



# City of Naperville

400 S. Eagle Street  
Naperville, IL 60540

## Meeting Minutes - Final

### City Council

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Tuesday, December 5, 2023

7:00 PM

Council Chambers

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#### TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-Astound, Ch. 10 - Comcast, Ch. 99 – AT&T U-verse)
- 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 December 5 at: [www.naperville.il.us/speakersignup](http://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 December 5. 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 December 5.  
Online sign-up closes at 4 p.m. on December 5, 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 December 5.
- 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:**

- Present:** 8 - Mayor Scott Wehrli  
Councilwoman Jennifer Bruzan Taylor  
Councilman Ian Holzhauer  
Councilman Patrick Kelly  
Councilwoman Allison Longenbaugh  
Councilman Josh McBroom  
Councilman Benjamin White  
Councilman Nathan Wilson
- Absent:** 1 - Councilman Paul Leong

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

**A motion was made by Councilman White, seconded by Councilman Kelly, to recess to Closed Session to discuss [5 ILCS 120/2(c)(21)] Approval of Minutes and Semi-Annual Review of Closed Session Minutes and [5 ILCS 120/2(c)(1)] Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees.**

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

**Absent:** 1 - Leong

OPEN SESSION - 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; Deputy City Manager, Pam Gallahue; City Attorney, Mike DiSanto; City Clerk, Dawn Portner; Assistant to the City Manager, Marcie Schatz; 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, Director of Public Utilities - Electric, Brian Groth; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Human Resources, Blaine Wing; Director of Public Works, Dick Dublinski; Director of Communications, Linda LaCloche

**E. PLEDGE TO THE FLAG:**

The pledge was given.

**F. AWARDS AND RECOGNITIONS:**

1. Proclamation honoring North Central College Women's Wrestling First Team National Championship

Councilman Kelly presented the proclamation.

2. Proclamation honoring North Central College Women's Triathlon Fifth Team National Championship

Councilman Kelly presented the proclamation.

**G. PUBLIC FORUM:**

IMEA Sustainability Plan  
Greg Hubert (Naperville) urged the City to withhold support of the IMEA Sustainability Plan.

3-Minutes with NEST

Carl VanDril (Naperville) urged the City to withhold its support of the IMEA Sustainability Plan and stated that NEST was disappointed to see an energy plan dominated by coal power well into the next two decades.

**WRITTEN COMMENT ONLY**

Resurfacing of West Street

Clifford Whall (Naperville) - Bad quality of the West Street Resurfacing - It now feels like riding on a bumpy dirt road.

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

A motion was made by Councilman White, 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 White, seconded by Councilman Kelly, to approve the Consent Agenda, with the exception of items I3 and I19. The motion carried by the following vote:

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

1. Approve the regular City Council meeting minutes of November 21, 2023

**Council approved.**

2. Approve the City Council meeting schedule for December 2023 and January, February 2024

**Council approved.**

3. Approve appointments to the Advisory Commission on Disabilities

Sharon Costabile, Rachel Costable and Ashley McCloud (Naperville) thanked the Council for continuing to make Naperville the best place to live and discussed a recent Transitional Conference called *Speak-Up, Speak-Out* where Rachel was one of the speakers.

A motion was made by Councilman White, seconded by Councilman Kelly, to approve appointments to the Advisory Commission on Disabilities. The motion carried by the following vote:

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

4. Approve an appointment to the Planning and Zoning Commission

**Council approved.**

5. Approve the award of Sole Source Procurement 24-033, Smartworks MDMS Renewal, to Harris Computer Systems for an amount not to exceed \$113,285.80, and for a one-year term

**Council approved.**

6. Approve the award of Cooperative Procurement 23-296, Office and Operating Supplies and Equipment, to Amazon for an amount not to exceed \$475,000 and for a 19-month term

**Council approved.**

7. Approve the award of Change Order #1 to Bid 22-306, Municipal Entry Door Replacement, to Allied Door, Inc. for an additional 122 days

**Council approved.**

8. Approve the award of Change Order #1 to Option Year 2 of Contract 21-273, Cartage Services, to International Hauling for an amount not to exceed \$100,000 and a total award of \$312,000

**Council approved.**

9. Receive the staff report for Block 59 Final - PZC 23-1-059 (Item 1 of 3)

**Report received.**

10. Pass the ordinance approving a final plat of subdivision for Block 59 and an Owner's Acknowledgement and Acceptance Agreement (OAA) for Block 59 Shopping Center and the Westridge Court Shopping Center (Block 59 Final) - PZC 23-1-059 (Item 2 of 3)

ORD 23-157

**Council passed.**

11. Pass the ordinance approving a final plat of PUD for Block 59 (Block 59 Final) - PZC 23-1-059 (Item 3 of 3)

ORD 23-158

**Council passed.**

12. Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total levy of \$98,939 for Special Service Area No. 23 (Naper Main)

ORD 23-159

**Council passed.**

13. Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total levy of \$68,000 for

Special Service Area No. 25 (IL Route 59 and Lacrosse Lane)

ORD 23-160

**Council passed.**

- 14.** Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total levy of \$93,111 for Special Service Area No. 30 (Downtown Streetscape)

ORD 23-161

**Council passed.**

- 15.** Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total levy of \$23,680 for Special Service Area No. 31 (Downtown Streetscape - Block 423)

ORD 23-162

**Council passed.**

- 16.** Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total tax levy of \$1,252,829 for Special Service Area No. 33 (Downtown Maintenance Expenses and Marketing Costs)

ORD 23-163

**Council passed.**

- 17.** Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total levy of \$20,026 for Special Service Area No. 34 (Downtown Streetscape)

ORD 23-164

**Council passed.**

- 18.** Pass the ordinance for the levy and assessment of taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024, adopting a total levy of \$125,000 for Special Service Area No. 35 (Downtown Streetscape - Washington Street)

ORD 23-165

**Council passed.**

- 19.** Pass the ordinance approving a variance from Section 6-16-6:1 for a wall sign at the North Central College parking pavilion located at 415 S Brainard Street - PZC 23-1-092

Wehrli recused himself and left the dais from 7:28 p.m. - 7:29 p.m.

Councilman Kelly served as Mayor Pro-tem.

ORD 23-166

**A motion was made by Councilman White, seconded by Councilman Holzhauser, to pass the ordinance approving a variance from Section 6-16-6:1 for a wall sign at the North Central College parking pavilion located at 415 S Brainard Street - PZC 23-1-092. The motion carried by the following vote:**

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

**Recused:** 1 - Wehrli

20. Pass the ordinance adopting the current City employee paid leave policies and exercising municipal home rule authority to opt out of the state Paid Leave for All Workers Act

ORD 23-167

**Council passed.**

21. Adopt the resolution approving a final plat of subdivision for Creek Crossing Subdivision to accept right-of-way dedication

RES 23-32

**Council adopted.**

## J. PUBLIC HEARINGS:

1. Conduct a Truth-in-Taxation hearing for the 2023 property tax levy (Item 1 of 3)

Wehrli opened the public hearing at 7:28 p.m.

**A motion was made by Councilman White, seconded by Councilman Kelly, to close the Truth-in-Taxation hearing for the 2023 property tax levy at 7:28 p.m. The motion carried by a voice vote.**

2. Pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024 adopting a total property tax levy of \$63,387,483 (Item 2 of 3)

**A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance for the Levy and Assessment of Taxes for the fiscal year beginning January 1, 2024 and ending December 31, 2024 adopting a total property tax levy of \$63,387,483. The motion carried by the following vote:**

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

3. Pass the ordinance to abate a portion of the 2023 property tax levy for the City of Naperville authorizing an abatement of \$6,405,007 from the total property tax levy of \$63,387,483 for a net total 2023 property tax levy of \$56,982,476 (Item 3 of 3)

**A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance to abate a portion of the 2023 property tax levy for the City of**

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**Naperville authorizing an abatement of \$6,405,007 from the total property tax levy of \$63,387,483 for a net total 2023 property tax levy of \$56,982,476. The motion carried by the following vote:**

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

## **K. OLD BUSINESS:**

## **L. ORDINANCES AND RESOLUTIONS:**

1. Receive the staff report for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 1 of 3)

Caitlin Csuk (Naperville; Petitioner Attorney) presented the request to approve a major change to the PUD, a deviation to allow a car wash as a principal use, a deviation to reduce the required number of parking spaces for the Lowe's store, a deviation to reduce the required number of parking spaces for the proposed car wash, a deviation to allow a reduction in parking lot perimeter landscaping, a deviation to permit two ground signs, and to reduce the required distance between ground signs.

Council discussed the location of the bypass lane and an additional sign on the property.

Csuk stated the bypass lane is located on the outer lane of the facility, that it will not be a pay station, and that there will be a quick merge and an exit if the customer needs to exit before they enter the facility. She said two signs are allowable, that Lowe's currently has a sign on the property, and that the petitioner is requesting a deviation to allow an additional sign on the property.

**Report received.**

2. Pass the ordinance approving a preliminary plat of subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit - 1 for the property at 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 2 of 3)

**A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance approving a preliminary plat of subdivision for the Resubdivision of Lot 8 of the Brach Brodie Property Unit - 1 for the property at 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061. The motion carried by the following vote:**

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

3. **Option A:** Concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving a major change to the Brach/Brodie Lot 8 PUD, a preliminary PUD plat for the Brach/Brodie Lot 8 PUD, a land use deviation, two parking deviations, a landscaping deviation, and a sign deviation for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061; or



**Option B:** Concur with staff and pass the ordinance approving a major change to the Brach/Brodie Lot 8 PUD, a preliminary PUD plat for the Brach/Brodie Lot 8 PUD, a land use deviation, two parking deviations, and a landscaping deviation for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Item 3 of 3)

A motion was made by Councilman White, seconded by Councilman Kelly, to concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving a major change to the Brach/Brodie Lot 8 PUD, a preliminary PUD plat for the Brach/Brodie Lot 8 PUD, a land use deviation, two parking deviations, a landscaping deviation, and a sign deviation for 1440 S Route 59 (Tommy's Express Car Wash) - PZC 23-1-061 (Option A). The motion carried by the following vote:

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

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

1. Approve the award of Bid 23-151, Civil and Duct Work, to Meade Electric Company Inc., for an amount not to exceed \$1,797,246.50, and for a one-year term

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the award of Bid 23-151, Civil and Duct Work, to Meade Electric Company Inc., for an amount not to exceed \$1,797,246.50, and for a one-year term. The motion carried by the following vote:

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

2. Approve the award of Bid 23-152, Underground Distribution, Directional Boring and Services, to Meade Electric Company Inc. for an amount not to exceed \$6,000,000, and for a one-year term

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the award of Bid 23-152, Underground Distribution, Directional Boring and Services, to Meade Electric Company Inc. for an amount not to exceed \$6,000,000, and for a one-year term. 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 the first extension to Contract 16-015, Enterprise Resource Planning (ERP) Software and Implementation to Tyler Technologies for an amount not to exceed \$2,835,224.27 and for three years

A motion was made by Councilman White and seconded by Councilman Kelly, to approve the award of the first extension to Contract 16-015, Enterprise Resource Planning (ERP) Software and Implementation to Tyler Technologies for an amount not to exceed \$2,835,224.27 and for three years. The motion carried by the following vote:

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

**Nay:** 1 - Leong

**N. PETITIONS AND COMMUNICATIONS:****O. REPORTS AND RECOMMENDATIONS:**

1. Approve the recommendation to: (1) extend the speaker sign-up deadline to 5 pm; (2) continue to allow the submission of written comments; and (3) include a call-in option as an alternative to online registration for speaker sign-ups

Council discussed extending the speaker sign-up deadline to 6:30 p.m., continuing to allow written comments, and eliminating the 30-minute time limit on Public Forum at the beginning of the meeting.

DiSanto explained the time limit provision in the Municipal Code does not require Public Forum stop after 30 minutes but rather allows for the Council to choose to hear 30 minutes of Public Forum at the beginning of the meeting and the remainder at the end of the meeting. He stated that Council could still manage the meeting as it deems appropriate, however time limits would not be codified.

**WRITTEN COMMENT ONLY**

Marilyn L Schweitzer (Naperville) - Please support this in its entirety. I wholeheartedly agree with staff that accepting written comments has been both efficient and effective. Promoting the call-in sign-up (rather than having it be a hidden feature) will be more equitable to community members who were not aware of it. I also wish to express my great appreciation that the City posts agendas a 6 days prior to meetings rather than the mere 48 required by the OMA. I wish more public bodies followed suit. It allows for better community participation. Thank you.

**A motion was made by Councilwoman Bruzan-Taylor, seconded by Councilman Kelly, to approve the recommendations as modified to extend the online speaker sign-up deadline to 6:30 pm; continue to allow the submission of written comments until 4:00 p.m.; include a call-in option as an alternative to online registration for speaker sign-ups and direct staff to bring back an ordinance eliminating the 30-minute time limit for Public Forum at the January 16, 2024 Council meeting. The motion carried by the following vote:**

**Aye:** 7 - Wehrli, Bruzan Taylor, Holzhauser, Kelly, Longenbaugh, McBroom, and Wilson

**Nay:** 2 - Leong, and White

2. Receive the report and provide direction on the options proposed by the Sister Cities Commission

**SPEAKERS**

Kevin Coyne (Naperville) spoke in favor of Option 1.

Laurie Donahue (Naperville) spoke in favor of Option 1.

Arun Vijay V Mani (Naperville) spoke in favor of Option 1.

Alan Lowe (Naperville) spoke in favor of Option 1.

Dr. Kent Mercado (Naperville) spoke in favor of Option 1.

Rosemary Mack Wisnosky (Naperville) spoke in favor of Option 1.

Maria Rodriguez DiGioia (Naperville) spoke in favor of Option 1.

Jose Luis Gutierrez (West Chicago - Casa Michoacan DuPage) spoke in favor of Option 1.

Greg Gustin (Naperville) spoke in favor of Option 1.

Marilyn Schweitzer (Naperville) spoke in favor of Option 2 and discussed roles, mission, social media, and transparency improvements.

Shaiska Makca (Naperville - DuPage Hispanic Alliance) spoke in favor of Option 1.

Council discussed the Commission staying in place versus the Foundation taking on the Sister Cities mission, that the Council should retain the right to appoint commissioners since they will be representing the community to other Sister Cities, that there is a need for process improvements, and that the Commission must return to its original mission.

**A motion was made by Councilman Holzhauer, seconded by Councilman Kelly, to receive the report and direct staff to adopt Option 1 of the Sister Cities reorganization plan - Sister Cities remains a Commission and continues a partnership with the Sister Cities Foundation.**

Council discussed board and commission responsibilities, that the Sister Cities Commission is currently not adhering to its mission, the appropriateness of the Commission organizing the Hispanic Festival, and options for meeting frequency.

**A motion in substitution was made by Councilman McBroom, seconded by Councilwoman Bruzan Taylor, to receive the report, adopt Option 1, reduce the meetings from monthly to quarterly, hold the Sister Cities Commission to the mission of communicating with our Sister Cities, and anything beyond needs to come back to the Council for approval.**

Council continued to discuss the meeting schedule of the Commission and whether they should have quarterly versus monthly meetings.

**Mayor Wehrli amended the motion in substitution which was accepted by Councilman McBroom and seconded by Councilwoman Bruzan Taylor, to receive the report, adopt Option 1, maintain the Commission with a scope as defined in Section 2-11-1 of the Naperville Municipal Code, change the meeting schedule to quarterly, define transparent distinctions between the roles of the Sister Cities**

Commission and the Sister Cities Foundation, and direct staff to provide annual updates on all the City's boards and commissions and the effectiveness of their missions.

Councilman Kelly offered a second amendment to the motion in substitution which was accepted by Councilman McBroom and seconded by Councilwoman Bruzan Taylor, to receive the report, to maintain the Commission with a scope as defined in Section 2-11-1 of the Naperville Municipal Code, to allow the Commission to schedule quarterly meetings with the flexibility for additional meetings as needed, define transparent distinctions between the roles of the Sister Cities Commission and the Sister Cities Foundation, and direct staff to provide annual updates on all the City's boards and commissions and the effectiveness of their missions, and allow the Commission the ability to hold quarterly meetings, with the flexibility to have the Commission decide if more frequent meetings are needed. The motion carried by the following vote:

**Aye:** 7 - Wehrli, Bruzan Taylor, Kelly, Longenbaugh, McBroom, White, and Wilson

**Nay:** 2 - Holzhauser, and Leong

## **P. NEW BUSINESS:**

IMEA Sustainability Plan

Kelly stated that the plan is being voted on at the December 7 IMEA board meeting, that the Council and public have not had the opportunity to vet the plan, and questioned the plan's role in contract renewal discussions.

Groth explained, as a member of the board, he can abstain or vote against the plan.

Council discussed Groth asking the IMEA board to table the vote.

DiSanto stated that Groth has authority to make these types of decisions based on his role and responsibilities, that the Council cannot make a motion or vote on the request since the item is not on the agenda, and that the Council can provide input to Krieger and Groth.

Kelly requested the Krieger and Groth consider Council's input prior to the vote on the Sustainability Plan. He also stated that he would like to have a formal discussion regarding when a department director needs to seek Council direction.

Army/Navy football game

White recognized service members and reminded everyone of the game on Saturday, December 9.

## **Q. ADJOURNMENT:**

A motion was made by Councilman White, seconded by Councilman Kelly, to adjourn the Regular City Council Meeting of December 5, 2023 at 9:21 p.m. The motion carried by voice vote.

/S/ Dawn C. Portner  
Dawn C. Portner  
City Clerk