

Council Q&A – Dec. 3, 2019

Monday, December 2, 2019 11:59 AM

I. CONSENT AGENDA:

1. **19-1193** Approve the regular City Council meeting minutes of November 19, 2019

Q:	Please add in the minutes under New Business for diversity task force “task force would not be political with majority politicians and should include people of additional diversity such as Chinese and others.	Gustin
A:	This request is being addressed offline with Councilwoman Gustin.	Gallahue

2. **19-1190** Approve the City Council meeting schedule for December 2019 and January & February 2020

3. **19-1021** Approve the award of Option Year Two to Contract 16-219, Temporary Employment Services, to FutureNet Group, LaSalle Network, Sentinel Technologies and Stivers Staffing Services for an amount not to exceed \$100,000.

4. **19-1040** Approve the award of Option Year One to Contract 18-221, Government Accounting and Payroll Services, to Lauterbach & Amen, LLP for an amount not to exceed \$172,020

Q:	Once the payroll system transfer to Munis is complete will this cost go away?	Gustin
A:	No, even though the payroll process was converted to Munis on July 1, 2019 it still requires staff to initiate and complete the bi-weekly payroll process. While the electronic processing function has been significantly improved there are still multiple tasks related to processing of payroll for over 1,000 employees that require human intervention such as maintenance of the system and payroll tax filing, etc.	Mayer

5. **19-1050** Waive the applicable provisions of the Naperville Procurement Code and award Procurement 19-317, External Audit Services, to Sikich LLP for an amount not to exceed \$102,760 and for a one-year term (Requires six positive votes)

6. **19-1054** Approve the award of RFP 19-209, GIS Database Consolidation, to SSP Innovations for an amount not to exceed \$147,490

- 7. **19-1078** Approve the award of Bid 19-282, Molded Rubber and Cold Shrink Products, to Fletcher-Reinhardt Company, G&M Sales, Inc., Universal Utility Supply Company (UUSCO) and WESCO Distribution, Inc. for an amount not to exceed \$163,209.75 and for a one-year term

- 8. **19-1145** Approve the award of Option Year Two to Contract 18-026, Tree Removal and Stump Grinding, to D Ryan Tree and Landscaping Service and Steve Piper and Sons, Inc for an amount not to exceed \$155,000

Q:	How many more EAB trees are pending removal? Of those treated how many had thought to be saved but later were removed?	Gustin
A:	Ash trees are annually inspected to assess EAB damage. Beginning in 2012, trees were rated on a five-point scale ranging from good condition to dead. Currently 94% of the parkway ash trees exhibited only minor or no EAB damage. 5% of the parkway ash trees have moderate signs of EAB and are monitored closely before receiving treatment. If they continue to decline and are not expected to live at least three years, they are removed. 1% of the parkway ash trees were rated poor or dead and were removed. We anticipate removing 290 EAB infested trees in 2020.	Dublinski

- 9. **19-1147** Approve the award of Cooperative Procurement 19-339, Police Uniforms, Equipment and Accessories, to Galls, LLC for an amount not to exceed \$124,660 and for a one-year term

- 10. **19-1167** Approve the award of Change Order #1 to Option Year One of Contract 18-017, Excavation and Underground Utility Repair, to Baish Excavating, Inc. for an amount not to exceed \$59,000 and for a total award of \$179,000

- 11. **19-1080** Approve the award of Change Order #1 to Contract 19-057, North Pump Station Interceptor Phase 2, to Insituform Technologies USA, LLC for an additional 244 days

- 12. **19-819** Receive the staff report for the property located at the northeast corner of Reflection Drive and 95th Street and known as Naperville Crossings Lot 10 (Advance Care Medical and Dog Haus) - PZC 19-1-046 (Item 1 of 3)

- 13. **19-820** Pass an ordinance approving a preliminary/final subdivision plat for ACM and Dog Haus Resubdivision - PZC 19-1-046 (Item 2 of 3)

- 14. **19-821** Pass an ordinance granting a minor change to the Naperville

Crossings PUD and approving a final PUD plat for ACM and Dog Haus Resubdivision - PZC 19-1-046 (Item 3 of 3)

Q:	Can we have the elevations listed as north south east and west rather than front back and sides please?	Hinterlong
	Please see attached.	Venard

15. **19-1168** Pass the ordinance approving a right-of-way encroachment agreement for 41 W. Jefferson Avenue #109 (Cinnaholics)

Q:	The electrical certificate has 49 W. Jefferson listed as the address.	Hinterlong
A:	Noted. Staff will work with the petitioner to ensure the appropriate address is listed on the certificate.	Venard
Q:	Have we approved other permanent blade signs in this area	Gustin
A:	City Council recently approved encroachment agreements for J. McLaughlin at 216 S. Main Street (8/20/19), Trails & Tides at 120 Water Street (2/5/19), and Molly's Cupcakes at 30 W. Jefferson (12/4/18)	Venard

16. **19-1124B** Pass the ordinance amending Sections 3-3-3 and 3-3-11 of the Naperville Municipal Code regarding the Class R - Legitimate Theater House liquor License

Q:	Do we have any idea on the scale of this operation? Is it geared toward seniors?	Coyne
A:	It is anticipated that the venue will have seating for 100-150 patrons and will be for audiences of all ages.	Lutzke

Q:	Do we expect any noise issues with the neighbors?	Hinterlong
A:	Staff does not anticipate any noise concerns. No concerns were raised during the Liquor Commission Meeting or the first reading at City Council and this is an appropriate use for this building.	Lutzke

17. **19-1151B** Receive the report regarding the subject property located at 627 & 651 Amersale Drive, Naperville - PZC 19-1-108 (Item 1 of 4)
18. **19-1172** Pass the ordinance rezoning the property located at 627 & 651 Amersale Drive to OCI (Office, Commercial and Institutional District) - PZC 19-1-108 (Item 2 of 4)
19. **19-1173** Pass the ordinance approving the preliminary/final plat of subdivision for American Sale Center 1st Resubdivision - PZC 19-1-108 (Item 3 of 4)

- 20. **19-1174** Pass the ordinance approving revoking a portion of the American Sale Center PUD for the property located at 627 & 651 Amersale Drive - PZC 19-1-108 (Item 4 of 4)

J. PUBLIC HEARINGS:

- 1. **19-1165** Conduct the public hearing for the 2020 Annual Operating Budget (Item 1 of 2)

<p>Q:</p>	<p>A. Which light poles and on what streets and when would the military/veteran decorations be put up and for how long? Who on staff or Council will be responsible for designing, proofing and accepting the banner designs?</p> <p>B. Per the Friday confidential, the addition of banners to 100 street poles will cost \$50,000 for the hardware and banners to start, which was added as an expense to the General Fund budget. However, it will cost ((\$85/pole install + \$85/pole to remove) *2 times a year =) \$34K every year to implement? Should those expenses also be added to the budget if we are to fund it fully?</p> <p>C. Would postponing budgeting for this item one year so that it may be evaluated by staff relative to all other city priorities/expenses for 2021 give staff a better estimate and specific plan for the roll out of such a project?</p> <p>D. Please explain why the Foreign Fire Insurance budgeted expense (\$323,000) is almost \$100K more than the anticipated revenue of \$225,700? Could you confirm that the difference is coming from the Foreign Fire fund, and not another city source?</p>	<p>Sullivan</p>
<p>A.</p>	<p>A. At the Budget workshop Ogden Avenue and Washington Street were mentioned as options for streetlight banners. As mentioned in the Friday confidential, implementing this program on Ogden has some challenges for 2020, so staff would like to pilot a smaller scale program in the downtown area. The Department of Public Works would work with the City Manager’s office on the design of the banners.</p> <p>B. The \$85 mentioned in the memo is the total in-house labor cost for both the installation and removal of banners.</p> <p>C. Staff recommends a pilot program in the downtown area that would allow staff to research military/veteran decoration options, infrastructure needs (poles, banner hardware, lights, banners, etc) and related costs. This would allow for a more detailed larger scale program to be evaluated prior to 2021.</p> <p>D. The city has a statutory responsibility to approve the Foreign Fire Insurance fund budget within the City’s budget process. However, sole control of the financial management process is held by the Foreign Fire Insurance Board. This division of duties is outlined in the State of Illinois statute(65 ILCS 5/11-10-2) (from Ch. 24, par. 11-10-2). Should the budget reflect spending in excess of revenues, it is due to the FFI Board’s plan to draw down funds or modify expenses based on actual receipts. The City does not subsidize this fund with any other City funds.</p>	<p>Mayer</p>

<p>Q:</p>	<p>Can you please explain this statement in a bit more detail? "To offset the revenues and balance the fund, the Settlement reduced their payroll budget by \$545,127. The reduction in payroll did not include elimination of any positions. Settlement reduced the expenses after recognizing the impact vacancies historically had on their actual spend within payroll accounts."</p> <p>The fiscal impact says that there was an overall reduction of \$168,357 after the workshops, but in the chart provided, I see more expenses added than revenue. Can you please explain how you determined a reduction of \$168,357?</p>	<p>Kelly</p>
<p>A:</p>	<p>The City utilizes a vacancy factor when budgeting for payroll expenses. This refers to the reduction in annual salary costs for the hiring lag and turn-over savings experienced when filling a position. This factor is calculated annually based on historical experience.</p> <p>In discussions with the Settlement and Heritage Society, it was determined that including a "Heritage Contribution" as part of the annual revenues for the Settlement did not accurately reflect the true revenues into the Settlement fund for the upcoming year. As such, it was agreed that the "Heritage Contribution" amount would not be included in the 2020 revenues; thus leaving the fund out of balance between revenues and expenses.</p> <p>It was determined that the salary budget for the Settlement fund would be adjusted to include a more accurate vacancy factor based on past experience, which brought the fund back into balance.</p> <p>The \$168,357 reflects the reductions in 2020 expenses only, which includes the addition of expenses to the Foreign Fire Insurance Fund and General Fund. The number does not include any of the adjustments made to revenues. Per statute, Council is approving the budget or spending authority not necessarily the revenues. Staff provides both the revenues and expenses as an overview of what changed during budget discussions.</p>	<p>Mayer</p>

2. **19-1166** Pass the ordinance adopting the 2020 Annual Budget in the amount of \$491,503,165 (Item 2 of 2)

<p>Q:</p>	<p>What's been our overtime totals for the last 3 years and what \$ amount is in the budget for FY 2020</p>	<p>Hinter long</p>
	<p>The proposed budget includes \$8.27 million in overtime expenses in 2020. The total does not include overtime for the Library or Naper Settlement. The proposed total is a 5% increase over the 2019 budget, but in line with 2019 projections. Historic overtime expense dating back to 2016 can be found in attached Budget Workshop 2 Follow Up document included in the agenda.</p>	<p>Mayer</p>

L. ORDINANCES AND RESOLUTIONS:

1. **19-1095B** Receive the staff report for the property located at 1350 E. Ogden Avenue - PZC 19-1-092 (Item 1 of 5)

Q:	Can you confirm that the petitioner is not requesting any fee waivers related to the "retrofit" plan? And that any potential fee waivers related to the alternative tear down plan would be considered at a later date?	Kelly
A:	Per the attached letter dated 11/15/19, the petitioner is no longer requesting any fee waivers related to the retrofit plan. Should the petitioner submit a new request for a fee waiver, the request will be subject to Council's review and approval at a later meeting date.	Kopinski

- 2. **19-1096B** Pass the ordinance rezoning 1350 E. Ogden Avenue to OCI (Office, Commercial and Institutional) - PZC 19-1-092 (Item 2 of 5)

Q:	Why would we agree to rubber stamp a new building? If a new building is to be built it should be built to code and go through the processes everyone else goes through to build a building. Please explain why we would agree to this?	Hinterlong
A:	<p>Should the petitioner decide to move forward with demolition of the existing structure and building new, the new building and site plan will be reviewed for compliance with zoning codes and applicable building codes. Approval of the resolution in support of an alternative plan simply indicates that Council remains supportive of project and the entitlements currently requested (conditional use, density and parking variances) should the site be redeveloped instead of retrofitted.</p> <p>Changes to building elevations and site design will be processed as major or minor changes to the conditional use as necessary and will be come before Council at a later date. Currently, no major changes to the site plan or new variances are anticipated as part of building new. The petitioner is simply seeking confirmation that Council would be supportive of the project and necessary entitlements with a new building proposed should this be the preferred alternative.</p>	Kopinski

- 3. **19-1097B** Pass the ordinance approving a conditional use in the OCI zoning district to allow for a multi-family building, and variances to reduce the required minimum lot area and reduce the required number of off-street parking spaces, for the property located at the southwest corner of Ogden Avenue and Tuthill Road (1350 E. Ogden) - PZC 19-1-092 (Item 3 of 5)
- 4. **19-1098B** Pass the ordinance approving an electrical services agreement for 1350 E. Ogden Redevelopment - PZC 19-1-092 (Item 4 of 5)
- 5. **19-1175** Pass the resolution in support of an alternative plan to demolish the existing structure and construct a new 112-unit micro-apartment community at the property located at 1350 E. Ogden Avenue - PZC 19-1-092 (Item 5 of 5)
- 6. **19-1189** Consider adopting a resolution authorizing the City to tender up to

\$562,000 to Little Friends in exchange for recording covenants upon the Kroehler Mansion to preserve it from demolition.

Q:	Is there legal and/or financial precedent for such a resolution? Would staff and legal Counsel recommend that the City Council approving such a financial commitment is in the best interests of Naperville taxpayers?	Sullivan
A:	In the past, the City has participated in a variety of incentives, but those have generally been targeted towards large commercial developments. Staff cannot recall a past incentive like this one (providing anticipated property tax revenues to a non-profit in exchange for the imposition of preservation covenants upon private property), but it is within the City's home rule authority to do so. Staff has no recommendation concerning the potential incentive.	DiSanto

Q:	Has the repayment of this incentive through SECA been fully explored?	Coyne
A:	Staff considered funding the incentive through SECA, but recommends that instead Council consider dedicating a portion of the Citywide food and beverage tax to fund the incentive. The Citywide food and beverage tax is the source of SECA funding. Additional information on the use of SECA will be discussed at your upcoming meeting with Councilwoman Sullivan and SECA Commission Chairman Melvin Kim.	DiSanto/ Gallahue

Q:	Will the city's potential financial investment be refundable in the event that Little Friends accepts a qualifying offer and records the required covenant but the buyer is unable to successfully move/save the mansion?	Kelly
A:	It is unlikely that the City's incentive would be refundable. The proposed incentive contemplates the funds being tendered to Little Friends in exchange for recording preservation covenants on the mansion. It is anticipated that Little Friends would then sell its property to a developer who would be legally bound to honor the recorded covenants on the mansion. If the mansion were to be relocated, City staff would mitigate the risk of any harm to the mansion by making sure the City's issuance of the requisite permits require the work be done by qualified, bonded experts. Also, the fine for illegal demolition in the historic district is up to \$50,000. If the mansion were ruined while being relocated, the City could pursue that remedy as well as any others available under the law. If Council is concerned over the mansion being ruined during a move and the City being unable to recoup its incentive, Council may want to consider adding to the incentive a condition that the mansion remain in place.	DiSanto

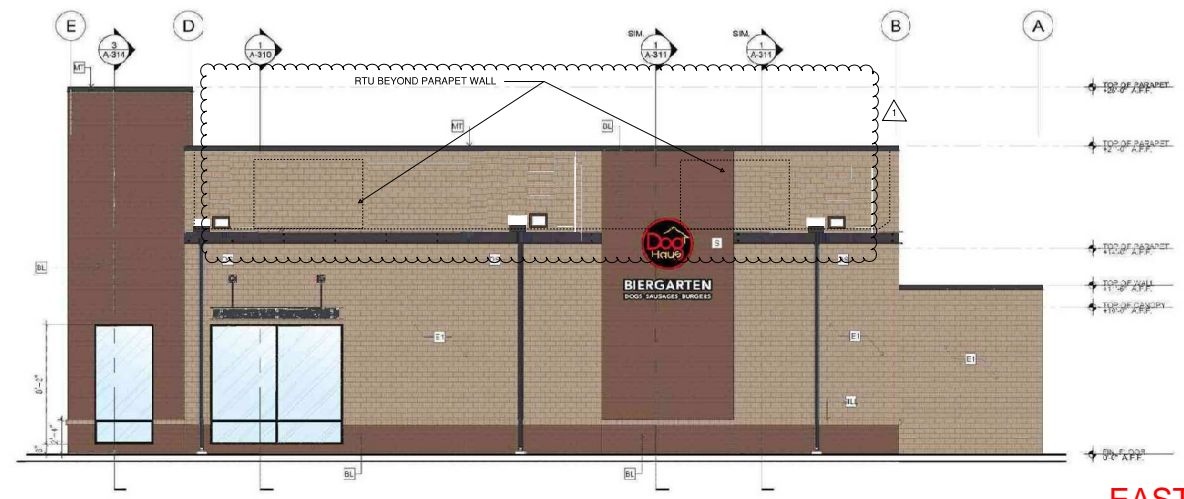


SOUTH ELEVATION

EXTERIOR ELEVATION

SCALE: 1/4"=1'-0"

1



EAST ELEVATION

EXTERIOR ELEVATION

SCALE: 1/4"=1'-0"

2

EXTERIOR ELEVATIONS

AFC AND DOG HAUS NAPERVILLE
2968 REFLECTION DRIVE, NAPERVILLE, WILL COUNTY, IL

INTERIOR / EXTERIOR PAINT SCHEDULE

NO	MANUFACTURER	MFG #	COLOR	FINISH	REMARK
P-1	SHERWIN WILLIAMS **	SW 7000	EGG WHITE	SEM-GLOSS	SOFFIT LID ABOVE BEVERAGE STATION
P-2	DUNN EDWARDS	DE337C	CHARCOAL SMOKE	SATIN	DINING ROOM WALLS & RESTROOM WALLS ABOVE SUBWAY TILE
P-3	DUNN EDWARDS	DE1405	CHERRY BOARD	SEM-GLOSS	WALL BEHIND KITCHEN COUNTER & RESTROOM LOCKERS
P-4	DUNN EDWARDS **	DE3353	SILVER LINE	SATIN	BATHROOM CEILING
P-5	DUNN EDWARDS	DE335C	BARK ENGINE	SATIN	SPRINKLER, SIGNABLE WALLS, CEILING & V.R. COOL TRIMMER EXTERIOR PARTS, STRUCTURE AND TRIM AT ROOFLINE

KEY NOTES

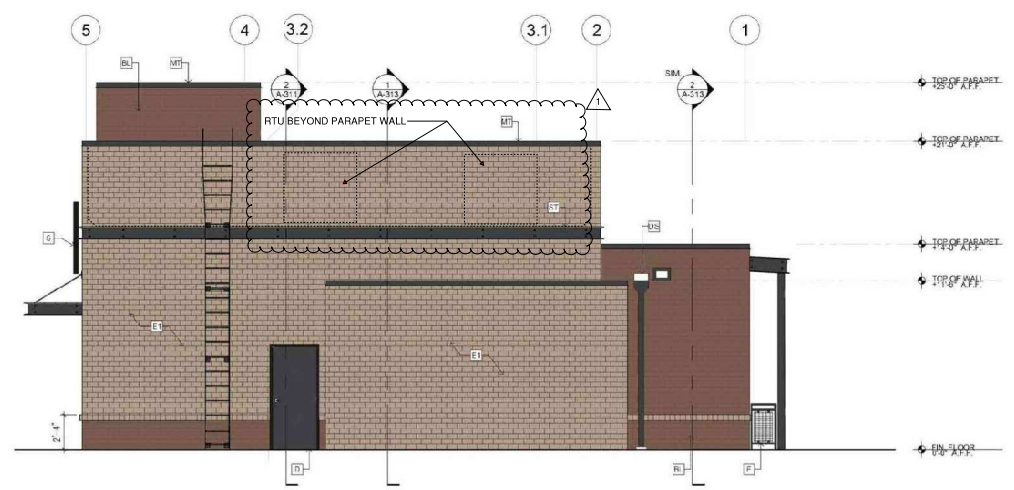
BL	BRICK VENEER COLOR 1 DARK WARM BROWN ACTUAL COLOR TO BE SELECTED	BT	METAL FLASHING AND INM COLOR: P-5
BL	COLLECTED STONE SOLI BLOCK COLOR: P-5	P	PATIO STRUCTURE COLOR: P-5
D	DOOR PAINTED P-7 (ONLY APPLIES TO DELIVERY DOOR)	S	SIGNAGE BY OTHER - UNDER SEPARATE PERMIT
D1	DOOR FRAMES AND STOREFRONT TO BE SATIN BLACK	S1	SYNTHETIC 'C' SHAPE TRIM w/ PAIR - 3/8" LAG BOLTS - SPACING WARES REFER TO DETAILS SHEET A-313 @ 45' C.C. PAINTED SOC 'GRAPHITE'
D2	DOWNSPOUT COLORED TO MATCH BUILDING SUBSTRATE	R	WESTERN RB META. DECK - SATIN BLACK
EV	BRICK VENEER COLOR 2 LIGHT TAN ACTUAL COLOR TO BE SELECTED		
F	FENCE COLOR: P-5 - POWDERCOAT AT MANUFACTURER		

** NOTE: ALL PAINTS TO HAVE SATIN SHEEN EVERYWHERE EXCEPT RESTROOMS AND BAR AREA. RESTROOM LOCKERS AND WALLS SHOULD BE SEM-GLOSS

DR.	CHK.	DATE	DESCRIPTION
JD		07/02/2019	CONTRACT REVIEW
JD		07/02/2019	PERMIT RESPONSE TO JEFF NEW COMMENTS
JD			
JD			
JD			

A-200

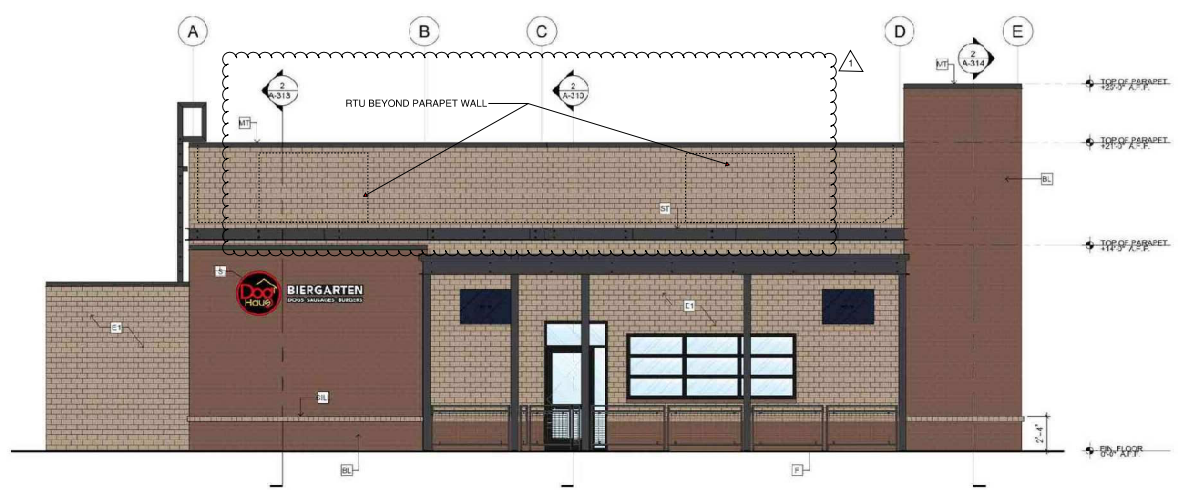
FILE NO. 369502/02/03



NORTH ELEVATION

EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"

1



WEST ELEVATION

EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"

2

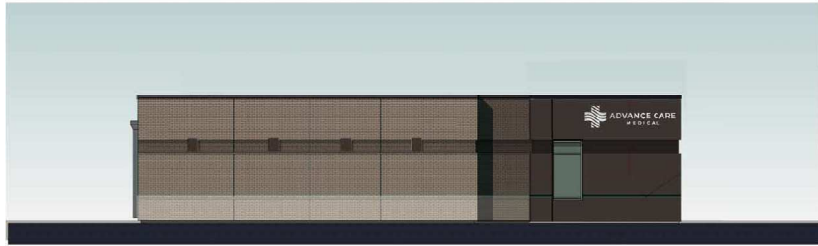
EXTERIOR ELEVATIONS

AFC AND DOG HAUS NAPERVILLE
2988 REFLECTION DRIVE, NAPERVILLE, WILL COUNTY, IL

REV.	CHK.	DATE	DESCRIPTION

A-201

FILE NO. 36950-02/03



RIGHT ELEVATION
EAST ELEVATION



BACK ELEVATION
NORTH ELEVATION



LEFT ELEVATION
WEST ELEVATION



FRONT ELEVATION
SOUTH ELEVATION

NOTE: ACTUAL FINAL COLORS TO BE SELECTED BY OWNER AND ARCHITECT

BARGE
DESIGN SOLUTIONS
1610 Parkview Blvd., Suite 1000, Naperville, IL 60563
TEL: 630.335.1100 FAX: 630.335.1101

ILLINOIS CORP. # 13400737-0002

EXTERIOR ELEVATIONS

AMERICAN DEVELOPMENT PARTNERS
ADVANCE CARE MEDICAL
2988 REFLECTION DRIVE, NAPERVILLE, WILL COUNTY, IL

REV.	CHK.	DATE	DESCRIPTION
0	JRW		FOR PERMIT REVIEW

A901
FILE NO.: 36950-02/03

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November 15, 2019

Ms. Kasey Evans
Project Manager
City of Naperville
400 S. Eagle Street
Naperville, Illinois 60540


***Re: 1350 E Ogden Regency Inn Redevelopment Proposal-
Request for Relief from Naperville Fees***

Dear Ms. Evans,

This letter is a follow up to my October 16, 2019 letter requesting a fee waiver on behalf of MZ Capital Partners (“MZ”). I have further discussed this request with my client who hereby withdraws its prior request based on the City’s confirmation that no land/cash payments to the school district or park district will be required by city code. Should the City memorialize this understanding in the future approval ordinance specific to the MZ’s project, no fee reductions will be required in order for the current renovation project to move forward.

I would also like to update you that MZ is seriously exploring the possibility of building new instead of the currently proposed restoration. There are certainly additional costs associated with the renovation to fully update the property and bring it to current codes that warrant the exploration of building new. Building new would provide for more accessible units and the many other benefits make it worthwhile to evaluate. Should MZ determine it is possible to build new and still deliver attainable rents, via the micro unit concept, MZ will request at our December 3rd hearing that the city council approve a resolution of support of building new. This resolution would be in addition to the current approvals sought relative to the currently anticipated restoration project. The requested resolution would give the petitioner the confidence that upon completion of new construction plans consistent with the approvals granted it would be permitted to move forward with perhaps an even better project. However, if the new construction project would not yield attainable rents, MZ will not pursue that option.

Thank you for your consideration.

Very truly yours,

Vincent M. Rosanova

CC. Christine Jeffries – Naperville Development Partnership