



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, June 1, 2021

7:00 PM

Council Chambers

Agenda Introductory Language

TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>

TO SUBMIT PUBLIC COMMENT OR SPEAK LIVE AT THE MEETING: To address the City Council in-person in City Council Chambers, members of the public must register by 4 p.m. on June 1 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 June 1. 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 June 1. In keeping with the current Centers for Disease Control and Prevention (CDC) and Illinois Department of Public Health guidelines, fully vaccinated individuals will not be required to wear a face covering in Council Chambers. Those who are not fully vaccinated against COVID-19 must wear a face covering if they cannot socially distance from other individuals.

Online sign-up closes at 4 p.m. on June 1, 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 June 1.
- 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:

Chirico called the meeting to order at 5:00 p.m.

B. ROLL CALL:

- Present:** 7 - Mayor Steve Chirico
Councilman Jennifer Bruzan Taylor
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White
- Absent:** 2 - Councilwoman Patty Gustin
Councilman Patrick Kelly

C. CLOSED SESSION - 5:00 p.m.

A motion was made by Councilman White, 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; 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

Aye: 7 - Chirico, Bruzan Taylor, Hinterlong, Holzhauer, Leong, Sullivan, and White

Absent: 2 - Gustin, and Kelly

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
Councilman 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; 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, Director of Communications, Linda LaCloche; Budget Manager-Finance, Ray Munch; Deputy Director-Police, Russ Matson

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

1. [Proclaim Friday, June 4, 2021 as National Gun Violence Awareness Day in the City of Naperville](#)

Taylor presented the Proclamation.

Leslie Ruffing (Moms Demand Action for Gun Sense in America) thanked the Council.

2. [Present the 2021 Illinois Municipal Utilities Association \(IMUA\) Scholarship Award to Vedanth Ganesh](#)

Groth recognized Vedanth Ganesh for receiving the IMUA Scholarship Award.

G. PUBLIC FORUM:

32 Sleight Street

Signe C Gleeson requested that the upkeep of the property be enforced, that regulations be changed to prevent disrepair, and that the time frame from purchase to rehab be shortened.

Novack explained the status of current permits for the property, that staff has conducted a site visit but can only view the outside, and that he will follow up with the Electric Utility regarding the possibility of exposed wires. He also said that the time from purchase to rehab cannot be changed as owners often wait to initiate any improvements and that the City follows the International Property Maintenance Code.

DiSanto discussed nuisance ordinances, that there are 60,000 properties in Naperville, that this house receives complaints every few years, and that Naperville is not a blighted community.

Council asked that research be done on nuisance ordinance best practices.

Remote participation

Tim Messer spoke in favor of continuing a Zoom option for public participation at Council meetings.

Council discussed meeting efficiency and asked about the return of in-person speaker sign up.

Gallahue stated staff will not be reinstating in-person speaker sign up for the 25 minutes prior to City Council meetings, that online speaker sign up will remain, and that those without internet access who wish to speak in-person can be accommodated at the meeting.

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 unanimous voice vote.

I. CONSENT AGENDA:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the Consent Agenda. The motion carried by the following vote:

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

1. [Approve the regular City Council meeting minutes of May 18, 2021](#)

Council approved.

2. [Approve the City Council meeting schedule for June, July and August 2021](#)

Council approved.

3. [Approve the award of Bid 21-042, Street Lighting Controller, Public Building and Municipal Lots Lighting Maintenance, to Meade Electric Inc for an amount not to exceed \\$382,345](#)

Council approved.

4. [Approve the award of Bid 21-145, Water Supply SCADA PLC Upgrades, to Advanced Automation & Controls, Inc. for an amount not to exceed \\$214,797.37](#)

Council approved.

5. [Approve the award of Bid 21-186, Bridge and Retaining Wall Handrail Maintenance Program, to Crossroad Construction, for an amount not to exceed \\$140,250, plus a 5% contingency](#)

Council approved.

6. [Approve the award of Bid 21-190, 5th Avenue Bridge over Cress Creek, to MYS, Incorporated, for an amount not to exceed \\$138,330.50, plus a 5% contingency](#)

Council approved.

7. [Approve the award of Option Year Two to Contract 17-039, EMS and Non-EMS Billing Services, to Andres Medical Billing, Ltd. and to Fire Recovery USA, LLC for an amount not to exceed 3.1% of total dollars collected for EMS billing services and 20% of total dollars collected for non-EMS billing services](#)

Council approved.

8. [Approve the award of Change Order #1 of Option Year 2 to Contract 18-017, Excavation and Underground Utility Repair, to Baish Excavating, Inc. for an amount not to exceed \\$40,000 and for a total award amount of \\$160,000](#)

Council tabled to June 15, 2021.

9. [Approve the award of Change Order #1 to Contract 21-085, Landscape, Maintenance, Mowing and Herbicide Services, to Blue Mountain Landscaping, Christy Webber & Company, Americana Landscape Group, Local Lawn Care & Landscaping, and Twin Oaks Landscaping for an amount not to exceed \\$31,620 and a total award of \\$1,165,138](#)

Council approved.

10. [Approve the award of Change Order #3 to Contract 17-001, Uniform Rentals, to Cintas for an amount not to exceed \\$50,600 and a total award of \\$362,711](#)

Council approved.

11. [Approve the fireworks display application and issue a permit for the July 4, 2021 display at Frontier Sports Complex](#)

Holzhauser noted that, while not a conflict, he assisted Naperville Responds for

our Veterans on the completion of the application.

Council approved.

12. [Pass the ordinance to establish temporary street closures and issue a Special Event permit for the Downtown Naperville Car Show on Saturday, June 19, 2021](#)

Enactment No.: ORD 21-058

Council passed.

13. [Pass the ordinance establishing temporary traffic controls and issue a Special Event and Amplifier Permit for the Naperville Women's Half Marathon and Co-ed 10K/5K Run on June 13, 2021, subject to all current state and local Executive Orders and CDC guidelines](#)

Enactment No.: ORD 21-059

Council passed.

14. [Pass the ordinance approving a major change to the Fox River Commons Resubdivision PUD to allow a conditional use to establish a daycare and after-hours activity center in the B2 zoning district on the subject property located at 776 S. Route 59, Suite 123 - PZC 21-1-020](#)

Enactment No.: ORD 21-060

Council passed.

15. [Conduct the first reading of an ordinance amending Section 5-1B-2 of Article B \(Residential Code\) of Chapter 5 \(Building Codes\) of Title 5 \(Building Regulations\) of the Naperville Municipal Code to require the submittal of a cash deposit to obtain a Temporary Certificate of Occupancy for buildings constructed under the International Residential Code](#)

First reading held.

16. [Adopt the resolution authorizing a workers' compensation settlement agreement with Jamie Antich](#)

Enactment No.: RES 21-15

Council adopted.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Receive the staff report for KLA School located at 2719 Beebe Drive- PZC 21-1-034 \(Item 1 of 3\)](#)

Patti A. Bernhard (Attorney for Petitioner) explained the request for a major change to the Bradford Commons PUD to grant a conditional use to permit a daycare center in B2 and a final PUD plat with deviations to reduce the required parking, stacking, and monument sign setback on the subject property. Also requested is authority to subdivide Lot 5 and Lot 6 of Bradford Commons in order to resize lots and purchase Lot 1 in order to construct a 12,800 square foot building to be utilized as a daycare center.

Council discussed right-in/right-out and proposed signage.

A motion was made by Councilwoman Gustin, seconded by Councilman White, to receive the staff report for KLA School located at 2719 Beebe Drive- PZC 21-1-034. The motion carried by a unanimous vote.

2. [Pass the ordinance approving the final plat of subdivision for Bradford Commons Resubdivision of Lots 5 & 6 \(KLA Schools\) - PZC #21-1-034 \(Item 2 of 3\)](#)

Enactment No.: ORD 21-061

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance approving the final plat of subdivision for Bradford Commons Resubdivision of Lots 5 & 6 (KLA Schools) - PZC #21-1-034. The motion carried by the following vote:

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

3. [Pass the ordinance approving the major change to the Bradford Commons PUD in order to approve a conditional use for a daycare and a final plat of PUD with certain deviations \(KLA Schools\) - PZC 21-1-034 \(Item 3 of 3\)](#)

Enactment No.: ORD 21-062

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance approving the major change to the Bradford Commons PUD in order to approve a conditional use for a daycare and a final plat of PUD with certain deviations (KLA Schools) - PZC 21-1-034. The motion carried by the following vote:

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

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Bid 21-149, Moser Tower and Eagle Street Pedestrian Walkway Rehabilitation, to StruxC-MC, LLC for an amount not to exceed \\$2,092,152.00, plus a 3% contingency](#)

A motion was made by Councilwoman Gustin, seconded by Councilman White, to approve the award of Bid 21-149, Moser Tower and Eagle Street Pedestrian Walkway Rehabilitation, to StruxC-MC, LLC for an amount not to exceed \$2,092,152.00, plus a 3% contingency. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:**O. REPORTS AND RECOMMENDATIONS:****1. [Receive the report on the American Rescue Plan Act and direct staff to calculate the City's revenue replacement value for 2020](#)**

Munch explained the American Rescue Plan Act (ARPA), that Naperville received a direct allocation of \$13,308,689, the U.S. Treasury guidance on use of funds and alignment with staff goals, specific exclusions, timing considerations, and that staff is seeking direction to calculate revenue replacement value, prepare a report, and identify priority projects.

Council discussed eligible costs, revenue replacement calculations for each year, the appropriate fund to hold the allocation, not duplicating fund awards, opportunities to partner with community organizations, deadline to bid and approve projects, water/sewer projects, and that park districts were excluded from ARPA.

Munch said the ARPA allocations should be kept in special fund, expended separately from general fund, and must be spent by end of 2026. He also stated that museums such as Naper Settlement and lead pipe replacement are eligible expenditures.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to receive the report on the American Rescue Plan Act and direct staff to calculate the City's revenue replacement value for 2020. The motion carried by a unanimous vote.

2. [Receive the June 2021 Information Technology Report \(Item 1 of 2\)](#)

Nguyen presented and explained that IT operations are divided into Run, Grow, and Transform categories, that as of January 2021 the department was managing more than 40 projects of all sizes and complexities, gave an overview of the three highest priority projects of Water AMI, Next Generation 911, and Body Worn Cameras (State of Illinois mandate by January 1, 2023), and stated that the IT Department requests to accelerate the hiring of the position designated to manage the Body Worn Camera initiative to June 2021.

Council discussed data storage options and opportunities to share costs with other municipalities.

Marshall stated he is not aware of other agencies sharing storage because of the sensitivity of the videos and that information should remain private and accessible by authorized agency personnel only.

Nguyen explained that vendors may have ideas for savings or consolidations.

Matson explained his experience implementing body worn cameras and that

in-house staff is responsible for chain of custody, review, and redaction.

Council discussed the appropriateness of hiring a full-time staff, the length of time to hire the position, witness subpoenas, possible private companies that perform proposed responsibilities, availability of federal funds, physical space for cameras, and that this position is part of public safety moving forward.

Nguyen explained the anticipated hiring timeline, that IT has seen a robust response to previous postings, that the requested position will be in IT but assigned to the police department, how this position will support the department after the body worn camera implementation, that current staff is strained, and that without focus there is risk.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to receive the June 2021 Information Technology Report. The motion carried by a unanimous vote.

3. [Approve the addition of one FTE \(Public Safety Network Administrator\) to the 2021 budget to support the Police Body Camera Program \(Item 2 of 2\)](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the addition of one FTE (Public Safety Network Administrator) to the 2021 budget to support the Police Body Camera Program. The motion carried by the following vote:

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

P. NEW BUSINESS:

IT Task Force
Hinterlong asked for an update

Krieger explained staff continues to research a comparable municipal model.

Enforcement data
Chirico asked for an update.

Marshall explained weekend enforcement efforts in the Downtown, average number of stops, reckless driving citations, speed reduction strategies, and that he will provide 2021 statistics to the Council.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to recess to Closed Session to discuss 120/2(c)(6) Sale of Property and adjourn Regular Session at the conclusion of the discussion. The motion carried by the following vote:

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

Q. ADJOURNMENT:

**Council adjourned the Closed Session and Regular Session of the June 1, 2021
City Council meeting at 9:40 p.m.**

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