

# Council Q&A – April 7, 2021

Wednesday, March 31, 2021 4:22 PM

## F. AWARDS AND RECOGNITIONS:

1. **21-0409** Proclaim April 2021 Autism Awareness Month in the City of Naperville
2. **21-0457** Proclaim April 2021 Child Abuse Prevention Month in the City  
Naperville

## I. CONSENT AGENDA:

1. **21-0419** Approve the regular City Council meeting minutes of March 16, 2021
2. **21-0455** Approve the City Council meeting schedule for April, May & June 2021
3. **21-0265** Approve the award of Bid 21-019, 2021 Grouting of Sanitary Sewer Service Connections and Service Laterals Cress Creek Phase 7, to Michels Corporation for an amount not to exceed \$187,062, plus a 5% Contingency
4. **21-0425** Approve the award of Bid 21-128, Emergency and Amber Lighting and Related Equipment, to Fleet Safety Supply Inc. for an amount not to exceed \$144,986.90, and for a one-year term
5. **21-0426** Approve the award of Bid 21-132, Heating, Ventilation, Air Conditioning and Dehumidification (HVAC-D) Services, to Beery Heating and Cooling Inc. for an amount not to exceed \$181,520, and for a one-year term
6. **21-0391** Approve the award of Bid 21-004, 2021 Patching Program, to J.A. Johnson Paving Company for an amount not to exceed \$434,150, plus a 5% contingency
7. **21-0327** Approve the award of Option Year Two to Contract 18-008, Electric Tree Trimming, to D. Ryan Tree & Landscape, LLC for an amount not to exceed \$100,000
8. **21-0360** Approve the award of RFQ 21-012, Phase III Consultant Engineering Services for Various Projects, to TranSystems Corporation, Thomas Engineering, Christopher B. Burke, V3 Companies, Ltd. and Baxter & Woodman, Inc., for future projects and for a five-year term
9. **21-0408** Approve the award of Work Order 17-122-TED-2101, Columbia Street

Final Engineering Plans, to Thomas Engineering Group, LLC for an amount not to exceed \$111,560.79, plus 5% contingency and for a one-year term

- 10. **21-0388** Approve the award of Sole Source Procurement 21-084, Cla-Val Valves, to Dorner Company for an amount not to exceed \$150,267
- 11. **21-0406** Approve the award of Sole Source Procurement 21-094, Leaf Disposal Services, to BioAg and Option Year Three to Contract 18-146, Leaf Disposal, to Tri-County Excavation and Construction, Inc. and to Steve Piper and Sons for a combined amount not to exceed \$322,500 (Item 1 of 2)

Q:	<b>Where are we with getting approval to use our leaf burner? The forest preserve does all these controlled burns that you can see the smoke for miles and just last week the smoke was going across roadways and thru my vents. How can they get away with that and we can't get a permit for our leaf burner? They're burning the same things we will be. Please explain these concerns.</b>	Hinterlong
A:	Prescribed burn permits used by the forest preserve are different from our operation which per the EPA requires the City to get a Title 5 permit from the State. Unfortunately the State has not been helpful in obtaining the federally required Title 5 permit. We will continue to pursue the permit.	Dublinski

- 12. **21-0445** Adopt the resolution authorizing the city manager to lease three parcels of City property for leaf disposal (Item 2 of 2)
- 13. **21-0395** Adopt the resolution authorizing the City of Naperville to perform work in the Illinois Department of Transportation right-of-way on Illinois Route 59 and US Route 34
- 14. **21-0324** Approve the award of Bid 21-006, 2021 Sidewalk and Curb Maintenance Program, to Schroeder & Schroeder Inc for an amount not to exceed \$908,244, plus a 3% contingency (Item 1 of 2)
- 15. **21-0325** Pass the ordinance approving the 2021 Sidewalk Removal and Replacement Program Property Owner's Cost Sharing Program and directing staff to defer the due dates of the bills an additional 60 days (Item 2 of 2)
- 16. **21-0396** Pass the ordinance to establish a temporary street closure for the 2021 Soap Box Derby races and issue Amplifier and Special Event permits subject to all state and local Executive Orders and CDC guidelines
- 17. **21-0376B** Pass the ordinance approving a variance to permit a wall sign to be

installed on a residential property located at 1350 E. Ogden Avenue - PZC  
21-1-016

- 18. **21-0358B** Pass the ordinance granting a variance to permit the construction of a three-story single-family residence at 476 South Columbia Street - PZC 21-1-023
- 19. **21-0442** Pass the ordinance granting a 4-year extension to the temporary use approved through Ordinance 17-059 and approving an amended Owner's Acknowledgement and Acceptance Agreement for the property located at 433-435 Spring Avenue

**L. ORDINANCES AND RESOLUTIONS:**

- 1. **21-0447** Conduct the first reading of an ordinance amending Section 7-3-5 of Chapter 3 (Required Improvements) of Title 7 (Subdivision Regulations) regarding student generation rates for residential developments proposed within the boundaries of Indian Prairie Community Unit School District No. 204
- 2. **21-168C** Pass the ordinance rezoning the subject property from I District to OCI District for City Gate West and approving a Preliminary Plat of Subdivision; Conditional Use for a PUD and Preliminary PUD Plat; Conditional Uses for retail, restaurants, residential, and two hotels; and various deviations for City Gate West - PZC 20-1-022

<p><b>Q:</b></p>	<p><b>L-2. Please answer the following questions about the entitlements listed in the ordinance.</b></p> <p><b>10-4-a. Please explain why we would be willing to give this large of a variance per dwelling unit? Have we given a similar variance to anyone else? Did the Calamos project ask for similar variances?</b></p> <p><b>10-4-c. Did the Calamos project receive any parking variances?</b></p> <p><b>10-7. Have we given parking variances to Calamos or Arista? If so, what were they?</b></p> <p><b>10-14. Have we ever given these time variances out to anybody else? Please explain why they need each of these 3 time variances.</b></p>	<p><b>Hinterlong</b></p>
<p><b>A:</b></p>	<p><b>10-4-a.</b> There have been several multi-family residential developments that have recently received approval of parking variances including Lincoln at CityGate (parking</p>	<p>Kopinski/Venard</p>

ratio of 1.63 spaces/du), Ellsworth Street Subdivision (parking ratio of 1.76 spaces/du), 1350 E. Ogden micro-units (parking ratio of 1.05 spaces/du), and Main Street Promenade III (parking ratio of 1.79 spaces/du).

**10-4-c. And 10-7.** For the residential component of Calamos (Lincoln - 285 units), the following variances were approved:

	<b>Code Required</b>	<b>Plan/Ordinance</b>
<b>Parking</b>	642 spaces	465 spaces (ratio of 1.63 spaces/du)

In April of 2007, a major change to the CityGate Centre PUD was approved to allow a reduction in parking spaces from 3210 spaces to 2909 spaces.

**10-14.** Per the applicant's development petition, a request for deviation approval from the strict time requirements of Section 6-4-8:1 is made to increase the time period to file for final plat to (5) five years increase the time period to commence construction after approval of the final plat to (3) three years, and increase permitted extensions to up to three years – all due to the economic and market impact of the COVID 19 pandemic.

*"City Gate West is well designed for a mixture of land uses, spacing, open space and walkability that are intended to contribute to the general health and welfare of the community. However, state and national laws, executive orders, and local regulations are in effect that restrict many aspects of business, employment, travel, and indeed, normal life. Markets have slowed, and more regulations in the future that could impair or prohibit traditional business operations are a real possibility.*

*The City Gate West development has a strong foundation from a land use perspective. But it is expected that the effects of COVID-19 on land uses and markets will linger for unknown periods of time, and investors, lenders, developers and end users will require more clarity before proceeding. For these reasons, Petitioner needs relief from the deadlines for going preliminary to final plat, and for commencing construction after approval of the final plats."*

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

- 1. 21-0448** Receive the Water Utilities Capital Improvement Program presentation