



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Draft

City Council

Tuesday, March 5, 2024

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 U-verse)
- 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 March 5 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 March 5. 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 March 5.
Online sign-up closes at 4 p.m. on March 5, 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 March 5.
- 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:**

- Present:** 7 - Mayor Scott Wehrli
Councilwoman Jennifer Bruzan Taylor
Councilman Paul Leong
Councilwoman Allison Longenbaugh
Councilman Josh McBroom
Councilman Benjamin White
Councilman Nathan Wilson
- Absent:** 2 - Councilman Ian Holzhauer
Councilman Patrick Kelly

C. CLOSED SESSION - 6:00 p.m.

A motion was made by Councilman White, seconded by Councilman Leong,, to recess to Closed Session to discuss [5 ILCS 120/2(c)(21)] Approval of Minutes and [5 ILCS 120/2(c)(11)] Pending Litigation. The motion carried by the following vote:

Aye: 7 - Wehrli, Bruzan Taylor, Leong, Longenbaugh, McBroom, White, and Wilson

Absent: 2 - Holzhauer, and Kelly

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

Present: 9 - Mayor Scott Wehrli
Councilwoman Jennifer Bruzan Taylor
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Allison Longenbaugh
Councilman Josh McBroom
Councilman Benjamin White
Councilman Nathan Wilson

Also Present

City Manager, Doug Krieger; Deputy City Manager, Pam Gallahue; City Attorney, Mike DiSanto; City Clerk, Dawn Portner; Assistant to the City Manager, Marcie Schatz; Fire Chief Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Director of Public Utilities - Electric, Brian Groth; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Human Resources, Blaine Wing; 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.

A motion was made by Councilman White, seconded by Councilman Kelly, to allow Councilman Holzhauer to participate via teleconference due to an illness. The motion carried by a voice vote.

Wehrli called for a moment of silence to honor the passing of Ann Lord who served as the announcer for the Naperville Municipal Band for 66 years.

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

3 Minutes with NEST

Paul Deffenbaugh (Naperville - NEST) discussed the renewal of the IMEA contract and the upcoming NEST event at the Wentz Science Center at North Central College regarding coal power on Monday, March 18, 2024 at 6:30 p.m.

Cease fire

Keith Larson (Aurora) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire resolution

Hanna Hernandez (Bolingbrook) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire resolution

Olivia Jamie (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Palestine Gaza cease fire resolution

Jennifer Lezan (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire resolution

Enida Abdeen (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire resolution

Steve Moon (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire

Awad Sifri (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire

Leila Shaqdeh (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire human rights and dignity

Nicole Pronger (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire resolution

Seyedeh-Zahra (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire

Kashif Mahmood (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire resolution

Ali Sultan (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire resolution

Siham Samara (Elk Grove) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire resolution

Elisabeth Pynn Himmelman (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Palestine

Alissar Salem (Naperville, Muslim Student Association) urged Council to pass a resolution for a cease fire in Gaza.

Support Gaza cease fire resolution

Lauren Reyes-Yu (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Palestine

Asma Farooqie (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire

Ben Sloss (Downers Grove) urged Council to pass a resolution for a cease fire in Gaza.

Palestine

Reed Townsend (Bolingbrook) urged Council to pass a resolution for a cease fire in Gaza.

Opposition resolution, Gaza

Bonnie Hughes (Naperville) spoke against passing a cease fire resolution.

Gaza resolution

Peter Kozak-Rivera (Bolingbrook) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire in Gaza

Basim Esmail (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza

Khurshid Hoda (IL) urged Council to pass a resolution for a cease fire in Gaza.

Gaza cease fire resolution

Eakta Khangura (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire

Jasmine (Harwood Heights) urged Council to pass a resolution for a cease fire in Gaza.

Century Walk

Tony Andrews (Naperville) recognized Brand Bobosky's (Century Walk) accomplishments, offered congratulations on his retirement, and urged Council to continue a public art program.

WRITTEN COMMENT ONLY

Bruce Baylor Breydor (Naperville), LGBTQ+ Naperville - I am writing to make a public statement in support of the year-round display of LGBTQ+ flags in public

spaces, as well as the painting of rainbow-colored crosswalks and other painted flags / representation in downtown Naperville. These visible symbols of pride and inclusivity encourage acceptance, representation, and dialogue in our community. The benefits of such initiatives go beyond symbolism. By prominently displaying LGBTQ+ flags and rainbow crosswalks, we foster a sense of community among LGBTQ+ people and all others. This sense of inclusion is critical for promoting mental health and well-being because it conveys a clear message of acceptance and support. Furthermore, celebrating LGBTQ+ pride demonstrates our dedication to diversity and inclusivity. By demonstrating our respect and appreciation for people of all backgrounds, we not only represent the diverse populations that make up the Naperville community, but also attract tourism and promote economic growth in LGBTQ+-friendly environments. I urge the community to recognize the significance of these initiatives and to continue efforts to promote equality, representation, and acceptance for all people, regardless of sexual orientation or gender identity. I also urge the community to provide other forms of recognition for other populations of our community to be up all year around in one form or another. Show all of our true colors! Thank you for paying attention to this matter.

Abby Bingham (Naperville) In support of resolution for ceasefire in Gaza. As a Naperville resident, I implore the City Council to pass a resolution calling for an immediate ceasefire in the ongoing genocide in Gaza. The US-backed, Israeli-led siege of the 2.2 million residents of Palestine has resulted in tens of thousands of deaths, and is now, horribly, resulting in the slow death of civilians due to forced starvation. Permanent ceasefire is the first required step to support Palestinians, who have suffered under the illegal occupation of their lands by the Israeli government for almost 76 years.

Areeg Faisal (Naperville), Palestine/ceasefire resolution, I would like to affirm my desire in having Naperville city council address and approve a Gaza ceasefire resolution as soon as possible that explicitly calls for the end of the ongoing genocide and ethnic cleansing carried out against the Palestinian people in Gaza.

The meeting recessed from 8:27 p.m. to 8:37 p.m.

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 including tabling I5, the approval of the procurement to April 2, 2024 at the request of Naper Settlement, and removing item I10. The motion carried by the following vote:

Aye: 9 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

1. Approve the regular City Council meeting minutes of February 20, 2024
Council approved.
2. Approve City Council meeting schedule for March, April, and May 2024
Council approved.
3. Approve the award of Option Year Two to Contract 22-058.2, Storm Sewer Lining, to Hoerr Construction for an amount not to exceed \$650,000, and a 3% contingency
Council approved.
4. Approve the award of Option Year Three to Contract 21-132.3, Heating, Ventilation, Air Conditioning, and Dehumidification (HVAC-D) Services, to Beery Heating and Cooling, Inc. for an amount not to exceed \$352,690
Council approved.
5. Approve the award of JOC Procurement 19-013.2.A.00-NS, Naper Settlement Sitewide Fiberoptic Improvement, to ROBE Construction, Inc. for an amount not to exceed \$628,600.74
Council approved.
6. Approve the award of Change Order #1 to Option Year Four to Contract 19-033-4.01, Systimax Cabling Installer, to Advanced Data Technologies for an amount not to exceed \$30,000, a total award of \$70,000, and for an additional six months
Council approved.
7. Approve the award of Change Order #1 to Contract 23-284-0.01, Northeast Waterworks Roofing Project, to Garland/DBS, Inc. for an additional 12-months
Council approved.
8. Approve the proposed CY2024 SECA Grant Fund Program Allocations

WRITTEN COMMENT ONLY

Corvin Ezri - I am writing to express my support for Naper Pride to be a recipient of the 2024 SECA grant. Naper Pride is the first pride fest that our family felt safe at, the first pride fest that my 62 year old mother attended as an ally, and the first place my children felt seen and celebrated. I urge you to consider Naper Pride to show your continued support for the LGBTQIA+ community. With so much tragedy and loss surrounding our community, it is vital to continue to endorse safe spaces, and show our youth they belong in Naperville. Thank you for your support and consideration.

Elizabeth Hernandez (Chicago) I am writing to express my strong support for

city funding for the 2024 Día de Muertos event (Day of the Dead) organized by the Alliance of Latinos Motivating Action in the Suburbs (ALMAS). The celebration last year was a profound expression of cultural pride and community engagement, which I had the honor to be part of. The event allowed our community to come together in a meaningful way, celebrating our cultural heritage while educating others about the significance of Día de los Muertos. It was inspiring to see people from all walks of life participating, learning, and honoring the traditions of the holiday. I can attest to the importance of these cultural events in fostering a sense of belonging and representation, especially for the Latino community in Naperville. It is crucial for us to support and celebrate each other's cultures and histories. I urge the City Council to provide funding and support for the upcoming Día de Muertos celebration and look forward to seeing our city come together once again for this important cultural celebration.

Margie Wolf (Naperville) Naper Pride, I apologize not appearing in person as I am recovering from surgery. I appreciate your time in taking my comments here. Since organizing in 2019, Naper Pride works to create and support important programming for LGBTQ youth, adults and seniors in Naperville and the surrounding area to ensure that access to critical resources is made available to all individuals in need. Through hard work, the Naper Pride - Naper Cares initiative has provided;

- 500 holiday meals for families and individuals in need
- Support small Naperville businesses struggling through and post pandemic
- Outreach and support to over 400 senior citizens
- Assisted in finding housing for 5 individuals
- Assisted over 20 individuals in career counseling, job training, placement, and created a resource network for local businesses to engage with career candidates
- Volunteer assistance in restoring downtown Naperville after a peaceful protest turned violent
- Assist an individual to obtain the necessary legal services and support his path to legal citizenship
- Provide enough home goods to fully furnish 4 complete apartments for unhoused LGBTQ youth
- Partnered with local medical service providers to ensure the availability of health and wellness resources for our community
- Partner with the DuPage County Health Department to provide Covid, Flu, and Mpox vaccinations to over 1,000 people
- Host a candidate meet & greet and voter registration to promote and encourage residents to vote

Our work is far from done. As part of our 2024 programming goals, we hope to expand our ability to provide health and wellness resources, grow our youth service options while supporting partner organizations like 360 Youth and Youth Outlook, develop a stronger support network for our senior citizens, and nurture

our relationship with the City of Naperville to bring more visibility and inclusion for the local LGBTQ community. Naper Pride Fest is a key component to bringing the whole community together, not just for celebration, but for community building. Naper Pride has faced a few challenges in trying to build momentum for this event, Covid-19 caused the cancellation of our event in 2019 & 2020. In 2021 we finally got the event off the ground and completed it successfully. After an audit, we found that we broke even on 2021. Pretty impressive for a first-year event! 2022 was very different for us. We had made significant changes in order to improve event performance in expectation of the event being revenue positive. Unfortunately, we did not get the results that we had projected or hoped for. The event management company incorrectly reported funding from several sources. This created a significant gap in our final budget that we were not able to see until we audited the event at its conclusion. Our contract with the event organizer was going to renew in 2024. Naper Pride requested revisions that would have corrected financial reporting through the event, lowered our expenses, and increased revenue. In spite of our best efforts to negotiate a fair deal, we could not come to an agreement. We understood that ending our contract with the event management company would also mean that we would not have enough time to secure another provider in time to host Pride Fest in 2023, and that most likely we would have to cancel the event. Naper Pride has always strived to be a good steward of any funding that we have received. We made the difficult decision to cancel the event and return the funding to the City of Naperville in hopes that it could be given to an organization that was prepared and ready to go. We feel strongly that this was the ethical and right thing to do under the circumstances. Since then, Naper Pride has signed a contract with Lou Dog Events. This is a local company recommended to us by West Suburban Irish & Naper Settlement, and who has a good reputation with the City of Naperville. We are very comfortable with the event plan, transparency and reporting of financials, budget, and outlook for the future of our event. We feel like we are on the right path. Naper Pride is an all-volunteer organization. 100% of all donations are devoted to our programming and initiatives to help people right here in Naperville. Our deep sense of responsibility to our community fuels the passion for the work that we do. You have the power right now to touch the life of another person and positively affect them in ways you may never have imagined possible. I will make myself available to answer any questions, concerns, or suggestions. Thank you for your time and your continued support.

Margie Wolf
Executive Director
Naper Pride

Council approved.

9. Waive the applicable provision of the Naperville Procurement Code and award Procurement 24-096, Hot Mix Asphalt, to Arrow Road Construction, Builders Asphalt, Chicago Materials Corporation, PT Ferro Asphalt, RW Dunteman, and Superior Asphalt Materials for an amount not to exceed \$100,000 and for a one-year term (requires six positive votes)

Council awarded.

10. Waive the applicable provision of the Naperville Procurement Code and award Procurement 24-099, Concrete for in-house Restoration Program, to Prairie Materials, Ozinga, Naperville Ready Mix Inc, Vulcan Materials Company, and Kendall County Concrete Inc for an amount not to exceed \$75,000 and for a one-year term (requires six positive votes)

Wehrli recused himself and left the dais from 8:40 p.m. to 8:41 p.m.

Councilman Leong served as Mayor Pro-Tem

A motion was made by Councilman White, seconded by Councilman Kelly, to waive the applicable provision of the Naperville Procurement Code and award Procurement 24-099, Concrete for in-house Restoration Program, to Prairie Materials, Ozinga, Naperville Ready Mix Inc, Vulcan Materials Company, and Kendall County Concrete Inc for an amount not to exceed \$75,000 and for a one-year term. The motion carried by the following vote:

Aye: 8 - Bruzan Taylor, Holzhauser, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

Recused: 1 - Wehrli

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. Pass the ordinance amending Sections 3-3-11:1 and 3-3-11:3 of the Naperville Municipal Code by allowing for the serving of 25 oz. to 32 oz. of draft beer/cider containing not more than 5% alcohol by volume in a single container before 10:00 p.m. with a limit of one per patron per visit for Class B - Restaurant and Tavern liquor license holders

Council discussed 25 oz. and 32 serving sizes, removing the 5% alcohol by volume limit from the ordinance, that it is the responsibility of the license holder not to over serve the patron, and enforcement of the regulation.

ORD 24-014

Councilwoman Bruzan Taylor made a motion, seconded by Councilman Kelly, to pass the ordinance amending Sections 3-3-11:1 and 3-3-11:3 of the Naperville Municipal Code by allowing for the serving of 25 oz. to 32 oz. of draft beer/cider in a single container before 10:00 p.m., or 11:00 p.m. with a late night permit, with a limit of one per patron per visit for Class B - Restaurant and Tavern liquor license holders. The motion carried by the following vote:

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

Nay: 1 - Holzhauer

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Sole Source Procurement 24-079, Water Meter Replacement, Pressure Monitoring and Leak Detection, to Core & Main, LP for an amount not to exceed \$3,517,041 plus a 3% contingency and for a 22-month term

Councilman White made a motion, seconded by Councilman Kelly, to approve the award of Sole Source Procurement 24-079, Water Meter Replacement, Pressure Monitoring and Leak Detection, to Core & Main, LP for an amount not to exceed \$3,517,041 plus a 3% contingency and for a 22-month term. The motion carried by the following vote:

Aye: 9 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. Consider the request to adopt the resolution authorizing the City Manager to execute amendments on behalf of the City to extend the existing hotel tax rebate agreements with Embassy Suites, Hotel Arista, Hotel Indigo, and Marriott for an additional two years

A motion was made by Councilman White, seconded by Councilman Kelly, to adopt the resolution authorizing the City Manager to execute amendments on behalf of the City to extend the existing hotel tax rebate agreements with Embassy Suites, Hotel Arista, Hotel Indigo and Marriott for an additional two years. The motion carried by the following vote:

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

Nay: 1 - Holzhauer

P. NEW BUSINESS:

Potholes along 95th Street

Wilson asked about plans to repair potholes on 95th Street between Route 59 and 248th Street.

Novack reported the DuPage Water Commission was considering this route for the Oswego-Montgomery-Yorkville main, however a new route was chosen so the City has added 95th Street to the 2024 summer resurfacing schedule.

Q. ADJOURNMENT:

A motion was made by Councilman White, seconded by Councilman Kelly to adjourn the Regular City Council Meeting of March 5, 2024 at 8:56 p.m. The motion carried by a voice vote.

/S/ Dawn C. Portner
Dawn Portner
City Clerk