



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Final

City Council

Tuesday, June 4, 2024

7:00 PM

Council Chambers

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 by 6:30 p.m. on June 4.
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 June 4.
3. Submit a written comment to the City in advance of the City Council meeting by 4 p.m. on June 4. 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 June 4. 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 June 4.
- 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:****C. CLOSED SESSION - CANCELED**

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, Raymond Munch; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack, 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:

G. PUBLIC FORUM:

SPEAKERS

NCTV17 funding

Melvin Kim (Naperville) Supports additional funding for NCTV17.

NCTV17 funding

Brian O'Malley (Naperville) Supports additional funding for NCTV17.

NCTV17 funding

Carolina Zavala (Naperville) Supports additional funding for NCTV17.

NCTV17 funding

Bob Quinn (Naperville) Supports additional funding for NCTV17.

NCTV17 funding

Brian Dunn (Plainfield) Supports additional funding for NCTV17.

NCTV17 funding

Steve Chirico (Naperville) Supports additional funding for NCTV17.

Bake sales, and recent changes in City policy

Douglas Reiner (Naperville) discussed a recent change in the registration procedures by the Naperville Park District for bake sales at the Naperville Municipal Band concerts.

NCTV17 funding

Lisa O'Rear (Naperville) Naperville Little League Baseball - Supports additional funding for NCTV17.

NCTV17 funding

Michele Clemen (Naperville) Supports additional funding for NCTV17.

3-minutes with NEST

Seth Deegan (Naperville NEST) discussed the viability of battery energy storage

systems used by large utilities or cities to store electric energy for use during peak times or for back-up purposes.

Sustainability

Ted Bourland (Naperville NEST) discussed the renewal of the IMEA contract.

Pass a ceasefire divestment disclosure resolution

Nicole Pronger (Naperville) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Free Palestine

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

Opportunity looking forward

Fernando Arriola (Naperville NEST) discussed the renewal of the IMEA contract.

Divest from Boeing

Keith Larson (Aurora) stated Naperville should not invest in any companies that directly support Israel.

Palestine

Cat Knarr (Bolingbrook) stated Naperville should not invest in any companies that directly support Israel.

Divestment

Farah Chalisa (Naperville) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Marilyn L Schweitzer (Naperville) complimented staff for the new three-foot berm installed at the intersection of Naper and Washington and urged Council and City staff to improve communications and transparency with their constituents.

Youth safety in Naperville

Jack Py (Naperville) discussed youth safety in downtown Naperville and proposed increasing police presence and/or revising the curfew for minors.

Ceasefire in Gaza//divest from Boeing

Eakta Gill (Naperville PAC/NU4C) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Divestment from apartheid genocide Israel

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

Divestment from Boeing

Salek Khalid stated Naperville should not invest in any companies that directly support Israel.

WRITTEN COMMENTS

Joan Murray (Naperville) I was at the Naperville Memorial Day parade and was shocked that the entire “right wing” of the city council dais (except for the Mayor) was nowhere to be seen. Did they have better things to do on Memorial Day? Shame on Josh McBroom, Jennifer Bruzan-Taylor, Paul Leong and Nate Wilson for being no shows. Thank you, Benny White, Allison Longenbaugh and Ian Holzhauer, for representing city council, the City and for your leadership in honoring those who have given their lives in service to our country.

Jen Hannon I'm writing today in support of the City of Naperville providing financial support to NCTV17. When I was younger, my dream job was to be the Morning News Anchor in San Diego, California! After going to college in Naperville, NCTV17 was the obvious choice to start. NCTV17 was my first real job out of college, and my years there shaped my entire professional career. When I graduated in 2007, I started my career as a part time news and sports reporter. After several years covering Naperville sports like football, softball and cheerleading, I transitioned and focused fully on news. Over the years, I became the News producer, leading a team of reporters and cameramen; and anchor, bringing the news to Naperville residents. While I didn't stay in television beyond NCTV17, the experience I learned still helps me in my current role. After seven years working in television, I transitioned to a different career path. I spent three years working as Communications Manager at Naperville CUSD 203, then left the Naperville area and spent three years as Director of Community Relations at Lincoln-Way 210. In 2021, I made a major career change and entered the corporate world as Community Relations Advisor for CITGO Petroleum Corporation Lemont Refinery. After a year and a half, I was promoted to my current role as Public Affairs Manager and manage a team of three. Our department maintains all internal and external communications, and I serve as the Public Information Officer. We are also responsible for many fundraisers and volunteer events. I sit on a number of community boards throughout the region. With working in the communications field, many of the skills I learned I still utilize today! Also, many of the connections I made at NCTV are still relevant in my career today. I'm currently in a very public facing role, and I still interact with many folks I met through my time in the Naperville community - I just saw Mayor Wehrli a few weeks ago! And I still edit videos from time to time!

Samee Ali (West Chicago) Moving on from our un-met requests to even discuss a ceasefire resolution, we now demand that Naperville fully divests from any company which profits from the ongoing genocide in Palestine - specifically Boeing, to which Naperville's tax dollars are invested, in the form of corporate bonds. Boeing manufactures equipment & weaponry that is directly being used to murder, disable, orphan thousands of Palestinians, & eradicate a people's history and culture in Gaza. As Naperville's “highest priority,” our local public safety & comfort is not the be-all and end-all. We - city council members included, whether you like it or not - are global citizens whose responsibility it is to speak out loudly against oppression & injustice especially when our government is in direct support of the merciless violence, which the majority of Americans are actually desperately calling for an end to after... 242 DAYS.

Lauren Reyes-Yu (Naperville) My name is Lauren Reyes-Yu. I grew up in Naperville and now live here with my own family. I am submitting a written

comment tonight to make my support known for Naperville's divestment from Boeing. The Boeing Company supplies various weapons to the IOF, including combat aircrafts, missiles, and bombs. These weapons are being used daily to murder Palestinian civilians. To date, more than 36,000 Palestinians have been killed in Gaza. An overwhelming number of them have been children. After knowing this information, it would be heartless for Naperville to continue partaking in the funding of this genocide. Let's make it known that we value the safety and well-being of all people, not just those who are privileged enough to live within Naperville city limits. Let's divest from Boeing now.

Carol Tritschler (Naperville) My name is Carol Tritschler and I am a Naperville resident. As a Christian, I believe the Naperville City Council needs to endorse a resolution that includes an immediate permanent ceasefire in Gaza, international efforts to provide social and economic justice for Palestinians in Gaza and the West Bank, and frees all hostages held by combatants in the current war. Recently, here in downtown Naperville, a group of us commemorated the 76th anniversary of Nakba Day. As explained by the Electronic Intifada, in 1947-49, more than 500 Palestinian villages were destroyed and some three-quarters of the Palestinian population - between 750,000 and 1 million Palestinians - were killed, expelled at gunpoint or otherwise forced to flee. Palestinians refer to this period as the Nakba, "disaster" or "catastrophe" in English". The current Palestinian refugee population is estimated at more than 6 million". The illegal occupation and oppression of the Palestinians continues and has escalated essentially into a second Nakba. I follow Democracy Now, where they explained that last Friday, President Biden finally announced the proposed terms of a ceasefire resolution, calling it an Israeli proposal. However, initial reports are that Israeli Prime Minister Netanyahu rejected a permanent ceasefire and stopping the fighting. We need to cut off weapons to Israel and make it harder for Israel to reject the deal. This year, I have been participating in webinars entitled "Confronting Christian Zionism" sponsored by Friends of Sabeel, the Presbyterian Church, and other organizations. To recap briefly in my own words, presenters have explained that Christian Zionism is a settler-colonialism model. It is based on genocide, expulsion, racism, and discrimination toward the Palestinians. Political conclusions are being unjustly used to seize Palestine for Jewish settlers with backing of the United States. Christian Zionists assert that good Christians should support US and Israeli governments unconditionally. Instead of Zionism, we need to unite with a message of love, equal rights for all regardless of religion, and respect for international law. As explained by Jewish Voice For Peace in one of many action alerts, on May 26, the Israeli military bombed displaced families huddled in tents, killing at least 45 people. Human beings, including babies, were burned alive and torn apart. This is just one example of genocide. Israel is able to carry out violence against unarmed Palestinian families because of funding and weapons from the U.S. government. We are demanding from Congress and President Biden an arms embargo and an end to military funding to Israel.

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 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 removing items I-10, I-20 and I-24 and changing the order of the items removed with I-20 first followed by I-10 and proceeding with the remaining items in numerical order. The motion carried by the following vote:

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

1. Approve the regular City Council meeting minutes of May 21, 2024
Council approved.
2. Approve the City Council meeting schedule for June, July, and August 2024
Council approved.
3. Approve appointments to the Fire Pension Board and the Naperville Library Board
Council approved.
4. Approve the award of Cooperative Procurement 24-168, Cisco Wireless Access Points, to Sentinel Technologies, Inc., for an amount not to exceed \$192,437.00 and for a six-month term
Council approved.
5. Approve the award of Cooperative Procurement 24-155, Cisco SMARTnet Maintenance, Support and License Renewal, to Sentinel Technologies, Inc., for an amount not to exceed \$173,989.07 for a 16-month term
Council approved.
6. Approve the award of Cooperative Procurement 24-164, Network Switch Upgrades, to CDW-G, for an amount not to exceed \$266,519.22
Council approved.
7. Approve the award of Option Year #1 to Contract 22-121.1, Janitorial Services, to Citywide Building Maintenance, for an amount not to exceed \$635,000
Council approved.

8. Approve the award of Cooperative Procurement 24-165, South Operations Center Compost Pole Barn Roof Restoration to Garland/DBS Inc., for an amount not to exceed \$122,692, plus a 5% contingency

Council approved.

9. Approve the award of RFQ 23-248, Stormwater Management Engineering Services, to V3 Companies of Illinois, Civiltech Engineering, Engineering Resource Associates, Inc. and Alfred Benesch & Company, as approved vendors for future projects for a five-year term

Council approved.

10. Approve the award of RFP 24-082, Energy Supply Consultant, to 1898 & Co., for an amount not to exceed \$163,000, and for a 60-day term

Krieger explained that if Council does not approve I20 (Waive the applicable provisions of the Naperville Procurement Code and award Procurement 24-156, Energy Management Consultant, to Customized Energy Solutions, for an amount not to exceed \$86,100 and for a three month term) then hiring an energy supply consultant should also be voted down.

Councilman Kelly made a motion, seconded by Councilmen White, to approve the award of RFP 24-082, Energy Supply Consultant, to 1898 & Co., for an amount not to exceed \$163,000, and for a 60-day term. The motion failed by the following vote:

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

11. Approve the award of Change Order #1 to Option Year #2 of Contract 22-058.2-01, Storm Sewer Lining, to Hoerr Construction, for an amount not to exceed \$37,350 and a total award of \$687,350

Council approved.

12. Approve the award of Change Order #1 to the First Five-Year Extension of 16-246.0-01, Agenda Management Software, to Granicus, LLC, for an amount not to exceed \$12,544.48 and a total award of \$188,182.28

Council approved.

13. Approve the award of Change Order #1 to the fourth Option Year of Contract 18-027.4-02, Architectural and Engineering Services, to Kluber Architects and Engineers and Legat Architects, Inc., for an amount not to exceed \$19,750 and a total award of \$144,750

Council approved.

14. Approve the award of Change Order #1 to Contract 23-152, Underground Distribution, Directional Boring and Services, to add Electric Conduit Construction

Council approved.

15. Approve the award to Change Order #2 to Contract 21-281.0-02, Police Department Body-Worn Cameras and In-Car Video System, to Axon Enterprise, Inc., for an amount not to exceed \$119,147.94 and a total award of \$2,303,983.14

Council approved.

16. Approve the fireworks display application and issue a permit for the Naperville Community Fireworks Show on July 4, 2024

Council approved.

17. Pass the ordinance approving a variance for the proposed ground sign at 1575 W Ogden Avenue (Gerald Nissan) - PZC 24-1-025

ORD 24-051

Council passed.

18. Pass the ordinance to establish temporary traffic controls and issue a Special Event permit for the Water Street Art Fair event scheduled on Sunday, July 14, 2024

ORD 24-052

Council passed.

19. Pass the ordinance approving a final plat of subdivision and OAA for 1492 W Ogden Avenue - PZC 24-1-019

ORD 24-053

Council passed.

20. Waive the applicable provisions of the Naperville Procurement Code and award Procurement 24-156, Energy Management Consultant, to Customized Energy Solutions, for an amount not to exceed \$86,100 and for a three month term (requires 6 positive votes)

Council discussed why a decision is needed several years before the IMEA contract is to be renewed, the level of Council input, whether or not to hold a workshop, conflict of interest, market data, and the appropriateness of hiring a consultant if the City decides not to renew the contract.

Groth explained that the decision to vote for the consultant does not bind the City to renewing the IMEA contract, that staff needs to focus on planning Utility operations whether or not the contract is renewed, that there is no clear data available on how other utilities are planning, and that the consultant is necessary to identify options available and what each option entails as it relates to operations and financial forecasting.

Krieger stated staff will need to make decisions regardless of whether IMEA remains the City's provider and that approving the consultant will provide staff with the opportunity to learn the different options so a well-informed

recommendation can be made to the City Council. He also stated that if Council does not approve I20 then item I10 (Approve the award of RFP 24-082, Energy Supply Consultant, to 1898 & Co., for an amount not to exceed \$163,000, and for a 60-day term) should also be voted down.

A motion was made by Councilman White, seconded by Councilman Kelly to waive the applicable provisions of the Naperville Procurement Code and award Procurement 24-156, Energy Management Consultant, to Customized Energy Solutions, for an amount not to exceed \$86,100 and for a three month term (requires 6 positive votes). The motion failed by the following vote:

Aye: 4 - Wehrli, Leong, McBroom, and Wilson

Nay: 5 - Bruzan Taylor, Holzhauser, Kelly, Longenbaugh, and White

- 21.** Waive the applicable provisions of the Naperville Procurement Code and award Procurement 24-089, Unmarked Police Vehicle Replacement - Unit 162, to Valley Honda, for an amount not to exceed \$37,236.03 and for a one-time purchase (Item 1 of 2)

Council awarded.

- 22.** Waive the applicable provisions of the Naperville Procurement Code and award Procurement 24-089, Unmarked Police Vehicle Replacement - Unit 168, to McGrath Honda of Elgin, for an amount not to exceed \$37,893.03 and for a one-time purchase (Item 2 of 2)

Council awarded.

- 23.** Adopt the resolution approving the Memorandum of Agreement between Kane County and the City of Naperville for the management of the EPA Climate Pollution Reduction Grant award

RES 24-018

SUPPORT

Catherine Clarkin (Naperville) NEST

Council adopted.

- 24.** Adopt the resolution approving the establishment of a disaster relief program in partnership with Loaves and Fishes Community Services

SPEAKER

Marilyn Schweitzer (Naperville) discussed several concerns with the disaster relief partnership between the City and Loaves and Fishes Community Services (Loaves and Fishes) including that donors should be allowed to restrict donations to disaster victims as opposed to the donor having their donation rejected or redistributed to other Loaves and Fishes programs, would Loaves

and Fishes be able to dispense any of their existing funds to disaster victims, would Loaves and Fishes prioritize working with disaster victims over their existing clients, the support Loaves and Fishes would provide is not clear in the Memorandum of Understanding (MOU) it only guarantees help with food and shelter not the other services provided by Loaves and Fishes, who will be monitoring and guaranteeing funds are dispensed as they are intended, who is responsible for marketing the program, the MOU calls for the formation of a disaster relief advisory committee but only commits to helping with food and shelter directing victims to seek additional help somewhere else and no members of the community or a Council liaison have been added to the advisory committee.

Council discussed whether the concerns raised by the speaker were intentionally omitted from the MOU to keep the document high level, the appropriateness of adding members of the public to the advisory committee and how this partnership would be called into practice during a disaster.

Schatz confirmed the MOU was created to be high level, that Loaves and Fishes will be responsible for basic needs such as housing, food and counseling.

RES 24-019

A motion in substitution was made by Councilman Holzhauser, seconded by Councilman Kelly, to adopt the resolution approving the establishment of a disaster relief program in partnership with Loaves and Fishes Community Services to include the appointment of two members of the public, one community member appointed by Loaves and Fishes Community Services and one community member appointed by the City. The motion carried by the following vote:

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

J. PUBLIC HEARINGS:

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of Bid 24-007, 2024 Parking Lot and Multi-Use Path Maintenance, to Denler, Inc., for an amount not to exceed \$1,142,370.43, plus a 3% contingency

Councilman White made a motion, seconded by Councilman Kelly, to approve the award of Bid 24-007, 2024 Parking Lot and Multi-Use Path Maintenance, to Denler, Inc., for an amount not to exceed \$1,142,370.43, plus a 3% contingency. The motion passed by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:**O. REPORTS AND RECOMMENDATIONS:****P. NEW BUSINESS:**

Bake sale requirements for the Naperville Municipal Band concerts
Kelly requested clarification on the bake sale requirements discussed under Public Forum.

Krieger stated that the Naperville Park District received an inquiry about bake sale policies during the Naperville Municipal Band's (NMB) leadership transition. He explained the long-standing Park District policy and said the NMB decided to take a year off from the bake sales to allow the non profits time to come into compliance with the policy.

The zoning of office condominiums
Holzhauer discussed office condominium zoning and what are best practices for process improvements.

By consensus, Council directed staff to come back with recommendations on how to improve the process.

Utility workshop
White proposed hosting a workshop to evaluate other electric utility suppliers, the City's supply needs, and to discuss the renewal of the IMEA contract.

By consensus, Council directed staff to come back with topic suggestions and dates for a future workshop.

City Council meeting efficiency
Wehrlt discussed changes made to the City's board/commission meetings and procedures and proposed having staff report back opportunities for efficiencies at the City Council level.

By consensus, Council directed staff to come back with recommendations for meeting and procedure efficiencies.

Q. ADJOURNMENT:

A motion was made by Councilman White, seconded by Councilman Kelly, to adjourn the Regular City Council Meeting of June 4, 2024 at 9:08 p.m. The motion carried by a voice vote.

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