



Meeting Minutes

City Council

Tuesday, March 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 4 p.m. on March 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 4 p.m. on March 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 4 p.m. on March 16.

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 "OPPOSITON" 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 via spoken audio.

Individuals wishing to address the Council during the meeting must sign up to speak City Council by 4 p.m. on March 16.

Once signed up, the individual will receive an email from the City Clerk's Office after 4 p.m. with information about how to join the meeting.

- Online sign-up closes at 4 p.m. on March 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 4 p.m. on March 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 6:00 p.m.

B. ROLL CALL:

- Present:** 6 - Mayor Steve Chirico
Councilwoman Judith Brodhead
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilwoman Theresa Sullivan
Councilman Benjamin White
- Absent:** 3 - Councilman Kevin Coyne
Councilman Patrick Kelly
Councilman John Krummen

A motion was made by Councilman White, seconded by Councilwoman Sullivan, to allow Councilwoman Brodhead to preside over Closed Session and Open Session. The motion carried by the following vote:

Aye: 6 - Chirico, Brodhead, Gustin, Hinterlong, Sullivan, and White

Absent: 3 - Coyne, Kelly, and Krummen

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

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to recess to Closed Session to discuss 120/2(c)(11) Pending Litigation and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

Aye: 6 - Chirico, Brodhead, Gustin, Hinterlong, Sullivan, and White

Absent: 3 - Coyne, Kelly, and Krummen

OPEN SESSION - 7:00 p.m.

Chirico called the meeting to order and announced that a vote was taken to allow Councilwoman Brodhead to preside over the meeting as Mayor Pro Tem.

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

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

1. [Proclaim March 31, 2021 Rotary Club of Naperville 80th Charter Day](#)

White read the Proclamation.

SPEAKER

Alma Jones thanked the City Council for support.

Mall of India - Vaccination Event

Chirico thanked IDPH, Prism Labs, and Mall of India for hosting the vaccination event.

2. [Proclaim March 2021 as Women's History Month in the City of Naperville](#)

Gustin read the Proclamation.

G. PUBLIC FORUM:

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

A motion was made by Mayor Chirico, seconded by Councilman Hinterlong, 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 by Mayor Chirico, seconded by Councilman Hinterlong, to approve the Consent Agenda with the exception of item I15. 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 02/01/2021 through 02/28/2021 for a total of \\$29,749,932.67](#)

Council approved.

2. [Approve the regular City Council meeting minutes of March 2, 2021](#)

Council approved.

3. [Approve the City Council meeting schedule for April, May & June 2021](#)

Council approved.

4. [Approve the award of Cooperative Procurement 21-116, Telecommunications and Internet Services, to AT&T Corporation for an amount not to exceed \\$276,602 and for a two-year term](#)

Council approved.

5. [Approve the award of Cooperative Procurement 21-130, Unit 891 \(Leaf Trailer Suction Unit\) Equipment Replacement, to McCann Industries, Inc. for an amount not to exceed \\$267,558](#)

Council approved.

6. [Approve the award of Cooperative Procurement 21-136, Multi-Function Copier](#)

Devices and Service Solutions, to Canon Solutions America, Inc. for an amount not to exceed \$212,919 with a 2% contingency, and for a five-year term (Item 1 of 2)

Council approved.

7. Approve the award of Change Order #2 to Contract 15-181, Multi-Functional Copiers Cost-per-Copy Phase 1, to Canon Solutions America, Inc. for an amount not to exceed \$5,452, for a total contract award of \$637,947 and to extend the current term an additional two months (Item 2 of 2)

Council approved.

8. Approve the award of Change Order #1 to Option Year One of Contract 17-084, Riverwalk Consultant to Engineering Resource Associates, Inc. for an amount not to exceed \$123,553.95 and a total award of \$291,053.95

Council approved.

9. Approve the award of Procurement 21-121, Fire Stations 1 and 9 Overhead Door Replacement - Phase IV, to Allied Door, Inc. for an amount not to exceed \$224,975, plus a 5% contingency

Council approved.

10. Approve the award of Bid 21-093, Custodial Services - Central Business District, to Total Facility Maintenance for an amount not to exceed \$384,658 and for a two-year term

Council approved.

11. Approve the award of Option Year Two to Contract 17-133, Land Surveying Services, to Christopher B. Burke Engineering, Engineering Resource Associates, Farnsworth Group, Hampton, Lenzini and Renwick, Inc., Ridgeline Consultants and Robinson Engineering for an amount not to exceed \$152,000

Council approved.

12. Adopt the resolution authorizing the City Manager to execute the 2021 Pace Paratransit Local Share Agreement for the operation of the Ride DuPage Program

Enactment No.: RES 21-02

Council adopted.

13. Waive the first reading and pass an ordinance amending Chapters 2 (Construction and Fire Prevention Regulations) and 10 (Landscaping, Screening and Tree Preservation) of Title 5 (Building Regulations) of the Naperville Municipal Code to clarify equipment screening requirements, installation of sustainable materials, and variance jurisdiction for façade materials and landscape deviations (Requires six positive votes)

Enactment No.: ORD 21-026

Council passed.

14. [Pass the ordinance approving the transfer of \\$16,313,440 of the 2021 Volume Cap to the Town of Normal](#)

Enactment No.: ORD 21-027

Council passed.

15. [Pass the ordinance approving a major change to the Kroehler Center PUD to permit a parking deviation on the subject property located at 200-300 E. 5th Avenue \(5th Avenue Station\) - PZC 20-1-120](#)

Council discussed pre-COVID parking concerns, proposed staff solutions, and input from businesses.

Laff explained the petitioner has involved the businesses, that adjustments are included in the proposal, and further changes can be made if necessary.

Vincent Rosanova (Attorney for Petitioner) explained parking variances and input from the businesses.

Enactment No.: ORD 21-033

A motion was made by Mayor Chirico, seconded by Councilman Hinterlong, to pass the ordinance approving a major change to the Kroehler Center PUD to permit a parking deviation on the subject property located at 200-300 E. 5th Avenue (5th Avenue Station) - PZC 20-1-120. The motion carried by the following vote:

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

16. [Pass the ordinance amending ordinance 21-016 and approving the first amendment to Owner's Acknowledgement and Acceptance Agreement for the C. Cobb Subdivision \(424 East Chicago Avenue\) - PZC 20-1-093](#)

Enactment No.: ORD 21-028

Council passed.

17. [Pass the ordinance revoking ordinance 20-033 as previously approved at 1095 E. 75th Street \(f.k.a. 1090 E 75th Street\) - PZC 19-1-079](#)

Enactment No.: ORD 21-029

Council passed.

18. [Receive the staff report regarding The Matrix located at 808 S. Route 59, Naperville - PZC 20-1-027 & BRB Case #106 \(Item 1 of 4\)](#)

Council received.

19. [Pass the ordinance approving a Major Change to the Fox River Commons](#)

[Resubdivision PUD to allow conditional uses on the subject property located at 808 S. Route 59, PZC 20-1-027 \(Item 2 of 4\)](#)

Enactment No.: ORD 21-030

Council passed.

20. [Pass the ordinance approving a parking deviation for the subject property located at 808 S. Route 59, PZC 20-1-027 \(Item 3 of 4\)](#)

Enactment No.: ORD 21-031

Council passed.

21. [Pass the ordinance approving a variance for rooftop screening for the subject property located at 808 S. Route 59, BRB Case #106 \(Item 4 of 4\)](#)

Enactment No.: ORD 21-032

Council passed.

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Adopt an IDOT resolution in the amount of \\$4,400,000 to allow the expenditure of State Rebuild Illinois dollars to fund the local share of the improvements to North Aurora Road between Frontenac Road and Fairway Drive \(CIP# SC033\)](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adopt an IDOT resolution in the amount of \$4,400,000 to allow the expenditure of State Rebuild Illinois dollars to fund the local share of the improvements to North Aurora Road between Frontenac Road and Fairway Drive (CIP# SC033). 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 Bid 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 \\$1,133,518, and for a two-year term](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of Bid 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 \$1,133,518, and for a two-year term. 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 Sustainable Naperville 2036 Summary Report and direct staff to schedule a summer 2021 workshop](#)

SPEAKER

Jodi Trendler (Petitioner) presented a summary of the Sustainable Naperville 2036 Plan and highlighted objectives of transitioning to clean energy purchases, consumed energy, energy efficiency, reduction in natural gas consumption, and consumer education.

Council discussed funding, stakeholder involvement, Building Review Board, and workshops.

Alexandria Fanning spoke in favor of the report.

David Medsker spoke in favor of the report.

Lucy Evans spoke in favor of the report.

Jeff Krull spoke in favor of the report.

Council discussed economy trends, impact of the COVID vaccination, and CARES Act funding.

Mayer discussed the General Fund and the importance of aligning strategic discussions with available funding.

A motion was made by Councilman Krummen, seconded by Councilman Hinterlong, to receive the Sustainable Naperville 2036 Summary Report and direct staff to schedule a summer 2021 workshop. The motion carried by the following vote:

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

2. [Receive the March 2021 Financial Report](#)

Mayer gave the presentation and discussed national, state, and local changes that may impact the local economy. She highlighted recent events such as vaccination progress and the new \$1.9 trillion relief package known as the American Rescue Plan.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the March 2021 Financial Report. The motion carried by the following vote:

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

3. [Receive the Century Walk Long-Range Plan for Public Art and table discussion until such time staff, the SECA Commission, and the proposed Public Art Task Force review and bring a recommendation to the City Council](#)

Written comments and position statements are attached.

SPEAKERS

John Gallagher (Century Walk-Petitioner) reviewed the proposed plan.

Debbie Venezia (Century Walk-Petitioner) reviewed the proposed plan.

Sangeeta Pande (Century Walk) discussed Naperville Loves a Parade mural.

Ron Amato (Century Walk) spoke in favor of the proposed plan.

Alma Jones (Century Walk) spoke in favor of the proposed plan.

Melvin Kim (SECA Commission Chair) supported the Action Requested to table discussion on the plan.

Sophia Forero supported the Action Requested to table discussion on the plan.

Tony Andrews (Art of Inclusion) supported the Action Requested to table discussion on the plan.

Sun Kwok (Art of Inclusion) supported the Action Requested to table discussion on the plan.

Becky Simon supported the Action Requested to table discussion on the plan.

Nancy Chen (SECA Commission) supported the Action Requested to table discussion on the plan.

Gallagher and Venezia gave a five-minute rebuttal and further discussed plan details.

The meeting recessed from 9:00 p.m. - 9:06 p.m.

Council discussed appropriateness of making Century Walk a City Obligation, that Century Walk has partnered with community organizations over the years, the annual allocation requests, that a certain portion of the SECA Grant Fund should be dedicated to capital, the non-competitive nature of other City obligations, the approval process, that a community art program must have City oversight, the need to bring the community together to create a unified vision, that many topics must be worked through, and a formal agreement with Century Walk must be developed.

Council further discussed following the Action Requested and postponing a vote until after interested parties can review the proposed plan, the date of the upcoming election, Century Walk fundraising, the amount of SECA Grant Fund awards that Century Walk has received since 2006, the need to address diversity and inclusion in the arts, the appropriateness of looking forward, that funding cannot be given until January 2022, and the role of the proposed Public Art Task Force.

A motion was made by Councilwoman Sullivan, seconded by Councilman Kelly, to receive the Century Walk Long-Range Plan for Public Art and table discussion until such time staff, the SECA Commission, and the proposed Public Art Task Force review and bring a recommendation to the City Council.

A motion in substitution was made by Councilman Coyne, seconded by Mayor Chirico, to receive the Century Walk Long-Range Plan for Public Art, make Century Walk a City Obligation beginning in 2022, and direct staff and SECA Commission to work with Century Walk to develop an operating agreement to address the questions that have been raised. The motion failed by the following vote:

Aye: 4 - Chirico, Coyne, Gustin, and Hinterlong

Nay: 5 - Brodhead, Kelly, Krummen, Sullivan, and White

A motion was made by Councilwoman Sullivan, seconded by Councilman Kelly, to receive the Century Walk Long-Range Plan for Public Art and table discussion until such time staff, the SECA Commission, and the proposed Public Art Task Force review and bring a recommendation to the City Council. The motion carried by the following vote:

Aye: 6 - Brodhead, Coyne, Kelly, Krummen, Sullivan, and White

Nay: 3 - Chirico, Gustin, and Hinterlong

P. NEW BUSINESS:

Car exhaust noise

Hinterlong asked that the Police Department begin enforcement again.

Vaccination clinics

Sullivan discussed the Vaccination Buddy Program and other staff efforts.

Krieger discussed partnering with Prism Labs, IDPH, and Mall of India as well as other efforts to bring clinics to Naperville.

Vaccination site

White thanked the Mall of India for donating the site for the event.

Vote on Item O3

Gustin asked that the record be verified regarding the roll call.

Gallahue confirmed that the Motion in Substitution failed 4-5 and that the Main Motion passed 6-3.

Parking passes

Brodhead requested staff submit a report updating Council on the status of commuter parking passes.

By consensus Council directed staff to prepare a report including an update on the commuter parking plan.

Q. ADJOURNMENT:

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to adjourn the Regular City Council Meeting of March 16, 2021 at 10:23 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