



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes - Final

City Council

Tuesday, June 18, 2024

7:00 PM

Council Chambers

Agenda Introductory Language

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 PROVIDE PUBLIC COMMENT:

The public may choose to provide public comment in any of the following ways:

1. Address the City Council live during the City Council meeting in-person in City Council Chambers. Individuals wishing to address the City Council during the meeting must sign up online at www.naperville.il.us/speakersignup by 6:30 p.m. on June 18.
2. Individuals can also have their name added to the speaker list by calling the Community Services Department at (630) 305-5300 by 6:30 p.m. on June 18.
3. Submit a written comment to the City in advance of the City Council meeting by 4 p.m. on June 18. 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.
4. Submit a one-word statement of "SUPPORT" or "OPPOSITION" regarding a specific agenda item by 4 p.m. on June 18. 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.

There will be no on-site speaker sign up permitted.

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 June 18.
- 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:**B. ROLL CALL:**

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

C. CLOSED SESSION - 6:30 p.m.

A motion was made by Councilman Leong, seconded by Councilman Holzhauer to recess to Closed Session to discuss [5 ILCS 120/2(c)(21)] Approval of Minutes and [5 ILCS 120/2(c)(11)] Pending Litigation. The motion carried by the following vote:

- Aye:** 6 - Wehrli, Bruzan Taylor, Holzhauer, Kelly, Leong, and Longenbaugh
- Absent:** 3 - McBroom, White, and Wilson

OPEN SESSION - 7:00 p.m.

D. ROLL CALL:

Present: 9 - Mayor Scott Wehrli
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; Assistant to the City Manager, Marcie Schatz; Fire Chief Mark Puknaitis; Police Chief, Jason Arres; Director of Finance, Raymond Munch; Deputy Director of IT, Doug Rippe; Director of TED, Bill Novack, Deputy Director of Public Utilities - Electric, Olga Geynisman; Director of Public Utilities - Water, Darrell Blenniss; Director of Human Resources, Blaine Wing; Director of Communications, Linda LaCloche, Community Grants Coordinator, Miranda Barfuss.

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

A motion was made by Councilman Kelly, seconded by Councilman Holzhauer, to allow Councilman White (out of town due to work) and Councilman McBroom (illness) to participate via teleconference. The motion carried by a voice vote.

F. AWARDS AND RECOGNITIONS:

G. PUBLIC FORUM:

Biking in Naperville

Avni Sabharwal (Naperville), Accelerate Climate Solutions, discussed the benefits of developing a bike plan in Naperville.

Bike safety in Naperville

Jensen Coonradt (Aurora), Accelerate Climate Solutions, discussed the benefits of developing a bike plan in Naperville.

3-Minutes with NEST

Larry Kollasch (Naperville) discussed the renewal of the IMEA contract.

Divest from Boeing

Keith Larson (Aurora) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Justice for Palestine

Qasim Rashid (Naperville) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Divest from Boeing

Samee Ali (West Chicago) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Ceasefire and end weapons transfer to Israel

Dan Bailey (Wheaton) urged Council to pass a resolution for a cease fire in Gaza.

Torture in Israeli prisons

Basim Esmail (Naperville) discussed the treatment of Palestine hostages in Israeli prisons.

Board and Commission agenda materials

Marilyn Schweitzer (Naperville) discussed the upcoming SECA Commission meeting agenda, that she could not locate the presentation for the change of scope item, and requested all materials (including current policies) for the City's boards and commissions be made available with the agendas on the City's website.

Ceasefire and divestment resolution

Nicole Pronger (Naperville) urged Council to pass a resolution for a cease fire in Gaza that includes divesting in any companies that directly support Israel.

Council inquired about the bike plan for downtown Naperville and future efforts to incorporate bicycling into roadway improvements.

Novack explained that all agencies who receive federal funding for roadway improvements must review both pedestrian and bicycling uses as part of the improvement plan. He said the City did this with improvements on Rt. 59 from Aurora Avenue to I-88 where a bike lane was added on the west side of Rt. 59 and that staff will also be reviewing additional bicycling improvements when the Bicycle Pedestrian Plan is updated as part of the City's Priorities Plan.

WRITTEN COMMENTS

Ashley M Penick (Naperville) - During the May 21st Naperville city council meeting, Councilman McBroom brought up a concern. The Naperville Chamber as well as various restaurant owners addressed the tip credit bill HB 5345 in the Illinois legislature. As the bill stands, it would eliminate the tip credit for tipped employees people like bartenders, nail technicians, barbers etcetera. I've been in the hospitality industry for over 20 years, having every job from manager, server, bartender, to food runner. If this bill came to fruition, it would double labor costs overnight and owners would have no other choice then to either cut hours, lay people off, or even go out of business. It's no wonder experienced people in the hospitality industry are in opposition to this. Councilman McBroom is on the legislative committee for the Chamber. This is an important issue to Naperville because we have the second largest hospitality economy in the state after Chicago, as I was reminded recently during BASSET training for Naperville. As you know, the food and beverage tax provides funding for cultural events and safety for the city. Naperville no longer has a lobbyist, so if an issue needs to be addressed to the legislature, then the city sends a letter. The Naperville Chamber had asked the city to submit a letter to the legislature in opposition to this bill. Councilman McBroom asked city manager, Doug Krieger, why a letter wasn't sent. Krieger said three of you opposed this, that's why no letter was sent. From the testimony of Councilwoman Taylor and Councilman Wilson, this was the first year that Naperville hadn't had a lobbyist. Whether we like it or not, lobbyists are necessary. Why we stopped spending money for a lobbyist or lobbying firm is unsure. We are the fourth largest city in the state, and we don't have somebody down in Springfield watching out for us? The only way that we state our position is through a letter. It's just not practical. Some people will say "it's money that's wasted." We need a fiscally responsible lobbyist watching out for our best interest. It's incomprehensible to me how legislators, lobbyists, bureaucrats, and private citizens try to solve problems that don't exist through legislation. Thousands of bills are proposed in the Illinois legislature every session. Many times bills die in committee, but it doesn't mean that it won't come back next session. This bill in particular is stuck in committee, as of now it's dead, let's keep it that way. The best way for us to be on top of what is actually going on is to have an advocate for the city of Naperville. Now how much a lobbyist is I don't know, but I strongly recommend that at least in next year's budget that you put in funding in for a lobbyist, because this is the best way to keep Springfield in check for our local concerns. I don't know which three of you opposed this letter, but I would love to have you contact me and I will explain to you why this is so wrong. We need to nip this sooner than later. I'm hoping you'll be FOR the entire service and hospitality industry in Naperville.

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

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, 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 Kelly, seconded by Councilman Holzhauser, to approve the Consent Agenda with the exception of item I9 and a change to the June 4, 2024 City Council meeting minutes requested by Ms. Schweitzer to reflect that her Public Forum statement complimented staff. The motion carried by the following vote:

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

1. Approve the Cash Disbursements for the period of May 1, 2024 through May 31, 2024 for a total of \$35,730,561.97
Council approved.
2. Approve the regular City Council agenda meeting minutes of June 4, 2024
Council approved as amended.
3. Approve the City Council meeting schedule for July, August, and September 2024
Council approved.
4. Receive the year-to-date Budget Report through May 31, 2024
Report received.
5. Accept the public street improvements at Sassafras Ln. and White Ash Lane in Ashwood Park North Phase 3 and authorize the City Clerk to reduce the corresponding public improvement surety
Council accepted.
6. Approve the award of JOC Procurement 19-013.2-F.00-DPW, Police Department Investigations Remodel, to Robe Construction, Inc., for an amount not to exceed \$469,037.43, plus a 5% contingency
Council approved.
7. Approve the recommendation by Alliant Insurance to award Property, Cyber Liability, and Pollution Liability insurance coverage through the Alliant Property Insurance Program for an amount not to exceed \$1,170,121 and for a one-year term
Council approved.

8. Approve the recommendation by Alliant Insurance Services to award Excess Liability Insurance Coverage through the Alliant National Municipal Liability (ANML) Program for an amount not to exceed \$296,152 and for a one-year term

Council approved.

9. Approve the proposed 2024 Stub Year Mental Health and Opioid Remediation Grant funding allocations

Council asked staff to explain the type of metrics used by the City to evaluate and award the grant allocations.

Barfuss stated that the 2024 Stub Year Mental Health and Opioid Remediation grant process followed the Social Services Grant framework. She explained that reviewers used a 100-point scale to score applications against established criteria of program goals and objectives, community need, expected outcomes, and how the project will be measured and evaluated. She said the greatest scoring weight is given to program impact and community need and closed by stating the organizations are required to provide a final report after the completion of the project which is used to evaluate future allocations.

Council approved.

10. Approve the award of Change Order #1 to Contract 22-287.0-01, Land Mobile Radio (LMR) Consultant Services, to TUSA Consulting Services, for an amount not to exceed \$162,800 and a total award of \$357,420

Council approved.

11. Approve the award of Option Year #5 to Contract 19-134.5, Palo Alto Firewall, to Continental Resources, for an amount not to exceed \$207,000

Council approved.

12. Approve the award of Cooperative Procurement 24-172, Hewlett Packard Enterprise Support, to Hewlett Packard Enterprise, for an amount not to exceed \$175,161.40 and for a one-year term

Council approved.

13. Waive the applicable provisions of the Naperville Procurement Code and award Procurement 24-171, Backflow/RPZ Device Repair and Replacement, to Beery Heating and Cooling, Inc., for an amount not to exceed \$83,362

Council awarded.

14. Waive the first reading and pass the ordinance adding restrictions to the "U-Turns Prohibited" traffic schedule in the Naperville Municipal Code (requires six positive votes)

ORD 24-054

Council passed.

15. Pass the ordinance granting variances to permit a detached garage at 526 E Chicago Avenue - PZC 24-1-029

ORD 24-055

Council passed.

16. Adopt the resolution authorizing execution of a collective bargaining agreement between the City of Naperville and M.A.P. CH. # 582 representing the Records Specialist employees in the Naperville Police Department

RES 24-20

Council adopted.

J. PUBLIC HEARINGS:

1. Conduct the public hearing for the Program Year 2023 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (Item 1 of 2)

Wehrli opened the Public Hearing at 7:44 p.m.

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to close the public hearing for the Program Year 2023 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (Item 1 of 2) at 7:44 p.m. The motion carried by a voice vote.

2. Accept the Program Year 2023 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (Item 2 of 2)

Councilman Kelly made a motion, seconded by Councilman Holzhauser, to accept the Program Year 2023 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (Item 2 of 2). The motion carried by a voice vote.

3. Receive the staff report and conduct the public hearing on the first amendment to the Annexation Agreement for Forest Meadows Apartments located at 25W462 75th Street - PZC 24-1-012 (Item 1 of 2)

Wehrli opened the Public Hearing at 7:45 p.m.

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to close the public hearing on the first amendment to the Annexation Agreement for Forest Meadows Apartments located at 25W462 75th Street - PZC 24-1-012 (Item 1 of 2) at 7:45 p.m. The motion carried by a voice vote.

4. Pass the ordinance authorizing the first amendment to the Annexation Agreement for Forest Meadows Apartments and authorizing execution and recordation of ordinances and a plat of easement for the Forest Meadows property located at 25W462 75th Street - PZC 24-1-012 (Item 2 of 2)

ORD 24-056

Councilman Kelly made a motion, seconded by Councilman Holzhauser, to pass

the ordinance authorizing the first amendment to the Annexation Agreement for Forest Meadows Apartments and authorizing execution and recordation of ordinances and a plat of easement for the Forest Meadows property located at 25W462 75th Street - PZC 24-1-012 (Item 2 of 2). The motion carried by the following vote:

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

5. Receive the staff report and conduct the public hearing to consider the Annexation Agreement for the property located at 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 1 of 4)

Wehrli opened the Public Hearing at 7:47 p.m.

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to close the public hearing on considering the Annexation Agreement for the property located at 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 1 of 4) at 7:47 p.m. The motion carried by a voice vote.

6. Pass the ordinance authorizing the execution of an annexation agreement for 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 2 of 4)

ORD 24-057

Councilman Kelly made a motion, seconded by Councilman Holzhauser, to pass the ordinance authorizing the execution of an annexation agreement for 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 2 of 4). The motion carried by the following vote:

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

7. Pass the ordinance annexing certain property located at 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 3 of 4)

ORD 24-058

Councilman Kelly made a motion, seconded by Councilman Holzhauser, to pass the ordinance annexing certain property located at 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 3 of 4). The motion carried by the following vote:

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

8. Pass the ordinance rezoning certain property located at 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 4 of 4)

ORD 24-059

Councilman Kelly made a motion, seconded by Councilman Holzhauser, to pass the ordinance rezoning certain property located at 26W325 Case Street (Cvengros Estates) - PZC 24-1-023 (Item 4 of 4). The motion carried by the following vote:

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

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. Approve the award of RFQ 21-083, Phase III Construction Engineering Services for the North Aurora Road Underpass at the CN Railroad, to TranSystems Corporation, for an amount not to exceed \$2,916,312 and for a 54-month term

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to approve the award of RFQ 21-083, Phase III Construction Engineering Services for the North Aurora Road Underpass at the CN Railroad, to TranSystems Corporation, for an amount not to exceed \$2,916,312 and for a 54-month term. The motion carried by the following vote:

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

2. Approve the award of Option Year #1 to Contract 23-124.1, Insulated Conductors, to The Okonite Company for an amount not to exceed \$4,500,000 and for a one-year term

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to approve the award of Option Year #1 to Contract 23-124.1, Insulated Conductors, to The Okonite Company for an amount not to exceed \$4,500,000 and for a one-year term. The motion carried by the following vote:

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

3. Approve the award of RFP 23-150, P25 Land Mobile Radio System, to Motorola Solutions for an amount not to exceed \$32,332,312 plus a 3% contingency on implementation costs, an 18-month implementation term, and a 15-year support term

Arres explained that the City's current radio system supports all portable and mobile radio communication for Police, Fire, Public Works, and Public Utilities departments, that the current technology has been in place for more than 15 years and is close to being obsolete, that operations and safety can be jeopardized with current coverage issues, and that Motorola Solutions was chosen because of its superiority in critical areas.

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to approve the award of RFP 23-150, P25 Land Mobile Radio System, to Motorola Solutions for an amount not to exceed \$32,332,312 plus a 3% contingency on implementation costs, an 18-month implementation term, and a 15-year support term. The motion carried by the following vote:

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

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

1. Approve the 2024-2026 City Priorities Plan

Council discussed the proposed survey for 2026, its intended scope, and the need to determine an appropriate survey cadence.

Krieger commented that staff will research how often surrounding communities conduct surveys and that further discussions will take place during the upcoming budget period.

WRITTEN COMMENTS

Marilyn L Schweitzer (Naperville) - What is missing from each of these categories is looking at how the City's existing codes and ordinances could be updated to better serve our community. Some examples are 1) Mobility: It's not just getting someplace but gaining access as well. The ACTF and Senior Task Force have asked the City to embrace Visitability. Many new businesses want a drive-thru only model which runs counter to safe pedestrian/bicycle access. Our codes could be better. 2) Natural Environment/Community Design: Codes could be improved to better encourage and support sustainable landscaping at homes, businesses, and parkways. 3) Safety: Building codes could enhance to limit damage in the case of natural disasters and provide better insurability 4) Utilities: Building codes could also be updated to lessen the load on our utilities

A motion was made by Councilman Kelly, seconded by Councilman Holzhauser, to approve the 2024-2026 City Priorities Plan. The motion carried by the following vote:

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

2. Receive the report regarding the history of Naperville Community Television Channel 17 and future funding alternatives

SPEAKER

Marilyn Schweitzer (Naperville) discussed by postponing the discussion on financial support for NCTV17 the City is allowing them to keep the public in the dark on why they want and potentially need financial help without disclosing the benefits to the community. NCTV17 has not publicly disclosed their financial status prior to asking the City for funding nor has their financial status or plans been added to the Agenda. Based on Councils Q&A NCTV17 does not have a strategic plan only an intention to establish a plan. Staff assumes a plan would include a long-term financial strategy that has not yet been made. She stated its hard to believe an entity with financial responsibility to the public would move forward with requesting funding giving so little information. Before a funding request for NCTV17 comes back to the Council the public deserves to know the following, what the agreement would cover and what guarantees there would be for public transparency and fiscal responsibility, NCTV17's current financial situation plus their strategic plan with a long-term financial strategy, what segments of the business are at risk and which segments are successful, their viewer base per the services they offer and what other governmental and non-profit entities use the services of NCTV17 and if they are willing to help with

funding. Careful consultation and public oversight is needed throughout this entire process.

Council discussed the uniqueness of the request, the questions asked at the May 21, 2024 Council meeting, that more information was needed in June 18 agenda memo, the list of questions asked in the Q/A, and that details and questions need to be addressed prior to the budget workshops.

Krieger stated that staff will work with NCTV17 to bring an agenda item for the August 20, 2024 Council meeting which will include a presentation from NCTV17 that will answer the outstanding questions and concerns of the Council.

Report received.

3. Receive the report on the Naperville Fire Department CART Program

Puknaitis presented an update on the Community Advocate Response Team (CART) Program including a description of its purpose, the pilot and official program launch, citizen-assist calls, and data regarding calls, treat/no treat incidents, and follow-ups.

WRITTEN COMMENTS

Marilyn L Schweitzer (Naperville) This is a wonderful program. Thank you Naperville Fire Department for deploying the program and City Council for supporting it.

Report received.

P. NEW BUSINESS:

No New Business

Q. ADJOURNMENT:

A motion was made by Councilman Kelly, seconded by Councilman Holzhauer to adjourn the Regular City Council Meeting of June 18, 2024 at 8:37 p.m. The motion carried by a voice vote.

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