

City of Naperville

*400 S. Eagle Street
Naperville, IL 60540*



Naperville

Meeting Minutes

Monday, June 8, 2020

6:30 PM

SPECIAL MEETING

On Zoom - Open agenda to see phone & webinar options

Housing Advisory Commission

CITY OF NAPERVILLE PUBLIC MEETINGS UPDATE:

The Housing Advisory Commission meeting scheduled for June 8, 2020 will be conducted in accordance with the Governors Executive Order 2020-39 suspending certain requirements of the Illinois Open Meetings Act. The means by which the public may watch, listen, and/or participate in the meeting are described below.

TO JOIN A MEETING:

The meeting will be conducted using the Zoom Video Conferencing. You do not need to download any software or create an account to participate.

To login on your computer or iPad:

Click the link to join the webinar [and password if required] provided on this agenda. Once connected, if you choose to speak, click the "Raise Hand" button at the bottom of Zoom screen and wait for the Chairman to recognize you. When it is your turn to speak, you will be unmuted. There will be a few second delay after you are unmuted until your mic will be live. Please identify yourself for the public record and speak clearly.

To login on your phone:

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Once connected to the meeting, press *9 to "raise your hand" and wait for the Chairman to recognize you. When it is your turn to speak, you will be unmuted. There will be a few second delay after you are unmuted until your mic will be live. Please identify yourself for the public record and speak clearly.

PARTICIPATION GUIDELINES:

All viewpoints are welcome. Positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Commissioners, 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.

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to participate in the meeting or to view materials for the Housing Advisory Commission meeting, should contact the City Clerk at (630) 305-5300 by Friday, June 8, 2020.

ZOOM MEETING LOG IN:

You are invited to a Zoom webinar.

When: Jun 8, 2020 06:30 PM Central Time (US and Canada)

Topic: Housing Advisory Commission

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82852985844?pwd=Zm1iWDI4WWplQkdIUdhtYUxXRjV6QT09>

Password: 702231

Or iPhone one-tap :

US: +13126266799,,82852985844#,,1#,702231# or
+13017158592,,82852985844#,,1#,702231#

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Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 301 715 8592 or +1 646 558 8656 or +1 253 215 8782 or +1
346 248 7799 or +1 669 900 9128

Webinar ID: 828 5298 5844

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International numbers available: <https://us02web.zoom.us/j/82852985844?pwd=Zm1iWDI4WWplQkdIUdhtYUxXRjV6QT09>

A. CALL TO ORDER:

Chairman Bernicky called the meeting to order at 6:34 p.m.

B. ROLL CALL:

Present 10 - James Bernicky, Mercedes Haber-Kovach, Linda Kuhn, Steve Lakner, Linda Wilhelm, Mark Rice, Shree Gurusamy, Patrick Kelly, Bradford Miller, and Brian Palm

Also Present: Adam Aldaba, Student Representative; Ruth Broder, Community Planner/Community Grants Coordinator; Laura McSweeney, Administrative Assistant, T.E.D.; Gina Nelson, Records Clerk

C. PUBLIC FORUM:

Jim Hill, Co-Chair of the Senior Taskforce raised a question about the SB Friedman's Housing Needs Assessment indicating the number of affordable units required each year at over 300. To his knowledge, this has never happened. He also mentioned another recommendation in the Master Plan Update to remove single-family zoning, which failed to get through the Planning and Zoning

Commission. He also discussed other hurdles to implementing affordable housing zoning policies.

D. OLD BUSINESS:

1. Approve the regular Housing Advisory Commission meeting minutes of June 1, 2020

Attachments: [MeetingMinutes03-Jun-2020-03-24-19.pdf](#)

[DuPage Housing Alliance Priorities on Friedman's Tools.pdf](#)

The minutes were approved.

Aye: 9 - Bernicky, Haber-Kovach, Kuhn, Lakner, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

2. Review and prioritize housing program recommendations included in the Housing Needs Assessment prepared by S. B. Friedman, Inc. and direct staff accordingly

Attachments: [Toolkit Scores Ranked All.pdf](#)

[Toolkit Scores Ranked Category.pdf](#)

[Toolkit Scores Ranked Feasibility.pdf](#)

[COVID-19 Impacts S.B.Friedman.pdf](#)

Chairman Bernicky continued the toolkit ranking discussion started during the prior meeting.

Commissioner Rice read a prepared statement into the record emphasizing this vote as the most important he has ever taken. The statement text is shown below:

Naperville Housing Advisory Commission

June 8, 2020

Statement by Commissioner Mark Rice

- Tonight is an important night - maybe the most important night in the history of the City of Naperville Housing Advisory Commission.
- In light of what is going on in this country as we meet and speak tonight, Naperville and the Housing Advisory Commission, are in a unique and quite possibly once in a lifetime position - to take this time of uncertainty and bring about some good - some lasting good and possibly lead the country - to provide substantial progress on the issue of affordable housing.
- Let us not waste this opportunity!! What we are considering will impact this city for generations!!
- I believe we can - and will - rise to the occasion!!
- Over the past few months, we have had affordable housing presentations and discussions, questions have been asked and answered, the commission has been given the opportunity to rank the 22 suggestions from SB Freidman consultants. And all the work that has been completed comes down to the vote that we will take tonight.

In putting together my motion, I reviewed the rankings provided to us by staff, compared them to the recommendations of the DuPage Housing Alliance and came up with the following:

- The top 9 recommendations in my motion were the top 9 ranked tools from SB Friedman as voted by the HAC commissioners.
- 5 of these top 9 tools were also included in the 6 that the DuPage Housing Alliance had ranked.
- #10 - "Establish a Housing Trust Fund" - was #15 on the HAC commissioner ranking and included in the 6 recommendations of the DuPage Housing Alliance.
- I felt it very important to include this financing mechanism in my motion since the city will need an account in which to keep and keep track of any funding received from various sources.

I also want to emphasize that when analyzing these recommendations, I did not compare any of the rankings to how I personally ranked them. The reason being that I felt my rankings bore no importance to how the Commission as a whole ranked the Tools - I only used the Commissions ranking as my guide - along with input from the DuPage Housing Alliance. I still don't know how my rankings compare to overall rankings.

At our last meeting, to paraphrase Dr Bob Buckman, DuPage Housing Alliance member, when he so eloquently stated:

The HAC is in an envious situation that not many commissions find themselves in. As a member of the Alliance, I am asking that you aggressively take on the obligation and the responsibility of getting ordinances passed to assist in the issue of Affordable Housing.

If this commission does NOT LEAD the charge to enact mandated Affordable Housing or substantial payments in lieu toward future needed housing - NO ONE WILL!!

TO NOT TAKE THIS GOLDEN OPPORTUNITY TO REALLY ACT WOULD BE TRAGIC IN SO MANY WAYS!

Yes, you will have to put in the time - but that is why you are here - being asked by Council to make something of the Friedman Report.

The relevance of this call to action could not be at a better time in the history of the Housing Advisory Commission. At the last City Council meeting, there was a resolution with action steps passed that denounced racism with is intimately associated with the lack of Affordable Housing. Unfortunately, Naperville's history of not having enough Affordable Housing disproportionately impacts households of color."

Earlier today, we received via email another motion by Commissioner Bradford Miller that will be entertained tonight. In reviewing Commission Miller's motion containing 7 recommendations, there are 5 recommendations that are contained in my motion and 2 recommendations from the Friedman Toolkit that were not included in my motion.

These 2 additional recommendations are:

- Establish a revolving Rehabilitation Loan Fund specifically targeted towards low income seniors who currently own in Naperville so that they can make the necessary repairs to their home and age in place o This was #13 in the HAC Commissioners

rankings

- Support Employer assisted housing o This was #17 in the HAC Commissioners rankings

- Additionally, Commissioner Miller also recommended additional language to the “Establish a Housing Trust Fund” tool that states

- o “specifically targeted towards veterans, seniors, the population with special needs and first responders including nurses, police and fire in purchasing a home”

In order for us to move forward and in the spirit of all HAC Commissioners working together, I would be more than happy to amend my motion to include the 2 additional recommendations of Commissioner Miller as well as the added verbiage regarding the Housing Trust Fund - provided the original 10 recommendations in my motion remain in tact.

I also want to remind all that its our responsibility to advise and recommend to City Council our findings and not to anticipate how Council will react - that’s their responsibility. To Not pick a number of recommendations that we feel Council will be comfortable with - its not our job to make City Council comfortable!!

I have come to this conclusion based on our past recommendations for Affordable Housing target when we voted for a 20% target and there was discussion that 10-15% is what we might end up with.

Lo and behold, Council voted the full 20% which has been roundly applauded. I learned to not to anticipate how City Council will react or act!

I have been an active member of the Naperville community for 33 years. During this time, I have been a Cub Scout Cubmaster, Boy Scout leader, President of the Exchange Club of Naperville, Rotary Club of Naperville Sunrise Rotarian board, Naper Settlement Board, Loaves & Fishes Community Pantry Board, Naperville Education Foundation Board as well as currently the City of Naperville Liaison for the 2020 Census - where Naperville is currently #1 in the country in US Census Self Responses for populations over 140,000.

That said, I consider tonight’s vote on the SB Freidman Toolkit recommendations to City Council as THE most important action that I have ever taken while a resident of this great city - and if my vote tonight is the only thing (other than being a great husband and father) - that I am remembered for - then I would consider mine a life well lived and proud that my actions on this vote tonight will impact generations to come and help others attain what I have attained - The American Dream.

I ask for your support tonight on the motion - to be amended - that’s on the floor.

Thank you.

Commissioner Rice then made a motion, seconded by Commissioner Lakner, to accept the findings of SB Friedman Associates “*Naperville Housing Needs Assessment - Toolkit to Address Unmet Housing Needs*” and endorsed by the DuPage Housing Alliance and to recommend the following to the Naperville City Council for action: Develop Working Relationship with Affordable Housing Developers

1. Develop Working Relationship with Affordable Housing Developers
2. Develop a Strategy to Leverage Publicly Owned Land to Address Housing Challenges
3. Develop Specific Plan to Preserve Naturally Occurring Affordable Housing (NOAH)
4. Establish Additional Resources to Assist Population with Special Needs
5. Create Housing Specific Staff Positions within City
6. Identify Areas to (Re)Zone for Residential Use
7. Amend Zoning Code to Allow Accessory Dwelling Units
8. Implement an Inclusionary Zoning Ordinance (IZO)
9. Develop a Strategy for Use of TIP & Other Tax Capture
10. Establish a Housing Trust Fund

These strategies represent the top nine of the toolkit recommendations in order of score, plus the Housing Trust Fund recommendation. The Motion and recommendations are shown in the attachment titled "Motion A."

Commissioner Miller had also submitted a proposed motion, including seven of the toolkit recommendations. This motion reads as follows and is shown in the attachment titled "Motion B":

Motion to accept the findings of SB Friedman Associates *"Naperville Housing Needs Assessment - Toolkit to Address Unmet Housing Needs"* and to recommend the following to the Naperville City Council for action.

1. Identify Areas to (Re)zone for Residential Use.
2. Establish Additional Resources to Assist Population with Special Housing Needs.
3. Establish a Revolving Rehabilitation Loan Fund specifically targeted towards low income seniors who currently own in Naperville so that they can make the necessary repairs to their home and age in place.
4. Establish a Housing Trust Fund specifically targeted towards helping veterans, seniors, the population with special housing needs, and first responders including nurses, police, and fire in purchasing a home.
5. Support Employer-Assisted Housing.
6. Develop Specific Plan to Preserve Naturally-Occurring Affordable Housing.
7. Amend Zoning Code to Allow Accessory Dwelling Units in some areas.

Commissioner Rice pointed out that five of the seven recommendations included in Commissioner Miller's Motion B were also included in Rice's Motion A. Commissioner Rice offered to amend his proposed motion to include both the 10 recommendations in his motion and Items 3. And 5. from Commissioner Miller's motion. He also offered to include Commissioner Miller's description of groups to be targeted for assistance with Housing Trust Fund dollars (see 4. above). Commissioner Miller noted that while he did not object to most of the additional recommendations, he would still have to oppose the amended motion due to his opposition to the Inclusionary Zoning Ordinance. A vote was

taken on the amended motion made by Commissioner Rice, seconded by Commissioner Lakner, with the following outcome:

The motion was denied.

Aye: 3 - Lakner, Rice, and Gurusamy

Nay: 6 - Bernicky, Haber-Kovach, Kuhn, Wilhelm, Kelly, Miller, and Palm

Several of the commissioners stated that they felt that the motion included too many items. Commissioner Miller made a motion to accept the findings of SB Friedman Associates *"Naperville Housing Needs Assessment - Toolkit to Address Unmet Housing Needs"* and to recommend the seven items included in his written motion to the Naperville City Council for action. No one seconded this motion.

Commissioner Rice offered to modify his motion to include the first five recommendations in his list, add recommendations 3. and 5. from Commissioner Miller's list and to include all of Commissioner Miller's wording for each recommendation.

Discussion ensued on the items included in the motion, including explanations of why some commissioners chose not to rank certain items, intentions for ranking items as they did and clarification of the toolkit rankings. Discussion continued regarding the best way to prioritize the recommendations to bring to Council. The commission also discussed the role of city staff and how staff's capacity to undertake items might affect how many items could be completed within a given amount of time.

Councilman Kelly discussed how proposals relating to single-family residential uses in the Master Plan Update and accessory dwelling units (ADU's) were currently being addressed by Council. Councilman Kelly and Ms. Broder discussed how several of the recommendations were closely related to each other. On the topic of ADU's, Commissioner Palm expressed his reservations about this recommendations in the SB Friedman report. He had concerns about adding density to established areas and the accessibility of the units. Therefore, he thought that adding ADU's would not have a positive impact overall.

Commissioner Palm made a motion, seconded by Commissioner Miller, to accept the findings of SB Friedman Associates *"Naperville Housing Needs Assessment - Toolkit to Address Unmet Housing Needs"* and to recommend the following items from the Toolkit to the Naperville City Council for action: Include the first five items included in Commissioner Rice's Motion A, plus Items 3 and 4 from Commissioner Miller's Motion B, with the following language:

3. Establish a Revolving Rehabilitation Loan Fund specifically targeted towards

low income seniors who currently own in Naperville so that they can make the necessary repairs to their home and age in place.

4. Establish a Housing Trust Fund specifically targeted towards helping veterans, seniors, the population with special housing needs, and first responders including nurses, police, and fire in purchasing a home.

Before the vote, Commissioner Rice asked Councilman Kelly about the inclusionary zoning ordinance. Councilman Kelly encouraged inclusion of the IZO. Chairman Bernicky clarified the items included in Commissioner Palm's motion. Commissioner Rice asked for a separate vote on the IZO following the vote on Commissioner Palm's motion.

A vote was then taken on Commissioner Palm's motion:

The motion carried by the following vote:

Aye: 9 - Bernicky, Haber-Kovach, Kuhn, Lakner, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

Commissioner Rice made a motion, seconded by Commissioner Haber-Kovach, to accept the findings of SB Friedman Associates "*Naperville Housing Needs Assessment - Toolkit to Address Unmet Housing Needs*" and endorsed by the DuPage Housing Alliance and to recommend the following additional recommendation from the Friedman Toolkit to the Naperville City Council for action:

Implement an Inclusionary Zoning Ordinance (IZO)

The motion passed.

Aye: 6 - Bernicky, Haber-Kovach, Kuhn, Lakner, Rice, Gurusamy, and Kelly

Nay: 3 - Wilhelm, Miller, and Palm

Jim Hill from the audience was recognized and stated that none of these items will result in the addition of a significant number of affordable housing units by 2021. The City needs to come up with other options, like changes to single-family zoning. Councilman Kelly stated that City Council wants to see the recommendations from the SB Friedman Toolkit and the Comprehensive Plan Update. The single-family zoning map changes were rejected by the Planning and Zoning Commission but may come back up. Discussion followed on the micro-units being constructed on the Ogden Avenue and they were developed due to market and were naturally occurring. Both Commissioner Miller and Commissioner Palm stated their preference for market-based solutions.

Commissioner Palm referred to changes to the housing market caused by COVID-19. He expressed concerns that some recommendations may be affected by these changes. Ms. Broder referenced the SB Friedman memo

included in the Agenda packet. The memo addressed COVID-19 impacts and how this might affect some of the toolkit recommendations. The Friedman memo was read into the record.

Chairman Bernicky referenced the eight items being sent to City and said that the Friedman memo and final draft of the Housing Needs Assessment would be included in the materials sent to Council.

Commissioner Lakner stated he had to leave the meeting. He thanked everyone for their attention before leaving.

Councilman Kelly provided an update on the 5th Avenue Project. The next workshop may occur within a few months.

E. NEW BUSINESS:

There was no new business on the Agenda.

F. REPORTS:

1. Receive the updated progress report on the Analysis of Impediments to Fair Housing Choice (AI) and direct staff accordingly

Attachments: [AI Action Plan Progress Report May 2020.pdf](#)

Receive the updated progress report on the Analysis of Impediments to Fair Housing Choice (AI) and direct staff accordingly.

Ms. Broder shared the updated progress tracker.

Mary Hamill from the audience was recognized. She asked that the initials of the Accessible Community Task Force be corrected from ACT to ACTF.

Ms. Broder stated that Items 1E and 1F address Housing Discrimination Complaints and that Assistant City Attorney Foley has been working on streamlining and simplifying these procedures. She will ask Ms. Foley to provide an update at the next meeting.

Jim Hill from the audience was recognized. He pointed out the importance of public transit in providing transportation for those living in affordable housing and working in Naperville. He stressed the importance of improving Pace services within Naperville. Chairman Bernicky clarified the responsibility of following up on this item in the next year.

Commissioner Rice asked that the commissioners each rank the top three items; the items could then be discussed at the next commission meeting in July. Ms. Broder will clarify the date of that meeting and email a copy of the AI Progress Report to each commissioner. Chairman Bernicky clarified how the AI Action Items should be ranked: #1 Choice = 3 points, #2 Choice = 2 points and #3 Choice = 1 point. 0

Commissioner Rice made a motion, seconded by Chairman Bernicky, to rank the top three items from the updated AI Progress Report-Housing Action Plan at the next meeting and to direct staff accordingly:

The motion passed.

Aye: 8 - Bernicky, Haber-Kovach, Kuhn, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

Absent: 1 - Lakner

G. ADJOURNMENT:

Commissioner Rice made a motion, seconded by Commissioner Kuhn, to adjourn the regular Housing Advisory Commission meeting of June 8, 2020.

Chairman Bernicky adjourned the meeting at 7:45 p.m.

The motion was approved unanimously.

/S/ Ruth Broder
Ruth Broder, AICP
Community Planner/Community Grants Coordinator