



Meeting Minutes

City Council

Tuesday, February 16, 2021

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

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 5 p.m. on February 16

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 5 p.m. on February 16 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 5 p.m. on February 16) to be read into the public record during the City Council meeting by a member of staff.
2. Submit a one-word statement of "SUPPORT" or "OPPOSITON" regarding a specific agenda item to be read into the public record during the City Council meeting by a member of staff.
3. Address the City Council live during the City Council meeting via spoken audio. Individuals who want to address the Council live must sign up to speak in advance of the City Council meeting (by 5 p.m. on February 16).

Once signed up, the individual will receive an email from the City Clerk's Office after the sign-up time ends with information about how to join the meeting.

- Online sign-up closes at 5 p.m. on February 16, 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 5 p.m. on February 16.
- 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 5:30 p.m.

B. ROLL CALL:

- Present:** 5 - Mayor Steve Chirico
Councilwoman Judith Brodhead
Councilman Kevin Coyne
Councilman Paul Hinterlong
Councilman Benjamin White
- Absent:** 4 - Councilwoman Patty Gustin
Councilman Patrick Kelly
Councilman John Krummen
Councilwoman Theresa Sullivan

C. CLOSED SESSION - 5:30 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to recess to Closed Session to discuss 120/2(c)(1) Performance of a Specific Individual; 120/2(c)(2) Collective Bargaining; 120/2(c)(11) Pending Litigation; and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

Aye: 5 - Chirico, Brodhead, Coyne, Hinterlong, and White

Absent: 4 - Gustin, Kelly, Krummen, and Sullivan

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 welcomed Geneace Williams, DEI Manager, to the City.

Chirico thanked DPW crews for their efforts during the recent snow events.

G. PUBLIC FORUM:

SPEAKER

Anthony Tassone - GreenKey Technologies - Naperville Selected Body Camera Analytics Pilot

Dear citizens of Naperville, you are being invited to participate in a free trial of police body camera analytics. This is a free, no-obligation 30-day pilot to

evaluate cutting-edge, policing technology. These pilots are being offered by Amazon and GreenKey to elected officials from 50 cities around the United States. The purpose of the pilot is to process 1 year's worth of police body camera data and then generate a respectfulness report. A respectfulness report will give you the data to understand what percentage of police interactions are positive? Does racial bias exist and if so how? What can we do to increase positive police interactions? This report is confidential and will remain the property of Naperville and will give you greater visibility into the everyday interactions of your police department and constituents. The pilots are receiving national attention. Please contact the CEO of GreenKey Anthony Tassone to learn more. atassone@greenkeytech.com
<<mailto:atassone@greenkeytech.com>>

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

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, 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:

Approval of the Consent Agenda

A motion was made to approve the Consent Agenda with the exception of items I16 and I19. The motion carried by the following vote:

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

1. [Approve the cash disbursements for the period of 01/01/2021 through 01/31/21 for a total of \\$31,661,833.08](#)
Council approved.
2. [Approve the regular City Council meeting minutes of February 2, 2021](#)
Council approved.
3. [Approve the City Council meeting schedule for March, April & May 2021](#)
Council approved.
4. [Approve the award of Option Year Three to Contract 17-210, Emerald Ash Borer Insecticidal Treatment, to The Davey Tree Expert Company, for an amount not to exceed \\$300,000](#)
Council approved.

5. [Approve the award of Option Year Two to Contract 18-025, Motor Fuel, to Luke Oil for an amount not to exceed \\$876,500](#)

Council approved.

6. [Approve the award of Option Year One to Contract 18-022, Motor Fuel Tank Wagon, to Heritage FS, Inc. for an amount not to exceed \\$150,000](#)

Council approved.

7. [Approve the award of Option Year Two to Contract 18-024, Generator Maintenance Services, to Interstate Power Systems, Inc. for an amount not to exceed \\$120,000](#)

Council approved.

8. [Approve the award of Option Year Two to Contract 19-060, Storm Sewer Rehabilitation \(8"- 30"\) Cured-in-Place Pipelining \(CIIP\), to Hoerr Construction Inc. for an amount not to exceed \\$750,000, plus a 3% contingency](#)

Council approved.

9. [Approve the award of Option Year Two to Contract 19-064, SCADA Maintenance Services, to Advanced Automation and Controls, Inc. for an amount not to exceed \\$141,000](#)

Council approved.

10. [Approve the award of Option Year Two to Contract 19-063, Concrete Restoration Services, to Whiteline Construction Inc. and Davis Concrete Construction Company for an amount not to exceed \\$275,000, plus a 5% contingency](#)

Council approved.

11. [Approve the award of Bid 21-014, MSI Inspection and Condition Assessment of the Springbrook Interceptor, to RedZone Robotics Inc. for an amount not to exceed \\$165,689.95](#)

Council approved.

12. [Approve the award of Bid 21-038, Distributed Automation Switches, to Universal Utility Supply Company for an amount not to exceed \\$594,650](#)

Council approved.

13. [Approve the award of Cooperative Procurement 21-078, Unit 296 Vehicle Replacement, to JX Peterbilt for an amount not to exceed \\$269,680.21](#)

Council approved.

14. [Approve the award of a three-year extension to Cooperative Contract 17-001, Uniform Rentals, to Cintas Corporation for an amount not to exceed \\$312,111](#)

Council approved.

15. [Waive the applicable provisions of the Naperville Procurement Code and award Procurement 21-054, Inclusionary Zoning Ordinance Advisory Services, to SB Friedman for an amount not to exceed \\$40,000 \(requires 6 positive votes\)](#)

Council approved.

16. [Waive the first reading and pass the ordinance amending Article A \(General Provisions\) and Article J \(Encroachments and Obstructions\) of Chapter 1 \(Streets and Sidewalks\) of Title 9 \(Public Ways and Property\) of the Naperville Municipal Code regarding permit fee requirements and establishing a future pavement restoration fee \(Requires six positive votes\)](#)

SPEAKER

Marilyn Schweitzer asked for clarification regarding permit requirements.

Novack stated that although the section may seem confusing and needs to be re-organized, the necessary information is included.

Enactment No. ORD 21-019

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to waive the first reading and pass the ordinance amending Article A (General Provisions) and Article J (Encroachments and Obstructions) of Chapter 1 (Streets and Sidewalks) of Title 9 (Public Ways and Property) of the Naperville Municipal Code regarding permit fee requirements and establishing a future pavement restoration fee. The motion carried by the following vote:

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

17. [Waive the first reading and pass the ordinance revising Section 3-5A \(Electrical Contractors\) of the Naperville Municipal Code to discontinue issuing electrical licenses \(requires six positive votes\)](#)

Enactment No. ORD 21-014

Council passed.

18. [Pass the ordinance approving acceptance of assignment of a water easement pursuant to a Water Easement Agreement between the Naperville Park District and Commonwealth Edison Company](#)

Enactment No. ORD 21-015

Council passed.

19. [Pass the ordinance approving a major change to the Naper Settlement PUD with deviations and a Final PUD Plat for the property located at the southwest corner of Aurora Avenue and Webster Street \(Naper Settlement\) - PZC 20-1-078](#)

COMMENTS TO BE READ BY STAFF

Dr. Mary Ann Bobosky

As a native of the farm community in Naperville and a long time member of the Naperville Heritage Society, I heartily recommend that the City Council approve the Planned Unit Development - building Innovation Gateway, Ag Center and the Thresher Pavilion at tonight's council meeting. The Planning and Zoning Commission approved the Planned Development with many positive comments. Naper Settlement has worked hard to gain support for this Planned Development by holding fundraisers and procuring grants. This will be an outstanding addition to the settlement grounds. The education component will provide STEM curriculum to thousands of students every year. Thank you for supporting this most worthwhile endeavor. Dr. Mary Ann Bobosky

POSITION STATEMENT

Sally Pentecost - SUPPORT

Enactment No. ORD 21-020

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to pass the ordinance approving a major change to the Naper Settlement PUD with deviations and a Final PUD Plat for the property located at the southwest corner of Aurora Avenue and Webster Street (Naper Settlement) - PZC 20-1-078. The motion carried by the following vote:

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

20. [Receive the staff report for the C. Cobb Subdivision \(424 East Chicago Avenue\) - PZC 20-1-093 - \(Item 1 of 4\)](#)

Council approved.

21. [Pass the ordinance approving the Preliminary/Final Plat of Subdivision and OAA for the C. Cobb Subdivision \(424 East Chicago Avenue\) - PZC #20-1-093 - \(Item 2 of 4\)](#)

Enactment No. ORD 21-016

Council passed.

22. [Pass the ordinance approving a temporary use for the C. Cobb Subdivision \(424 East Chicago Avenue\) - PZC #20-1-093 - \(Item 3 of 4\)](#)

Enactment No. ORD 21-017

Council passed.

23. [Pass the ordinance approving a right-of-way encroachment license agreement for the subject property located at 424 East Chicago Avenue \(C. Cobb Subdivision\) - PZC #20-1-093 - \(Item 4 of 4\)](#)

Enactment No. ORD 21-018

Council passed.

J. PUBLIC HEARINGS:

1. [Conduct the public hearing for the Community Development Block Grant \(CDBG\) Program Year 2021 Annual Action Plan \(Item 1 of 2\)](#)

Chirico opened the public hearing at 7:21 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the public hearing for the Community Development Block Grant (CDBG) Program Year 2021 Annual Action Plan at 7:21 p.m. The motion carried by the following vote:

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

2. [Approve the Community Development Block Grant \(CDBG\) Program Year 2021 Annual Action Plan allocating \\$530,000 \(Item 2 of 2\)](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the Program Year 2021 Annual Action Plan allocating \$530,000 in Community Development Block Grant (CDBG) funds. The motion carried by the following vote:

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

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Adopt the resolution regarding rules for public comments at City Council meetings](#)

Krieger detailed the targeted timeline to conduct hybrid City Council meetings, that the timeline may shift depending on equipment availability and functionality, and that COVID has expanded the methods by which residents can participate in meetings.

A motion was made by Councilman Kelly, seconded by Councilwoman Brodhead, to adopt the resolution regarding rules for public comments at City Council meetings as amended to include that written comments for Council meetings will continue to be accepted until 4 p.m. The motion carried by the following vote:

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

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to use the Omnibus method to approve items L2-L4. The motion carried by the following vote:

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

2. [Receive the staff report for the Market Meadows Shopping Center located at 1225-1309 S. Naper Blvd.- PZC 20-1-081 \(Item 1 of 3\)](#)

Vincent M. Rosanova (attorney for petitioner, Shorewood Development Group) explained the request for approval of a major change and Final PUD Plat for

Market Meadows, a preliminary/final subdivision plat, and deviations to accommodate the proposed main shopping center redevelopment including a new self-storage facility and a new multi-tenant commercial building on a newly created Lot 4. He also stated that the parking lot will be rebuilt and reconfigured with interior landscape islands meeting modern code requirements.

Laff explained the deviations and stated that staff is supportive.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the staff report for the Market Meadows Shopping Center located at 1225-1309 S. Naper Blvd.- PZC 20-1-081. The motion carried by the following vote:

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

3. [Pass the ordinance approving a Preliminary/Final Plat of Subdivision for the Market Meadows Resubdivision No. 1- PZC 20-1-081 \(Item 2 of 3\)](#)

Enactment No. ORD 21-021

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving a Preliminary/Final Plat of Subdivision for the Market Meadows Resubdivision No. 1- PZC 20-1-081. The motion carried by the following vote:

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

4. [Pass the ordinance approving a Major Change to the Market Meadows PUD and Final PUD Plat and granting associated for the Market Meadows Resubdivision No. 1 - PZC 20-1-081 \(Item 3 of 3\)](#)

Enactment No. ORD 21-022

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving a Major Change to the Market Meadows PUD and Final PUD Plat and granting associated for the Market Meadows Resubdivision No. 1 - PZC 20-1-081. The motion carried by the following vote:

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

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Cooperative Procurement 21-080, Unit 328 Equipment Replacement, to MacQueen Emergency for an amount not to exceed \\$1,243,080](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of Cooperative Procurement 21-080, Unit 328 Equipment Replacement, to MacQueen Emergency for an amount not to exceed \$1,243,080. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. [Receive the Westside Neighborhood Traffic Study report and concur with the recommended improvements \(Item 1 of 2\)](#)

COMMENTS TO BE READ BY STAFF

Patrick Cook

Full support of Westside Traffic Study and its broad area-wide recommendations. Having kids that have walked to Naper or Washington - they are much needed. Further, having lived at 621 W Jefferson Ave for nearly 10 years, am closest to the study area of Jefferson/West - where calming efforts are needed - notably at the West St and Jefferson Ave crosswalk. The intersection is a heavy pedestrian crossing and the only marked crossing until you get to Mill St. It is used heavily by kids and families going to the beach, parks, events, and riverwalk a block south for almost all homes north of Jefferson. While the addition of the pedestrian crossing signs a few years ago were helpful - multiple times per day, you can hear the horns of impatient drivers who don't understand why the car in front of them has stopped at the intersection - or further, drivers are confused by the sign in the middle of the street, and stop when no pedestrian is present - creating further driver frustration and horn honking by those that are backed up by a car stopping. We cross frequently, and I'd surmise, 50% of the time, most cars don't stop unless you are clear into Jefferson as there is not a overlay visible marker unless you see the 'seasonally' placed street sign. There simply needs to be more visible evidence of a heavy pedestrian cross walk - I fully agree with the studies recommendation for curb extensions on Jefferson West and upgraded cross walk - as well as the rest of the recommendations throughout the Westside area. They will provide much needed safety for kids and residents - while also calming some of the traffic/speed/horn honking on Jefferson Ave in that area. Luckily, the worst we've seen has been modest car accidents over the years - hopefully we can keep it that way.

SPEAKERS

Jennifer Bruzan Taylor spoke in support of TAB recommendations.

Prousa presented the study, explained that the City contracted with consultant Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) to conduct an evaluation of the existing conditions within the neighborhood area and developing recommendations to create a consistent striping, traffic control, signing and traffic calming plan.

Council discussed traffic near Naper Elementary, crosswalks, street width, school drop-off zone, winter operations, and toolkit implementation timeline.

Prousa explained Level 1 and Level 2 measures, when TAB would need to evaluate, snow signage, and that City staff owns the work product.

Council discussed traffic study metrics and measures of success, traffic calming, and walk routes.

Prousa described data collection before and after the study, the methodology to evaluate changes, Washington Jr High walk route plans, and resident input.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the Westside Neighborhood Traffic Study report and concur with the recommended improvements and direct staff to conduct further study regarding parking and traffic flow near Naper Elementary School. The motion carried by the following vote:

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

2. [Approve the citywide Traffic Calming Toolkit \(Item 2 of 2\)](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the citywide Traffic Calming Toolkit. The motion carried by the following vote:

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

3. [Approve the proposed CY 2021 Social Services Grant funding allocations](#)

SPEAKERS

Kamala Martinez (KidsMatter) discussed the applications, the number of non-profits in Naperville, and the impact of grant funds on youth programs.

Mark Rice (CY21 SSG Review Team) explained the application review process and scoring criteria, discussed KidsMatter applications, program feasibility, and that 60% of the request was for personnel.

Council discussed previous KidsMatter awards, the impact of COVID on mental health, the appropriateness of using low to moderate income as a scoring criteria, and asked that staff continue to seek funds that may be applied to youth programs.

Gallahue clarified that KidsMatter submitted two applications and that the application for mental health programs was funded at 50% or \$24,000.

A motion was made by Councilwoman Sullivan, seconded by Councilwoman Brodhead, to approve the proposed CY 2021 Social Services Grant funding allocations. The motion carried by the following vote:

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

The meeting recessed from 9:00 p.m. - 9:05 p.m.

4. [Receive the February 2021 Financial Report](#)

Mayer gave a presentation and highlighted the recent federal economic stimulus package, improving local health metrics, vaccinations, and local revenues.

Report received.

P. NEW BUSINESS:

Inclusionary Zoning Ordinance

Gustin commented on a recent market survey and the lack of housing inventory.

Thank You

White expressed appreciation for condolences on his family's recent loss.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to adjourn the Regular City Council Meeting of February 16, 2021 at 9:22 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