



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

City Council

Tuesday, April 5, 2022

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-WOW, Ch. 10 - Comcast, Ch. 99 - AT&T)
- 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 April 5 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 April 5. 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 April 5. Online sign-up closes at 4 p.m. on April 5, 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 April 5.
- 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:

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

B. ROLL CALL:

- Present:** 8 - Mayor Steve Chirico
Councilwoman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White
- Absent:** 1 - Councilman Patrick Kelly

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: 8 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Leong, Sullivan, and White

Absent: 1 - Kelly

OPEN SESSION - 7:00 p.m.

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

D. ROLL CALL:

Present: 9 - Mayor Steve Chirico
Councilwoman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White

Also Present

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz; City Attorney, Mike DiSanto; Director of Community Services/City Clerk, Pam Gallahue; Deputy Fire Chief, Amy Scheller; Police Chief, Jason Arres; 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 Loudon; Deputy Director of TED, Allison Laff; Director of Public Utilities - Electric, Brian Groth; Director of Public Utilities - Water, Darrell Blenniss, Jr.; Director of Public Works, Dick Dublinski, Director of Communications, Linda LaCloche; Support Services Division Chief - Fire Department, Phil Giannattasio

Daily Herald, Naperville Sun, NCTV-17

E. PLEDGE TO THE FLAG:

The pledge was given.

F. AWARDS AND RECOGNITIONS:**1. [Proclaim April 2022 Child Abuse Prevention Month in the City of Naperville](#)**

Holzhauer presented the Proclamation to members of the Exchange Club of Naperville and Project HELP.

2. [Proclaim April 2022 World Autism Awareness Month in the City of Naperville](#)

Holzhauer presented the Proclamation to representatives of partnering organizations.

G. PUBLIC FORUM:

Improving the city dog/animal ordinances

Elizabeth Carroll discussed a dog attack incident, asked the Council to improve ordinances regarding dangerous dogs, and offered suggestions regarding a

dangerous dog registry, public notification, fencing, and Animal Control Officer access to property.

Dog/animal ordinances

Jill Lejsek discussed her recent incident with dangerous dogs and asked the Council to implement additional policies including, but not limited to, restitution and increased fines.

Council shared personal experiences, discussed FOIAs, attacks reported from other municipalities, state enforcement policies, and the high level of professionalism of the Animal Control Officers.

Arres discussed data regarding dog attacks.

DiSanto explained current Naperville ordinances including requirements for dogs to be licensed, leashed, and have rabies shots. He also stated that the Municipal Code prohibits dogs running at large, more than three dogs at a residence, and explained the fine structure, the designation of a "dangerous dog," and that staff can research best practices in other communities and bring a recommendation to the Council for review.

Council discussed resident accountability and responsibility to keep neighborhoods safe, reasons for biting behavior, how to improve information that is available for victims, and what information is appropriate to be published on the website.

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

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

I. CONSENT AGENDA:

Present: 9 - Mayor Steve Chirico
Councilwoman Jennifer Bruzan Taylor
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman Ian Holzhauer
Councilman Patrick Kelly
Councilman Paul Leong
Councilwoman Theresa Sullivan
Councilman Benjamin White

Approval of the Consent Agenda

A motion was made by Councilman Hinterlong, seconded by Councilwoman Gustin, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

1. [Approve the regular City Council meeting minutes of March 15, 2022](#)
Council approved.

2. [Approve the City Council meeting schedule for April, May and June 2022](#)
Council approved.

3. [Approval of Mayoral appointments to the Sister Cities Commission and the Transportation Advisory Board](#)
Council approved.

4. [Approve the award of Option Year One to Contract 20-087, Brush Collection Services, to Steve Piper and Sons and Trees "R" Us, Inc. for an amount not to exceed \\$208,852 and for a one-year term](#)
Council approved.

5. [Approve the award to Option Year One of Contract 21-132, Heating, Ventilation, Air Conditioning and Dehumidification \(HVAC-D\) Services, to Beery Heating and Cooling Inc. for an amount not to exceed \\$118,930 and for a one-year term](#)
Council approved.

6. [Approve the award of RFP 22-034, Third Party Administrative Services for Workers Compensation Claims to, Insurance Program Managers Group for an amount not to exceed \\$104,650 and for a three-year term](#)
Council approved.

7. [Approved the award of RFQ 22-067, Engineering Consulting Services for Watermain and Sanitary Sewer Projects, to Baxter & Woodman, Ciorba Group, Civil & Environmental Consultants, Inc., Crawford, Murphy & Tilly Inc., and Fehr Graham for future projects and a two-year term](#)
Council approved.

8. [Approve the award of Bid 22-004, 2022 Patching Program, to Geneva Construction Company for an amount not to exceed \\$578,005.00, plus a 3% contingency](#)
Council approved.

9. [Approve the award of Bid 22-006, 2022 Sidewalk and Curb Maintenance Program, to Schroeder & Schroeder Inc, for an amount not to exceed \\$996,945.00, plus a 3% contingency](#)
Council approved.

10. [Approve the award of Bid 22-070, 2022 Guardrail Improvements Project, to Misfits Construction Company for an amount not to exceed \\$148,167, plus a 5% contingency](#)

Council approved.

11. [Approve the award of Change Order #2 to Option Year One of Contract 20-028, Insulated Conductors, to Okonite for an amount not to exceed \\$80,198 and a total award of \\$1,003,261](#)

Council approved.

12. [Pass the ordinance approving the transfer of \\$16,278,640 of the 2022 Volume Cap to the Town of Normal](#)

Enactment No.: ORD 22-033

Council passed.

J. PUBLIC HEARINGS:

1. [Receive the staff report for 710 Woodlawn Avenue and conduct the public hearing to consider the Annexation Agreement for said property - PZC 21-1-127 \(Item 1 of 5\)](#)

The public hearing was opened at 7:32 p.m.

Caitlin Csuk, Attorney for Petitioner, briefly outlined the requests for annexation, rezoning to R1A upon annexation and approval of a preliminary/final plat of subdivision to create a legal lot of record in order to construct one single-family home in compliance with the City's zoning regulations.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to receive the staff report for 710 Woodlawn Avenue and close the public hearing to consider the Annexation Agreement for said property - PZC 21-1-127 at 7:33 p.m. The motion carried by a voice vote.

2. [Pass the ordinance revoking ordinances 00-111, 00-112, 00-113 for 710 Woodlawn - PZC 21-1-127 \(Item 2 of 5\)](#)

Enactment No.: ORD 22-034

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance revoking ordinances 00-111, 00-112, 00-113 for 710 Woodlawn - PZC 21-1-127. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

3. [Pass the ordinance authorizing the execution of the Annexation Agreement for 710 Woodlawn Avenue - PZC 21-1-127 \(requires six positive votes\) \(Item 3 of 5\)](#)

Enactment No.: ORD 22-035

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance authorizing the execution of the Annexation Agreement for 710 Woodlawn Avenue - PZC 21-1-127. The motion carried by the

following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

4. [Pass the ordinance annexing 710 Woodlawn Avenue - PZC 21-1-127 \(Item 4 of 5\)](#)

Enactment No.: ORD 22-036

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance annexing 710 Woodlawn Avenue - PZC 21-1-127. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

5. [Pass the ordinance rezoning 710 Woodlawn Avenue to R1A upon annexation - PZC 21-1-127 \(Item 5 of 5\)](#)

Enactment No.: ORD 22-037

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to pass the ordinance rezoning 710 Woodlawn Avenue to R1A upon annexation - PZC 21-1-127. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauer, Kelly, Leong, Sullivan, and White

K. OLD BUSINESS:

L. ORDINANCES AND RESOLUTIONS:

1. [Option A: Concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving variances to Section 6-6A-7 \(R1A/Yard Requirements\) and Section 6-2-3:3.2 \(Yard Requirements\) for 406 S. Julian Street \(Plummer Variance\) - PZC 21-1-145; or](#)

[Option B: Concur with staff and pass the ordinance approving variances to Section 6-6A-7 \(R1A/Yard Requirements\) and Section 6-2-3:3.2 \(Yard Requirements\), apart from a wraparound porch, for 406 S. Julian Street \(Plummer Variance\) - PZC 21-1-145](#)

Len Monson, Attorney for the Petitioner, discussed the claim of hardship, explained the odd-shaped lot, the location of the property, and that the road will be improved in the future. He also compared the set back requirements for the subject property to those across the street and stated that the variance was unanimously approved by PZC.

Council discussed the size of the home, impact to the neighborhood, the PZC vote, flooding in the area, and that staff is following the zoning ordinance.

COMMENT ONLY

Marilyn Schweitzer - 1) Please concur with staff and approve Option B which does not grant the variance for the wrap-around porch along Porter Avenue. There is simply no hardship. A wrap-around porch is a design preference, not a

code requirement. The properties to the north, east, and south are all zoned R1A which have 30' corner setbacks, not 15'. Only the property to the west is zoned R1B. The city, not the petitioner, owns the ROW and its width should have no bearing on the rationale. A porch less than 11' from the public sidewalk is not compatible for this zoning or the neighborhood character. 2) I also take exception to the petitioner's proposal to pay cash in lieu of installing a sidewalk at the time of development and the suggestion that the sidewalk be built close to the roadway. Delaying installation affects the public's safety. Carriage walks and sidewalks with narrow parkways are more difficult to maintain (e.g. snowplows pile the snow on them), are not as safe, and place limitations on parkway trees. The ROW is for public use, not for the private benefit of the property owner. The sidewalk should be installed as close to the property line as possible as is the city's current practice. This is typically 1'.

Enactment No.: ORD 22-038

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to concur with staff and pass the ordinance approving variances to Section 6-6A-7 (R1A/Yard Requirements) and Section 6-2-3:3.2 (Yard Requirements), apart from a wraparound porch, for 406 S. Julian Street (Plummer Variance) - PZC 21-1-145. The motion carried by the following vote:

Aye: 7 - Bruzan Taylor, Hinterlong, Holzhauser, Kelly, Leong, Sullivan, and White

Nay: 2 - Chirico, and Gustin

M. AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:

1. [Approve the award of Option Year Two of Contract 20-028, Insulated Conductors, to Okonite for an amount not to exceed \\$2,200,000 and for a one-year term](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Option Year Two of Contract 20-028, Insulated Conductors, to Okonite for an amount not to exceed \$2,200,000 and for a one-year term. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauser, Kelly, Leong, Sullivan, and White

2. [Approve the award of Bid 22-021, Park Addition Water Main Replacement, to Copenhaver Construction Inc. for an amount not to exceed \\$4,515,317 plus a 3% contingency](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Bid 22-021, Park Addition Water Main Replacement, to Copenhaver Construction Inc. for an amount not to exceed \$4,515,317 plus a 3% contingency. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauser, Kelly, Leong, Sullivan, and White

3. [Approve the award of Bid 22-022, West Highlands and Maplebrook East Water Main Replacement to, J. Congdon Sewer Service for an amount not to exceed \\$3,210,558.41 plus a 3% contingency](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Bid 22-022, West Highlands and Maplebrook East Water Main Replacement to, J. Congdon Sewer Service for an amount not to exceed \$3,210,558.41 plus a 3% contingency. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauser, Kelly, Leong, Sullivan, and White

4. [Approve the award of Cooperative Procurement 22-080, Units 326 and 381 \(Technical Rescue Team Truck and Trailer\) and Unit 356 \(Mobile Command Center\), to LDV, Inc. for an amount not to exceed \\$1,080,071](#)

Giannattasio explained that the Mobile Command Center is the most comprehensive vehicle in the area and that the City aggressively researched federal and local grants to defray costs. He also stated that the department evaluates what resources are in the region, that the vehicle specs align with Naperville's needs, and can assist other communities upon request.

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of Cooperative Procurement 22-080, Units 326 and 381 (Technical Rescue Team Truck and Trailer) and Unit 356 (Mobile Command Center), to LDV, Inc. for an amount not to exceed \$1,080,071. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauser, Kelly, Leong, Sullivan, and White

5. [Approve the award of RFP 22-100, Transmission & Distribution Engineering Services, to Primera Engineers for an amount not to exceed \\$1,500,000 and for a two-year term](#)

A motion was made by Councilwoman Gustin, seconded by Councilman Hinterlong, to approve the award of RFP 22-100, Transmission & Distribution Engineering Services, to Primera Engineers for an amount not to exceed \$1,500,000 and for a two-year term. The motion carried by the following vote:

Aye: 9 - Chirico, Bruzan Taylor, Gustin, Hinterlong, Holzhauser, Kelly, Leong, Sullivan, and White

N. PETITIONS AND COMMUNICATIONS:

O. REPORTS AND RECOMMENDATIONS:

P. NEW BUSINESS:

Online service

Gustin congratulated staff for moving the process used to file and pay local taxes (food & beverage, hotel/motel and local gas) to an online module so businesses can now electronically file and pay local taxes.

Q. ADJOURNMENT:

A motion was made by Councilman Hinterlong, seconded by Councilwoman

**Gustin, to adjourn the Regular City Council Meeting of April 5, 2022 at 7:56 p.m.
The motion carried by a voice vote.**

/S/ Pam Gallahue
Pam Gallahue, PhD
Community Services Director/City Clerk