



# City of Naperville

400 S. Eagle Street  
Naperville, IL 60540

## Meeting Agenda

### City Council

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Tuesday, August 20, 2019

7:00 PM

Council Chambers

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**A. CALL TO ORDER:**

**B. ROLL CALL:**

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

OPEN SESSION - 7:00 p.m.

**D. ROLL CALL:**

**E. PLEDGE TO THE FLAG:**

**F. AWARDS AND RECOGNITIONS:**

1. [19-799](#) Presentation of the 2019 Naperville Senior of the Year

**G. PUBLIC FORUM:**

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

**I. CONSENT AGENDA:**

1. [19-811](#) Approve the 07/01/2019 through 07/31/2019 cash disbursements for a total of \$25,542,779.49.
2. [19-770](#) Approve the regular City Council meeting minutes of July 16, 2019
3. [19-740](#) Approve the City Council meeting schedule for September, October & November 2019
4. [19-725](#) Approve the award of Bid 19-129, 2019 Lateral Grouting of Sanitary Sewer Cress Creek Phase 5, to Michels Corporation for an amount to not exceed \$193,875, plus a 5% contingency

5. [19-746](#) Approve the award of Change Order #5 to Contract 19-007, 91st Street Road Improvement, to R.W. Dunteman to extend the contract for an additional 45 days
6. [19-752](#) Approve the award of Bid 19-213 Municipal Center - Front Plaza Renovations, to Berglund Construction Company for an amount not to exceed \$375,000, plus a 5% contingency
7. [19-753](#) Approve the award of Option Year One to Contract 18-017, Excavation and Underground Utility Repair, to Baish Excavating, Inc. for an amount not to exceed \$120,000
8. [19-756](#) Approve the award of Cooperative Procurement 19-239, Springbrook Water Reclamation Center - Biosolids Processing Building HVAC Upgrade, to Trane Commercial Systems and Service for an amount not to exceed \$169,977, plus a 5% contingency
9. [19-758](#) Approve the award of Bid 19-216, South Waterworks Improvements to Dahme Mechanical Industries for an amount not to exceed \$524,000, plus a 3% contingency
10. [19-759](#) Approve the award of RFP 19-183, Public Works Service Center Fixed Axis Solar Photovoltaic System, to GRNE Solar Company for an amount not to exceed \$134,169, plus a 5% contingency (Item 1 of 2)
11. [19-808](#) Approve the use of Renewable Energy Funds in the amount of \$34,169 (Item 2 of 2)
12. [19-748](#) Approve the award of Change Order #2 to Contract 16-259, Actuarial Services, to Foster & Foster Inc. for an amount not to exceed \$4,000 and a total award of \$110,682
13. [19-755](#) Approve the award of Change Order #1 to Procurement 18-180, Water and Wastewater Hatch Replacement, to Keno & Sons Construction Company for an amount not to exceed \$55,403.70 and a total award of \$368,403.70, and for an additional 198 days
14. [19-773](#) Accept the public improvements at Truth Lutheran Church, Court Place, R.R. Breitwieser Corner and Tramore Subdivision and authorize the City Clerk to reduce the corresponding public improvement surety.
15. [19-581B](#) Pass the ordinance approving a conditional use to permit an automobile service station in the B3 (General Commercial) District at the subject property located at 991 W. Ogden Av., Naperville - PZC 19-1-031
16. [19-587B](#) Pass the ordinance approving variances for a tollway sign located at 55 Shuman Boulevard (Rush Naperville Clinic) - PZC 19-1-024

17. [19-733](#) Waive the first reading and pass the ordinance to establish an all-way stop at the intersection of Ellsworth Street and Jefferson Avenue (requires six positive votes)
18. [19-540B](#) Waive the first reading and pass the ordinance rescinding stop control and establishing a traffic-control signal intersection at Mill Street and Commons Road (requires six positive votes)
19. [19-712B](#) Waive the first reading and pass the ordinance amending 4:7, 6:1 and 6:7 pertaining to body art facilities as an accessory use operated in conjunction with a permitted salon or spa. - PZC 19-1-071 (requires six positive votes)
20. [19-333B](#) Waive the first reading and pass the ordinance rescinding stop control and establishing a traffic-control signal intersection at 95th Street and Knoch Knolls Road (requires six positive votes)
21. [19-374B](#) Pass the ordinance repealing and replacing Section 3-7 of the Naperville Municipal Code regarding peddlers and solicitors
22. [19-762](#) Conduct the first reading of an ordinance amending Section 1-9G-13 of the Naperville Municipal Code regarding the membership composition of the Emergency Telephone Systems Board.
23. [19-789](#) Pass the ordinance to establish temporary traffic controls and issue a Special Event permit for the North Central College Homecoming Parade on Saturday, September 28, 2019
24. [19-790](#) Pass the ordinance establishing temporary traffic controls and issue a Special Event permit for the 2019 Riverwalk Fine Art Fair on September 21-22, 2019
25. [19-798](#) Pass the ordinance to establish temporary traffic controls and issue a Special Event Permit and an Amplifier permit for the 2019 Last Fling, Labor Day Parade and the Fling Mile, scheduled for Friday, August 30 - Monday, September 2, 2019
26. [19-797](#) Pass the ordinance approving a variance to Section 5-10-3:12 of the Naperville Municipal Code (Rooftop Structures and Equipment) for Mall of India located at 776 S. Route 59 - BRB Case #98
27. [19-804](#) Conduct the first reading of an ordinance amending Sections 3-3-3, 3-3-5, 3-3-14 and 3-3-15 of the Naperville Municipal Code by adding a definition of kratom, banning the retail sale of kratom, and prohibiting anyone under the age of 21 from possessing tobacco or alternative nicotine products.

28. [19-805](#) Pass the ordinance approving a right-of-way encroachment for a blade sign to overhang the public right-of-way in front of 216 S. Main Street (J. McLaughlin)
29. [19-771](#) Adopt a resolution authorizing the execution of an intergovernmental police service assistance agreement to join the DuPage Metropolitan Emergency Response and Investigation Team (MERIT).

**J. PUBLIC HEARINGS:****K. OLD BUSINESS:****L. ORDINANCES AND RESOLUTIONS:**

1. [19-714B](#) 1. Concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving a variance to permit an enclosed porch and an attached patio to encroach into the required rear setback at the subject property located at 1322 N. Eagle Street, subject to certain conditions; or  
2. Concur with staff and deny the request for a variance to permit an enclosed porch and an attached patio to encroach into the required rear setback at the subject property located at 1322 N. Eagle Street - PZC 19-1-066.
2. [19-718B](#) Receive the staff report for Tartan Highlands Subdivision located at 1001 S. Washington Street- PZC 19-1-049 (Item 1 of 4).
3. [19-810](#) Pass the ordinance approving a Preliminary/Final Plat of Subdivision for Tartan Highlands Subdivision - PZC 19-1-049 (Item 2 of 4)
4. [19-719B](#) Pass the ordinance approving a Rezoning from OCI (Office Commercial and Institutional District) to B-1 (Neighborhood Convenience Shopping Center District) for the property located at 1001 S. Washington (Tartan Highlands Subdivision) - PZC 19-1-049 (Item 3 of 4).
5. [19-720B](#) Pass the ordinance approving variances to: allow a FAR of 0.724 on Lot 3; eliminate the loading berth for Building C; eliminate the bypass lane for the coffee shop drive-through; reduce the front yard parking setback for Lot 4; permit off-premises monument signage on Lot 1 and 4; and, permit monument signage within 40' of an interior setback line on Lot 1 for the property located at 1001 S. Washington (Tartan Highlands Subdivision) - PZC 19-1-1049 (Item 4 of 4)

6. [19-800](#) Adopt the Resolution expressing the City of Naperville's intent to consider designation of a business district on property within the City, to impose business district sales taxes, and to induce development interest within such district
7. [19-809](#) Conduct the first reading of an ordinance amending Title 3 of the Naperville Municipal Code by the addition of Chapter 17 prohibiting adult use cannabis business establishments other than medical cannabis cultivation centers and medical cannabis dispensing organizations

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

**N. PETITIONS AND COMMUNICATIONS:**

**O. REPORTS AND RECOMMENDATIONS:**

1. [19-813](#) Receive the 2019 2nd Quarter Financial Report

**P. NEW BUSINESS:**

**Q. ADJOURNMENT:**

*Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Communications Department at least 48 hours in advance of the scheduled meeting. The Communications Department can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6707 or 630-305-5205 (TDD) or via e-mail at [info@naperville.il.us](mailto:info@naperville.il.us). Every effort will be made to allow for meeting participation.*