



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Final

City Council

Tuesday, November 21, 2023

7:00 PM

Council Chambers

TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-Astound, Ch. 10 - Comcast, Ch. 99 – AT&T U-verse)
- Watch online at <https://naperville.legistar.com>

TO SUBMIT PUBLIC COMMENT OR SPEAK LIVE AT THE MEETING: To address the City Council in-person in City Council Chambers, members of the public must register by 4 p.m. on November 21 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 4 p.m. on November 21. Written comments will be compiled and posted with the electronic meeting agenda on the City's website prior to the start of the meeting. The cumulative number of comments will be announced during the City Council meeting.
2. Submit a one-word statement of "SUPPORT" or "OPPOSITION" regarding a specific agenda item. The names of participants who submitted position statements will be compiled and posted with the electronic meeting agenda on the City's website prior to the start of the meeting. The cumulative number of position statements will be announced during the City Council meeting.
3. Address the City Council live during the City Council meeting in-person in City Council Chambers. Individuals wishing to address the Council during the meeting must sign up to speak by 4 p.m. on November 21.
Online sign-up closes at 4 p.m. on November 21, at which time no other speakers or comments will be accepted. There will be no on-site speaker sign up.

PUBLIC ACCOMMODATION:

- Any individual who may require an accommodation to listen to or participate in the meeting should contact the Community Services Department at (630) 305-5300 by 4 p.m. on November 21.
- Questions regarding online sign-up may be directed to the Community Services Department 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:

Wehrli called the meeting to order at 6:00 p.m.

B. ROLL CALL:

- Present:** 6 - Mayor Scott Wehrli
Councilwoman Jennifer Bruzan Taylor
Councilman Ian Holzhauer
Councilwoman Allison Longenbaugh
Councilman Josh McBroom
Councilman Nathan Wilson
- Absent:** 3 - Councilman Patrick Kelly
Councilman Paul Leong
Councilman Benjamin White

C. CLOSED SESSION - 6:00 p.m.

A motion was made by Councilman Holzhauer, seconded by Councilwoman Longenbaugh, to recess to Closed Session to discuss 120/2(c)(11) Pending Litigation and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:

Aye: 6 - Wehrli, Bruzan Taylor, Holzhauer, Longenbaugh, McBroom, and Wilson

Absent: 3 - Kelly, Leong, and White

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

Present: 9 - Mayor Scott Wehri
Councilwoman Jennifer Bruzan Taylor
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Allison Longenbaugh
Councilman Josh McBroom
Councilman Benjamin White
Councilman Nathan Wilson

Also Present

City Manager, Doug Krieger; Deputy City Manager, Pam Gallahue; City Attorney, Mike DiSanto; City Clerk, Dawn Portner; Deputy Director of Finance, Raymond Munch; Fire Chief, Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Rachel Mayer; Deputy Director of IT, Doug Rippe; Engineering Manager; Andy Hynes; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Brian Groth; Deputy Director of Public Utilities - Water, Joe Slevnik; Director of Human Resources, Blaine Wing; Director of Public Works, Dick Dublinski; Director of Communications, Linda LaCloche

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:

G. PUBLIC FORUM:

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

A motion was made by Councilman White, seconded by Councilman Kelly, to use the Omnibus method to approve the Consent Agenda. The motion carried by a voice vote.

I. CONSENT AGENDA:

A motion was made by Councilman White, seconded by Councilman Kelly, to approve the Consent Agenda with an amendment to Item I2, minutes from the November 7, 2023 Council meeting, as reflected in the Q&A. The motion carried by the following vote:

Aye: 9 - Wehri, Bruzan Taylor, Holzhauer, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

1. Approve the Cash Disbursements for the period of 10/01/2023 through 10/31/2023 for a total of \$34,798,818.50

Council approved.

2. Approve the regular City Council meeting minutes of November 7, 2023

Council approved as amended.

3. Approve the City Council meeting schedule for December 2023 and January, February 2024

Council approved.

4. Receive the year-to-date budget report through October 31, 2023

Council received.

5. Approve an appointment to the Riverwalk Commission

Council approved.

6. Approve appointments to the Human Rights and Fair Housing Commission

Council approved.

7. Approve the award of Option Year Two to Contract 21-382, Parkway Tree Trimming Services, to NJ Ryan Tree & Landscape and Steve Piper and Sons Inc. for an amount not to exceed \$200,000 and for a one-year term

Council approved.

8. Approve the award of Cooperative Procurement 23-267, Uniform and Badge Purchase, to Galls, LLC for an amount not to exceed \$167,330 and for a one-year term

Council approved.

9. Approve the award of RFP 23-159, Fixed Income Money Management Services, to Mesirow Financial Investment Management, Inc., and PFM Asset Management LLC, for an amount not to exceed \$795,000 and for a five-year term

Council approved.

10. Approve the award of Change Order #1 to Work Order 18-032-Water-23-02, Water Utility Space Needs Assessment, to Kluber Inc. for an amount not to exceed \$6,080, a total award of \$49,365, and for an additional 76 days

Council approved.

11. Approve the award of Change Order #1 to Contract 22-006, 2022 Sidewalk and Curb Maintenance Program, to Schroeder & Schroeder Inc for an amount of negative \$65,402.50 and for an additional 452 days
- Council approved.**
12. Waive the first reading and pass the ordinance amending Section 3-1-9 of the Naperville Municipal Code modifying the allocation of food and beverage taxes to fund Naper Settlement and mental health initiatives (requires six positive votes)
- ORD 23-149
- Council passed.**
13. Waive the first reading and pass the ordinance amending Section 3-3-11:3 of the Naperville Municipal Code to increase the cap on the Late Night liquor permits from 24 to 25 for downtown locations (requires six positive votes)
- ORD 23-150
- Council passed.**
14. Waive the first reading and pass the ordinance amending Chapters 4 (Building Review Board), 10 (Public Utilities Advisory Board), and 15 (Historic Preservation Commission) of Title 2 (Boards and Commissions) of the Naperville Municipal Code to modify membership of these boards and commissions (requires six positive votes)
- ORD 23-151
- Council passed.**
15. Adopt the resolution authorizing an intergovernmental agreement between the City of Naperville and the Naperville Fire Protection District for participation in Will County's local government COVID-19 reimbursement program
- RES 23-31
- Council adopted.**

J. PUBLIC HEARINGS:

1. Conduct the public hearing on the proposed 2023 property tax levy increase for Special Service Area No. 30
- Wehrli opened the public hearing at 7:06 p.m.
- A motion was made by Councilman White, seconded by Councilman Kelly, to close the public hearing on the proposed 2023 property tax levy increase for Special Service Area No. 30 at 7:06 p.m. The motion carried by a voice vote.**
2. Conduct the public hearing on the proposed 2023 property tax levy increase for Special Service Area No. 34
- Wehrli opened the public hearing at 7:07 p.m.

A motion was made by Councilman White, seconded by Councilman Kelly, to close the public hearing on the proposed 2023 property tax levy increase for Special Service Area No. 34 at 7:07 p.m. The motion carried by a voice vote.

3. Conduct the public hearing for the 2024 Annual Budget (Item 1 of 2)

Wehrli opened the public hearing at 7:07 p.m.

A motion was made by Councilman White, seconded by Councilman Kelly, to close the public hearing for the 2024 Annual Budget at 7:08 p.m. The motion carried by a voice vote.

4. Pass the ordinance adopting the 2024 Annual Budget in the amount of \$613,742,548 (Item 2 of 2)

ORD 23-152

A motion was made by Councilman White, and seconded by Councilman Kelly, to adopt the 2024 Annual Budget in the amount of \$613,742,548. The motion carried by the following vote:

Aye: 9 - Wehrli, Bruzan Taylor, Holzhauser, Kelly, Leong, Longenbaugh, McBroom, White, and Wilson

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. Receive the staff report for the Mill and Bauer Townhomes located at 27W280 Bauer Road and conduct the public hearing to consider the Annexation Agreement and related ordinances for said property - PZC 23-1-006 (Item 1 of 5)

Wehrli opened the public hearing at 7:09 p.m.

Caitlin Csuk (Naperville; Mill and Bauer, LLC - Petitioner's Attorney) discussed the request to annex, to rezone the property to Transitional Use, the a preliminary/final plat of subdivision, the density variance to develop the property with ten townhome units located within two buildings, and the total of 24 parking spaces.

SPEAKERS

Mark Hinterlong (Naperville) spoke against the proposed development.

Patrice Drendel (Naperville - Knights Subdivision) spoke against the proposed development.

David Doubek (Naperville) spoke against the proposed development.

Council discussed the annexation of the subject property, the exit on to Bauer Road, sidewalk safety for pedestrians, that no affordable housing is planned, excess parking, onsite deliveries and storage of construction vehicles, and the traffic light at Mill Street and Bauer Road.

Hynes explained there is a sidewalk that runs along the north side of Bauer as well as a pedestrian crossing two blocks east of this area, that the traffic light is located on county property, and that staff does not have concerns with traffic

associated with this development.

Csuk rebutted that the parking spaces exceed what is required in the Municipal Code, that no issues are expected with parking or deliveries, and that construction vehicles will be placed behind the fencing similar to other construction projects.

POSITION STATEMENT

OPPOSE

David Doubek (Naperville)
Sandra Doubek (Naperville)
Geraldine Doubek (Naperville)
Victoria Doubek (Naperville)
Rachael Doubek (Naperville)
Sandy Doubek (Naperville)
Scott Stoller (Naperville)
Robin Levine Stoller (Naperville)
Jeri Stoller (Naperville)
Joseph Sharpe (Naperville)
Nina Gibson (Naperville)
James Adams (Naperville)
Joan Carpenter (Naperville)
Hannah (Naperville)
Walt & Nancy Malinowski (Naperville)

WRITTEN COMMENT ONLY

Peggy McGillen (Naperville) - I vehemently oppose this development due to the strain on traffic patterns/safety that would result in our neighborhood (Cress creek Townhomes) which's adjacent to this proposed development.

Jim McGillen (Naperville) - Strenuously opposed to this construction project. Traffic nightmare!

Neal Nowicki (Naperville) - I am struggling to understand how this project makes any sense for our community. It's a terrible location for a project of 10 townhomes. The lot size is only 0.89 acres! The project is clearly out of character with the surrounding neighborhood and it sets a dangerous precedent for future developments in our neighborhood. I believe that building 10 townhomes on the corner of Mill and Bauer will negatively impact both pedestrian and traffic safety. I respectfully request that the Council not approve the project. There has to be a development idea better than this.

Michael and Jody Czinsky (Naperville) - We have lived on the southwest corner of Mill and Bauer for seven years now and have experienced, and lived with, the extraordinary amount of traffic, noise and speeding which takes place every day. We've previously asked for additional police surveillance of the area from Diehl Rd. to Ogden, due to the amount of speeding and noise, particularly from the muscle cars and crotch rocket motorcycles which frequent the area. Especially after dark, on one of Naperville's already overcrowded primary roads heading off of I-88 into the downtown area. And more so when Nike Park is going full throttle. Which is a lot. To add further, and dangerous (due to in and out from the townhomes), traffic to this area is just adding more fuel to the

already overloaded traffic fire that is in evidence everyday. Bad, bad idea. Please consider the overall safety issues before you make a final decision to approve this building project. Thank you.

Marcia and Gene Doerr (Naperville) We strongly oppose the townhouse development and transitional rezoning at Mill & Bauer. We have enough multi family dwellings in a small area.

Edward Sandrick (Naperville) We adamantly am opposed to the building of the proposed townhome development at the corner of Mill and Bauer. This corner is already a busy intersection, with Mill Street school just a 1/4 mile away. Bauer and Mill are both busy streets, and adding an access driveway from either Mill or Bauer would cause disruption to traffic flow and likely contribute to unsafe conditions.

Robert J Restivo (Naperville) I object to the proposed development. The proposal calls for a dense residential cluster on a site the size of a postage stamp. This would be both unsightly and entirely out of character for our neighborhood. Furthermore, parking within the proposed complex would be inadequate for residents of three bedroom units, and vehicle parking will spill over into neighboring streets changing the character of the neighborhood. Ordinary access of city, emergency, maintenance and business vehicles would be difficult, and parking for these vehicles would again be inadequate. The proposed buildings would be unsightly because they would appear to crowd both Mill and Bauer Street, again shifting the character of the neighborhood from suburban to urban. This is especially so given the dogleg formed by Mill Street at Bauer. Finally, I would remind the Council that R1A zoning has permitted multi-family construction at the Adler Point Subdivision just east of the proposed townhome development. It demonstrates that a multi-family development can profitably be produced on the proposed site without being unsightly or damaging the character of the community. Thank you for considering my comments.

Dave Doubek (Naperville) - MAYOR AND CITY COUNCIL THANK YOU FOR THIS OPPORTUNITY TO BE HEARD. I AM OPPOSED TO THE DEVELOPMENT OF MILL AND BAUER IN THIS WAY. THE COMMUNITY DOES NOT NEED HIGH DENSITY LIVING IN THIS AREA. THE IMPACT THIS WOULD HAVE ON TRAFFIC WOULD ENDANGER THE OTHER RESIDENTS. THERE ARE NO PROVISIONS FOR UPS, AMAZON, OR OTHER LARGE DELIVERY VEHICLES ON A MAJOR INTERSECTION. I PERSONALLY SEE THE FIRE DEPARTMENT AND AMBULANCE GO DOWN BAUER 5-10 TIMES DAILY USING THIS INTERSECTION, WHAT WILL HAPPEN WHEN TRAFFIC IS BACKED UP DUE TO A DELIVERY BLOCKING THE ONLY THRU LANE? WHERE WILL GUESTS PARK? 3 SPOTS FOR 10 HOMES IS NOT ADEQUATE. IF YOU POLLED AMONGST YOURSELVES ON THE COUNCIL AND HAD A PARTY. HOW MANY GUESTS WOULD YOU HAVE AND WHERE WOULD THEY PARK? THE ZONING BOARD JUST BARELY PAST THIS. THE TIMING OF THIS WAS BROUGHT BEFORE THE COUNCIL JUST BEFORE A HOLIDAY IS ALSO SUSPICIOUS. IT IS QUESTIONABLE IF THE WATER AND SNOW RUN OFF CAN BE ABSORBED BY PUTTING SUCH A LARGE FOOTPRINT ON THIS

TRACT OF LAND. THIS DOES NOT FIT WITH ANY OTHER USE OF THE SURROUNDING AREA OR COMMUNITY. WHERE WILL ALL THE CONSTRUCTION EQUIPMENT PARK AS THERE IS NO PARKING IN THIS AREA FOR LOADING OR UNLOADING. IF YOU HAVE BEEN BY THE ALDI OFF ODGEN AND NAPERVILLE WHEATON RD THIS IS SOME OF THE SAME PROBLEMS THAT WILL BE FACING AT A BUSIER ROAD. THIS IS NOT WHAT NAPERVILLE NEEDS. THANKS FOR YOUR TIME. DAVID DOUBEK.

Larry, Nicholas, Amanda and Ryan Drendel (Naperville) Site is in a school zone used by 4 schools. Bauer only has one sidewalk, same side as site, already 25 townhomes kiddie corner of site. Transitional rezoning would give all the control and power to one sole developer instead of the majority of tax paying residents who oppose transitional rezoning. Please vote no.

A motion was made by Councilman White, seconded by Councilman Kelly, to close the public hearing, regarding the Mill and Bauer Townhomes located at 27W280 Bauer Road and related ordinances for said property - PZC 23-1-006 at 7:26 p.m. The motion carried by a voice vote.

2. Pass the ordinance authorizing the execution of the Annexation Agreement (requires six positive votes) for the Mill and Bauer Townhomes - PZC 23-1-006 (Item 2 of 5)

ORD 23-153

Councilman White made a motion, seconded by Councilman Kelly, to pass the ordinance authorizing the execution of the Annexation Agreement for the Mill and Bauer Townhomes - PZC 23-1-006. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauser, Kelly, Longenbaugh, McBroom, White, and Wilson

Nay: 1 - Leong

3. Pass the ordinance annexing the Mill and Bauer Townhomes - PZC 22-1-006 (Item 3 of 5)

ORD 23-154

A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance annexing the Mill and Bauer Townhomes - PZC 22-1-006. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauser, Kelly, Longenbaugh, McBroom, White, and Wilson

Nay: 1 - Leong

4. Pass the ordinance rezoning the subject property to TU (Transitional Use) upon annexation - PZC 23-1-006 (Item 4 of 5)

ORD 23-155

A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance rezoning the subject property to TU (Transitional Use) upon annexation - PZC 23-1-006. The motion carried by the following vote:

Aye: 8 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Longenbaugh, McBroom, White, and Wilson

Nay: 1 - Leong

5. Pass the ordinance approving a density variance for the Mill and Bauer Townhomes - PZC 23-1-006 (Item 5 of 5)

ORD 23-156

A motion was made by Councilman White, seconded by Councilman Kelly, to pass the ordinance approving a density variance for the Mill and Bauer Townhomes - PZC 23-1-006. The motion carried by the following vote:

Aye: 7 - Wehrli, Bruzan Taylor, Holzhauer, Longenbaugh, McBroom, White, and Wilson

Nay: 2 - Kelly, and Leong

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Bonus leaf collection

Wehrli stated that the City will conduct an additional leaf collection beginning at 6:00 a.m. on November 27, 2023 and thanked the Department of Public Works (DPW) staff for adding the bonus pick up.

Beautification efforts

Kelly inquired about the installation of new welcome signs and the open house, or other method of public participation, that was to be held prior to placement.

Dublinski stated that DPW staff is working with Communications to create an online survey for residents to provide input on existing signs as well as future beautification projects. He said the survey will be available in early 2024 and no additional signs will be installed without first coming before the Council for review and approval.

Street lights initiative

Holzhauer thanked DPW staff for beautification efforts and their work to install second generation LED street lighting which will allow the City to recover expenses in less than three years and save a significant amount of money on maintenance and electricity costs.

Dublinski stated this project started in 2011-12 and is 80% complete.

Electric vehicle registration

White asked if any electric vehicle registration fees are coming back to the City since less motor vehicle tax revenue is being realized, and, if so, can the funds be used toward capital projects and road maintenance.

Krieger stated that staff plans for this topic to be one of the City's upcoming legislative initiatives.

Q. ADJOURNMENT:

A motion was made by Councilman White, seconded by Councilman Kelly, to adjourn the Regular City Council meeting of November 21, 2023 at 7:45 p.m. The motion carried by voice vote.

/S/ Dawn C. Portner
Dawn C. Portner
City Clerk