



Meeting Minutes

City Council

Tuesday, August 18, 2020

7:00 PM 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:

Chirico called the meeting to order at 7:00 p.m.

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

OPEN SESSION - 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 Kruppen
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; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Deputy Director of TED, Jennifer Loudon; 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; Communications Manager, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:**1. [Proclaim August 26, 2020 as the Centennial Anniversary of Women's Suffrage](#)**

Councilwoman Brodhead presented the Proclamation recognizing August 26, 2020 as the Centennial Anniversary of Women's Suffrage to the League of Women Voters.

SPEAKER

Becky Simon (League of Women Voters of Naperville) discussed the women's suffrage movement.

Mary Lou Wehrli discussed local women in office through the years.

Amy Chavez discussed the women's suffrage movement.

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

Councilwoman Gustin presented the Proclamation recognizing August 26, 2020 as Naperville's HERstory Day to Naper Settlement.

POSITION

Sally Pentecost - SUPPORT

Len Monson - SUPPORT

SPEAKER

Macarena Tamayo-Calabrese (Naper Settlement) discussed women's stories over the years and the HERstory 2020 program.

G. PUBLIC FORUM:**H. CONSIDERATION OF MOTION TO USE OMNIBUS METHOD FOR THE CONSENT AGENDA:**

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, 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 Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the Consent Agenda with the exception of items I16, I17, and I19. The motion carried by the following vote:

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

1. [Approve the cash disbursements for the period of 06/30/2020 through 07/31/2020, for a total of \\$34,295,846.33](#)
Council approved.
2. [Approve the regular City Council meeting minutes of August 4, 2020](#)
Council approved.
3. [Approve the release of certain designated Closed Session meeting minutes and continue to maintain the confidentiality of all other unreleased Closed Session meeting minutes](#)
Council approved.
4. [Approve the City Council meeting schedule for September, October & November 2020](#)
Council approved.
5. [Award of Cooperative Procurement 20-154, Unit 238 and 293 Equipment Replacement, to JX Peterbilt for an amount not to exceed \\$403,388.97](#)
Council approved.
6. [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 \(requires 6 positive votes\)](#)
Council approved.

7. [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](#)
Council approved.
8. [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](#)
Council approved.
9. [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](#)
Council approved.
10. [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](#)
Council approved.
11. [Approval of Mayoral Appointment to the Police Pension Fund Board](#)
Council approved.
12. [Accept the public underground improvements at Clow Creek Farm and Freedom Plaza and authorize the City Clerk to reduce the corresponding public improvement surety.](#)
Council approved.
13. [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.](#)
Enactment No.: ORD 20-076
Council passed.
14. [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](#)
Enactment No.: ORD 20-077
Council passed.
15. [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.](#)
Enactment No.: ORD 20-078
Council passed.
16. [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. \(requires six positive votes\)](#)

COMMENTS TO BE READ BY STAFF

Jim Hill

I opposed the purchase of this property when it came before the council in June of this year, and I oppose the resolution before you tonight to increase the city's budget. I ask you to vote no on this agenda item. Metra ridership is down more than 90%. Experts are saying it will be years before ridership returns to the previous level. It's possible we may never again see the demand for commuter parking that existed prior to the pandemic. The city clearly doesn't need any more parking spaces right now. The city has already spent almost \$7 million to acquire property near the train station, and all attempts to develop that property have failed. On August 7th, the city staff announced that all planning activities related to the 5th Avenue project have stopped, and no additional planning activities or workshops will be scheduled for the foreseeable future. If the city can't develop property it already owns, what is the point of spending another million dollars to buy more property that the city can't develop? We don't need this property and buying it is a waste of taxpayer money. Increasing the annual budget with no corresponding increase in revenue means the city will have to spend down its cash reserves to purchase this property. The city is already facing the very real possibility of having spend down its cash reserves this year, and possibly next year, to deal with pandemic related revenue shortfalls and to avoid service cuts and tax increases. It doesn't seem prudent to add to this problem by spending cash reserves on something we don't need and for which we have plan for how to use it. This council has a good reputation for being fiscally responsible. Don't tarnish that reputation by purchasing this property. It only takes four of you to put a stop to this. Stand up and vote no and show the taxpayers of this city that we can continue to trust you to spend our money wisely.

Council clarified that money for the budget amendment is not being taken from the General Fund, but rather from the Burlington Fund.

Enactment No.: ORD 20-082

A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to pass an 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. The motion carried by the following vote:

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

17. [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 Forge Drive \(Firestone - Naperville\) - PZC 20-1-066](#)

COMMENTS TO BE READ BY STAFF

Brien Hodgman

I support this Minor Change. I believe this development should be approved to operate using the same noise levels applied to all other retail developments in Naperville. Thanks.

POSITION

Daniel Gaynor - SUPPORT

Council asked why the petitioner agreed to the original terms but is now coming back a minor change.

Craig Cole (Franklin Land Associates, LLC and Petitioner) responded that original noise level readings were taken at the lowest level, that levels need to be taken by bay doors, and that other locations have been examined to ensure they can remain in compliance.

Enactment No.: ORD 20-083

A motion was made by Councilwoman Brodhead, seconded by Councilman Coyne, to 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. The motion carried by the following vote:

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

18. [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](#)

Enactment No.: ORD 20-079

Council passed.

19. [Pass the ordinance granting a temporary use to allow for outdoor services at Our Saviour's Evangelical Lutheran Church at 919 S. Washington Street.](#)

COMMENTS TO BE READ BY STAFF**Kevin Keisner**

My concern is not with the petitioner's permit request. It is the petitioner respecting and following the sound level requirements of the permit and that the neighbors have a workable recourse in cases where the petitioner grossly violates the permit requirements. Which has happened in some of their previous concerts. My Suggestions: 1) The council request in any permit issued that the petitioner does sound level checks on Hickory Ln before every event and adjust sound levels and speaker position to meet requirements. 2) The council request clarification of NPD's process when receiving a non-emergency call of the petitioner violating the sound level requirements of the permit. In the past neighbors have been told "they have

a permit, nothing can be done". The petitioner's permits are for the weekend and there is no other city office a neighbor can contact to document the violation. I would like to see a "real and actionable" city process to document violations. Documentation that can be considered in future permit requests. Thank you

POSITION

Brian Wise - SUPPORT
John Gerike - SUPPORT
Lane Lewis - SUPPORT
Terry Thompson - SUPPORT
Robyn Carlson - SUPPORT
Glenn Wishnew - SUPPORT
Stephanie Engel - SUPPORT
Rebecca Cremin - SUPPORT
Paula Felbein - SUPPORT
Dan Thompson - SUPPORT
Debbie Montrose - SUPPORT
Graham Brenna - SUPPORT
Ruth Nelson - SUPPORT
Kathleen Howe - SUPPORT
Samantha Hood - SUPPORT
William Okel - SUPPORT
David Novak - SUPPORT
Sue Bergren - SUPPORT
Diane Greenawalt - SUPPORT
Janice Dusek - SUPPORT
Deborah Collander - SUPPORT

SPEAKERS

Lane Lewis (Our Saviour's Lutheran Church) discussed the church, the church community, and the impact of the COVID pandemic.

Council requested that a point of contact be designated for neighbors to call.

Chris Brown (Our Saviour's Lutheran Church) discussed the request, decibel levels at a recent service, stated he will serve as a point of contact for the neighbors, and clarified that the service is 30 minutes but time is needed for rehearsal and sound checks.

Enactment No.: ORD 20-084

A motion was made by Councilwoman Brodhead, seconded by Councilwoman Gustin, to pass the ordinance granting a temporary use to allow for outdoor services at Our Saviour's Evangelical Lutheran Church at 919 S. Washington Street. The motion carried by the following vote:

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

20. [Receive the staff report for the 77th Street Project located at 24W560 77th Street, Naperville, PZC 19-1-140 \(Item 1 of 3\)](#)

Council approved.

21. [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 \(Item 2 of 3\)](#)

Enactment No.: ORD 20-080

Council passed.

22. [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 \(Item 3 of 3\)](#)

Enactment No.: ORD 20-081

Council passed.

23. [Adopt the resolution authorizing a workers' compensation settlement with Jody Jones](#)

Enactment No.: RES 20-022

Council adopted.

J. PUBLIC HEARINGS:

1. [Receive the staff report regarding the properties located at 1255 E Ogden Avenue and 1187 E Ogden Avenue \(Costco Final\) - PZC 20-1-047 \(Item 1 of 4\)](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the staff report regarding the properties located at 1255 E Ogden Avenue and 1187 E Ogden Avenue (Costco Final) - PZC 20-1-047. The motion carried by the following vote:

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

2. [Conduct the public hearing regarding the vacation of a portion of the Diehl Road right-of-way \(Costco Final\) - PZC 20-1-047 \(Item 2 of 4\)](#)

At 7:59 p.m. motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to conduct the public hearing regarding the vacation of a portion of the Diehl Road right-of-way (Costco Final) - PZC 20-1-047. The motion carried by the following vote:

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

At 8:00 p.m. a motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the public hearing regarding the vacation of a portion of the Diehl Road right-of-way (Costco Final) - PZC 20-1-047. The motion carried by the following vote:

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

3. [Pass the ordinance approving the plat of vacation of a portion of the Diehl Road right-of-way \(Costco Final\) - PZC 20-1-047 \(Item 3 of 4\) \(six positive votes are required\)](#)

Enactment No.: ORD 20-085

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to pass the ordinance approving the plat of vacation of a portion of the Diehl Road right-of-way (Costco Final) - PZC 20-1-047. The motion carried by the following vote:

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

4. [Pass the ordinance approving the final plat of subdivision for Kirkland Ogden \(Costco Final\) - PZC 20-1-047 \(Item 4 of 4\)](#)

Enactment No.: ORD 20-086

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, pass the ordinance approving the final plat of subdivision for Kirkland Ogden (Costco Final) - PZC 20-1-047. The motion carried by the following vote:

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

5. [Conduct the Public Hearing for proposed Special Service Area No. 33 \(Downtown Maintenance and Marketing\)](#)

Chirico opened the public hearing at 8:01 p.m.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to close the public hearing for proposed Special Service Area No. 33 at 8:04 p.m. 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 adding a new Chapter 18 \(Short-Term Residential Rentals\) to Title 3 \(Business and License Regulations\) of the Naperville Municipal Code](#)

COMMENTS TO BE READ BY STAFF

Geri Smith

City Council Members and Mayor Chirico: Over the last year, we've all heard examples of short-term rentals (specifically, VRBO and Airbnb) in Naperville that have created substantial problems for neighbors. At least two of these STRs are situated in our neighborhood. Please consider placing a permanent ban on these STRs for the following reasons which impact residents: - Police have been called to break up large, noisy house parties attended by busloads of people. Imagine living in such a situation on a daily basis - not a high quality of life for those neighbors. - Some

next-door neighbors of STRs have experienced trespassing by short-term renters on their property (parking in or blocking driveways, trying to enter neighboring houses in the middle of the night while trying to find their rental house - just imagine hearing someone trying to enter your home in the dark of night!). Some neighbors of STRs have experienced verbal abuse and harassment by the STR owners and their renters! - These rentals are in areas zoned for residential use, not short-term rental use. When the vast majority of Naperville residents purchased our homes, we did so with the expectation the neighborhood would not have an issue with transience. - The owners of these rental units are not as invested in our community as those homeowners who live in their homes. They aren't actively involved in their local Home & School Associations and other community and civic organizations that make Naperville the desirable community it is. Their sole focus is to make money - not enhance the community!! - Without knowing who is renting the house next door on any given day, neighbors are concerned about their children's safety as they play outside, ride their bikes and walk to school. - Short-term rentals negatively impact hotel business, thus reducing the overall revenue to the city resulting in increased tax implications for residents. Naperville was recently named "Best City to Raise a Family" by niche.com. In fact, the City of Naperville website says, "Recognized nationally and internationally as one of the top communities in which to settle down, raise a family and retire, Naperville has made headlines for its outstanding quality of life." These on-going issues with STRs over the past years certainly don't represent an "outstanding quality of life" for Naperville residents and their families. I urge you to ban STRs in Naperville and, if not a ban, then pass and enforce very strict regulations to keep Naperville the desirable community it is where our kids are safe and we continue to be a good place to settle down, raise a family and retire.

Randy Smith

City Council, Mayor - As a longtime resident of Naperville, I would like to express my thoughts on the Short Term Rental ordinances that have been proposed. First, I believe that when we purchased our homes in areas zoned for residential use we did that assuming that we would not be living next to essentially very small hotels. Now that there has been a shift in the marketplace, I believe it is important that the city address this issue, and by more than just trying to eliminate the "party house" problem. I personally am fine with an outright ban on Short Term Rentals, but I think a reasonable middle ground is to follow the ordinance proposed at the previous council meeting where short term rentals were only possible where the owner physically resided in the house for more than half the year. This helps to insure the connection of the residential neighborhood and keep our neighborhoods more cohesive and neighborly. While I prefer strict limitations on Short Term Rentals, if for some reason the council decides to allow Short Term Rentals I think it very important to understand the costs

involved in managing this correctly. I believe the taxes for Short Term Rentals need to be significantly higher than those for hotels, since the overhead on a per unit basis for managing compliance and enforcement will be much higher for the city. I urge the council to vote for strict limitations on Short Term Rentals. Randy Smith

Diane Russell

Dear Naperville City Council Members, I was delighted when the City Council voted on August 4th to prepare an ordinance to ban short-term rentals in Naperville, at least temporarily while a permanent solution was worked out. So I was quite surprised when 2 competing ordinances were included for consideration tonight, one of which bans STRs as planned, and one which allows them with only a modicum of oversight. I again urge you to ban STRs in Naperville. I think another resident summarized it best at the last council meeting, saying that these STRs are essentially unsupervised, commercial hotels (and, in some cases, bars) in residential areas. Yes, the proposed ordinance that allows STRs with a limit 10 people would address some of the issues you have discussed concerning the Santa Maria party house, but I remind you that there are other problematic STRs in the city. Police have been called to other, smaller houses because of abusive behavior on the part of renters toward neighbors. Nothing in the ordinance that allows STRs would address these situations. Is a small party house necessarily better than a big party house? Whenever a house in my lovely neighborhood goes up for sale, I am now fearful that it will be bought by someone who will turn it into a short-term rental. Instead of a long-term neighbor, I may wind up with an absentee landlord and a parade of strangers. The ordinance that allows STRs would essentially make the monitoring of capacity limits and short-term renter behavior the responsibility of neighbors, placing even more stress on residents. In conclusion, I ask you to think about the fact that just in the last few months there have been two murders at STRs in surrounding communities - one in Barrington Hills in March, and one in Roselle in June. Don't let Naperville be next. Vote to ban short-term rentals and keep Naperville a desirable place to live. Sincerely, Diane Russell

Tom Coyne

Tom Coyne, 809 Iris Lane Naperville, IL. I have a background as a long-term landlord, a long-term resident home owner, and a long-term renter. I write in opposition to both ordinances before council tonight. The proposed ordinance prohibiting Short Term Rentals (STRs) goes too far. I support flexible uses of housing stock. The very significant cost of land/improvements in Naperville, combined with the current, volatile labor market, make owning real estate a risky activity at this time. Taking away income options will drive away property owners and drive down property values. The ordinance for limited operation of STRs does not go far

enough. The city, through very vigorous code enforcement, must ensure that property owners are held responsible to and liable for peaceful enjoyment of the community. My leases contain, and I enforce, this specific provision: "Tenant, Tenant's family and Tenant's guest shall at all times maintain order in the Premises and at all places on the Premises, and shall not make or permit any loud or improper noises, or otherwise disturb other residents." Owners of real property have real responsibilities to their community. I urge you to find a better balance - make an STR ordinance which permits lawful uses of real property, while preserving the peaceful use of the neighborhood by all residents. For example, make STRs subject to permit, with a meaningful annual fee structure. Enforce a two-strike rule on code violations which revokes the permit for STR repeat offenders. Remove automatic permit renewal for STRs which receive neighbor complaints. Council, act now, before more neighbor v. neighbor situations erupt.

Angie Hunter

Dear City Council, My name is Angie Hunter and I live at 846 Santa Maria, across the street from the short term rental party house at 843 Santa Maria Drive. Please vote for the temporary ban on STRs until an enforceable solution can be figured out. The other option of STR with restriction of 10 people occupancy is not enforceable. This specific party house has been a problem and continues to be. This is clearly a business for entertainment purposes and does not belong in our residential neighborhood. Please vote for a ban on STRs. This party house has been negatively impacting the quality of life of our family and of our neighbors. I am not overstating that we have fear every time we see a party starting. Ever since the first Superbowl party, when patrons were told to put their firearms in their cars and multiple fights ensued on my driveway, we have not had a sound sleep as we are always on alert. We do not know who is there and no one is responsible for what is happening during these parties. We are worried for our safety. Thank you,

POSITION

Laura Young - OPPOSE

Allison Longenbaugh - SUPPORT

SPEAKERS

LaDonna Wallace supports immediate moratorium on short-term rentals.

Tracy Rootham supports immediate moratorium on short-term rentals.

Catherine Page supports immediate moratorium on short-term rentals.

Krys Rootham supports immediate moratorium on short-term rentals.

Nancy Cole supports immediate moratorium on short-term rentals.

Bob Tschirhart supports immediate moratorium on short-term rentals.

Frank Vignieri supports immediate moratorium on short-term rentals.

Bill Simon supports immediate moratorium on short-term rentals.

Chris Long supports immediate moratorium on short-term rentals.
Jacalyn Green supports immediate moratorium on short-term rentals.
Marilyn Schweitzer supports immediate moratorium on short-term rentals.
Tom Schaefer supports immediate moratorium on short-term rentals.
Michael Cole supports immediate moratorium on short-term rentals.
Mike Mika supports immediate moratorium on short-term rentals.

Council discussed the appropriateness of Option 2, the need to address the emergency now, not placing a timeline on when to revisit but open to reconsider in the future.

DiSanto clarified that the ordinance will be effective immediately, that contracts that have already been entered into will be valid for 30 days, and that after 30 days short-term rentals will be prohibited.

A motion was made by Councilman Krummen, seconded by Councilman Coyne, to pass the ordinance by adding a new Chapter 18 (Short-Term Residential Rentals) to Title 3 (Business and License Regulations) of the Naperville Municipal Code Ordinance (Option #1) prohibiting short-term residential rentals from being rented, leased, or otherwise offered or permitted within the City of Naperville corporate limits and amending the fine structure to \$1,000 for first offenses within a 12-month period and a \$2,500 fine for second or subsequent offenses within a 12-month period.

Enactment No.: ORD 20-087

A motion in substitution was made by Councilwoman Gustin, seconded by Councilwoman Brodhead, to pass the ordinance by adding a new Chapter 18 (Short-Term Residential Rentals) to Title 3 (Business and License Regulations) of the Naperville Municipal Code Ordinance (Option #1) prohibiting short-term residential rentals from being rented, leased, or otherwise offered or permitted within the City of Naperville corporate limits and amending the fine structure to \$1,000 for first offenses within a 12-month period and a \$2,500 fine for second or subsequent offenses within a 12-month period and direct staff to bring back a report in six months.

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

The meeting recessed from 8:47 p.m. to 8:53 p.m.

- [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.](#)

COMMENTS TO BE READ BY STAFF

Julie Schauer

Do not repeal Chapter 17 or amend various chapters of Title 6. If you allow for marijuana dispensaries in Naperville. If you allow the marijuana one inch

in Naperville, the industry will take a thousand miles. Dispensary marijuana is far more toxic and dangerous than the marijuana kids were using before legalization. Today's marijuana is 8x more likely to cause schizophrenia than the average marijuana of the past. Most kids don't even know that marijuana use poses a risk for psychosis and major psychiatric disorders such as schizophrenia. Nor do they know that stoned driving is as bad as drunk driving. Many of the fatal crashes in states with legal pot are caused by drivers who are both drunk and stoned. Polydrug use is the rule, not the exception, and marijuana is the most common companion drug for people who use meth, cocaine and heroin. It is often the relapse drug when people with addiction go back to using drugs. It is inconceivable that city council would do anything to enable the addiction epidemic, particularly when addiction treatments often doesn't succeed and mental health treatments are tricky, controversial and don't guarantee success. A year and a half after legalization in Washington, a hospital in Olympia Washington announced that it had 1-2 new psychosis patients coming to the ER room every day. According to Dr. Robin Murray, president of European Psychiatric Association and one of the world's most prominent schizophrenia researchers, "Regular use of cannabis, especially of high potency varieties, increases the risk of schizophrenia. Some individuals who would otherwise have remained well will develop schizophrenia, but those with some vulnerability will be especially likely to be pushed into illness." NAMI's medical director warns that once a brain has been hijacked by THC, it may not be reversible. Drug addiction develops much quicker than alcohol addiction, and there is no guarantee that those who go into treatment for marijuana or polydrug addiction may ever get better or out of the problem

Randy Rowse

My name is Randy Rowse and am a former Councilmember of the City of Santa Barbara, California. I was involved in the development of our local cannabis dispensary ordinance. My colleagues on council saw the potential tax revenue from cannabis sales as an irresistible windfall and a control mechanism for shutting down illegal cultivation and sales, while protecting minors. None of that wish list has come to fruition. Tax revenue has been far under projected levels and the black market thrives with impunity. School children seem to have little problem procuring "medical marijuana" cards, flaunting them and the product on school grounds. Poisoning of children and domestic pets is not unheard of due to consumption of attractive candy-like edibles. Dispensary locations have stringent security requirements, due to their "attractive nuisance" status. No one wants one of these facilities in their neighborhoods or business districts. In short, the legal status of possession for personal use and adult consumption notwithstanding, the addition of dispensary outlets provides little or no community benefit and the costs of enforcement and auditing tend to

outpace the tax revenues. Please don't buy into the "medical" myth of cannabis. It is the red herring used to pass the original initiatives in California. What ever tax and regulation scheme you develop will be challenged and violated. Santa Barbara is not a better community for its increased presence.

Philip Buchanan

Good evening Mayor, Councilmembers and Staff My name is Philip Buchanan and I live in Naperville. After fall, winter, spring, summer and soon to be fall again- we can finally see the finish line. Kudos to the determination of Council members and countless hours of staff work for seeing this thru to completion. You heard the will of voters and followed thru. Let's make sure adult dispensaries remain a permitted use and the ordinance is not changed to conditional use. As the Council and Planning & Zoning Commission determined in their meetings Conditional use would only result in long, unproductive hearings. This leaves only political discussions about legalizing cannabis, which our state has already done and only the state can undo. Thank you for your attention. I yield back.

Karen Johnson

Dear Council Members, I have been a Naperville resident for 18 years and have enjoyed being an active member in my Brookdale Community, and an investor of a downtown restaurant/bar business. I am sharing with you tonight my full support of the recently passed cannabis industry ordinance as currently written and advocating that no changes are made. I do not agree that changes toward treating daycare and youth facilities as schools are necessary or productive. As a community member, I believe that the cannabis industry should receive the same treatment as alcohol and tobacco within our city. It is what is fair and right with the legal cannabis industry. Thank you all for your time on this issue

Marilyn Schweitzer

I support the proposed Cannabis text amendment with a 250 foot separation between a dispensary and residentially-zoned property. The added parking requirement for dispensaries should alleviate most of the concerns for having a dispensary in proximity to residential zoning. The dispensaries deserve flexibility with respect to their hours of operation in accordance to their traffic volume. Thus, I support no further limit on the hours of operation beyond the CRTA specification. Finally, I believe this ordinance, the state's regulations, and our City Staff's professional expertise is sufficient to allow granting the 3 dispensary permits by right. Thank you.

Heidi Swan

My brother was a homeless drug addict with schizophrenia who went to jail

eighteen times. This was agonizing for him and for our entire family. We came from a loving and well-educated home. His painful journey began with his chronic use of marijuana. THC, the psychoactive ingredient in marijuana, was at merely 5% in the 70's & 80's when he smoked it every day for ten years (clearly addictive). Most people have not heard marijuana use is linked to psychosis and schizophrenia. I am thankful to say my brother is now sober and treated (and has been on SSDI since the age of 53). He and I were shocked when we learned about these recent studies. We wondered, "Why doesn't everyone know weed increases the risk for mental illness? Everyone thinks it's harmless." Since we found out, there have only been more peer-reviewed studies which support pot use is linked to serious mental illness. This is especially the case with the new products on the market today. Most people do not understand that the dried flower product (like a joint) is about 15% -30% THC (which is 4-5 times stronger than what my brother smoked). Far worse, the concentrated products -
-LIKE THE ONES OUR KIDS ARE VAPING TODAY--are 60-99% THC! Last summer, our U.S. Surgeon general issued a warning about these dangerous, high potency products. He said regular teen use is associated with school drop-out rate, lowered I.Q. and increased risks for addiction, psychosis, schizophrenia and suicide. Make no mistake, teens are definitely using more pot where they have easier access to it. And many kids think it's "medicine" and that it's good for them (I speak to them and have heard this first hand). Where I live, in California, homelessness has increased along with marijuana legalization. Is the increased use of this psychoactive drug the only reason? Obviously not. But the LA Times recently stated our increasing homeless population is attributable to more people suffering from addiction and mental illness. The American Journal of Psychiatry published an article in 2017 which says, compared to all other recreational drugs which can cause a full psychotic break (LSD, PCP, cocaine, amphetamine, methamphetamine), THC is the #1 drug to convert to schizophrenia...eight years out. There is a very simple equation Naperville must understand: If marijuana increases the risk for mental illness...and mental illness increases the risk for homelessness...then marijuana increases the risk for homelessness. Naperville has too much too lose. My brother will tell you so.

Joy Grainge

I am a Naperville resident. I want you to vote Yes for the zoning amendments for an adult use dispensary. Thank you for your hard work and dedication on adult use dispensaries. A cannabis retail store will be very beneficial to our city. As we move forward our Naperville staff will be able to make decisions regarding a dispensary. Locating dispensary 250 feet from a residential areas is a good compromise. Daycare and youth centers should not be considered schools for the purposes of cannabis zoning. It is best for both business and consumers to locate stores throughout the city

rather than in a limited area. Again thank you for your dedication. I hope you will vote Yes to the zoning Amendment so that we can move forward

James Laures

My family and I are long-time residents of Naperville. Yesterday Allison Laff confirmed to me that allowed hours of operation for City dispensaries are NOT stated in the proposed ordinance and, therefore, hours of operation for Naperville dispensaries will be what Illinois law allows: 6 am to 10 pm, Monday through Sunday. I believe Illinois law on allowed hours of operation supersede local ordinances and that our residents have been misinformed that the City can limit hours of operations to something less than what Illinois law allows. Therefore, all residents, especially those close to the 250 feet separation boundaries for dispensaries, should be told the facts and be prepared for 6 am to 10 pm, 16-hour, seven-days-a-week traffic. If believe otherwise, allowed hours of operation for City dispensaries should be specifically stated in the proposed ordinance before the final vote. In his March 4th 2020 interview on WGN radio, the Mayor provided good insights that I believe are important considerations before finalizing the proposed Cannabis Zoning Ordinance. First, the Mayor said "...If you opt in, then you maintain control and authority...I would prefer to maintain that control." I agree. We maintain maximum City's control and authority through Conditional Use, not by giving it away via Permitted Use. Most importantly, Conditional Use provides City residents with Transparency and a way for residents, especially those who will be directly impacted by dispensary location, to voice their thoughts. Second, the Mayor said "Whenever a group or organization has a weak argument, they always go to three different tactics-attack the personal character of people, the other side; use fear; use misinformation." Unfortunately, we've seen some of this during City Council discussions. For example, requests for Conditional Use feedback, however well-intentioned, is characterized as coming from those against adult-use cannabis and summarily dismissed as not relevant. Even resident concerns about the 250 feet separation boundaries for dispensaries are dismissed with, as one Council person said, "I have a hard time taking seriously an objection to the locations and believing that it's really a concern." It's time to stop these divisive tactics. We all want the same thing for our City--a strong Conditional Use ordinance that gives the City as much control over dispensaries as allowed under Illinois law and provides residents with maximum transparency. We don't want a weak Permitted Use ordinance that cedes control to dispensaries and insiders and eliminates transparency for residents. Finally, in this same interview (pre Covid-19), the Mayor explained how valuable Illinois cannabis dispensaries are since Illinois significantly restricts the number of state cannabis licenses versus what other states do. Hence these Naperville dispensary locations will be highly sought after. Therefore, the City's selection process for dispensaries should be transparent and above

reproach. The simplistic, first-come-first-served approach in the proposed ordinance lacks transparency, is not in the best interest of the residents and should be changed to require an impartial, transparent, lottery-type process utilized by other communities such as Chicago. Thank you. James Laures

POSITION

Allison Longenbaugh - SUPPORT
Jean M. Page - SUPPORT
Ron Franczyk - SUPPORT
Nancy Turner - SUPPORT

SPEAKERS

George Flannery spoke in favor of the proposed ordinance.
Aubree A Adams (Parents opposed to Pot) spoke against the proposed ordinance.
Jim Haselhorst spoke in favor of the proposed ordinance.

Council discussed referendum results, discussions and public input over the past year, that this decision was not pushed through, the appropriateness of permitted or conditional use designation, and the importance of dispensary locations.

A motion was made by Councilman Coyne, seconded by Councilwoman Gustin, 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 and which requires cannabis facilities to be allowed only as a conditional use.

Enactment No.: ORD 20-088

A motion in substitution was made by Councilwoman Brodhead, seconded by Councilwoman Sullivan, to 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 and amending the distance between dispensaries to one mile.

Aye: 6 - Chirico, Brodhead, Kelly, Krummen, Sullivan, and White

Nay: 3 - Coyne, Gustin, and Hinterlong

3. [Adopt the resolution authorizing a covenant incentive agreement between the City of Naperville and Little Friends for the preservation of the Kroehler Mansion](#)

COMMENTS TO BE READ BY STAFF

Barbara Ashley

City Council's consideration of awarding an incentive of \$450,000 of public money to Little Friends, Inc. as an incentive to preserve Kroehler Mansion.

We, Barbara and James Ashley, of 146 N. Columbia Street, Naperville, Illinois, support the East Central Homeowners Organization position.

Signe Gleeson

I am writing to request a delay in passage of resolution 20-357. The proposed development of the Little Friends property has many moving parts and project plans remain fluid. It is unclear that the current proposed use of the mansion - 3 separate housing units will allow for the interior preservation of the mansion. As such, I fear that the mansion will remain merely a shell and will not live up to the spirit of true historic preservation. Until there is assurance that the history and interior grandeur of the mansion will be preserved in a meaningful way, I request that the council delay passage of resolution of 20-357. Thank you for your consideration.

Jim Haselhorst

Thank you City Council for your time this evening. It is no secret that I have not been in favor of saving this building. Considering the city's current financial situation, resulting from the pandemic economy, I do not see how any city official could consider paying close to half a million in taxpayer dollars to preserve this building fiscally responsible behavior. What is being preserved here? Not the home of the Koehler family. The interior of this building is to be gutted and rebuilt to modern standards, which is not true to or even close to what the Koehler home was. Not the exterior of this building. There is to be no attempt made to restore the exterior of this building to what it was like when Koehler family lived here. In fact there is not ever going to be an attempt made to preserve the current exterior. The plan is to redo the exterior in keeping with the standards of the Historic District not the history of this structure. What will exist after all of this construction is a building that is neither the history home of the Koehler family or an architecturally correct example of this home. It will essentially be a new building in an old frame. I do not see how the "Franken Mansion" that this project will produce can possibly be worth having in our community let alone spending any amount of tax dollars to subsidize. I get it. Little Friends is a good cause and has been a good community partner but if the city does this for them, what are they going to do for the Exchange Club? What are they going to do for Rotary? What are they going to do for the Jaycees? The list goes on of community organizations that have been good community partners. And all of them are experiencing financial hardship under the current pandemic economy. The financial challenge Little Friends is facing currently is of concern for us all but it should not be the city government's concern, especially under the current economy. It is simply a bad time for this kind of expenditure. We all know the real objection here is the redevelopment of this property and not the demolition of this mansion. Saving this building will not end these objections. In fact the residents of this area have already objected to the last set of plans

presented as being too dense and it is my understanding the new set of plans are for even more development, or higher density, than the previous plans. Saving this building will not make redeveloping this property any easier. I would like to further point out that the result of this funding will be a private residence that no city resident will have a legal right to access. The last plans presented has this building shrouded in houses and trees making it impossible to see from the street or any other publicly accessible area. Is it really appropriate to subsidize a private development with taxpayer dollars that the taxpayers will have no legal right to access? That they will need permission from a private property owner to even get close enough to see? If this council insists on going ahead with this agreement I would ask that they at least require the developer to provide a public access pathway around this building (360 degrees) lead to by at least two public access pathways from two different streets (public sidewalks). At least this way taxpayer will have legal access to the "Franken Mansion" their tax dollars helped build. I hope all of you will reconsider approving this agreement tonight and at the very least put off further action on this agreement until the fiscal environment has improved. Thank you for your time. Jim Haselhorst

Gary D. Smith

My name is Gary D. Smith and although I am Chair of the Naperville Accessible Community Task Force I am speaking this evening only as a Naperville resident to express my opposition to the Council approving the Covenant Agreement with Little Friends. I want to be clear that I admire the work done by Little Friends in caring for the individuals that seek its' services and fully understand the positive impact Little Friends has on the individuals and families benefiting from their services. Rather, my opposition is based on the financial incentive of \$450,000 of city tax dollars being offered to Little Friends to not tear down the Kroehler Mansion. This is particularly perplexing as the city held the right to make the decision on whether or not to maintain the Mansion up until the November 19, 2019 Council meeting where the council overruled the recommendation of the Historic Preservation Commission to not tear down the mansion. This moved the decision to tear or not tear down the mansion from the city to Little Friends. Shortly thereafter (on December 3, 2019) the Council voted to reimburse Little friends to not tear down the mansion, resulting in the city now paying for something, the decision to retain or not retain the Mansion, that they voted on a mere one month earlier. I retired as a President and Executive Director of a not for profit organization and expected that if we wanted to move and/or expand our services we needed to conduct a capital campaign, seek competitive grants open to all qualifying not for profit organizations or use existing reserves for funding to accomplish our operating goals. I feel Little friends should do the same rather than seeking public tax dollars. I encourage you to vote down the proposed Covenant

Agreement for the reasons cited. Thank you

Mary Stoltenberg-Smith

Dear Mayor and City Council Members, I agree with and support ECHO's position on delaying the payment of \$450,000 to Little Friends until the development proposal of the Little Friends property receives final approval from the City for the following reasons: 1) The sale of Little Friends property has not been finalized; 2) Prior developer's offers were canceled prior to closing; 3) The proposed development does not 'preserve' the landmark property as the interior is planned to be gutted to allow for the creation of three separate and privately owned townhomes. From discussions during the City Council meeting and the resolution itself, preservation was interpreted to include the historical significance, which would include the interior features and not just the exterior; 4) Making the payment to Little Friends now is like giving them an interest free \$450,000 loan funded by taxpayers until the sale has closed; and 5) Although you may hear from Little Friends and the developer that communications have been ongoing with the ECHO residents to address residents' concerns, these communications have been limited to only a small percentage of ECHO residents and may not reflect the majority views of those who will be impacted by this development. Many of us who live within the ECHO boundaries have greatly supported the amazing work the Little Friends staff do and would like to see Little Friends move to their new facility. However, this private organization's continued reliance upon the City and its residents to get concessions and resources not offered to other private organizations can set a precedence and demonstrates favoritism of Little Friends over other non-profits that operate in the city, help children and families, and reflect positively on the City of Naperville. In addition, if the Little Friends \$450,000 payment is coming out of the SECA funds, which would be approximately 45% of the SECA funds allocated and paid out from receipts in a non-pandemic year, any additional SECA requests by Little Friends should not be prioritized over other as-deserving organizations seeking SECA grants.

Patrick Skarr

A joint letter of support signed by nearly 500 members of the community in support of item L-3 and the redevelopment of Little Friends' legacy property in Naperville going forward was submitted to the Council at 4:30 p.m. today. Out of respect for your new virtual meeting process and for the sake of meeting efficiency, we asked members of the community to co-sign this letter rather than send individual emails or sign-up to participate individually through the online City Council Speaker Sign-up form. We would request acknowledgement of the joint letter as part of the public record, but do not need or request the letter or its signatories to be read aloud or take time during the Council consideration of this topic.

Thank you for your continued service to Naperville and the consideration of the community's input on this matter.

Julie Garrison

Dear City Council, My name is Julie Garrison and I am contacting you tonight in regards to Agenda Item 20-357, Resolution authorizing a covenant incentive agreement between Little Friends and the City of Naperville. I would like to go on the record of supporting ECHO in their request to delay this decision. As the owner of a home directly across from Little Friends, I have been involved in two Zoom meetings with Russ Whitaker and various neighbors. There were several issues of concern raised that have yet to be resolved. My husband and I are still waiting to hear back on our email inquiring on information to understand the financial commitment and durability of the balance sheet of the capital sponsor, Ram West. It just seems premature to be doing this resolution at this point. Once the COA is granted and the plans pass Planning and Zoning then it would seem a more appropriate time to do this.

George Howard

The question tonight is whether to adopt a resolution to give Little Friends \$450,000 for the intent to protect and preserve the Kroehler Mansion in any future development. In December 2019 council approved a resolution that proposed an incentive opportunity to prevent demolition of the Kroehler Mansion. Nothing in that resolution guaranteed Little Friends any money to be paid by the City of Naperville. The resolution and payment is to protect and preserve the Kroehler Mansion. There is no preservation plan presented or approved to date for this resolution, nor is there any development plan for the current site. The developer presented a conceptual design plan in May 2020 that was not well received by council. The distribution of funds is designated to come from the City Food and Beverage tax. The proposed payment does not comply as a codified use of the tax funds. The proposed negotiated \$450,000 payment can be categorize as a gift, charitable contribution, and/or grant to Little Friends for the purchase of a new property location. What is being protected and for what public purpose? The residence will be in private hands, with no public purpose or access. Approval of the resolution tonight could be construed as precedent for any homeowner within the historic district to request money from the city for preservation work on a property. I request the proposed resolution for the covenant incentive agreement not be approved. Thank you for your consideration.

Randy Smith, Alva J Chastain, Patricia Todd, Geri Smith, Anne Swanson, Susan Fitch

I support the ECHO position.

SPEAKERS

Mike Briggs (Little Friends and Petitioner) discussed Council approval of the design and the sale of the property.

Tom Connors (Little Friends and Petitioner) explained the request, a future proposal to repurpose the mansion, and the commitment previously stated by the Council.

Russell Whitaker (Attorney for RAM West) discussed the desire to move forward with redevelopment plans and discussions with neighborhood.

Becky Simon (Naperville Preservation, Inc) spoke in favor of adhering to preservation guidelines and stated that the economy benefits from the Historic District.

Tim Messer (East Central Homeowners Organization - ECHO) spoke in favor of the proposed agreement as stated by ECHO.

Marilyn Schweitzer spoke against the proposed incentive.

Council discussed the appropriateness of the City contributing money and being involved in the transaction, whether or not a public good exists, the budget deficit, that the only assurance is that the mansion will exist on the property, that the parties didn't request Council be involved, the amount of property tax that could be generated, and alternate ways to help the Historic District.

DiSanto explained the proposed \$450,000 agreement with Little Friends and stated that the covenant restriction will stay with the land regardless who owns the property.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adopt the resolution authorizing a covenant incentive agreement between the City of Naperville and Little Friends for the preservation of the Kroehler Mansion. The motion carried by the following vote:

Aye: 7 - Chirico, Brodhead, Coyne, Gustin, Hinterlong, Kelly, and White

Nay: 2 - Krummen, and Sullivan

4. [Receive the August 2020 Financial Report and approve actions providing financial flexibility in the 2020 and 2021 budgets \(Item 1 of 2\)](#)

Mayer presented the August 2020 Financial Report.

Council discussed the home rule sales tax, anticipated 2020 and 2021 budget shortfalls, and tax revenue from online sales.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the August 2020 Financial Report and approve actions providing financial flexibility in the 2020 and 2021 budgets. The motion carried by the following vote:

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

5. [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 \(Item 2 of 2; requires six positive votes\)](#)

Enactment No.: ORD 20-089

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to 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. The motion carried by the following vote:

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

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Compliment

Krummen thanked Schatz for reading all of the comments submitted.

Revenue from adult-use cannabis sales

Krummen suggested a portion be allocated for a mental health awareness grant program.

Electric bills

Gustin requested information on customer usage data.

Podlesny will provide a list of how residents can check data in addition to calling the finance department.

Meeting start time

Chirico suggested Council consider moving the meeting start time to 6:00 p.m.

Ancillary cannabis-related businesses

Chirico suggested Council consider what to do when/if requests are submitted.

Mask campaign

Gustin asked about status of campaign PSAs.

LaCloche said NCTV will be sending videos to the City to proof this week and that the campaign is estimated to continue for six to eight weeks.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of August 18, 2020 at 10:35 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