



# City of Naperville

400 S. Eagle Street  
Naperville, IL 60540

## Meeting Minutes - Final-revised

### City Council

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Tuesday, May 7, 2024

7:00 PM

Council Chambers

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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, Ch. 99 – AT&T U-verse) • Watch online at <https://naperville.legistar.com>

TO PROVIDE PUBLIC COMMENT:

The public may choose to provide public comment in any of the following ways:

1. Address the City Council live during the City Council meeting in-person in City Council Chambers. Individuals wishing to address the City Council during the meeting must sign up online at [www.naperville.il.us/speakersignup](http://www.naperville.il.us/speakersignup) by 6:30 p.m. on May 7.
2. Individuals can also have their name added to the speaker list by calling the Community Services Department at (630) 305-5300 by 6:30 p.m. on May 7.
3. Submit a written comment to the City in advance of the City Council meeting by 4 p.m. on May 7. 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.
4. Submit a one-word statement of "SUPPORT" or "OPPOSITION" regarding a specific agenda item by 4 p.m. on May 7. 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.

There will be no on-site speaker sign up permitted.

**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 May 7.
- 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:****C. CLOSED SESSION - CANCELED****B. ROLL CALL:**

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, Ray Munch; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack, Deputy Director of TED, Allison Laff, Director of Public Utilities - Electric, Brian Groth; Director of Public Utilities - Water, Darrell Blenniss; Director of Human Resources, Blaine Wing; Director of Communications, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

**E. PLEDGE TO THE FLAG:**

The pledge was given.

**F. AWARDS AND RECOGNITIONS:**

1. Present the Accessible Community Task Force student recognition awards

Councilwoman Longenbaugh presented the awards.

2. Proclaim May 11, 2024 as the 32nd Annual Letter Carriers' "Stamp Out Hunger" Food Drive Day

Councilwoman Longenbaugh presented the proclamation.

3. Proclaim May 2024 as Mental Health Awareness Month in the City of Naperville

Councilwoman Longenbaugh presented the proclamation.

4. Proclaim May 7, 2024 Christine Jeffries Day in the City of Naperville

Mayor Wehrli presented the proclamation.

**G. PUBLIC FORUM:*****SPEAKERS***

3 minutes with NEST

Paul Deffenbaugh (Naperville) discussed smart cities, mini nuclear generators, battery storage efficiencies and micro grids and explained that an integrated resource plan (IRP) should be developed to evaluate all of the new energy resources that are available.

Cease fire resolution

Zaineb Mohammed (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Parkway Tree Maintenance

Stephanie Jacks (Naperville) discussed several trees in her neighborhood she believes need trimming and have become a safety concern.

Dublinski commented that Public Works handles approximately 3,000 tree calls each year, that 30% are managed by one dedicated crew within 48 hours, and that the trees in question will be trimmed the next time the crew is in the area.

#### Israel's Aid

Rayan Misbah (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

#### Ceasefire Resolution

Zarina Banu (Naperville) discussed an incident that occurred in downtown Naperville on February 20, 2024 and urged Council to pass a resolution for a cease fire in Gaza.

#### Ceasefire

Keith Larson (Aurora) urged Council to pass a resolution for a cease fire in Gaza.

#### Contract Negotiations with IMEA

Yosh Yamanaka (Naperville, Lisle Township Community Mental Health Board) discussed the link between mental health and the IMEA contract.

#### DEI

Angel Tovar (Hoffman Estates) urged Council to pass a resolution for a cease fire in Gaza.

#### Gaza Ceasefire Resolution

Carol Tritschler (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

#### Pass a local Ceasefire Resolution

Nicole Pronger (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

#### Pass a local Ceasefire Resolution

Jasmine Amimi Pronger (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

#### Permanent Ceasefire Resolution

Lauren Reyes-Yu (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

#### Ceasefire Resolution

Katalina Rodriguez (Bolingbrook) urged Council to pass a resolution for a cease fire in Gaza.

#### Gaza Ceasefire and Impact on Communities

Maryam Othman (Hoffman Estates) discussed the application of speaker rules and her removal from the Council Chambers during the April 16, 2024 meeting.

#### Genocide in Palestine

David Cannon (Aurora) urged Council to pass a resolution for a cease fire in

Gaza.

Ceasefire

Farah Chalisa (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Gaza situation getting worse by the minute

Dr. Othman Mohammad (Naperville) urged Council to pass a resolution for a cease fire in Gaza.

Disinvestment from Zionist Racist Israel

Basim Esmail (Naperville) stated that Naperville should not invest in any companies that directly support Israel.

Gaza slaughter effects on us locally

Dan Bailey (Wheaton) urged Council to pass a resolution for a cease fire in Gaza.

#### **WRITTEN COMMENTS**

Jennifer Lezan (Naperville) I'm a Latina American and Naperville resident. I'm writing this statement of support as an ally to not only the Palestinian people in our community, but also the world - especially those currently facing genocide in Gaza. I do not write this comment to give a voice to the Palestinians, but rather to amplify their already deafening cries for help. Palestinians courageously document their harrowing reality through social media only to encounter a disturbingly persistent wall of denial and ignorance regarding the genocide they endure. Many in our communities are also opting to turn to propaganda in the mainstream media whose bias and racist undertones are obvious. I will share some facts that I hope you won't ignore. I am not merely requesting your consideration; I am DEMANDING a resolution for a permanent ceasefire in Gaza and divesting any investments our city may have with Israel. As a tax paying citizen of this country and as a citizen of the city of Naperville, I will no longer allow my tax dollars to pay for the bombing and starvation of children and innocent civilians. Too often, as minorities, we shy away from hard stances and make ourselves smaller in majority white spaces like Naperville, but not anymore. It's time that those in positions of power and privilege listen. Famine across Gaza is becoming increasingly dire and has prompted new warnings by UNICEF, who's regional director for MENA stated "the child deaths we feared are here and are likely to rapidly increase unless the war ends and obstacles to humanitarian relief are immediately resolved." According to the Palestinian Health Ministry, Israel's siege on Gaza has killed over 35,000 Palestinians, with a further 71,920 injured and many unaccounted for buried in rubble. Palestinian officials have stated, Israeli attacks have killed at least 13,000 children. That is more than one Palestinian child killed every 15 minutes, or about one in every 100 children in the Gaza Strip. Is this the appropriate response to what happened on Oct. 7th? Personally, I think these numbers are underreported and the response has created a dangerous narrative that ignores the history of violence against Palestinians. How many more children and people must die before our community takes a stance? 10,000 more? 100,000 more? For me, 1 dead was too many and the fact that these numbers are so staggering within such a short time highlights how the people of Palestine are

seen as less than. Their lives are considered less valuable to the Zionist government and therefore, the egregious response has been to wipe them out. Is this where we are today? Have we learned nothing from our gruesome histories of war or settler colonialism? Regardless of your personal politics, the current situation in Gaza is about humanity. And I hope that each and every one of you sitting on this council, especially those of you who ran on platforms focused on democracy, diversity, equity and working to disrupt and dismantle systemic oppression in our communities, digs deep to find your humanity and doesn't just consider a resolution and divestment, but instead fights to ensure a resolution for ceasefire and divestment passes. Those of us who voted you in, can just as easily vote you out. Furthermore, the inaction of the council and the barrage of unhinged statements by opposing citizens claiming those of us who are protesting and demanding a ceasefire are "terrorists" only highlights the bigotry and racism that silently breeds here in Naperville. It's time to do the right thing, stand up for your constituents. Listen to your constituents. Stop allowing our taxes to be used to fuel a genocide. Pass a resolution for a ceasefire in Gaza and DIVEST our taxes from supporting the Israeli Government. It is the bare minimum Naperville can do.

## **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:**

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the Consent Agenda with comments on items I21-I23 and I32 and removing I12 and I26. 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 April 16, 2024  
**Council approved.**
2. Approve reappointments of various Boards and Commissions  
**Council approved.**
3. Approve the City Council meeting schedule for May, June, and July 2024  
**Council approved.**
4. Approve the award of Option Year #2 to Sole Source Procurement 21-094.2, Leaf Disposal Services, to BioAg, and Option Year #1 to Contract 22-126.1, Leaf Disposal Services, to Creekside Compost LLC and Steve Piper and Sons, for a combined amount not to exceed \$350,000

**Council approved.**

5. Approve the award of Option Year #2 to Bid 21-274.2, Curbside Leaf Collection Services, to Steve Piper and Sons, Inc., for an amount not to exceed \$142,063

**Council approved.**

6. Approve the award of Option Year #6 to Contract 17-097.6, Holiday Lighting and Decorations, to Holiday Creations Pro, Inc., for an amount not to exceed \$218,000

**Council approved.**

7. Approve the award of Sole Source Procurement 24-136, Cascade Configuration Assessment and Upgrade, to DNV Energy Insights USA, Inc., for an amount not to exceed \$120,195

**Council approved.**

8. Approve the award of Cooperative Procurement 24-008, Pickup Truck Vehicle Replacements - Units 045 and 078, to Sutton Ford, for an amount not to exceed \$107,833.90 and for a one-time purchase

**Council approved.**

9. Approve the award of Cooperative Procurement 24-132, Ballistic Shields, to Streicher's, Inc. for an amount not to exceed \$174,780 and for a seven-month term

**Council approved.**

10. Approve the award of Bid 24-001, 2024 Pavement Marking Services, to Superior Road Striping, Inc., for an amount not to exceed \$175,868.89 plus a 5% contingency

**Council approved.**

11. Approve the award of Bid 23-232R, 2024 Cured-in-Place-Pipe Water Main Rehabilitation, to Sheridan Plumbing & Sewer, Inc., for an amount not to exceed \$555,080 plus a 3% contingency

**Council approved.**

12. Approve the award of Bid 24-010, Riverwalk Fountain Repairs, to Crossroad Construction for an amount not to exceed \$423,600 plus a 5% contingency

Council discussed the repair costs being higher than the engineer's estimates, concerns about the long term maintenance responsibilities, and whether options other than repair were researched by the Riverwalk Commission.

Novack stated there will be a one-year warranty on the work being performed and staff does recommend all three fountains be repaired at the same time. He said staff will confirm whether the work can be performed as part of the Naperville Park District's maintenance plan and, if so, a Change Order to reduce the award will be brought to the Council for approval.

**WRITTEN COMMENTS**

Marilyn L Schweitzer (Naperville) Please support this. The Fredenhagen Park Fountain has been out of commission for 2 years. Significant time was spent exploring other options by the Riverwalk PDC and Commission. Options, other than repairing the fountain, did not guarantee a cost savings. Since that time repairs for 2 fountains have become warranted. I appreciate the thoughtful efforts of both the Riverwalk PDC and Commission. This simply isn't going to become cheaper as time goes by. Nor as time passes is it likely that a less costly solution will miraculously appear that will serve the community's enjoyment as these have and will.

**A motion was made by Councilman White, seconded by Councilman Kelly, to approve the award of Bid 24-010, Riverwalk Fountain Repairs, to Crossroad Construction for an amount not to exceed \$423,600 plus a 5% contingency. The motion carried by the following vote:**

**Aye:** 6 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, and White

**Nay:** 3 - Longenbaugh, McBroom, and Wilson

13. Approve the award of RFP 23-072, Citywide Camera Consultant, to Ghafari Associates, LLC, for an amount not to exceed \$142,750 and for a one-year term

**Council approved.**

14. Approve the award of RFP 24-146, Springbrook Water Reclamation Center Influent Pump Station and South Plant Force Main - Construction Engineering, to CDM Smith, Inc., for an amount not to exceed \$223,200

**Council approved.**

15. Approve the amendment to the 2024 SECA Grant Fund Program City Obligation allocations in the amount of \$10,000

**Council approved.**

16. Approve the award of Change Order #1 to Contract 22-121.0-01, Janitorial Services, to Citywide Building Maintenance, for an amount not to exceed \$150,000 and a total award of \$1,224,642.96

**Council approved.**

17. Approve the award of Change Order #1 to Contract 24-026.0-01, 2024 Downtown Streetscape - Washington Street, to Copenhaver Construction, Inc., for an amount not to exceed \$479,501.76 and a total award of \$8,864,715.72

**Council approved.**

18. Approve the award of Change Order #1 to Option Year #4 of Contract 18-282.4-01, Vehicle Wash Services - On-Site Auto Detailing, to Brighton Auto Detailing, for an amount not to exceed \$15,000, a total award of \$50,500, and for an additional seven months



**Council approved.**

19. Approve the award of Change Order #1 to Contract 22-079.0-01, Water Utility Service Truck - Unit 774, to National Auto Fleet Group, for an amount not to exceed \$69,412 and a total award of \$252,617

**Council approved.**

20. Approve the award of Change Order #2 to Bid 22-310.0-02, Grand Pavilion and Covered Bridge Roof Replacements, to Filotto Roofing Inc., for an additional 259 days

**Council approved.**

21. Receive the staff report for 231 and 241 N West Street (West Street Executive Homes) - PZC 23-1-132 (Item 1 of 3)

Council thanked the petitioner for listening to the concerns of the area residents and the Accessible Community Task Force concerning the design features and making adjustments where appropriate.

**Report received.**

22. Pass the ordinance approving the preliminary/final plat of subdivision and the Owner's Acknowledgement and Acceptance Agreement for West Street Executive Homes - PZC 23-1-132 (Item 2 of 3)

ORD 24-034

**Council passed.**

23. Pass the ordinance granting variances to Sections 5-10-3:5.2.4.1 and 6-2.10:5 of the Naperville Municipal Code for the property located at 231 and 241 N. West Street (West Street Executive Homes) - PZC 23-1-132 (Item 3 of 3)

ORD 24-035

**Council passed.**

24. Pass the ordinance approving a variance to Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code to allow a principal structure to encroach into the rear yard setback at 1520 N Loomis St - PZC 24-1-011

ORD 24-036

**Council passed.**

25. Pass the ordinance approving a variance to allow a covered front porch to encroach the required front yard by more than five feet at the property located at 19 N. Main St. - PZC 23-1-127

ORD 24-037

**Council passed.**

26. Pass the ordinance approving the requested variances for the property located at 1019 E Ogden Avenue (Taco Bell) PZC 23-1-126

Council discussed the variances requested, specifically the variances reducing the required drive-through setback from 40 feet to approximately four feet, the number of required drive-through stacking spaces from 12 to nine spaces, the number of parking spaces from 29 to 14, and the conditions in place if the variances cannot be accommodated.

Jean Armando (Rolling Meadows, Petitioner) explained the hardship, that the variances were requested due to the odd shape of the property and the need to accommodate the Municipal Code, that the results of a traffic study revealed a shortened drive-through stack would be appropriate, and that a six-foot privacy fence will be added along the rear of the building as well as additional landscaping to buffer the noise.

Laff confirmed the number of requested variances is largely due to the size and shape of the lot and stated that the variances are supported by the traffic and drive-through analysis, that when paired with the shared parking agreement with the property to the east the parking demand should be accommodated, and that the six-foot privacy fence and evergreen landscaping is in excess of Code requirements.

Laff also stated that if complaints are submitted regarding the drive-through, the owners will be requested to take measures to adjust operations as necessary.

**WRITTEN COMMENTS**

Norma Jaimes (Naperville) I DO NOT approve all structural changes being requested for this business or the business itself

Odessa Santiago (Naperville) I do not support the Taco Bell project at all!

ORD 24-038

**Councilman White made a motion, seconded by Councilman Kelly, to pass the ordinance approving the requested variances for the property located at 1019 E Ogden Avenue (Taco Bell) PZC 23-1-126. The motion carried by the following vote:**

**Aye:** 6 - Wehrli, Bruzan Taylor, Leong, McBroom, White, and Wilson

**Nay:** 3 - Holzhauer, Kelly, and Longenbaugh

27. Pass the ordinance approving a final plat of subdivision and OAA for The Prosperita & Orion Stem School - PZC 23-1-119

ORD 24-039

**Council passed.**

28. Waive the first reading and pass the ordinance establishing a "School Parking Restriction" traffic schedule in the Naperville Municipal Code (requires six positive votes)

(Item 1 of 2)

ORD 24-040

**Council passed.**

- 29.** Waive the first reading and pass the ordinance to add street restrictions to the “School Parking Restrictions” traffic schedule (requires six positive votes) (Item 2 of 2)

ORD 24-041

**Council passed.**

- 30.** Adopt the resolution authorizing a workers’ compensation settlement contract between Todd Overmyer and the City of Naperville

RES 24-11

**Council adopted.**

- 31.** Adopt the resolution authorizing a workers’ compensation settlement contract between Israel Pasillas and the City of Naperville

RES 24-12

**Council adopted.**

- 32.** Adopt the resolution approving execution of a cost sharing agreement for watermain improvements at 536 Plainfield-Naperville Road

Blennis confirmed that the City will be reimbursed when the watermain is connected for service.

RES 24-13

**Council adopted.**

## **J. PUBLIC HEARINGS:**

## **K. OLD BUSINESS:**

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

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

- 1.** Approve the award of Cooperative Procurement 24-135, New and Replacement Laptop Personal Computers, to Amazon.com, CDS Office Technologies and Insight Public Sector, for an amount not to exceed \$1,085,020

**Councilman White made a motion, seconded by Councilman Kelly, to approve the award of Cooperative Procurement 24-135, New and Replacement Laptop Personal Computers, to Amazon.com, CDS Office Technologies and Insight Public Sector, for an amount not to exceed \$1,085,020. The motion carried by the following vote:**

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

## **N. PETITIONS AND COMMUNICATIONS:**

## **O. REPORTS AND RECOMMENDATIONS:**

### **1. Receive the 2024 First Quarter Financial Report**

Munch presented the first quarter revenue and expenditure summaries, the 2024 Capital Improvement Projects and the State of Illinois' budget proposal to eliminate the 1% grocery tax on food items sold for home consumption.

Council asked what options are available if the state does eliminate the 1% grocery tax, whether the state will reimburse municipalities for lost revenue, and for an update on the City's collection of revenue from electric vehicle registration.

Munch stated it is too soon to determine all options but staff will review expenditures in the current budget, make revenue adjustments, and propose recommendations focused on data driven information and long term needs. He further stated that the state is not proposing to reimburse municipalities, that each municipality may be given the opportunity to levy their own grocery tax, and that staff is waiting for a report from the state regarding options to capture revenue from electric vehicle registration.

**Report received.**

## **P. NEW BUSINESS:**

## **Q. ADJOURNMENT:**

**A motion was made by Councilman White, seconded by Councilman Kelly, to adjourn the Regular City Council Meeting of April 2, 2024 at 9:08 p.m. The motion carried by a voice vote.**

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