



Meeting Minutes

City Council

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Tuesday, March 2, 2021

7:00 PM Zoom - Open agenda to see cable, phone & streaming options

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On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

On Tuesday, June 16, 2020, Mayor Chirico issued an executive order determining that in-person meetings of the City Council and the City's boards and commissions are not currently practical or prudent due to the COVID-19 pandemic.

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>
- Listen by telephone (audio only) – registration to receive dial-in phone number required by calling the City Clerk's Office, (630) 305-5300, by 4 p.m. on March 2

TO SUBMIT PUBLIC COMMENT IN THE MEETING:

To address the City Council via Zoom and provide public comment, members of the public must register by 4 p.m. on March 2 at: [www.naperville.il.us/speakersignup](http://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 2.

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 "OPPOSITON" 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 via spoken audio.

Individuals wishing to address the Council during the meeting must sign up to speak City Council by 4 p.m. on March 2.

Once signed up, the individual will receive an email from the City Clerk's Office after 4 p.m. with information about how to join the meeting.

- Online sign-up closes at 4 p.m. on March 2, at which time no other speakers or comments will be accepted.

**PUBLIC ACCOMMODATION:**

- Any individual who would prefer to listen to the meeting by telephone, to speak during the meeting by telephone, or who may require an accommodation to listen to or participate in the meeting, should contact the City Clerk at (630) 305-5300, by 4 p.m. on March 2.
- Questions regarding online sign-up may be directed to the City Clerk's Office 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:**

Chirico called the meeting to order at 5:45 p.m.

**B. ROLL CALL:**

- Present:** 7 - Mayor Steve Chirico  
Councilwoman Judith Brodhead  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman Patrick Kelly  
Councilwoman Theresa Sullivan  
Councilman Benjamin White
- Absent:** 2 - Councilman Kevin Coyne  
Councilman John Krummen

**C. CLOSED SESSION - 5:45 p.m.**

**A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to recess to Closed Session to discuss 120/2(c)(1) Performance of a Specific Individual and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:**

**Aye:** 7 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Sullivan, and White

**Absent:** 2 - Coyne, and Krummen

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 Judith Brodhead  
Councilman Kevin Coyne  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman Patrick Kelly  
Councilman John Krummen  
Councilwoman Theresa Sullivan  
Councilman Benjamin White

#### Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Police Chief, Robert Marshall; 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, Jennifer Loudon; 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, Communications Manager, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

#### **E. PLEDGE TO THE FLAG:**

The pledge was given.

#### **F. AWARDS AND RECOGNITIONS:**

Chirico recognized outgoing Senior Task Force members Nancy de la Hoz and Jim Hill and thanked them for their contributions.

#### **G. PUBLIC FORUM:**

Krummen entered the meeting at 7:07 p.m.

#### ***SPEAKERS:***

**Clean Energy Alliance**

Howard Saulk (Clean Energy Alliance of Naperville) discussed options for change and the group's petition.

Krieger explained the commitment to Prairie State and that the City will continue to push for green options.

**Increased Crime at Bailey and Coach**

Robert M. Zieman suggested reinstating the community resource center at Green Trails.

Council discussed security cameras, car jackings, when the community center was discontinued, and what the police department has planned for the area.

Marshall explained the former neighborhood family resource center, that it was a partnership with school and park districts, that the police presence made advances in the area, that the property management wanted the police department to leave, and that staff would like to create another center now that the complex is under new management.

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

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to use the Omnibus method to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

## **I. CONSENT AGENDA:**

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to approve the Consent Agenda including the amendments to the February 16, 2021 minutes per the Q/A and tabling Item I22 to the April 7, 2021 meeting. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

1. [Approve the regular City Council meeting minutes of February 16, 2021](#)

**Approved as amended.**

2. [Approve the City Council meeting schedule for March, April & May 2021](#)

**Council approved.**

3. [Approve the award of Procurement 21-113, Hot Mix Asphalt, to Arrow Road Construction, Builders Asphalt, Chicago Materials Corporation, PT Ferro, RW Dunteman and Superior Asphalt Materials for an amount not to exceed \\$200,000 and for a one-year term](#)

**Council approved.**

4. [Approve the award of Cooperative Procurement 21-095, Refuse Carts, to Otto](#)

Environmental Systems for an amount not to exceed \$115,600

**Council approved.**

5. Approve the award of Cooperative Procurement 21-061, Unit 330 (International MedTec Ambulance) Replacement, to Foster Coach Sales, Inc. for an amount not to exceed \$274,193

**Council approved.**

6. Approve the award of Cooperative Procurement 21-111, Unit 274 (Semi-tractor) Equipment Replacement, to JX Peterbilt for an amount not to exceed \$149,772.71

**Council approved.**

7. Approve the award of Cooperative Procurement 21-120, Unit 239 (Ford F550) Equipment Replacement, to JX Peterbilt of Illinois for an amount not to exceed \$227,823.21

**Council approved.**

8. Approve the award of Change Order #1 to Contract 20-291, 2020 Guardrail Replacement Program, to Northern Contracting for an amount not to exceed \$0 and for an additional 208 days

**Council approved.**

9. Approve the award of Bid 21-053, Medium-Heavy Duty Truck and Off-Road Equipment Repairs, to Aurora Truck Center and Interstate Power Systems for an amount not to exceed \$229,180, and for a two-year term

**Council approved.**

10. Approve the award of Bid 21-088, Central Parking Facility Maintenance Improvements, to J. Gill and Company, for an amount not to exceed \$1,009,526.13, plus a 3% contingency

**Council approved.**

11. Approve the award of Bid 21-015, North Pump Station Sanitary Sewer Interceptor Phase 4, to Michel's Corporation for an amount not to exceed \$969,777 plus a 3% contingency

**Council approved.**

12. Approve the award of Bid 21-040, Tree Removal and Stump Grinding, to NJ Ryan Tree and Landscape LLC. and Steve Piper and Sons, Inc. for an amount not to exceed \$152,500, and for a one-year term

**Council approved.**

13. Approve the award of Bid 21-013, 2021 Sanitary Sewer Smoke Testing Tributaries of North Wastewater Pump Station, to RJN Group Inc. for an amount not to exceed \$159,905.84 plus a 5% contingency

**Council approved.**

14. [Approve the award of Option Year Three to Contract 17-045, Landscape Restoration Program, to Alaniz Landscape Group for an amount not to exceed \\$187,000, plus a 5% contingency](#)

**Council approved.**

15. [Approve the award of Change Order #1 to RFQ 17-220, Phase 2 Engineering Design Services for Downtown Washington Street Bridge Improvements, to Ciorba Group for an amount not to exceed \\$35,936.70 and a total award of \\$781,299.00 \(Item 1 of 2\)](#)

**Council approved.**

16. [Adopt a resolution approving the Local Public Agency Amendment #1 for Federal Participation with Illinois Department of Transportation of Phase 2 Design Engineering Services of the Downtown Washington Street Bridge Project \(CIP Project: BR031, IDOT Section 16-000167-00-BR\) \(Item 2 of 2\)](#)

Enactment No.: RES 21-04

**Council adopted.**

17. [Accept the public improvement items associated with Jefferson Business Center and Wehrli Place and authorize the City Clerk to reduce the corresponding surety.](#)

**Council accepted.**

18. [Waive the applicable provisions of the Naperville Procurement Code and award Procurement 21-097, 2021 Comprehensive Electric Utility Cost-of-Service Rate Study, to Utility Financial Solutions, LLC for an amount not to exceed \\$68,090](#)

**Council approved.**

19. [Pass the ordinance granting a variance to the interior side yard setback in order to construct a porte cochere at 6 North Columbia Street - PZC #21-1-007](#)

Enactment No.: ORD 21-023

**Council passed.**

20. [Pass the ordinance approving a variance to allow an addition to encroach into the front yard setback at 1541 Fender Road - PZC 21-1-001](#)

Enactment No.: ORD 21-024

**Council passed.**

21. [Pass the ordinance granting a deviation to the 35' platted building line for the property located at 426 S. Columbia Street - PZC 21-1-005](#)

Enactment No.: ORD 21-025

Council passed.

22. [Concur with the petitioner's request and table consideration of CityGate West \(PZC 20-1-022\) to the March 16, 2021 City Council meeting](#)

The Council tabled to April 7, 2021.

**J. PUBLIC HEARINGS:**

**K. OLD BUSINESS:**

**L. ORDINANCES AND RESOLUTIONS:**

**M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**

**N. PETITIONS AND COMMUNICATIONS:**

**O. REPORTS AND RECOMMENDATIONS:**

1. [Concur with staff and the SECA Commission recommendation and approve the Calendar Year 2021 SECA Grant Fund Program allocations](#)

***SPEAKERS:***

Melvin Kim (SECA Commission Chair) discussed how the non-profit community successfully transitioned in response to the COVID-19 pandemic, that the commissioners reviewed 54 applications and hundreds of pages of supporting documentation, that funding was approved with the assumption that each event would occur as presented and that all organizers must comply with the governor's Restore Illinois Plan.

Jennifer Slown (Century Walk) spoke in favor of the Gold Star Families Memorial.

Jan Bienfang (Century Walk) spoke in favor of the Gold Star Families Memorial.

Alex Nauert (Woody Williams Foundation and Century Walk Corporation) discussed the Gold Star Families Monument Program.

Sangeeta Pande (Century Walk) spoke in favor of the Gold Star Families Memorial.

Ronald Amato (Century Walk) spoke in favor of the Gold Star Families Memorial.

Anne Dempsey (Naper Pride) discussed the 2021 inaugural event.

Council discussed the role of the SECA Commission, the number of applicants, capital investment, canceled events, that the Commission was not involved in the recommendation due to when staff was notified that both St. Patrick's Day events would be canceled, the traditional process to allocate underspend to the next full grant year, the need for a transparent award process, and the

appropriateness of reallocating underspend to Century Walk.

Nauert explained funding diversity for the memorial and timing of installation.

Council discussed the underspend process, the appropriateness of approving the recommendations but waiting to allocate the underspend until an actual amount is known, the recent NPD/DNA letter requesting funds to assist with outdoor dining, the potential to rebate revenue back to bars, and the CDBG CARES Act funding.

Krieger explained current restrictions on CDBG CARES Act funding, the Small Business Assistance grant program, and the need to discuss any changes with HUD to determine eligibility.

Council discussed timely decisions, requests for additional money, that delay in allocation could result in more money to applicants, the need to be transparent, ethics, and support of the SECA Commission.

Kim explained that the SECA Commission met in January for a third time to vote on how to allocate money that had been recommended for a consultant to assist with the public art initiative.

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to concur with staff and the SECA Commission recommendation and approve the Calendar Year 2021 SECA Grant Fund Program allocations.**

**A motion in substitution was made by Councilwoman Sullivan, seconded by Councilman Kelly, approved as amended to concur with the SECA Commission recommendation and table the decision to allocate the underspend. The motion failed by the following vote:**

**Aye:** 3 - Brodhead, Kelly, and Sullivan

**Nay:** 6 - Chirico, Coyne, Gustin, Hinterlong, Krummen, and White

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to concur with staff and the SECA Commission recommendation and approve the Calendar Year 2021 SECA Grant Fund Program allocations. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

## **P. NEW BUSINESS:**

### Prairie State Coal Plant

Krummen gave a brief overview of the recent report by the Rocky Mountain Institute advocating for closing Prairie State by 2030 and replacing the energy campus with either a 100% renewable energy portfolio or market purchases.

### C. Cobb Subdivision

Chirico shared that weather is delaying improvements on 242 East Chicago Avenue.

Novack explained the improvements and that concrete cannot be poured until mid-April.



DiSanto explained the previous ordinance and that Council can move to reconsider last meeting's decision to allow for the delay.

A motion was made by Councilman Coyne, seconded by Councilwoman Gustin, reconsider Council's action on February 16, 2021, passing the ordinance approving the Preliminary/Final Plat of Subdivision and OAA for the C. Cobb Subdivision (424 East Chicago Avenue). The motion carried by the following vote:

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

#### **Q. ADJOURNMENT:**

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to adjourn the Regular City Council Meeting of March 2, 2021 at 8:35 p.m. The motion carried by the following vote:**

**Aye:** 9 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

/S/ Pam Gallahue  
Pam Gallahue, PhD  
City Clerk