

February 5, 2019 Q&A

Wednesday, January 30, 2019 2:33 PM

F. AWARDS AND RECOGNITIONS:

1. **19-114** Proclaim February 5, 2019 as Naperville Heritage Society Day in honor of their 50th Anniversary
2. **19-118** Proclaim the month of February 2019 as Black History month in the City of Naperville

I. CONSENT AGENDA:

1. **19-113** Approve the regular City Council meeting minutes of January 15, 2019
2. **18-1125** Approve the award of Option Year One to Contract 18-126, Sanitary Manhole Replacement, to Sheridan Plumbing & Sewer, Inc. for an amount not to exceed \$131,420, plus a 5% contingency

Q:	Please confirm this is for sewer lining?	Gustin
A:	This project is for sanitary manhole replacement of sanitary manholes that are unable to be rehabilitated by other means. This project is part of the city's I&I reduction program.	Ries

3. **19-009** Approve the award of Cooperative Procurement 19-019, Fire Station 4 and 7 Roof Replacement, to Garland/DBS Inc. for an amount not to exceed \$367,138, plus a 5% contingency

Q:	Who will actually be doing the roofing work?	Hinterlong
A:	Knickerbocker Roofing & Paving Co. Inc.	Mayer

4. **19-013** Approve the award of Option Year One to Contract 17-210, Emerald Ash Borer Insecticidal Treatment, to The Care of Trees for an amount not to exceed \$300,000

Q:	I've read the severe freeze may have had significant impact on the Emerald Ash Borer (i.e. killed them off). Is this true? Is there any impact on our financial commitment made toward dealing with this issue as a result of the freeze?	Coyne
A:	The timing, intensity, and duration of the cold are all factors that could contribute to EAB mortality, but the cold we experienced recently is unlikely to have any significant impact on the EAB population. Our future treatment decisions will be made based on our continual evaluation of the program, which includes annual tree inspections.	Schwartzhoff

Q:	With the Emerald Ash Borer Contamination how long do you anticipate treatment will continue on these trees and will there be any after affect as years progress from the treatment?	Gustin
A:	As noted above, EAB treatment decisions are based on the data collected and the goal is to reduce the intensity and frequency of the treatments over	Schwartzhoff

time. DPW anticipates that treatments will gradually be reduced over time based on the annual tree condition assessments.

- 5. **19-046** Approve the award of Bid 18-241, Liquid Cationic Emulsion Polymer for Gravity Belt Thickening, to SNF Polydyne Inc. for an amount not to exceed \$131,971 and for a 24-month term
- 6. **19-066** Approve the award of the two-year extension to Contract 16-128, Health Screening Services, to Edward Hospital for an amount not to exceed \$458,180

Q:	If the State of IL passes legalizing recreational marijuana will the city modify the list of positions tested for use such as those demanding use of heavy equipment, plus any potential change in workmen's comp claims.	Gustin
A:	When and if recreational marijuana is legalized, City staff will need to review the related laws to determine the need to update any employee policies. As far as heavy equipment operators, anyone with a CDL (Commercial Driver's License), regulated by the USDOT, is prohibited from using marijuana even if its legal in a state. As long as the Federal Government considers marijuana an illegal substance, CDL drivers can't use it. Even if marijuana were legalized in Illinois, Workers' Compensation laws will still not allow employees to be under the influence of intoxicating drugs at work, and injuries occurring due to drug or alcohol impairment would presumably not be considered work related.	DiSanto/Sheehan

- 7. **19-071** Approve the award of Option Year One to Contract 18-013, Tree Planting Services, to The Fields of Caton Farm Inc. for an amount not to exceed \$516,500
- 8. **19-087** Approve the award of Bid 19-015, 1 1/2" Inch Water Meter Replacement Program, to HBK Water Meter Service Inc. for an amount not to exceed \$171,250, plus a 3% contingency

Q:	Why didn't we receive any other bids? Were the others asked why they didn't submit?	Hinterlong
A:	One No Bid response was received from a supplier stating that they could not meet the specifications. The two vendors who had submitted on Bid 18-285 (Agenda Item M1) were contacted by staff asking why the firms chose not to provide a bid response. They both indicated that they missed the bid notification email from the City's online bidding service.	Mayer

- 9. **19-091** Approve the award of Cooperative Procurement 19-065, Unit 244 Equipment Replacement, to McCann for an amount not to exceed \$198,400
- 10. **19-101** Waive the applicable provisions of the Naperville Procurement Code and award Bid 19-021, Police Department Flooring, to Empire Today LLC for an amount not to exceed \$51,848.15, plus a 5% contingency (Requires six positive votes)
- 11. **19-093** Approve the award of Change Order #1 to Contract 16-269, Consulting Services for Street Lighting LED Conversion, to Christopher B. Burke Engineering, Ltd. for an amount not to exceed \$33,300 and a total award of \$153,821.76

Q:	Will this complete all our LED change-outs?	Hinterlong
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A:	There are approximately 2,600 lights that have not been upgraded to LED. The LED upgrade for the decorative street lighting is being phased over several years. In 2019, DPW will continue to replace salem-post tops, parking lot lights, and downtown DMY lights. The remaining lights are anticipated to be completed between 2020-2023.	Schwartzhoff
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12. **19-115** Approve the project application for the federal Surface Transportation Program Shared Fund for the North Aurora Road Underpass at the CN Railroad (CIP - BR005)

Q:	Can you list how the \$30 million will be divided up between all the grants and taxing bodies?	Hinterlong
A:	The division of construction costs between the local agencies, the CN Railroad, and federal grant sources for the North Aurora Road Underpass improvement is yet to be determined. Staff's goal with the STP Shared Fund application is to secure the maximum 80 percent federal cost participation. Per the boundary agreement with the City of Aurora, Naperville and Aurora are each responsible to pay half of the remaining local share of this project. Potential contributions from Naperville Township and the CN Railroad may further offset a portion of the City of Naperville's financial responsibility.	Hynes

13. **19-112** Approve Mayoral appointments to various boards and commissions
14. **19-102** Accept the public street improvements associated with Ashwood Park South & Enclave at Ashwood Park and authorize the City Clerk to reduce the corresponding public improvement surety.
15. **19-103** Accept the public underground, street light and streetscape improvements associated with Water Street Development and authorize the City Clerk to reduce the corresponding public improvement surety.
16. **19-022** Approve the City Council meeting schedule for February, March & April 2019

Q:	April 2nd is an election night, we may want to adjust this date to the 3rd?	Hinterlong/Gustin
A:	Yes, that's a great suggestion and point. The meeting schedule can be approved with this modification.	Pruneda

17. **19-086** Pass the ordinance approving a right-of-way encroachment agreement to permit a blade sign to encroach in the public right-of-way at the subject property at 120 S. Water Street #100, Naperville (Trails & Tides)

Q:	Where will the bottom of the sign end as we have tall residents, some 7' and taller? Just thinking of our residents safety.	Gustin
A:	The sign is located 10'4" above the sidewalk.	Venard

18. **19-095** Pass the ordinance reserving the City's 2019 Volume Cap

Q:	Can you provide a list of how these tax exempt credits have been used in the past and list non-profits?	Gustin
A:	In the past, the City has transferred all or portions of its Volume Cap to other organizations, these include: <ul style="list-style-type: none"> In 2009 and 2010, Naperville transferred the Volume Cap to two homebuyer programs: Illinois Housing Development Authority and to the City of Aurora First-Time Homebuyer Down Payment Assistance Program. 	Mayer

	<ul style="list-style-type: none"> • In 2011, Naperville transferred the Volume Cap to the Will Kankakee Regional Development Authority. This organization works with home rule communities to accumulate volume cap and then identifies expanding businesses that can benefit from the tax-exempt borrowing rates. • In 2012, Council approved a transfer of \$4 million of the 2012 Volume Cap to the Village of Addison to support SWD, Inc, a fastener sorting corporation expansion project. • In 2013, Council approved the transfer of all of the Volume Cap (\$13,563,435) to the Village of Downers Grove. • In 2016, the County of Winnebago requested Naperville to transfer \$4,400,000 of the Volume Cap allocation to be used for the purpose of making a first mortgage loan to Cellusuede Products, Inc. • In 2018, Naperville transferred the Volume Cap to the City of Aurora for use in a homebuyer program, Illinois Assist Homebuyer Down Payment Assistance Program. 	
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- 19. **19-105** Pass the ordinance to establish Temporary Traffic Controls and issue Special Event Permits and Amplifier Permits for the St. Paddy's Day 5K and the St. Patrick's Day Parade on Saturday, March 16, 2019
- 20. **19-111** Conduct the first reading of an ordinance amending Section 10-2-3-1:1.1 by adding a definition of hemp and excluding hemp from the definition of cannabis.

Q:	This is clarifying and making us in compliance with the federal law. Correct?	Gustin
A:	Correct, the recommended text amendment will make the City's code consistent with recent changes to federal regulations.	DiSanto

- 21. **19-031** Adopt the Route 672 Resolution authorizing the City Manager to execute the attached agreement with Pace to establish the City of Naperville share for service from the 95th Street Park-n-Ride to the Route 59 Metra Station at \$149,648.10 (Item 1 of 3)

Q:	Please provide how many rider by each of the three lines each day as we discuss alternative modes of transportation and parking requirements in town.	Gustin
A:	During 2018, the average daily ridership on the three routes was 190 people. Each route had the following ridership: <ul style="list-style-type: none"> • Route 672 - 87 people • Route 673 - 35 people • Route 675 - 68 people 	Louden

- 22. **19-032** Adopt the Route 673 Resolution authorizing the City Manager to execute the attached agreement with Pace to establish the City of Naperville share for service for the Community Christian Church Park-n-Ride to the Route 59 Metra Station at \$71,554.68 (Item 2 of 3)
- 23. **19-033** Adopt the Route 675 Resolution authorizing the City Manager to execute the attached agreement with Pace to establish the City of Naperville share for service from the Wheatland Salem Church Park-and-Ride to the Route 59 Metra Station at \$76,755.95 (Item 3 of 3)

- 24. **19-106** Adopt a resolution in support of a State of Illinois Capital Bill

Q:	Can we add that Naperville Stations have the highest ridership?	Gustin
A:	Staff does not have concerns with adding this information if the majority of City Council concurs. The following text can be incorporated into the resolution as part	Louden

of the motion: "WHEREAS, the Route 59 and Naperville Metra Stations have the highest ridership of all suburban stations within Metra's system."

- 25. **19-116** Adopt the resolution approving the settlement agreement pertaining to an alleged trademark infringement

Q:	Please clarify the use restriction in section 3 f) of the proposed settlement agreement?	Boyd-Obarski
A:	<p>The language in Section 3 essentially mirrors the language in Henderson's trademark application which has been granted protection by the United States Patent and Trademark Office.</p> <p>Section 3(f) bans the City and the WSPO from using the trademarked name in connection with promoting economic development in the downtown area of Henderson, Nevada. Additionally, the City and WSPO cannot use the trademarked name to promote public awareness of shopping locally in the downtown area of Henderson, Nevada.</p> <p>Obviously, neither the City nor WSPO have any interest in promoting Henderson, Nevada, but Henderson is seeking to retain control and enforcement of the full scope of its trademark.</p>	DiSanto

J. PUBLIC HEARINGS:

- 19-042B** Conduct the public hearing to consider the Annexation Agreement for KLA Schools located at 5S241 and 5S255 Tuthill Road - PZC 18-1-101 (Item 1 of 2)
- 18-1123C** Pass the ordinance authorizing execution of the Annexation Agreement for KLA Schools located at 5S241 and 5S255 Tuthill Road - PZC 18-1-101 (Item 2 of 2)
- 18-1119B** Receive the staff report for Leigh Subdivision located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 1 of 6)
- 19-078** Conduct the public hearing for Leigh Subdivision located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 2 of 6)
- 19-079** Pass the ordinance authorizing the execution of an Annexation Agreement for the Property located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Requires six positive votes) (Item 3 of 6)
- 19-083** Pass the ordinance annexing certain property located at located at 5S275 and 5S311 Naperville/Wheaton Road - PZC 18-1-114 (Item 4 of 6)
- 19-084** Pass the ordinance rezoning the property located at located at 5S275 and 5S311 Naperville/Wheaton Road to R3A - PZC 18-1-114 (Item 5 of 6)
- 19-085** Pass the ordinance approving the preliminary plat of subdivision for Leigh Subdivision- PZC 18-1-114 (Item 6 of 6)
- 19-107** Conduct the public hearing to consider the Annexation Agreement for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 1 of 7)

Q:	Do we have a clear opinion from the school board as to the Wagner Farms development?	Coyne
A:	The development plans have been forwarded to School District 204. To date, the	Laff

City has not received any formal written response from School District 204 regarding Wagner Farms.

- 10. **18-1042B** Receive the staff report for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 2 of 7)

Q:	<p>a. What statistics does the city have regarding the number of Senior Housing units in the city? Could you provide those broken down by type (e.g., age restricted, age targeted, assisted living, etc)?</p> <p>b. What statistics or projections does the city have for the demand for such senior housing?</p> <p>c. What other large parcels of land remain open (undeveloped) in Naperville that might be able to add additional capacity for additional senior housing in south Naperville?</p>	Boyd-Obarski
A:	<p>a./b. Unfortunately, the City does not have a comprehensive list of all senior housing units in the City, nor do we currently have an analysis of demand for senior housing units based on existing and/or future demographics. However, City Council approved an allocation of CDBG funds, which will allow the City to hire a consultant to complete a Housing Analysis in 2019 which will include the above analysis for senior housing, as well as other housing types in the City. To date, the senior housing developments that have been proposed have been largely market driven.</p> <p>c. Beyond the property that Polo Club is proposed for, there are limited (if any) <i>large</i> undeveloped parcels of land remaining for senior-residential development in South Naperville. With that being said, the most recent age-restricted developments that have been approved by the City have been on smaller parcels, including Avenida (146 units on 6.6 acres), McDowell Point (174 units ion 8.26 acres), Arbor Terrace (94 units on 5.8 acres) and Enclave at Ashwood Park Townhomes (60 units on 9.9 acres).</p>	Laff

- 11. **19-108** Pass the ordinance authorizing execution of the Annexation Agreement for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Requires six positive votes) (Item 3 of 7)
- 12. **19-109** Pass the ordinance annexing the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 4 of 7)
- 13. **18-1043B** Pass the ordinance rezoning the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) to OCI (Office Commercial and Institutional District) and R2 (Single-Family and Low-Density Multiple-Family Residence District) - PZC 18-1-087 (Item 5 of 7)
- 14. **19-110** Pass the ordinance approving the preliminary subdivision plat for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 6 of 7)
- 15. **18-1044B** Pass the ordinance approving a variance to Section 6-16-4 (Signs on Residential Property) of the Naperville Municipal Code for the property located at the northeast corner of Route 59 and 103rd Street (Wagner Farms) - PZC 18-1-087 (Item 7 of 7)

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

- 1. **19-007B** Approve the award of Bid 18-285, Water Meter Replacement Program, to HBK Water Meter Service, Inc. for an amount not to exceed \$1,029,150, plus a 3% contingency and for a two-year term

Q:	<p>We are including a letter from Sandra G. Grossi, President, HBK Services that addresses some concerns regarding prevailing wages that were raised by Council. (Please see attached.)</p>	Mayer
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O. REPORTS AND RECOMMENDATIONS:

1. **19-018** Approve the Calendar Year 2019 SECA Grant Fund Program allocations

Q:	<p>Do we know if Christkindlmarket is coming back? When will we?</p> <p>It was my understanding that the Jaycees were meeting with staff and council members to discuss their partial funding?</p> <p>Do we charge the Jaycees for any city services relative to Labor Day parade?</p>	Coyne
A:	<p>German American Events (Christkindlmarket) submitted a SECA application for 2019 and is being recommended for \$70,000 in funding for City services. The Special Events Team is scheduled to meet with organizers on Monday, February 11 to debrief the 2018 event and begin discussions for 2019. At this time, the Team is proceeding as if Christkindlmarket will return.</p> <p>The City Clerk's Office has not been contacted to coordinate meetings with staff, Council, or the SECA Commission.</p> <p>Yes. The entire recommended CY19 SECA allocation (\$171,000) is for City services related to the Last Fling and the parade.</p>	Gallahue



HBK Water Meter Service, Inc.

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January 31, 2019

Michael Disanto
City of Naperville
400 S. Eagle Street
Naperville, Illinois 60566

Dear Michael,

It has come to our attention that the City Council may have concerns as to the award of Bid. 18-285 to HBK Water Meter Service, Inc. for water meter replacement program. I would like to address these concerns.

1. The comment was made that we do not use plumbers to replace water meters. The previous and current contract states the contactor shall employ at least one licensed plumber to supervise all meter replacement work and to respond to any plumbing emergencies that may arise. Any plumbing modifications required to complete the work shall be pre-approved by the City Representative and shall be performed by licensed plumber. However past contract we did have licensed plumber and licensed apprentice plumber doing meter replacements.
2. HBK Water Meter Service, Inc. is not providing apprentice plumbers approved education? The apprentice plumber we have on staff has had delays enrolling in school due to personal loss of family member (daughter) who passed away and left two small children behind which all live with him, he has had unpredictable schedule with court to get custody of them so they can stay in the safe and stable environment he provides for them. Current he is enrolled and attending the Plumbing apprenticeship program at the Building & Fire Code Academy.
3. HBK Water Meter Service, Inc. may not be complying with the prevailing wage act? HBK Water Meter Service, Inc is currently complying with the prevailing wage act as directed by the Illinois Department of Labor and will be going forward. The report that was shown at the council meeting on 01/15/2019 was a report from the water meter testing contract and to my knowledge plumbers to not test water meters so a plumbers wage would not apply. Yes, errors were made on reports in the past but they have been corrected and restitution has been made with employees. Our employees have not complained regarding prevailing wage act nor filed any complaints with the governing body.

HBK Water Meter Service, Inc. has successfully completed many contracts for the City of Naperville for many years without incident and look forward to continue serving the City of Naperville for your water meter needs. Thank you for your time.

Sincerely,

Sandra G. Grossi
President