar ban for years, but it did nothing to stop that shooting. 4. The best thing to stop a bad guy with a gun remains a good guy with a gun. Don't penalize the law-abiding citizens a.k.a. "good guys" with this ill-advised knee-jerk reaction to "do something". 5. How much of our money will you end up spending to try to defend this ordinance when it is challenged? 6. What next? ban large capacity dump trucks because they cause worse accidents? How about addressing the root causes of violence instead?

Kate Refine - I am writing to encourage the members of the Naperville City Council to move forward with the banning of the sale of assault rifles. This would underscore that we as a city support efforts to keep weapons like 'assault weapons' out of our family oriented community. My family, last year, experienced the horror of gun violence when a family member was shot during a drive by shooting while he was just traveling home from work. The instrument used was an assault weapon. The horror of that day lives on in all of us. He survived but will have life long injuries to work through and trauma to deal with. I don't think I can underscore enough about how significant the trauma is. To all of us in the family. Getting the phone call your loved one has been shot, spending weeks at the bedside hoping they will live and regain a normal life - this is the side of assault weapons we don't see. The lives ruined by assault weapons - and the way society moves on to cover other stories and even support the rights of assault weapon owners over their victims. The anger knowing there are people who would rather support the gun and not the victim. It's so awful. Restricting the sale will not stop the gun violence - but think of the impact it will have on the many victims of gun violence - and to our children -

that this type of 'assault weapon' is not one we as Naperville residents need. Rather - residents of Naperville support each other and our right to live, work, and raise families free of fear of 'assault weapon' violence.

Karen V Peck - "I just received my daughter's backpack from the FBI...with bullet holes in it. No parent should go through this." - Kimberly Garcia, mother of 10-year-old girl, Amerie, slain in class by a legally purchased AR-15 in Uvalde. I am in support of agenda item 22-0848, "the ordinance amending Title 3 of the Naperville Municipal Code to prohibit the local commercial sale of assault weapons and large capacity magazine." A prohibition of local commercial sales of weapons of war and large capacity magazines in Naperville is the safe course of action for our City. Second Amendment advocates will have you believe that their right to arms is unregulated and unlimited. It is not. Not one parent in Naperville should have to experience what Kim Garcia is living with for the rest of her life. Not one person attending religious services, not one mall shopper, parade attendee, musical concert goer, not one person should have to be victimized by gun violence. I urge a 9-0 vote. Anything less is immoral. Please councilmembers, do not risk blood on your hands. Sincerely, Karen V. Peck Naperville Resident, 60563

Laura Kelly - My name is Laura Kelly. I am a Naperville resident, mother of 3 attending 203 schools, and my family owns a local small business. I am writing to express my strong support for ending the sale of commercial assault weapons and large-capacity magazines. Please amend Title 3 to keep our schools, businesses, and community safe.

James E. Boyajian - Mayor and Council

Comments for the official public record: Ordinance to regulate the commercial of assault weapons and large capacity magazines in Naperville

My name is James Boyajian. Some of you may recall I am a 3 term past Councilman for the City of Naperville. My wife and I have had a home in Naperville since 1977. We currently reside at 484 Le Provence Circle. By way of full disclosure, I am an avid firearms enthusiast, sportsman, shooter and past hunter. We have raised our three sons in Naperville to be restful and aware of firearm safety and to enjoy the sport.

First, let me thank you for your service to the residents of Naperville. This is not an easy job. You are confronted with numerous topics where you need to sort out emotion, opinions and facts in forming your decisions. Over my years on Council one of the more challenging tasks was to determine the difference between those three things. Often people speak passionately, as I am sure they will tonight, but sorting out opinions from facts is your task to perform. Listening to those who come before you respectfully is essential. Listening however should not be confused with agreement unless you explore all the facts from all viewpoints. We all have a tendency to present facts that support our opinions, but often leave out others. You are here to make policies that influence the quality of life in Naperville, but not all things can or should be done by your actions if there is a greater or more effective forum for resolution. Please consider this tonight.

We have two very respectable firearm establishments in Naperville. They both

are very professional, very safety conscience and operate with full compliance (to the best of my observation) with local, state and federal laws. I urge you to visit these businesses. I don't believe it is objective for you to be pass legislation from the Dias that will affect their businesses unless you are aware of these establishments.

I mentioned earlier that we all use facts to make our case while ignoring others. The firearms debate is full of that kind of practice and in fact I would argue that your proposed ordinance has many of those problems. Federal, State and Local governing bodies often quickly go the lowest common denominator on this topic when it comes to preventing gun violence, that is, the firearm. The fact is more shootings occur with handguns than long guns in our country by a huge margin. Look up the facts. Likewise, politicians and the uneducated about firearms want to use media or Hollywood depictions of cosmetics as to what makes up a so-called assault weapon. Case in point a foregrip or handle on a firearm stock has no bearing on functioning of a weapon. Another fact ignored. Violent firearm crimes are heavily caused by drug and gang activity. Ask your police department for those facts. Governing bodies often don't want to talk about those facts because those "problems" are harder to solve or address than simply outlawing firearms. Mental health is a serious and growing problem that needs our attention. When it comes to firearms, Red Flag laws have not been adequately implemented in our State. We have laws on the books what have not worked as intended due to the failing of State and Local law enforcement cooperation. This was the case in the recent Highland Park event. Look at the facts. The background check system needs serious updating. More resources by the ATF, State and local gun stores need attention. Government attention is needed in this area. Use of an unlawful weapon in the act of a crime needs serious and consistent prosecution. Our legal system is failing us.

So why do I say all this? It is because this is where our attention should be directed. You have the ability to influence state and federal jurisdictions where these actions are needed. You can take a stronger stand on crimes committed in our city. Don't take the Lazy, feel-good way out and pass an ordinance that will not have the affect you are seeking. What are we doing about early warning signs of mental health in our city? What are we doing about the need for red flag law cooperation between the county, state and our police department? What have you done to explore these issues that are more directed at violent misuse of a firearm?

We have hundreds of automobile accidents each year in our state that are caused by people texting while driving. Have we outlawed cell phones? No, we made laws to prescribe lawful use while operating a motor vehicle and hopefully enforce them vigorously. We have hundreds of people that are injured by drunk drivers each year. Did we outlaw automobiles? No, we made laws and penalties for such unlawful use and hopefully enforce them vigorously. We have crime in our city from outsiders coming into Naperville. Do we prevent people from coming to our riverwalk, our downtown, our night life? No, we enact laws and ordinances to enforce good conduct and hopefully vigorously enforce them.

We have recently allowed the selling of cannabis in our city. Many of us think this is very unwise and are against this drug use. Only history will show us whether we have created the next tobacco problem 20 or 50 years from now. Why did we allow this? Well, communities around us allowed it so we took the tact to enjoy the sales tax revenue and prevent people from going to another city to buy their weed. If we had not decided to sell cannabis in our city, would it have prevented it from coming to our city? I'll let you answer that question. The same applies to firearm laws that are not enacted on a broader state wide basis. Local jurisdiction is good in many cases, but not all. If we outlaw the sale of assault weapons will this prevent them coming into ownership in our city? I think not. Broader action, state and federal (while I don't support this) is the correct jurisdiction. Don't take the lazy, feel-good least course of action "solution" that is no solution. Work to influence the correct governing jurisdictions. Elect people who will address these issues.

Thanks for taking the time to read this. I wish it to be part of the official record.

Sincerely,

James E. Boyajian

July 17, 2022

Anna Kirby - I support a ban of assault weapons

Brian Olson - I oppose the ban

Michael Katz - I wish to support a ban of assault weapons

Nancy Turner - I am the sister of someone who was the victim of a random, non-fatal act of gun violence years many years ago. I have seen first hand how one bullet changed my sister's life and my parents' lives in many ways beyond the actual shooting for years afterwards. I hope Naperville bans the sale of these even more-deadly weapons within city limits.

Joe Geraci - With all the violent crime occurring lately here in Naperville, (car jackings, robberies, shootings downtown, officers attacked) I feel that this is not the appropriate time to bring this politically charged partisan issue forward. We are being terrorized by brazen criminals every other week who have no regard for any laws or ordinances in this city. We should not prevent our citizens from being able to purchase self defense for themselves. We should not eliminate another small business after so many have suffered. I believe most of us are in agreement that red flag laws, age restrictions, insurance requirements, better background checks, and stiffer penalties for illegal use of weapons, will more appropriately address the state and national issues we are seeing. Your sphere of influence should address what's happening here, not elsewhere. The only things you will accomplish, is making it harder for responsible Naperville residents to purchase a self defense, and destroy yet another small business. Perhaps you can pass an ordinance on age restrictions? I do not agree with this ban.

Susan Phillips - These weapons have no place in our community. Someone's right to bear assault weapons does not trump my right to walk freely without worrying about my children or grandchildren being massacred. There is

absolutely no need for these weapons outside the military and certainly not in our community. Arguments for protection of so-called second amendment rights are a farce, broadcast by selfish people who have twisted the Constitution in seventeen different ways so they can hold on to their precious assault rifles. It's a travesty. City Council, stand firm! Pass this legislation!

Heather Grier - Support the ban

Pat Quinn - I would just like Naperville, IL to ban assault weapons.

Kyle Anderson - Thank you for the opportunity to share my beliefs. I will try to be brief. The right to implement the ban is based totally on our form of government. If our nation is a pure democracy then the council should side with the most vocal group; the largest group, living people, who offer you the most political clout. Whichever side has the most people should decide. Simple. But, if our government is designed around, founded on, a set of principles meant to guide it, then, the number, passion, or power of any group... must not matter. The principles our political system is based on, is what is important; our country is a constitutional republic. A pure democracy, I believe, could be used to reinstate Slavery, ban Freedom of Speech, end Religious Freedom of any group, remove our right of private property, as well as, take away our rights, and abilities, to defend ourselves. A constitutional republic is meant to protect the freedom of the minority and the majority of people. Even though, when doing so, isn't politically popular. Sincerely, Kyle Anderson.

Esmeralda Hernandez - "To ban guns because of criminals use them is to tell the law abiding that their rights and liberties depend not on their own conduct, but on the conduct of the guilty and the lawless." -attrib. Lysander Spooner If you vote for this bill you will lose my vote.

Daniel Perez - Hello, my name is Daniel Perez. I Live in the Bolingbrook area and I oppose of this new gun control law banning Assault weapons and high capacity mags. It violates our second amendment right and is unconstitutional. It is unfair to the responsible law abiding gun owners in the city of Naperville and surrounding suburbs. Banning the sale of large capacity magazines and assault weapons won't make the peoples lives more safe or prevent criminals from being a criminal. They don't follow the laws to begin with. All it does is punish the law abiding citizens and responsible gun owners that follow the law and take their rights away. If theirs one thing to take away from these shootings, it's that all these shooters broke laws that we already have put in place and no matter how many more new laws are put in place these criminals will still break the laws because they don't care about the law. If they want to cause harm to people They will use a handgun or a knife or even a car. Passing this bill, all it does is makes it difficult for us law abiding responsible gun owners from protecting ourselves and our loved ones. If you support this bill You will lose my vote.

Rosemary Stephens - I strongly support a ban on the sale of assault weapons and magazines in Naperville.

Kristen Regan - I am submitting a written statement opposing the ban of assault

weapons in Naperville. The idea that we will be safer for taking away the ability for a law abiding, responsible gun owner to defend themselves and their family against an individual or group of individuals causing harm (who didn't obtain their weapon legally, by the way) does not make sense. As a woman, I know I am more likely to be targeted for harm. I deserve the right to defend myself and my children against evil. By proposing this ban, you are taking away access to the tools necessary to defend my life and children's lives. This ban will restrict my access to practice responsible gun ownership by taking classes and practicing in the range. We all deserve to the right to feel safe, but there will always be bad people doing bad things. We cannot disarm the good guys (and ladies!) and think that will make us safer. We need to stop handcuffing our men and women in law enforcement and let do what is necessary to stop the criminals. Law abiding citizens do not need their right to defend themselves and their families taken away. It's time to stop the criminals. Thank you for your time.

Bryan - I am writing to oppose the proposed plan to outlaw semi-automatic weapons in the city of Naperville, IL. Aside from the litigation Naperville is about to weather if this is passed and the taxpayer cost in defending this unconstitutional move, I plead with you to strongly oppose this. With the stroke of a pen, otherwise law-abiding citizens will become criminals. Those who are seeking ways to defend themselves from threats will not have that opportunity. We learned from Uvalde that police are only minutes away when seconds count, and they are not held liable for inaction. This would hurt our women, our children, our disabled, and every citizen that currently has the opportunity to level the playing field when the wolf comes for the sheep. We do not extract the teeth of the sheep

First reading held.

At 10:57 p.m., a motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to extend the meeting to 11:10 p.m. The motion carried by a voice vote.

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Bid 22-189, Electrical Utility Transformers, to WESCO Distribution, for an amount not to exceed \\$1,614,683, plus a 5% contingency](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Bid 22-189, Electrical Utility Transformers, to WESCO Distribution, for an amount not to exceed \$1,614,683, plus a 5% contingency. The motion carried by the following vote:

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

2. [Approve the award of Bid 22-039, Springbrook Water Reclamation Center UV Disinfection Improvements, to Williams Brothers Construction, Inc. for an amount not to exceed \\$8,322,000.00, plus a 3% contingency](#)

A motion was made by Councilwoman Gustin, seconded by Councilman

Hinterlong, to approve the award of Bid 22-039, Springbrook Water Reclamation Center UV Disinfection Improvements, to Williams Brothers Construction, Inc. for an amount not to exceed \$8,322,000.00, plus a 3% contingency. The motion carried by the following vote:

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

3. [Approve the award of Procurement 22-214, South Central Interceptor Stabilization Project Stage 2 Construction Engineering Services, to Strand Associates for an amount not to exceed \\$312,600 \(Item 1 of 3\)](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Procurement 22-214, South Central Interceptor Stabilization Project Stage 2 Construction Engineering Services, to Strand Associates for an amount not to exceed \$312,600. The motion carried by the following vote:

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

4. [Approve the award of Bid 22-137, South Central Interceptor Stabilization Project Stage 2, to V3 Construction Group, Ltd. for an amount not to exceed \\$1,448,050, plus a 3% contingency \(Item 2 of 3\)](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Bid 22-137, South Central Interceptor Stabilization Project Stage 2, to V3 Construction Group, Ltd. for an amount not to exceed \$1,448,050, plus a 3% contingency. The motion carried by the following vote:

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

5. [Adopt the resolution approving the Intergovernmental Agreement between the City of Naperville and DuPage County for the use of the American Rescue Plan Act \(ARPA\) funds for the South-Central Interceptor Stabilization Project Stage 2 \(Item 3 of 3\)](#)

Enactment No.: RES 22-017

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to adopt the resolution approving the Intergovernmental Agreement between the City of Naperville and DuPage County for the use of the American Rescue Plan Act (ARPA) funds for the South-Central Interceptor Stabilization Project Stage 2. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Repeal HB 3653 (Safety Act)

Taylor asked for consensus to direct staff to draft a resolution to Springfield repealing HB 3653.

Council discussed divisiveness of local discussions on the topic, that HB 3653 belongs to the State of Illinois, and that law enforcement does support a number of provisions of the bill.

Council reached consensus and directed staff to draft a resolution to be considered at the August 16 meeting calling for further amendments to HB 3653.

Fireworks

Krieger requested that the permit for the August 12 White Eagle fireworks display be administratively approved and formally authorized by the City Council on August 16. Council concurred.

Emergency Closed Session

White suggested revisions to the Open Meetings Act to allow the Council to convene during emergency situations without giving 48-hours notice.

There was no consensus on the request.

At 11:07 p.m., a motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to extend the meeting to 11:20 p.m. The motion carried by a voice vote.

Public Safety Recognition

Hinterlong thanked both chiefs for their department's outstanding work.

Changing Council Rules

Hinterlong explained that items can be placed on an agenda when the city manager receives the request from three councilmembers or the mayor and proposed changing the rules to require three councilmembers to present the request at a regular meeting.

There was no consensus on the request.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of July 19, 2023 at 11:15 p.m. The motion carried by a voice vote.

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