



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, June 6, 2023

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) Please note that WCNC is currently unavailable to AT&T U-verse (Ch. 99) customers. We encourage these customers to view meetings online at <https://naperville.legistar.com>.

- 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 6 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 6. 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 6.

Online sign-up closes at 4 p.m. on June 6, 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 6.
- 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:****C. CLOSED SESSION - CANCELED**

OPEN SESSION - 7:00 p.m.

Wehrli called the meeting to order at 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; City Attorney, Mike DiSanto; Director of Community Services/City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; 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; Assistant to the City Manager, Marcie Schatz

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

G. PUBLIC FORUM:

Wehrli read a statement saying he, along with members of the Naperville Development Partnership, City staff, and a City Council representative, have recently held conversations with the leadership of the Chicago Bears about potential business opportunities in Naperville, that discussions like this are standard practice, that no proposal was submitted to the City, and that established procedures will be followed if an idea evolves into an official development proposal.

Impact of Chicago Bears Stadium on Naperville
Steven Shamrock (Naperville) discussed a study that shows sports franchises and facilities have no measurable impact on economy, highlighted community concerns with a stadium, and asked Council to have transparent public input process.

Councilman Holzhauer made a motion, seconded by Councilman Kelly, to allow White to participate via teleconference due to a work commitment. The motion carried by a voice vote.

Perspectives on Nuclear Power and a flexible grid
Maureen Stillman (Naperville - NEST) discussed the IMEA contract, the need for a carbon free future, that priorities should be around grid flexibility, and that there is no safe storage/disposal of nuclear waste.

Council asked whether NEST has a preference of nuclear over coal.

Stillman said NEST does not yet have the analysis.

Media

Mary Curtis (Naperville) discussed the upcoming launch of Awake America.

Naperville Municipal Band

Ron Keller (Naperville) announced his retirement and transition to the Director Emeritus role.

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

A motion was made by Councilman Holzhauser, 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 Holzhauser, seconded by Councilman Kelly, to approve the Consent Agenda with the exception of items I12, I14, I15, I19, I21, and I23. The motion carried by the following vote:

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

1. [Approve the regular City Council meeting minutes of May 16, 2023](#)
Council approved.
2. [Approve the City Council Meeting Schedule for June, July, and August 2023](#)
Council passed.
3. [Approve the award of Cooperative Procurement 23-143, VMware Annual Maintenance Renewal, to Zones, LLC for an amount not to exceed \\$230,724.74, and for a three-year term](#)
Council approved.
4. [Approve the award of Cooperative Procurement 23-135, Veeam Renewal, to Hewlett Packard Enterprise for an amount not to exceed \\$186,688 and for a three-year term](#)
Council approved.
5. [Approve the award of Bid 23-051, Tree Trimming, Tree Removal and Disposal of Debris, to Lewis Tree Service for an amount not to exceed \\$324,720.50, and for an 18-month term](#)
Council approved.
6. [Approve the award of Cooperative Procurement 23-136, Darktrace EIS and](#)

Antigena, to SHI International Corporation, for an amount not to exceed \$574,886 and for a three-year term

Council approved.

7. Approve the award of Change Order #4 to Option Year 1 of Contract 19-273, Traffic Signal and Street Light Maintenance, to Meade, Inc. for an amount not to exceed \$111,614.47 and a total award of \$1,029,464.32

Council approved.

8. Approve the fireworks display application and issue a permit for the Naperville Community Fireworks Show on July 4, 2023

Council approved.

9. Accept the public improvements associated with Burlington Woods Estates (Laird Street) and authorize the City Clerk to reduce the corresponding public improvement surety

Council accepted.

10. Accept the public underground, street and streetlight improvements associated with Enclave Subdivision (IL Route 59 and North Aurora Road) and authorize the City Clerk to reduce the corresponding public improvement surety.

Council accepted.

11. Waive the first reading and pass the ordinance to establish a "No Parking Zone" on the north side of Jefferson Avenue from a point 80 feet east of the centerline of Whispering Hills Drive to a point 125 feet west of the centerline of Whispering Hills Drive (requires six positive votes)

ORD 23-067

Council waived and passed.

12. Waive the first reading and pass the ordinance to establish a two-way stop control at the intersection of Sunnybrook Drive/Stauffer Drive/Monterey Court (requires six positive votes)

Council discussed approving the two-way stop if no accidents have occurred and the need for more resident feedback.

Novack clarified that resident concerns initiated the evaluation and that the criteria for stop controls have been met.

Council inquired about how many similar intersections are in the City, whether an audit of neighborhood connector streets should be conducted, and that staff does err on the side of not installing signs.

Novack stated that local streets are evaluated but neighborhood connectors are different.

First reading held.

13. [Waive the first reading and pass the ordinance rescinding the existing “No Parking” zone and establishing a “No Parking, Stopping, or Standing” zone on both sides of Central Park Road from a point 342 feet south of Benton Avenue to a point 564 feet south of Benton Avenue \(requires six positive votes\)](#)

POSITION STATEMENT

Marilyn Schweitzer (Naperville) - SUPPORT

ORD 23-068

Council waived and passed.

14. [Waive the first reading and pass the ordinance amending Sections 2-1-14, 2-5-2, 2-16-2 and 2-19-2 of the Naperville Municipal Code to update certain Board and Commission membership to include City Council representatives \(requires six positive votes\) \(Item 1 of 2\)](#)

Thomas Craighead (Naperville) requested that a Council representative be added to the Transportation Advisory Board (TAB).

Council discussed adding a representative to TAB, whether Council members have enough time to be on another board, the possibility of assigning a Council member from a board that has two representatives, and whether TAB representation should be required by code or voluntary.

DiSanto said TAB would be added as a board that required a Council representative by code.

A motion was made by Councilwoman Longenbaugh, seconded by Councilman Kelly, to waive the first reading and pass the ordinance amending Sections 2-1-14, 2-5-2, 2-16-2 and 2-19-2 of the Naperville Municipal Code to update certain Board and Commission membership, including the Transportation Advisory Board, to include City Council representatives.

Motion withdrawn.

First reading held.

15. [Approve the appointment of City Council representatives to various boards and commissions \(Item 2 of 2\)](#)

A motion was made by Councilman Holzhauser, seconded by Councilman Kelly, to table the appointment of City Council representatives to various boards and commissions. The motion carried by a voice vote.

16. [Pass the ordinance amending Sections 3-3-3 and 3-3-14 of the Naperville Municipal Code that will prohibit the sale and possession of tetrahydrocannabinol \(THC\)](#)

[products for human consumption to individuals under the age of 21](#)

ORD 23-069

Council passed.

17. [Pass the ordinance approving a conditional use and setback variance for 4003-4083 S Route 59 \(Saddlewood Commercial Complex\) - PZC 23-1-004](#)

ORD 23-070

Council passed.

18. [Pass the ordinance approving a conditional use for the property at 125-127 S. Washington St \(Riddlebox Escape Room\) - PZC 23-1-029](#)

POSITION STATEMENT

Marilyn Schweitzer (Naperville) - SUPPORT

ORD 23-071

Council passed.

19. [Pass the ordinance releasing declarations of restrictions pertaining to property located at 10 Martin Avenue](#)

Council discussed staff updating procedures to ensure that projects are complying with covenants.

Laff stated the City does not run title searches, that the Petitioner forgot about the covenant, and that the development application can be updated if that information is provided at the start but completeness will still be dependent upon the Petitioner doing research.

ORD 23-075

A motion was made by Councilman Holzhauser, seconded by Councilman Kelly, to pass the ordinance releasing declarations of restrictions pertaining to property located at 10 Martin Avenue. The motion carried by the following vote:

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

Nay: 1 - Holzhauser

20. [Pass the ordinance granting a temporary use for parking facilities located at the Calamos Headquarters and CityGate Centre to remain in place until commencement of Phase 2 construction or until June 6, 2025, whichever occurs first - PZC 23-1-042](#)

ORD 23-072

Council passed.

21. [Pass the ordinance approving variances to Section 6-6C-7:1 \(Yard Requirements\) for the property located at 715 Center Street - PZC 23-1-026](#)

Council discussed not being in favor of design by variance, however the homeowner did due diligence in this instance and the issue is a technicality.

ORD 23-076

A motion was made by Councilman Holzhauser, seconded by Councilman Kelly, to pass the ordinance approving variances to Section 6-6C-7:1 (Yard Requirements) for the property located at 715 Center Street - PZC 23-1-026. The motion carried by the following vote:

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

22. [Pass the ordinance approving the Preliminary/Final Plat of Resubdivision and a Platted Setback Deviation for the Breckenridge Estates Resubdivision No. 2 located at 2507 and 2511 Swandyke Court PZC 23-1-024](#)

ORD 23-073

Council passed.

23. [Pass the ordinance approving the 2023 Sidewalk Removal and Replacement Program Property Owner's Cost Sharing Program](#)

Council discussed the service of providing sidewalks, the appropriateness of the cost share program, that staff can research whether comparable municipalities impose a resident cost, the impact to the budget if the cost share is removed, the shaving program, and whether ARPA funding can be used.

Krieger responded that there are no restrictions on using ARPA funding.

Mayer clarified that ARPA funding is appropriate for a one-time use.

Novack said if the ordinance does not pass the work will not continue and that staff will evaluate the shaving program in 2024.

Mayer explained the full cost of the program is in the budget, that the City would forgo reimbursing itself if the cost share program is eliminated, and that a budget amendment would not be required unless the program is increased or decreased.

Council discussed fairness of eliminating the program at this time.

Novack explained program costs for the past three years and that 2022 has incomplete data due to a strike.

ORD 23-077

A motion was made by Councilman Holzhauser, seconded by Councilman Kelly, to pass the ordinance approving the 2023 Sidewalk Removal and

Replacement Program Property Owner's Cost Sharing Program. The motion carried by the following vote:

Aye: 6 - Wehrl, Kelly, Leong, McBroom, White, and Wilson

Nay: 3 - Bruzan Taylor, Holzauer, and Longenbaugh

24. [Pass the ordinance establishing City of Naperville Special Service Area No. 35 for streetscape improvements on Washington Street from Benton Avenue to Chicago Avenue in downtown Naperville](#)

ORD 23-074

Council passed.

25. [Concur with the Petitioner's request to extend the effective date of ordinance 21-056 \(506 Spring Avenue\) for a one-year period - PZC 21-1-031](#)

Council passed.

J. PUBLIC HEARINGS:

1. [Conduct the public hearing regarding the proposed enlargement of Special Service Area #33](#)

The public hearing opened at 8:09 p.m.

A motion was made by Councilman Holzauer, seconded by Councilman Kelly, to close the public hearing regarding the proposed enlargement of Special Service Area #33 at 8:09 p.m. The motion carried by a voice vote.

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Bid 23-077, South Operation Center Pump 1, 4, and 5 Replacement, to Helm Mechanical/Helm Service for an amount not to exceed \\$1,430,000, plus a 3% contingency](#)

A motion was made by Councilman Holzauer, seconded by Councilman Kelly, to approve the award of Bid 23-077, South Operation Center Pump 1, 4, and 5 Replacement, to Helm Mechanical/Helm Service for an amount not to exceed \$1,430,000, plus a 3% contingency. The motion carried by the following vote:

Aye: 9 - Wehrl, Bruzan Taylor, Holzauer, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

2. [Approve the award of Bid 23-002, 2023 Street Resurfacing Program-City, to K-Five Construction Corp., for an amount not to exceed \\$3,863,694.50, plus a 3% contingency](#)

A motion was made by Councilman Holzauer, seconded by Councilman Kelly, to approve the award of Bid 23-002, 2023 Street Resurfacing Program-City, to

K-Five Construction Corp., for an amount not to exceed \$3,863,694.50, plus a 3% contingency. 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 23-021, Northeast Water Works Improvements Phase II, to Dahme Mechanical Industries for an amount not to exceed \\$1,234,568 and a 3% contingency](#)

A motion was made by Councilman Holzhauser, seconded by Councilman Kelly, to approve the award of Bid 23-021, Northeast Water Works Improvements Phase II, to Dahme Mechanical Industries for an amount not to exceed \$1,234,568 and 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 Cooperative Procurement 23-145, Unit 310 - Heavy-Duty Rescue Squad Vehicle Replacement, to MacQueen Emergency for an amount not to exceed \\$1,248,500 and for a one-time purchase](#)

A motion was made by Councilman Holzhauser, seconded by Councilman Kelly, to approve the award of Cooperative Procurement 23-145, Unit 310 - Heavy-Duty Rescue Squad Vehicle Replacement, to MacQueen Emergency for an amount not to exceed \$1,248,500 and for a one-time purchase. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Board and Commission review

Longenbaugh asked for consensus to direct staff to review whether all boards and commissions are still serving the purpose for which they were created.

Schatz reported that as part of the response to the League of Women Voters' recommendations, staff developed a document explaining board and commission expectations that will be released in June.

Council consensus.

Ethics ordinance update

McBroom discussed the requirements to disclose campaign contributions, the appropriateness of candidates disclosing donations from public sector unions, ordinance enforcement, and making changes to the ordinance at

the September workshop.

Q. ADJOURNMENT:

A motion was made by Councilman Holzhauer, seconded by Councilman Kelly, to adjourn the Regular City Council Meeting of June 6, 2023 at 8:20 p.m. The motion carried by a voice vote.

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