



Meeting Minutes

City Council

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Wednesday, November 4, 2020

7:00 PM

Council Chambers

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**Moved to Wed., Nov. 4, 2020 due to Election Day**

On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

On Tuesday, June 16, 2020, Mayor Chirico issued an executive order determining that in-person meetings of the City Council and the City's boards and commissions are not currently practical or prudent due to the COVID-19 pandemic.

**TO WATCH OR LISTEN TO THE CITY COUNCIL MEETING LIVE:**

- Watch on WCNC GOVERNMENT ACCESS TELEVISION (Ch. 6-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T)
- Watch online at <https://naperville.legistar.com>
- Listen by telephone (audio only) – registration to receive dial-in phone number required by calling the City Clerk's Office, (630) 305-5300, by 5 p.m. on November 4

**TO SUBMIT PUBLIC COMMENT IN THE MEETING:**

To address the City Council via Zoom and provide public comment, members of the public must register by 5 p.m. on November 4 at: [www.naperville.il.us/speakersignup](http://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 5 p.m. on November 4) to be read into the public record during the City Council meeting by a member of staff.
2. Submit a one-word statement of "SUPPORT" or "OPPOSITON" regarding a specific agenda item to be read into the public record during the City Council meeting by a member of staff.
3. Address the City Council live during the City Council meeting via spoken audio. Individuals who want to address the Council live must sign up to speak in advance of the City Council meeting (by 5 p.m. on November 4).

Once signed up, the individual will receive an email from the City Clerk's Office after the sign-up time ends with information about how to join the meeting.

- Online sign-up closes at 5 p.m. on November 4, at which time no other speakers or comments will be accepted.

**PUBLIC ACCOMMODATION:**

- Any individual who would prefer to listen to the meeting by telephone, to speak during the meeting by telephone, or who may require an accommodation to listen to or participate in the meeting, should contact the City Clerk at (630) 305-5300, by 5 p.m. on November 4.
- Questions regarding online sign-up may be directed to the City Clerk's Office 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:**

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

- Present:** 7 - Mayor Steve Chirico  
Councilwoman Judith Brodhead  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman Patrick Kelly  
Councilwoman Theresa Sullivan  
Councilman Benjamin White
- Absent:** 2 - Councilman Kevin Coyne  
Councilman John Krummen

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

**A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to recess to Closed Session to discuss 120/2(c)(2) Collective Bargaining and 120/2(c)(21) Approval of Minutes. The motion carried by the following vote:**

- Aye:** 7 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Sullivan, and White
- Absent:** 2 - Coyne, and Krummen

OPEN SESSION - 7:00 p.m.

Chirico called the meeting to order at 7:00 p.m.

#### **D. ROLL CALL:**

- Present:** 8 - Mayor Steve Chirico  
Councilwoman Judith Brodhead  
Councilwoman Patty Gustin  
Councilman Paul Hinterlong  
Councilman Patrick Kelly  
Councilman John Krummen  
Councilwoman Theresa Sullivan  
Councilman Benjamin White
- Absent:** 1 - Councilman Kevin Coyne

#### Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; City Clerk, Pam Gallahue; Fire Chief, Mark Puknaitis; Director of Finance, Rachel Mayer; Director of Human Resources, James Sheehan; Director of IT, Jacqueline Nguyen; Director of TED, Bill Novack; Deputy Director of TED, Jennifer Louden; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Lucy Podlesny; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski

Daily Herald, Naperville Sun, NCTV-17

#### **E. PLEDGE TO THE FLAG:**

The pledge was given.

#### **F. AWARDS AND RECOGNITIONS:**

##### **Poppy Days Proclamation**

Councilman Hinterlong presented the Proclamation.

##### ***SPEAKER***

Bob Colby (Naperville VFW Post 3873) thanked the Council for the Proclamation, stated where members will be distributing poppies, and explained the COVID mitigation measures that will be in place.

#### **G. PUBLIC FORUM:**

##### ***SPEAKERS***

Jennifer Taylor discussed the City's utility assistance program, the proposed \$500,000 in the 2021 budget, and asked that the City not

conduct shut offs in the winter.

Mayer explained that the City has a policy to not do shut offs in the winter and to partner with residents on payment plans.

Marilyn Schweitzer discussed the need for a sustainability comprehensive plan.

Schatz explained the City's comprehensive strategic planning process that was scheduled to occur in 2020, that it was postponed due to COVID, and that the recommendation for award will be presented in December and the project will begin in early 2021.

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

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to use the Omnibus method to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**Absent:** 1 - Coyne

## **I. CONSENT AGENDA:**

Approval of the Consent Agenda

**A motion was made by Councilwoman Brodhead, seconded by Councilman Hinterlong, to approve the Consent Agenda with the exception of items I8 and I11. The motion carried by the following vote:**

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**Absent:** 1 - Coyne

1. [Approve the regular City Council meeting minutes of October 20, 2020](#)

**Council approved.**

2. [Approve the City Council meeting schedule for November & December 2020 and January 2021](#)

**Council approved.**

3. [Approve the award of Option Year One to Contract 18-177, Residential Water Meters, to Core & Main LP for an amount not to exceed \\$868,600 for a one-year term](#)

**Council approved.**

4. [Approve the award of Option Year One to Contract 18-204, Large Diameter Water Meters, to Core & Main LP for an amount not to exceed \\$354,250.00 for a one-year term](#)

Council approved.

5. [Approve the award of Option Year One to Contract 19-077, 1.5-inch Water Meter Replacement Services, to Calumet City Plumbing Co., Inc. for an amount not to exceed \\$228,500, plus a 5% contingency](#)

Council approved.

6. [Approve the award of RFP 20-305, Financial Advisor Consulting Services, to Speer Financial for an amount not to exceed \\$160,000 for a four-year term](#)

Council approved.

7. [Schedule a public hearing for the Proposed 2021 Annual Budget on December 1, 2020](#)

Council approved.

8. [Conduct the first reading of an ordinance amending Title 5 \(Building Regulations\), Title 6 \(Zoning Regulations\), and Title 7 \(Subdivision Regulations\) of the Naperville Municipal Code related to developments including duplexes, single-family attached dwellings, multiple family dwellings, or any combination thereof \(PZC 20-1-089\)](#)

**SPEAKER**

Tim Messer spoke in favor of the proposed ordinance.

Laff explained teardown regulations, that they are designed to be applied on an in-fill or lot-by-lot basis, the proposed changes are for consistency within a development, and that the proposal is not to disincentivize duplexes.

First reading held.

9. [Pass the ordinance granting a variance to the rear yard setback requirement in order to construct a sunroom for the property located at 2843 Fairhauser Court - PZC 20-1-091](#)

Enactment No.: ORD 20-111

Council passed.

10. [Pass the ordinance amending Title 1 \(Administration\) Chapter 9 \(Municipal Finances\) Article H \(Fees for Construction and New Development\) of the Municipal Code related to elevator inspection fees](#)

Enactment No.: ORD 20-112

Council passed.

11. [Adopt the resolution approving the appointment of Brian Groth to the Illinois Municipal Electric Agency Board of Directors](#)

Enactment No.: RES 20-30

A motion was made by Councilman Krummen, seconded by Councilwoman Gustin, to adopt the resolution approving the appointment of Brian Groth to the Illinois Municipal Electric Agency Board of Directors. The motion carried by the following vote:

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**Absent:** 1 - Coyne

## J. PUBLIC HEARINGS:

## K. OLD BUSINESS:

1. [Waive the applicable provisions of the Naperville Procurement Code and award the Surplus Donation of Unit 332, 2009 International Medtec Ambulance, to Naperville Sister City, Cancun, Mexico \(requires six positive votes\) \(Item 1 of 2\)](#)

### **POSITION**

Marilyn Schweitzer - SUPPORT

Council discussed the need for process improvements regarding donations and more of a focus on cultural exchanges instead of financial transactions in the Sister Cities program.

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to waive the applicable provisions of the Naperville Procurement Code and award the Surplus Donation of Unit 332, 2009 International Medtec Ambulance, to Naperville Sister City, Cancun, Mexico. The motion carried by the following vote:

**Aye:** 7 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Krummen, and White

**Nay:** 1 - Sullivan

**Absent:** 1 - Coyne

2. [Approve the award of Change Order #1 to Cooperative Procurement 20-045, Unit 332 Ambulance Replacement, to Foster Coach for an amount not to exceed \\$7,000 and a total award of \\$268,800 \(Item 2 of 2\)](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of Change Order #1 to Cooperative Procurement 20-045, Unit 332 Ambulance Replacement, to Foster Coach for an amount not to exceed \$7,000 and a total award of \$268,800. The motion carried by the following vote:

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**Absent:** 1 - Coyne

## L. ORDINANCES AND RESOLUTIONS:

## M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of the first One-Year Extension to Contract 18-258, Electric Utility Distribution, to Meade, Inc for an amount not to exceed \\$6,000,000](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the award of the first One-Year Extension to Contract 18-258, Electric Utility Distribution, to Meade, Inc for an amount not to exceed \$6,000,000. The motion carried by the following vote:

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Kruppen, Sullivan, and White

**Absent:** 1 - Coyne

## **N. PETITIONS AND COMMUNICATIONS:**

## **O. REPORTS AND RECOMMENDATIONS:**

1. [Receive the estimated 2020 property tax levies for Special Service Area numbers 23, 25, 31, and 33, and direct staff to publish notice for a Truth-in-Taxation hearing on December 15, 2020](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the estimated 2020 property tax levies for Special Service Area numbers 23, 25, 31, and 33, and direct staff to publish notice for a Truth-in-Taxation hearing on December 15, 2020. The motion carried by the following vote:

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Kruppen, Sullivan, and White

**Absent:** 1 - Coyne

2. [Receive the estimated 2020 property tax levy for the City of Naperville, including the Naperville Public Library, and direct staff to publish notice for a Truth-in-Taxation hearing on December 15, 2020](#)

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to receive the estimated 2020 property tax levy for the City of Naperville, including the Naperville Public Library, and direct staff to publish notice for a Truth-in-Taxation hearing on December 15, 2020. The motion carried by the following vote:

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Kruppen, Sullivan, and White

**Absent:** 1 - Coyne

## **P. NEW BUSINESS:**

Short-term rentals (STR)

Kelly asked about removing Naperville listings.

DiSanto explained that staff has asked STR websites to delist Naperville properties, have followed up several times, will be contacting owners, and citing accordingly.

**Bond issuance**

Krummen thanked staff and the Council on the record issuance.

**Council Chambers A/V project**

Gustin asked for a status update.

LaCloche responded that delivery of the final piece of equipment that ties the entire "studio" together continues to be delayed, that staff has ordered the piece from four different vendors, and that the earliest the Council Chambers will be ready for a meeting is mid-December. She went on to explain that the City's Designated Infection Control Officer has advised against resuming any in-person meetings due to the surge in COVID cases and the state's regression to Phase IV with enhanced mitigations.

**Q. ADJOURNMENT:**

**A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to adjourn the Regular City Council Meeting of November 4, 2020 at 8:00 p.m. The motion carried by the following vote:**

**Aye:** 8 - Chirico, Brodhead, Gustin, Hinterlong, Kelly, Krummen, Sullivan, and White

**Absent:** 1 - Coyne

/S/ Pam Gallahue  
Pam Gallahue, PhD  
City Clerk