



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Agenda

City Council

Tuesday, August 18, 2020

7:00 PM

On Zoom - Open agenda to see cable, phone & streaming options

On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

On Tuesday, June 16, 2020, Mayor Chirico issued an executive order determining that in-person meetings of the City Council and the City's boards and commissions are not currently practical or prudent due to the COVID-19 pandemic.

TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>
- Listen by telephone (audio only) – registration to receive dial-in phone number required by calling the City Clerk's Office, (630) 305-5300, by 5 p.m. on August 18

TO SUBMIT PUBLIC COMMENT IN THE MEETING:

To address the City Council via Zoom and provide public comment, members of the public must register by 5 p.m. on August 18 at: www.naperville.il.us/speakersignup

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

1. Submit a written comment to the City in advance of the City Council meeting (by 5 p.m. on August 18) to be read into the public record during the City Council meeting by a member of staff.
2. Submit a one-word statement of "SUPPORT" or "OPPOSITON" regarding a specific agenda item to be read into the public record during the City Council meeting by a member of staff.
3. Address the City Council live during the City Council meeting via spoken audio. Individuals who want to address the Council live must sign up to speak in advance of the City Council meeting (by 5 p.m. on August 18).

Once signed up, the individual will receive an email from the City Clerk's Office after the sign-up time ends with information about how to join the meeting.

- Online sign-up closes at 5 p.m. on August 18, at which time no other speakers or comments will be accepted.

PUBLIC ACCOMMODATION:

- Any individual who would prefer to listen to the meeting by telephone, to speak during the meeting by telephone, or who may require an accommodation to listen to or participate in the meeting, should contact the City Clerk at (630) 305-5300, by 5 p.m. on August 18.
- Questions regarding online sign-up may be directed to the City Clerk's Office by calling (630) 305-5300.

PARTICIPATION GUIDELINES:

The citizen participation guidelines are outlined in 1-5-6-6: - CITIZEN PARTICIPATION of the Naperville Municipal Code.

- **ALL VIEWPOINTS AND OPINIONS WELCOME:** All viewpoints are welcome, positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Council members, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.
- **SPEAKER TIME LIMITS:** Speakers must limit their remarks to no more than three minutes. Petitioners may speak on an agenda item first and have up to 10 minutes and are also granted a five-minute rebuttal once all other speakers have commented.
- **IF YOU SIGNED UP TO SPEAK,** staff will call your name at the appropriate time during the City Council meeting. Once your name is called you may identify yourself for the public record and then address remarks to the City Council as a whole. Speak clearly and try to limit remarks directly to the matter under discussion. Speakers are called in the order they sign up.

A. CALL TO ORDER:**B. ROLL CALL:****C. CLOSED SESSION - CANCELED**

OPEN SESSION - 7:00 p.m.

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

1. [20-885](#) Proclaim August 26, 2020 as the Centennial Anniversary of Women's Suffrage

2. [20-931](#) Proclaim August 26, 2020 as Naperville's Herstory Day in celebration of women and their contributions to our City

G. PUBLIC FORUM:

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

I. CONSENT AGENDA:

1. [20-878](#) Approve the cash disbursements for the period of 06/30/2020 through 07/31/2020, for a total of \$34,295,846.33
2. [20-909](#) Approve the regular City Council meeting minutes of August 4, 2020
3. [20-915](#) Approve the release of certain designated Closed Session meeting minutes and continue to maintain the confidentiality of all other unreleased Closed Session meeting minutes
4. [20-922](#) Approve the City Council meeting schedule for September, October & November 2020
5. [20-415C](#) Award of Cooperative Procurement 20-154, Unit 238 and 293 Equipment Replacement, to JX Peterbilt for an amount not to exceed \$403,388.97
6. [20-831](#) Waive the applicable provisions of the Naperville Procurement Code in order to establish pricing for the 2020/21 winter season and award Procurement 20-289, Roadway Snow Removal, to certain contractors for an amount not to exceed \$390,000, and for the period of October 1, 2020 through April 30, 2021 (requires 6 positive votes)
7. [20-856](#) Approve the award of Option Year Two to Contract 18-260, Cartage Services, to International Hauling and Excavating Inc. for an amount not to exceed \$162,500
8. [20-858](#) Approve the award of Option Year Three to Contract 17-182, Security Camera Installation, to Pace Systems for an amount not to exceed \$350,000 plus a 5% contingency
9. [20-906](#) Approve the award of Bid 20-255, 2020 Roofing Improvements, to L. Marshall, Inc. for an amount not to exceed \$157,400, plus a 5% contingency
10. [20-813](#) Approve the award of Change Order 1 to Option Year 3 of Contract 17-077, Heating, Ventilation, Air Conditioning and Dehumidification Services to Beery Heating and Cooling for an amount not to exceed \$13,230 and a total award of \$231,680

11. [20-886](#) Approval of Mayoral Appointment to the Police Pension Fund Board
12. [20-884](#) Accept the public underground improvements at Clow Creek Farm and Freedom Plaza and authorize the City Clerk to reduce the corresponding public improvement surety.
13. [20-802C](#) Pass the ordinance granting a variance to the front yard setback requirements in order to construct a porch for the property located at 421 School Street - PZC 20-1-043.
14. [20-871B](#) Pass the ordinance granting a variance to permit an 8' tall privacy fence for the property located at 4040-4044 Ashwood Park Court, Naperville - PZC 20-1-055
15. [20-869B](#) Pass the ordinance granting a variance to the driveway tapering requirements in order to expand the driveway for the property located at 26 W. 8th Avenue - PZC 20-1-058.
16. [20-907](#) Pass the ordinance approving an amendment to the City of Naperville Annual Budget for Calendar Year 2020 in the amount of \$950,000 for the purchase of 329-333 Center Street. (requires six positive votes)
17. [20-912](#) Pass the ordinance approving a minor change to the conditional use for an automobile repair facility approved by Ordinance 20-031 for the subject property located at 2643 Forgue Drive (Firestone - Naperville) - PZC 20-1-066
18. [20-913](#) Pass the ordinance approving a minor change to the CityGate Centre III Planned Unit Development approved by Ordinance 20-044 for the subject property located at Lots 2 & 3 of CityGate Centre, Naperville - PZC 20-1-063
19. [20-916](#) Pass the ordinance granting a temporary use to allow for outdoor services at Our Saviour's Evangelical Lutheran Church at 919 S. Washington Street.
20. [20-918](#) Receive the staff report for the 77th Street Project located at 24W560 77th Street, Naperville, PZC 19-1-140 (Item 1 of 3)
21. [20-920](#) Pass the ordinance approving the Final Plat of Subdivision and OAA for the 77th Street Project located at 24W560 77th Street -PZC 19-1-140 (Item 2 of 3)
22. [20-921](#) Pass the ordinance approving a variance to the Naperville Design Manual for Public Improvements for the 77th Street Project located at 24W560 77th Street - PZC 19-1-140 (Item 3 of 3)
23. [20-883](#) Adopt the resolution authorizing a workers' compensation settlement with Jody Jones

J. PUBLIC HEARINGS:

1. [20-890](#) Receive the staff report regarding the properties located at 1255 E Ogden Avenue and 1187 E Ogden Avenue (Costco Final) - PZC 20-1-047 (Item 1 of 4)
2. [20-904](#) Conduct the public hearing regarding the vacation of a portion of the Diehl Road right-of-way (Costco Final) - PZC 20-1-047 (Item 2 of 4)
3. [20-891](#) Pass the ordinance approving the plat of vacation of a portion of the Diehl Road right-of-way (Costco Final) - PZC 20-1-047 (Item 3 of 4) (six positive votes are required)
4. [20-892](#) Pass the ordinance approving the final plat of subdivision for Kirkland Ogden (Costco Final) - PZC 20-1-047 (Item 4 of 4)
5. [20-908](#) Conduct the Public Hearing for proposed Special Service Area No. 33 (Downtown Maintenance and Marketing)

K. OLD BUSINESS:**L. ORDINANCES AND RESOLUTIONS:**

1. [20-834B](#) Pass the ordinance adding a new Chapter 18 (Short-Term Residential Rentals) to Title 3 (Business and License Regulations) of the Naperville Municipal Code
2. [20-784C](#) Pass the ordinance repealing Chapter 17 (Cannabis Business Establishments Prohibited) of Title 3 (Business and License Regulations) and amending various Chapters of Title 6 (Zoning Ordinance) related to Cannabis Facilities - PZC 20-1-053.
3. [20-357](#) Adopt the resolution authorizing a covenant incentive agreement between the City of Naperville and Little Friends for the preservation of the Kroehler Mansion
4. [20-926](#) Receive the August 2020 Financial Report and approve actions providing financial flexibility in the 2020 and 2021 budgets (Item 1 of 2)
5. [20-928](#) Waive the first reading and pass the ordinance amending Section 11 (Home Rule Municipal Retailers' Occupation Tax and Home Rule Municipal Service Occupation Tax) and Section 9 (Food and Beverage Taxes) of Chapter 1 (Municipal Occupation Taxes), Title 3 (Business and License Regulations) of the Naperville Municipal Code (Item 2 of 2; requires six positive votes)

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

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

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Communications Department at least 48 hours in advance of the scheduled meeting. The Communications Department can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6707 or 630-305-5205 (TDD) or via e-mail at info@naperville.il.us. Every effort will be made to allow for meeting participation.