



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, June 18, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER:

Chirico called the meeting to order at 6:30 p.m.

B. ROLL CALL:

Present: 7 - Mayor Steve Chirico
Councilwoman Judith Brodhead
Councilman Kevin Coyne
Councilman Paul Hinterlong
Councilman Patrick Kelly
Councilman John Krummen
Councilwoman Theresa Sullivan

Absent: 2 - Councilwoman Patty Gustin
Councilman Benjamin White

C. CLOSED SESSION - 6:30 p.m.

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

Aye: 7 - Chirico, Brodhead, Coyne, Hinterlong, Kelly, Krummen, and Sullivan

Absent: 2 - Gustin, and White

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; Interim Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Lucy Podlesny; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:**E. PLEDGE TO THE FLAG:****F. AWARDS AND RECOGNITIONS:**

Chirico congratulated Lucy Podlesny for her recent promotion to director of the Electric Utility Department.

1. Proclaim June 25, 2019 as the 100th Anniversary of the Naperville American Legion Post 43

Brodhead presented the Proclamation.

Representative Grant Wehrli read a proclamation from the Illinois House of Representatives.

G. PUBLIC FORUM:**Recreational Marijuana**

Dick Furstenau, spoke against the City opting in to allow the sale of recreational marijuana.

Krieger clarified that the City will solicit public input prior to declaring whether it will opt in, the appropriateness of hosting a workshop or open house on this topic, and possible zoning restrictions.

By consensus, Council directed staff to develop a roadmap, including the appropriateness of placing a referendum question on an upcoming ballot, for this anticipated legislation.

95th Street Project

Thomas Verdowe, discussed the upcoming project and stated he had not been contacted.

Novack explained the project has been underway for one year, that the City has

held three public meetings, the Transportation Advisory Board voted on the project on June 6, and an agenda item will be before Council on an upcoming agenda. He went on to say that letters were mailed to impacted residents, changeable message boards had been placed in the area, a social media campaign had been utilized, and all three newspaper/magazine outlets had published information. Lastly, he stated that all public meetings had been well attended with more than 40 participants at each.

Microblading

Mira Smith, requested an amendment to the zoning code to allow her business to offer microblading services.

Laff explained the amendment process.

By consensus Council directed staff to initiate a path for a text amendment.

Historic Preservation Commission

Mark Urda explained the role and authority of the Commission.

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

A motion was made by Councilwoman Brodhead, 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 Councilwoman Brodhead, seconded by Councilman Hinterlong, to approve the Consent Agenda with the exception of item I21-conduct the first reading of an ordinance amending Title 6 (Zoning Regulations), Chapter 11 (Historic Preservation) of the Naperville Municipal Code - PZC 19-1-59. The motion carried by the following vote:

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

1. Approve 05/02/2019 thru 05/31/2019 cash disbursements for \$24,372,751.27

Council approved.

2. Approve the regular City Council meeting minutes of June 4, 2019

Council approved.

3. Approve the City Council meeting schedule for June, July and August 2019

Council approved.

4. Approval of Mayoral appointments to the Building Review Board, Financial Advisory Board, the Housing Advisory Board, Planning and Zoning Commission, Riverwalk Commission and the Naperville Public Library Board of Trustees
Council approved.
5. Approve the award of Sole Source Procurement 19-111, Harris Radio Hardware and Software Upgrade, to Harris Corporation for an amount not to exceed \$909,669.42
Council approved.
6. Approve the award of Sole Source Procurement 19-113, Cla-Val Valves, to Dorner Company for an amount not to exceed \$165,000 and for a one-year term
Council approved.
7. Approve the award of Bid 19-145, Custodial Services - Central Business District, to Diverse Facility Solutions, Inc. for an amount not to exceed \$315,722.60 and for a two-year term
Council approved.
8. Approve the award of RFQ 19-009, 248th Avenue Phase I, to Civiltech Engineering for an amount not to exceed \$301,081
Council approved.
9. Approve the award of JOC Procurement FD-001-CY19.A, HHW Storage Building Improvements, to F.H. Paschen, S.N. Nielson & Associates, LLC for an amount not to exceed \$108,909.65
Council approved.
10. Approve the award of Change Order 2 to Contract 17-193, Electronic Bill Payment, to FIS for an amount not to exceed \$28,000 and a total award of \$135,400
Council approved.
11. Waive the applicable provisions of the Naperville Procurement Code and award Procurement 19-199, Electronic Bill Payment, to FIS/Metavante for an amount not to exceed \$260,400 and for a 30-month term (requires six positive votes)
Council approved.
12. Approve the recommendation by Alliant Insurance to award Property, Cyber Liability and Pollution Liability insurance coverage through the Alliant Property Insurance Program for an amount not to exceed \$374,911.86 and for a one-year term
Council approved.
13. Approve the recommendation by Alliant Insurance Services to award Excess Liability Insurance coverage to Great American Insurance Company for a one-year term and

an amount not to exceed \$156,681

Council approved.

14. Waive the applicable provisions of the Naperville Procurement Code and award Procurement 19-203, Bill Print and Mail Services, to AB Data for an amount not to exceed \$416,359.58 and a 30-month term (requires six positive votes)

Council approved.

15. Waive the first reading and pass an ordinance amending Title 3 (Business and License Regulations), Chapter 4 (Amusements), Article C (Special Events Permits) (requires six positive votes)

Enactment No.: ORD 19-082

Council passed.

16. Waive the first reading and pass the ordinance amending Chapter 6 (Flood Hazard Areas) of Title 5 (Building Regulations) of the Naperville Municipal Code (requires six positive votes)

Enactment No.: ORD 19-083

Council passed.

17. Pass the ordinance establishing the temporary traffic controls and issue a Special Event and Amplifier permit for the Naperville Sprint Triathlon on Sunday, August 4, 2019

Enactment No.: ORD 19-084

Council passed.

18. Pass the ordinance establishing a temporary traffic control plan and issue a special event and amplifier permit for the inaugural Festa Italiana event at Naper Settlement from Friday, August 2 - Sunday, August 4, 2019

Enactment No.: ORD 19-085

Council passed.

19. Adopt the resolution authorizing the City Manager to execute the Intergovernmental Agreements between the City of Naperville and Will and DuPage Counties for the continued operation of the regional Household Hazardous Waste Facility

Enactment No.: RES 19-025

Enactment No.: RES 19-027

Council adopted.

20. Adopt the Resolution approving a Land Use Permit from the Naperville Park District to the City of Naperville for the installation of water and electric facilities at Wolf's

Crossing Community Park located at 3252 Wolf's Crossing Road.

Enactment No.: RES 19-026

Council adopted.

21. Conduct the first reading of an ordinance amending Title 6 (Zoning Regulations), Chapter 11 (Historic Preservation) of the Naperville Municipal Code - PZC 19-1-59

Mark Urda asked for clarification on the proposed text amendment.

Laff explained the changes to the Certificate of Appropriateness (COA) review requirements in order to improve the efficiency of the process and discussed Historic Preservation Commission review, administrative review, public notice, cost share, and fines.

Council discussed the COA for the house on Sleight Street, Historic District regulations, that the proposed changes strengthens the City and neighbors' positions, and would apply to COA's going forward.

Laff confirmed that no COA has been submitted for the Kroehler Mansion to date.

Enactment No.: ORD 19-086

A motion was made by Councilman Coyne, seconded by Councilman Krummen, to waive the first reading and pass an ordinance amending Title 6 (Zoning Regulations), Chapter 11 (Historic Preservation) of the Naperville Municipal Code - PZC 19-1-59. The motion carried by the following vote:

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

J. PUBLIC HEARINGS:

1. Conduct the Public Hearing for the Community Development Block Grant (CDBG) Program Year 2018 Consolidated Annual Performance and Evaluation Report (CAPER) (Item 1 of 2)

Chirico opened the Public Hearing at 8:04 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to close the Public Hearing at 8:04 p.m. The motion carried by the following vote:

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

2. Accept the Program Year 2018 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) (Item 2 of 2)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to accept the Program Year 2018 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER). 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. Pass the ordinance rezoning the properties bounded by School Street, Wright Street, Columbia Street, and Franklin Avenue to the CU Zoning District (Little Friends)- PZC 19-1-18

Brodhead recused herself to avoid the appearance of impropriety and left the dais from 8:05 pm. - 8:46 p.m.

Dr. Troy Hammond, Petitioner, explained that both North Central College and Little Friends request the item be tabled to July 16, gave an update on program expansions, and reviewed actions taken since the June 4 meeting.

Tim Messer, Naperville, spoke against the proposed rezoning.

Patrick Rubald, Naperville, spoke in favor of the proposed rezoning.

Patty Sonnenschein, Naperville, spoke in favor of the proposed rezoning.

Geri Smith, spoke against the proposed rezoning.

Marilyn Schweitzer, Naperville, spoke in favor of the proposed rezoning.

Michael Johnson, Naperville, spoke in favor of the proposed rezoning.

Ann Hahn-Baiyor, Naperville, spoke against the proposed rezoning.

Leo Grach, Naperville, spoke against the proposed rezoning.

Dominic Nugent, spoke against demolishing the Kroehler Mansion and the proposed rezoning.

Kathy Levitan, Naperville, spoke against the proposed rezoning.

Mike Briggs, Little Friends, requested the item be tabled to July 16 and stated the reasons for relocating the Wright Street Little Friends campus to a new facility.

A motion was made by Councilman Hinterlong, seconded by Councilman Krummen, to table the ordinance rezoning the properties bounded by School Street, Wright Street, Columbia Street, and Franklin Avenue to the CU Zoning District (Little Friends)- PZC 19-1-18 to July 16, 2019. The motion carried by the following vote:

Aye: 8 - Chirico, Coyne, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

Recused: 1 - Brodhead

2. Concur with PZC and the petitioner and pass an ordinance approving variances to allow a 5' tall open style fence and an 8' tall privacy fence to be installed without a principal structure for the subject properties located at 222, 212, and 204 W. Van Buren Avenue - PZC 19-1-48; or

Concur with staff and pass the ordinance with an amendment that only the variance to permit the fence to be installed without a principal structure be approved for the subject properties located at 222, 212, and 204 W. Van Buren Avenue be approved - PZC 19-1-48

Laff explained that the Petitioner, North Webster Place, LLC, has submitted a request for variances in order to install a 5' tall open style fence in the front and corner side yard and an 8' tall privacy fence in the rear yard for the subject properties. She went on to state that constructing the proposed 5' tall fence at the property lines would be inconsistent with the intended nature of the transitional use district, as well as adjacent improvements located within the downtown, that a fence can be installed at the property lines if its height is lowered, and that staff does not find that strict enforcement of the fence requirements would result in practical difficulties or impose exceptional hardships on the subject property.

Vince Rosanova, Attorney for Petitioner, reviewed the request for variances and explained why a lower fence would not be appropriate.

Enactment No.: ORD 19-087

A motion was made by Councilman Hinterlong, seconded by Councilman Coyne, to concur with PZC and the petitioner and pass an ordinance approving variances to allow a 5' tall open style fence and an 8' tall privacy fence to be installed without a principal structure for the subject properties located at 222, 212, and 204 W. Van Buren Avenue - PZC 19-1-48. The motion carried by the following vote:

Aye: 8 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, Krummen, and White

Nay: 1 - Sullivan

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Bid 19-143, Building Demolition, to McDonagh Demolition, Inc. for an amount not to exceed \$259,200, plus a 5% contingency

Jim Hill, Naperville, requested the item be tabled to a time when a long-term plan has been presented.

Mayer clarified that the demolition will be paid from the Commuter Parking fund.

Dublinski reviewed the costs necessary to maintain the building as-is.

Council discussed the desire for commuters to transition to using the Rt 59 train station, methods to incentivize public transportation, the impact of making

259 more spaces available, and the ROI of demolition. Council further discussed a parking space audit, commuters holding the permits and not using them, and a possible fee structure.

Novack explained the space audit and that this location can be used for the pilot parking technology program.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to approve the award of Bid 19-143, Building Demolition, to McDonagh Demolition, Inc. for an amount not to exceed \$259,200, plus a 5% contingency. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

The meeting recessed from 9:19 p.m. - 9:24 p.m.

O. REPORTS AND RECOMMENDATIONS:

1. Receive the Water Utilities Automated Metering Infrastructure (AMI) business case report

Blennis stated that based on the findings of the business case staff is recommending the implementation of an AMI system for the Water Utility. He reviewed benefits such as reduction in the number of estimated bills, proactive leak detection, sustainability improvements with less trucks on the streets, and customer access to consumption data through an online portal.

Mike Lehman, West Monroe Partners, highlighted factors of the business case analysis, including available technologies, potential benefits of the various systems, how to leverage existing assets, long-term sustainability and internal operational benefits.

Chirico left the dais from 9:38 p.m. - 9:42 p.m.
Brodhead assumed Mayor Pro Tem

Council discussed frequency of AMI/AMR readings and whether the electric utility system can support this technology.

Mayer explained the ROI.

Blenniss discussed the phosphorus fund balance and the payback schedule.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Brodhead, to receive the Water Utilities Automated Metering Infrastructure (AMI) business case report. The motion carried by the following vote:

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

2. Direct staff to develop and issue an RFP for the design and implementation of a Water

Utilities Automated Metering Infrastructure (AMI) system (2 of 2)

A motion was made by Councilman Hinterlong, seconded by Councilman Coyne, to direct staff to develop and issue an RFP for the design and implementation of a Water Utilities Automated Metering Infrastructure (AMI) system. The motion carried by the following vote:

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

3. Approve the award of Change Order #1 to Contract 18-281, Water Utility Automated Meter Infrastructure Business Case and Preliminary Implementation Plan to West Monroe Partners, LLC for an amount not to exceed \$64,000 and for a total award of \$189,932

do not have the expertise to evaluate and review contracts

A motion was made by Councilman Hinterlong, seconded by Councilman Coyne, to approve the award of Change Order #1 to Contract 18-281, Water Utility Automated Meter Infrastructure Business Case and Preliminary Implementation Plan to West Monroe Partners, LLC for an amount not to exceed \$64,000 and for a total award of \$189,932. The motion carried by the following vote:

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

4. Direct staff to prepare a budget amendment for \$274,000 to effectively continue the desired service levels of the City's annual six-week, three-cycle bulk curbside leaf program.

Dublinski explained the benefits of having staff perform this service.

A motion was made by Councilman Hinterlong, seconded by Councilman Coyne, to direct staff to prepare a budget amendment for \$274,000 to effectively continue the desired service levels of the City's annual six-week, three-cycle bulk curbside leaf program. The motion carried by the following vote:

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

P. NEW BUSINESS:**Q. ADJOURNMENT:**

A motion was made by Councilman Hinterlong, seconded by Councilwoman Sullivan, to adjourn the Regular City Council Meeting of June 18, 2019 at 9:54 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