



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Draft

City Council

Tuesday, March 19, 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 PROVIDE PUBLIC COMMENT:

The public may choose to provide public comment in any of the following ways:

1. Address the City Council live during the City Council meeting in-person in City Council Chambers. Individuals wishing to address the City Council during the meeting must sign up online at www.naperville.il.us/speakersignup by 6:30 p.m. on March 19.
2. Individuals can also have their name added to the speaker list by calling the Community Services Department at (630) 305-5300 by 6:30 p.m. on March 19.
3. Submit a written comment to the City in advance of the City Council meeting by 4 p.m. on March 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.
4. Submit a one-word statement of "SUPPORT" or "OPPOSITION" regarding a specific agenda item by 4 p.m. on March 19. 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.

There will be no on-site speaker sign up permitted.

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 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.
- **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: 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

C. CLOSED SESSION - 6:30 p.m.

A motion was made by Councilman White, seconded by Councilman Kelly, 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: 9 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

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; Deputy Fire Chief, Philip Giannattasio; 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 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:**

3 minutes with NEST

Ted Bourland (Naperville) discussed the March 18, 2024 NEST community meeting at North Central College and the upcoming renewal of the IMEA contract.

Communications

Marilyn L Schweitzer (Naperville) discussed communications with the Council through the City's Help Center, requests that staff document the purpose and features of the Help Center, state the plans for individual Council email addresses, not eliminate Council's individual emails unless changes are made to the Help Center, and track/publish statistics on the volume of requests and responses for all communications with elected officials.

Palestine cease fire

Zahra (Plainfield) urged Council to pass a resolution for a cease fire in Gaza.

Support cease fire resolution

Sophia Ansari (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza resolution

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

Palestine

Alisha Sethi (Plainfield) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire

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

Palestine

Cat Knarr (Bolingbrook) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire resolution

Jessica Kalkofen (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Human rights

Hashim Tillawi (Romeoville) urged Council to pass a resolution for a cease fire in Gaza.

Palestine, Gaza, cease fire now

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

Permanent cease fire resolution

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

Injustice in Palestine

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

Cease fire resolution

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

Cease fire

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

Cease fire

Nabeeha Hussain (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Palestine cease fire resolution

David Cannon (Aurora) urged Council to pass a resolution for a cease fire in Gaza.

Cease fire in Gaza

Catalina Rodriguez urged Council to pass a resolution for a cease fire in Gaza.

Palestine cease fire resolution

Amenah A urged Council to pass a resolution for a cease fire in Gaza.

Wehrli made the following statement at the conclusion of Public Forum:

Thank you to everyone for participating in tonight's public forum portion of our meeting. All comments received are memorialized into the record. You have been heard by the Council and the community and will be in our minutes forever. Naperville residents have entrusted the City Council with the responsibility of determining whether official City action is appropriate, responsible, and in the interest of our community. We are guided by the City's mission statement and powers and functions section of the Naperville Municipal Code. The City Council does not intend to initiate a cease-fire resolution. This situation is clearly outside the scope of our local municipal government. We all mourn the loss of human life and hope for peace to prevail soon.

The meeting recessed from 8:02 p.m. to 8:12 p.m.

Council discussed the Mayor's statement and expressed sympathy for the conflicts around the world that have resulted in the loss of life.

WRITTEN COMMENT ONLY

Steve Cushman (Naperville) The City Council should not endorse any matters related to the Israel Hamas issue. The council is elected to weigh in on city matters and not foreign policy issues. Federal officials are elected by voters for matters like this. Do not be bullied by the protest groups disrupting City Council meetings and, most recently, disrupting downtown traffic. I find it especially offensive that some of this group are not Naperville citizens. Let them disrupt their own towns. Thank you.

Dana Fish (Naperville) I thank the City Council for refusing to place the ceasefire on the agenda. Naperville should not be involved in any international disputes because it is a unit of local government. As a Jewish resident of Naperville, I would feel threatened if my community passes a resolution supporting a cease fire with Hamas, a terrorist organization that has stated it will continue to murder Jews again and again and again. Israel has the right to protect herself. There was a cease fire on place on October 6. Unfortunately, the events on October 7, 2023 changed the course of history. On that date, Hamas, the Iran-backed terror group controlling Gaza-- which won the Palestinian legislative elections--launched an unprovoked and vicious surprise attack on Israel. These terrorists infiltrated Israel to murder and kidnap Israelis. In this attack, Hamas murdered over 1,300 Israelis, wounded 12,000 and took over 230 hostages into Gaza-including babies under 1 year of age and young children. During this infiltration, Hamas members brutally raped Israeli girls and women, while mutilating their genitalia, cutting off body parts, and then

murdering the victims. Naperville should not be involved in international politics. Looking back through several years of council minutes, I could find no other instance where Naperville has ever passed a resolution calling for the ceasing of violence against any group. There have been and currently are numerous communities around the world suffering from oppression, violence and murder, including but not limited to the Coptic Christians in Egypt, the Rohingya Muslims in Myanmar, and the Uighur Muslims in China. There were no resolutions regarding any of these communities. Naperville did not pass a resolution condemning the murder of hundreds of thousands of Syrians by the Assad regime or the kidnap and murder of thousands of Yazidis by ISIS. I have not seen any calls from citizens of Naperville to condemn the kidnapping last week of more than 400 Christians from Nigeria (at least 287 of whom are teachers and children). These groups have endured unspeakable atrocities and deserve our attention and support. By prioritizing a ceasefire in Gaza without addressing the plight of other persecuted groups, you are sending a message of selective concern and disregard for the suffering of all of humankind. Additionally, for the small community of Jewish citizens in Naperville, the demands for a ceasefire resolution (and the discord that request sows) brings about a sense of unease and insecurity. I can tell you that it has made me feel unwelcome in my own city and afraid for myself and my family's safety. It has made me feel alone amongst my neighbors. By appeasing Hamas and its supporters in the US, you are emboldening those who seek to harm Jews both abroad and at home. Furthermore, the ceasefire resolution fails to acknowledge the legitimate security concerns of Israel, including the constant threat of rocket attacks and terrorism from Hamas and its associated groups in the Middle East. By disregarding these concerns, you will alienate your Jewish community members and send the message that their safety and well-being are not a priority. It is undoubtedly distressing to witness innocent deaths in Gaza. It is also essential to recognize that Hamas, as a designated terrorist organization, bears the responsibility for the ongoing violence and instability in the region. By passing a resolution for a ceasefire with Hamas, you are legitimizing and emboldening an entity that continues to target civilians and promote extremism. Moreover, Hamas's corrupt governing of the Palestinian people in Gaza, their continued indiscriminate firing of rockets at civilians in Israel, and their promises of continued violence and murder against Jews worldwide has escalated tensions and threatened the safety and security of innocent people on both sides of the conflict. By endorsing a ceasefire, you fail to hold Hamas accountable for their actions and undermine efforts to achieve a lasting peace. I understand the desire to prevent further bloodshed and alleviate the suffering of civilians (civilians on both sides of this complex conflict). However, any call for a ceasefire must be accompanied by a call for the return of the Israeli hostages, concrete steps to disarm Hamas, dismantle their infrastructure, and promote reconciliation and coexistence among all parties involved. It should be noted that there was a ceasefire in place on October 6, 2023, and that ceasefire was broken by Hamas. Additionally, there have been several offers of a ceasefire made by Israel- all of which have been refused by Hamas. If Hamas would release the hostages and lay down their arms, there would be no further fighting, and I believe it would encourage the development of a Palestinian state and stability in the region. I urge you to not get involved in global politics and to keep your focus on the concerns of this city.

David Fish (Naperville) I request that my wonderful Naperville, where I have raised my kids and have a business (Fish Potter Bolanos, PC), not get involved in international politics. There was a cease fire on October 6. This all changed after Hamas terrorists raped and murdered countless Israelis on October 7. Israel has the right to defend itself. To paraphrase a former Israeli Prime Minister: "If the [Palestinians] put down their weapons today, there would be no more violence. If the Jews put down their weapons today, there would be no more Israel." -Golda Meir Thank you for staying out of this international conflict and you hard work on making our City great!

Sandra Lehner (Chicago) The morning of October 7th, battalions of Hamas terrorists and other terrorist groups in Gaza, followed by a number of civilians from Gaza invaded Israel. The terrorists murdered children and parents in their homes on kibbutzim, which are agricultural collectives in Israel, in the cruelest ways, committed rape and mutilation of women's bodies, and murdered over 300 young people attending a music festival for peace. Hamas terrorists murdered 1,200 people in Israel including young people from Nepal and Africa who came to study agriculture, and foreign workers and Arabs. The terrorists took 200+ hostages from Israel to Gaza including a baby and his 4 year old brother. One hundred twenty (120) hostages are still being held in Gaza and it has been over 5 months. No one knows their condition and the International Red Cross has not checked on the hostages well being even once. Some hostages were seriously injured by the terrorists on October 7th and some need medication for illness. Reports from hostages who were released are that they were given very little food or water, a number of young women hostages were beaten and raped. Hamas has recently rejected ceasefire deals and release of the hostages. Israel is fighting Hamas in Gaza and Israel's military works to prevent civilian casualties. It is well known and even stated by President Biden in his recent SOTU address that Hamas terrorists have built their rocket launchers and weapons of war close to schools, hospitals, mosques, and other civilian areas. Hamas even threatens its civilians not to evacuate buildings where Israel has notified civilians to evacuate for their safety. Hamas's strategy is to attack Israel, kill the greatest number of civilians in Israel by burning them alive, beheading them and executing them, and by firing over 10,000 rockets at cities in Israel. Then when Israel responds to stop the rockets and attacks from Gaza, Hamas maximizes the casualties of its civilians while the terrorists hide in tunnels. They expect the world to demand Israel stop fighting the terrorists and leave Gaza with an immediate ceasefire. If Hamas survives, then they consider this victory and can plan the next massacre in Israel. The call for a ceasefire that leaves Hamas in power will only result in more deaths and suffering in Israel and Gaza. Please do not vote for a ceasefire resolution that does not demand the release of the hostages and for Hamas to surrender so there is a chance for peace.

Reem Townsend (Bolingbrook) I would like to encourage the board to bring up discussion on a ceasefire resolution in Gaza during new business. Your constituents have been asking for one for months. Plainfield, Bolingbrook, Villa Park, have all passed ceasefire resolutions and proclamations. Naperville board: please listen to your voters.

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 with the exception of item I14. The motion carried by the following vote:

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

1. Approve the Cash Disbursements for the period of February 1 through February 29, 2024, for a total of \$31,430,895.08
Council approved.
2. Approve the regular City Council meeting minutes of March 5, 2024
Council approved.
3. Approve the City Council meeting schedule for April, May, and June 2024
Council approved.
4. Receive the year-to-date budget report through February 29, 2024
Council approved.
5. Approve appointments to the Historic Preservation Commission and the Transportation Advisory Board
Council approved.
6. Approve the award of Option Year #1 to Contract 23-033R.1, Heavy-Duty Truck Body Repair and Painting, to Rush Truck Centers of Illinois for an amount not to exceed \$140,765 and for a one-year term
Council approved.
7. Approve the award of Option Year #2 to Contract 21-093.2, Custodial Services - Central Business District, to Total Facility Maintenance for an amount not to exceed \$225,000
Council approved.
8. Approve the award of Option Year #2 to Contract 22-036.2, Landscape

Restoration Services, to Semper Fi Landscaping Inc. and Local Lawn Care and Landscaping for an amount not to exceed \$750,000

Council approved.

9. Approve the award of Option Year #3 to Contract 20-036.3, Street Sweeping Services, to Lakeshore Recycling Systems LLC for an amount not to exceed \$202,375

Council approved.

10. Approve the award of Change Order #1 to Option Year Two of Contract 19-175.2-01, Tire and Tube Purchases, to Firestone Complete Autocare and Pomp's Tire Service (via Bridgestone Americas Tire Operations, LLC, The Goodyear Tire & Rubber Company and Continental Tire the Americas, LLC) for an amount not to exceed \$15,000, a total award of \$110,000 and for an additional three months

Council approved.

11. Approve the award of Cooperative Procurement 24-087, LED Streetlight Materials, to Graybar, Inc. and Wesco Distribution for an amount not to exceed \$491,965

Council approved.

12. Approve the award of Sole Source Procurement 24-107, Cityworks Premium Enterprise License Renewal, to Azteca Systems, LLC for an amount not to exceed \$109,137.60 and for a one-year term

Council approved.

13. Approve the award of Bid 24-004, 2024 Trip Hazard Removal - Spring Project, to Universal Concrete Grinding, for an amount not to exceed \$104,733, plus a 5% contingency and for a four-month term

Council approved.

14. Approve the award of RFP 23-156, Diversity, Equity, and Inclusion Consultant Service to Envisioning Equity Work, LLC, for an amount not to exceed \$115,470 and for a two-year term

SPEAKER

Susan Craighead (Naperville, President of the League of Woman Voters of Naperville) spoke in favor of the request.

WRITTEN COMMENTS

Susan Bolda Marshall (Naperville) AAUW Naperville - Gender equity is a primary goal of the AAUW Naperville. As a result, we strongly endorse the importance of diversity, equity and inclusion training. We recognize that diversity extends beyond gender to include race, religious beliefs, political affiliation, ethnicity, age, socioeconomic status, physical or mental ability, exude orientation and more. Naperville is an increasingly diverse community. Acknowledging and embracing this diversity strengthens us as individuals and

as a community. It is far too easy to reduce differences to an argument about who is right and who is wrong and such arguments seem to be increasing in frequency and vitriol. Learning to value those differences takes effort and DEI training is one to we can employ. We applaud the city of Naperville staff and leadership for engaging in these efforts.

Council discussed the ability to measure the results of the training, ownership of the materials, that DEI training is an investment, whether the proposed vendor can provide the training required by the State of Illinois to the Police Department, and if the proposed DEI training can be added to the City's list of mandated training topics.

A motion was made by Councilman Kelly, seconded by Councilman White, to approve the award of RFP 23-156, Diversity, Equity, and Inclusion Consultant Service to Envisioning Equity Work, LLC, for an amount not to exceed \$115,470 and for a two-year term.

Council continued to discuss negotiating to retain ownership and employing a "train the trainer" methodology.

Mayer clarified that the staff negotiates terms into a contract and if something is not stipulated in the RFP there is the chance it would not be agreed to by the vendor. She stated that staff will contact the vendor to discuss Council's suggestions.

A motion in substitution was made by Councilman Holzhauer, seconded by Councilman White, to approve the award of RFP 23-156, Diversity, Equity and Inclusion Consultant Service to Envisioning Equity Work, LLC, for an amount not to exceed \$115,470 and for a two-year term, that the City will retain the work product, and that staff will only agree to this contract if the vendor provides a work product that the City can retain. The motion failed by the following vote:

Aye: 4 - Bruzan Taylor, Holzhauer, Longenbaugh, and White

Nay: 5 - Wehrli, Kelly, Leong, McBroom, and Wilson

Councilman Kelly withdrew the main motion. The second, Councilman White, concurred.

A motion was made by Mayor Wehrli, seconded by Councilwoman Bruzan Taylor to table to the April 16, 2024 Council meeting to give staff time to address concerns and consider Council suggestions. The motion carried by the following vote:

Aye: 5 - Wehrli, Bruzan Taylor, Leong, McBroom, and Wilson

Nay: 4 - Holzhauer, Kelly, Longenbaugh, and White

15. Approve the award of RFQ Work Order 21-012-0.A.00-TED, Construction Engineering - Sylvan Circle and East Porter Avenue Utility and Roadway Improvements, to Thomas Engineering Group, LLC for an amount not to exceed \$297,055.92 and for a 16-month term

Council approved.

16. Approve the award of Work Order 22-067-0.K.00-WU, Engineering Design for Springbrook Prairie Sanitary Sewer Rehabilitation, to Crawford, Murphy & Tilly, Inc., for an amount not to exceed \$145,455

Council approved.

17. Accept the public underground improvements at Ashwood Heights Unit 2 and authorize the City Clerk to reduce the corresponding public improvement surety

Council accepted.

18. Receive the staff report for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 1 of 3)

Report received.

19. Pass the ordinance approving a Final Plat of Subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit -1 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 2 of 3)

ORD 24-015

Council passed.

20. Pass the ordinance approving a Final Planned Unit Development Plat for the property located at 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 3 of 3)

ORD 24-016

Council passed.

21. Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the 2024 Naperville Women's Half Marathon and 5K scheduled on Sunday, April 21, 2024

ORD 24-017

Council passed.

22. Pass the ordinance authorizing the City to enter into a proposed loan agreement pursuant to the Illinois Environmental Protection Agency Water Pollution Control Loan Program

ORD 24-018

Council passed.

23. Waive the first reading and pass the ordinance amending Section 10-6B-8 of the Naperville Municipal Code to require use of radio communication for fire alarms (requires 6 positive votes)

ORD 24-019

Council passed.

24. Adopt the resolution authorizing execution of a collective bargaining agreement between the City of Naperville and I.U.O.E. Local 150 representing the Field Supervisor employees in the Water Utilities

RES 24-09

Council adopted.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Option Year #1 to Contract 23-046.1, Fuel Delivery - Motor Fuel & Tank Wagon, to Luke Oil Company, Inc. and Al Warren for an amount not to exceed \$1,772,166.55

Councilman White made a motion, seconded by Councilman Kelly, to approve the award of Option Year #1 to Contract 23-046.1, Fuel Delivery - Motor Fuel & Tank Wagon, to Luke Oil Company, Inc. and Al Warren for an amount not to exceed \$1,772,166.55. The motion carried by the following vote:

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

2. Approve the award of Option Years #1 and #2 to Contract 22-100.2, Transmission & Distribution Engineering Services, to Primera Engineers for an amount not to exceed \$1,529,000

Councilman White made a motion, seconded by Councilman Kelly, to approve the award of Option Years #1 and #2 to Contract 22-100.2, Transmission & Distribution Engineering Services, to Primera Engineers for an amount not to exceed \$1,529,000. The motion carried by the following vote:

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

3. Approve the award of Bid 23-217, Northwest Waterworks Improvements - Phase II, to Dahme Mechanical Industries for an amount not to exceed \$1,188,888, plus a 3% contingency

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the award of Bid 23-217, Northwest Waterworks Improvements - Phase

II, to Dahme Mechanical Industries for an amount not to exceed \$1,188,888, plus a 3% contingency. The motion carried by the following vote:

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

4. Approve the award of Bid 23-250, Northeast Waterworks Standpipe Rehabilitation Project, to ERA-Valdivia Contractors, Inc. for an amount not to exceed \$1,632,075, plus a 3% contingency

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the award of Bid 23-250, Northeast Waterworks Standpipe Rehabilitation Project, to ERA-Valdivia Contractors, Inc. for an amount not to exceed \$1,632,075, plus a 3% contingency. The motion carried by the following vote:

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

5. Approve the award of Bid 24-005, Sylvan Circle and East Porter Avenue Utility and Roadway Improvements, to Millennium Contracting Co. for an amount not to exceed \$4,154,103 plus a 3% contingency

A motion was made by Councilman White and seconded by Councilman Kelly, to table the award of Bid 24-005, Sylvan Circle and East Porter Avenue Utility and Roadway Improvements, to Millennium Contracting Co. for an amount not to exceed \$4,154,103 plus a 3% contingency to the April 2, 2024 Council Meeting. The motion carried by a voice vote.

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. Receive the report on the background and operations of the Electric Utility

SPEAKERS

Greg Hubert (Naperville) discussed the upcoming renewal of the IMEA contract and requested that Council keep the public informed and allow residents to provide input.

Rimvydas Gilvydis (Naperville) discussed the March 18, 2024 NEST community meeting, the IMEA sustainability plan, and stated that the plan needs to be studied thoroughly and objectively.

Groth gave the first in a series of presentations on the Electric Utility and how it provides service to residents. Groth focused on how the utility carries out the City's mission, historical decisions that still impact operations today such as deregulation and the decision to contract with IMEA as Naperville's power provider.

Council inquired who provided electricity to the City prior to 1965 and what was the process that led to signing with IMEA and was a consultant hired to assist. Council discussed power outages, the long-term plan to bury the overhead lines, peak vs. non-peak usage periods, the appropriateness of developing a plan to incent residents to use electricity at non-peak times, available options if

the IMEA contract were not extended, and impacts to future re/development opportunities.

Groth stated that he and his staff are currently reviewing several RFP responses for a consultant that will focus on financial projections and options on how the City will fulfill its service needs if the contract is not extended.

The report was received.

P. NEW BUSINESS:

Open Meetings Act

Holzhauser questioned information provided to the City Council, compliance with the Open Meetings Act, and whether consensus was reached regarding the statement given under Public Forum.

DiSanto clarified that the information sent to the City Council was from staff, that sending the information to the City Council is not a violation of the Open Meetings Act, and that the City Council was not asked to vote on a matter, but rather to contact the Mayor individually if there were any objections.

Q. ADJOURNMENT:

/S/ Dawn C. Portner
Dawn C. Portner
City Clerk