

Observer Report

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Organization Observed

Naperville City Council

Observer

Allison Longenbaugh

Date

Tuesday, June 7, 2022

Meeting Time: X-Y

7:00 pm - 8:24 pm

**Meeting Held-In Person,
Remote, Hybrid**

In Person

**Meeting Observed- In Person,
Livestream, Recorded**

Livestream, Recorded

Attendees (note if remote)

Quorum (yes or no)

Yes

Elected

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

Staff (list names/roles)

City Manager, Doug Krieger; Deputy City Manager, Marcie Schatz
 City Attorney, Mike DiSanto
 Director of Community Services/City Clerk, Pam Gallahue
 Police Chief, Jason Arres; Fire Chief Puknaitis

Director of Finance, Rachel Mayer
Director of Human Resources, James Sheehan
Director of IT, Jacqueline Ngyuen
Director of TED, Bill Novak; 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

Press (list names)

NCTV-17, Naperville Sun, Daily Herald

Public (number)

At least 15-20.

General Observations _____

	Yes	No	Comments
Meeting start on time?	x		
Facilities large enough?	x		
Audience able to hear proceedings?	x		
Room ADA Compliant?	x		

Illinois Open Meeting Act Requirements

	Yes	No	Comments
Meeting Notice Posted?	x		City website: Current Meeting listing (will update to show current meetings): https://www.naperville.il.us/government/city-of-naperville-government-meeting-listing/ City meeting management system (legistar): https://naperville.legistar.com/MeetingDetail.aspx?ID=952238&GUID=6FCB5D78-415A-4352-BC0E-6256EC17F3AB&Options=&Search=
Agenda Posted 48 hours prior to meeting?	x		Agenda posted on legistar & emailed on Wednesday, June 1, 2022. https://naperville.legistar.com/MeetingDetail.aspx?ID=952238&GUID=6FCB5D78-415A-4352-BC0E-6256EC17F3AB&Options=&Search=
Agenda clearly describes items to be discussed?	x		
Meeting packet available to the public before meeting?	x		https://naperville.legistar.com/MeetingDetail.aspx?ID=952238&GUID=6FCB5D78-415A-4352-BC0E-6256EC17F3AB&Options=&Search=
Minutes from previous meetings posted?	x		Minutes from the last meeting (5/17/2022) were approved during this meeting and posted on the legistar on 6/2/2022.
Public Comment encouraged?	x		
Public treated respectfully?	x		

Business Transactions

Agenda and Packet Found Where	https://naperville.legistar.com/MeetingDetail.aspx?ID=952238&GUID=6FCB5D78-415A-4352-BC0E-6256EC17F3AB&Options=&Search=
Meetings Streamed and Archived Where	https://naperville.legistar.com/DepartmentDetail.aspx?ID=34747&GUID=ACE7D218-B3F0-4AF6-B414-F8F820FB6FEE&Mode=MainBody
Closed Session Notes From Agenda	n/a
Business Transacted	The Mayor began the meeting by recognizing the Metea Valley Girls Soccer team for winning the 3A IHSA State Championship.

Proclamation

- 22-0692 1 Recognize Cress Creek Garden Club of Naperville and National Garden Week June 5-11, 2022 in the City of Naperville. (*Founded in 1975, the proclamation honored them for encouraging the beautification and general improvement of Naperville and surrounding communities.*)
- 22-0633 1 Proclaim the first Friday in June National Gun Violence Awareness Day in the City of Naperville. (*Proclamation given to Leslie Ruffing (Naperville Moms Demand Action) and Rev. Mark Winters (Pastor of First Congregational United Church of Christ). Encourages all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.*)

Public comment - 5 speakers

Written comments submitted via website - 3

- Greg Hubert (Clean Energy Alliance of Naperville (CLEAN)) - spoke in support of the NCHS student who spoke at the 5/17/2022 meeting to allow solar power purchase agreements (PPAs). Asked that the city document its policy on PPAs so there can be an open and transparent public discussion.
- Graham Morin (20+ years experience in solar energy and energy development) - spoke in support of the NCHS student who spoke at the 5/17/2022 meeting to allow PPAs. Deployed properly, PPAs could benefit the community at large.
- Catherine Clarkin (Naperville Environment and Sustainability Task Force (NEST)) - spoke in support of the NCHS student at the 5/17/2022 meeting to allow PPAs. Continue to work together and include student voices to achieve these goals.
- Pieter Friedrich - discussed Hindu Swayamsevak Sangh (HSS), the overseas counterpart of Rashtriya Swayamsevak Sangh (RSS).
- Michael Anderson - he was attacked and smeared on-line because of an imposter Twitter account using their names which appeared just before the 5/17/2022 City Council meeting. They have filed a police report.

Council response

- Mayor said no PPA has approached the city to build a plant. ComEd allows PPAs, but the city is outperforming ComEd.
- Brian Groth (Director of Electric Utility) said school districts have not reached out, and there are no limitations. Comparison:
 - Number of installations per 1,000 customers: City=6, ComEd=4
 - Installed capacity/1,000 customers: City=64.8kWh, ComEd= 52.8kWh.
- Holzhauer thinks choice is good and doesn't see the harm in the long term.

Consent agenda - approved 9-0

Consent agenda, as passed (*additional description each item per agenda links in italics*):

1. 22-0658 Approve the regular City Council meeting minutes of 5/17/2022
2. 22-0672 Approve the City Council meeting schedule for June, July, and August 2022
3. 22-0562 Approve the award of Sole Source Procurement 22-175, ESRI Enterprise License Agreement, to Environmental Systems Research Institute, Inc. (ESRI), for an amount not to exceed \$330K and for a 3-year term. (*Since 1994 the City has used Geographic Information systems (GIS) from ESRI to manage, analyze, and present information tied to geographic locations across the City. There are over 250 datasets tracking water, sanitary, land use, public safety, traffic, storm water, electric, etc. Access to the datasets benefits multiple departments and the data is administered by the Information Technology (IT) Department.*)
4. 22-0643 Approve the award of Cooperative Procurement 22-171, Janitorial Supplies, to W.W.Grainger, Inc. for an amount not to exceed \$145K and for a 1-year term. (*Grainger has provided this service since 2019 and has increased cost savings by finding comparable products at lower prices. They also customized the Keepstock program (inventory management) to ensure that spending does not exceed monthly allocation for each location by setting product ordering limits. The award for 2022 reflects current spending and additional supplies needed due to COVID-19.*)
5. 22-0666 Approve the award of Cooperative Procurement 22-177, VMWare Annual Maintenance Renewal, to Zones Inc. for an amount not to exceed \$114,484 and for a 1-year term. (*Since 2010, the Electric Utility (Utility) and the Information Technology (IT) Department have standardized using VMWare for data center virtualization citywide. A virtualized infrastructure reduces capital costs by decreasing the number of physical servers and uses them more efficiently by running multiple virtual machines on the same piece of hardware. This also provides benefits to operating costs and resiliency. Both IT and the Utility have combined coverage into one account to ensure the core services remain active and costs are reduced. The Utility portion of the renewal is \$24,979, the IT portion of the renewal is \$89,505. The amount of this annual procurement has increased over time to where it now requires City Council level approval. This increase is driven by an increased number of virtual machines as the City migrates old, standalone servers into virtual machines on our HyperFlex computing platform.*)
6. 22-0668 Approve the award of Change Order #3 to Contract 19-214, Water Advanced Metering Infrastructure (AMI) Project, to Core & Main LP for an additional 185 days (Item 1 of 2) (*Core & Main integrates software with the City's water meter management system. Installation of the meter interface was completed throughout 2021, but the second phase of software integration is ongoing. Additional integration requirements were uncovered during the planning of the second phase that requires additional time beyond the original estimates. No additional funds are required. The revised completion date is 12/31/2022.*)
7. 22-0671 Approve the award of Change Order #2 to Contract 20-322, Water Utilities MDMS Software and Support (AMI Project), to Harris Computer Systems for an additional 185 days (Item 2 of 2) (*The Harris meter data management system (MDMS) houses all meter and customer data to facilitate billing. This change order coincides with the 185-day extension to Core & Main.*)
8. 22-0687 Approve the award of Change Order #4 to Contract 21-149, Moser Tower and Eagle Street Walkway to StruxC-MC, LLC for an additional 140 days. (*This*

extends the contract by 140 days due to supply chain delay associated with coping stones for the lower level. This extends the contract completion date to 9/30/2022. No change to project cost.)

9. 22-0660 - pulled for discussion.

10. 22-0523 Pass the ordinance regarding prohibiting the use of groundwater as a potable water supply within specified limits of various properties located on Route 59, Diehl Road, Bond Street, Pebblewood Lane, McDowell Road, and adjacent rights-of-way. *(Numerous properties throughout the City of Naperville have been used for commercial and industrial purposes over the years. Many of the current property owners have been working with the Illinois Environmental Protection Agency (IEPA) to clean up the sites and obtain certification by issuance of a No Further Remediation (NFR) Letter by the IEPA. The NFR letter provides value and comfort to the property owner that the IEPA has certified the site has been cleaned to certain standards. The former Mobil gas station located on the SW corner of IL Route 59 and Diehl Road is one of these sites. The owner has worked with the IEPA on clean up and the groundwater ordinance is the last task that remains. The groundwater ordinance affects the Mobil gas station parcel (1671 N Route 59) and twelve adjacent parcels of commercial land. Passing this ordinance will allow this commercial site to obtain an NFR, improve its value, and demonstrate to other property owners the City's willingness to remediate environmental impacts.)*
11. 22-0646 Pass the ordinance approving a minor change to the River Run Centre Lot 1 PUD for Dunkin Donuts - PZC 22-1-044. *(The property (1004 104th Street) is asking for approval to permit retail uses at the subject property. The petitioners plan to locate a Dunkin drive-through on the north half of the building located on Lot 1. The remaining tenant space will be office use. The proposed Dunkin is permitted within the property's B1 zoning and no site plan changes are needed to accommodate the tenant.)*
12. 22-0638B Pass the ordinance granting a variance to Section 6-6B-7 for the property located at 1103 N. Eagle Street - PZC 22-1-028. *(The property subdivision was approved 10/19/2021 and is zoned R1B (medium density single-family residence). The petitioner requests a variance to the interior yard setback from 16' to 12' (with each side a minimum of 6'), which is consistent with the setback requirements for lots prior to 1989. It is difficult to find that a hardship exists when new construction is proposed because the home's footprint can be adjusted accordingly. However, based on information submitted on 5/13/2022, staff acknowledges that the setbacks were established pre-1989, and concurs with PZC vote (7-0).)*
13. 22-0649 Adopt the resolution approving and authorizing the execution of a Phase 2 Design Engineering Reimbursement Agreement with Enbridge Energy Limited Partnership. *(The North Aurora Road Underpass and the Wisconsin Central/CN Railroad Improvement project (CIP# BR005) is a joint effort between the cities of Naperville and Aurora as well as Naperville Township (est cost \$28M). Recent field investigations have determined that the proposed roadway profile conflicts with an existing 34-inch diameter Enbridge petroleum gas pipeline. Relocation of the Enbridge gas pipeline is required. Staff supports entering into a reimbursement agreement with Enbridge to engineer the pipeline relocation process. Relocating the gas pipeline will allow for a proper roadway profile and cross-slope which provides better overall drainage and driver ride-ability. The pipeline relocation will also allow for the removal of an existing/redundant gas pipeline valve which, if allowed to remain, would stand approximately 10' north of the proposed roadway edge, requiring a barrier wall for driver protection. Recently, the City submitted a*

request for an additional \$2.8 million from the Chicago Metropolitan Agency for Planning Shared Fund Program. This request, which is currently under review, may offset the unforeseen pipeline relocation costs.)

14. 22-0694 Adopt the resolution authorizing execution of a collective bargaining agreement (CBA) between the City of Naperville and IBEW Local 9 representing the Naperville Electric Utility employees. *(The Agreement includes a 12.5% wage increase over a 5-year term (retroactive 1/1/2022 through 12/31/2025). Staff bargained the Vested Overtime provision out of the CBA and the cost of doing so was consistent with City Council authority and is reflected in the wage increases that take effect in 2022.)*

Consent agenda item #9 (22-0660) - pulled for discussion - approved 9-0

Waive the first reading and pass the ordinance amending Section 2-19 of the Naperville Municipal Code to rename the Special Events and Cultural Amenities Commission, assign administrative responsibility for the new Public Arts Program, and temporarily increase Commission membership to 11 (requires six positive votes) *(At its 5/17/2022 meeting, Council directed staff to prepare an ordinance establishing the program through the expansion of the SECA commission. The expansion to 11 members is temporary, and will reduce back to 9 as terms expire. Council also placed administrative authority for the new Public Arts Program with the Commission and approved changing the name.)*

Position statements: 1 in support

Council comment - Hinterlong asked for a minor correction to wording.

Ordinances- 410 8th Avenue

Motion made to approve option A (concur with petitioner) - approved 9-0.

22-0585B Option A: Concur with the Planning and Zoning Commission and the petitioner and pass the ordinance approving a variance to Section 6-6A-7 for the property located at 410 E 8th Avenue - PZC 22-1-027; or Option B: Concur with staff and deny the variance - PZC 22-1-027.

The property is on the SE corner of Loomis and 8th Avenue, and is zoned R1A. The petitioner is requesting approval of a variance to reduce the required corner side yard setback from 30' to 15'. PZC voted 7-0 in favor but staff did not concur. Staff does not believe there is a hardship which would justify new construction not meeting required setbacks. The proposed home could be moved closer to the southern property line and would eliminate the need for a variance.

Written comment submitted - one in support of staff.

Petitioner comment - Attorney Whittaker made a change to the original setback request from 30' to 21'.

Council comment - Hinterlong said the change in setback from 21' changed his mind.

Awards & bids - Approved 9-0

22-0682 1 Approve the Award of RFP 22-121, Janitorial Services, to Citywide Building Maintenance, for an amount not to exceed \$1,074,642 for a 2-year term. *(Staff received 13 proposals. Citywide Building is the incumbent firm and scored highest in qualifications and had lowest bid price.)*

Reports & recommendations - Overnight Parking Program (OPP)

1. 22-0428B Receive the report and direct staff to establish an Overnight Parking Program (Item 1 of 3). *(The overnight parking ordinance has been in effect since at least 1960, with some amendments over the years. The City developed a pilot*

program in 2013 in some subdivisions with townhomes. Staff concluded that allowing overnight parking on one side of the street in an organized manner did not impact operations and further expansion of the program to other areas should be considered on a case-by-case basis. The Transportation Advisory Board (TAB) approved the recommendation on 5/5/2022 (7-0). The program will require each HOA to submit an application to participate. Staff will coordinate across city departments to evaluate each HOA to ensure municipal operations are not negatively impacted.)

2. 22-0568B Waive the first reading and pass the ordinance amending Section 11-2A-8 of the Naperville Municipal Code to allow all-night parking as designated in the Traffic Schedule (requires six positive votes) (Item 2 of 3).
3. 22-0567B Waive the first reading and pass the ordinance amending the Traffic Schedule to include overnight parking exemptions for streets in The Villages of Westglen and The Enclave at Country Lakes (requires six positive votes) (Item 3 of 3)

Position statements - 1 in support

Written comment submitted - 2

Public comment - 2 speakers

1. Jeff Allen - Vintage Club Subdivision- supported the OPP. Noted that Vintage Club was not on tonight's list of exemptions but they would be going through the application process.
2. Kimberly Scott - Vintage Club Association Board representative - supported the OPP because their townhomes (60 units) do not have driveways.

Council comments

- Holzhauer was confident that staff would put forth sufficient regulations to make sure the program is not abused. Looked to Novak (TED) and Dublinski (Public Works) as Subject Matter Experts that this is an improvement.
- Taylor asked how TED determines if there is a need and asked if this was a problem because HOAs don't add enough parking. Asked that the draft be revised to only include multi-family homes and would like there to be more restrictions.
- Leong asked for Chief Arres's assessment, and he confirmed that he had no concerns from a crime perspective. Leong also asked why it wasn't being rolled out city-wide. Novak explained that it is only a problem in certain subdivisions, so this was the solution.
- Gustin asked for a group of potential HOAs with this issue. Was worried that the city will end up with disgruntled homeowners in neighborhoods where this is added. Was worried about enforcement within the HOAs.
- Novak explained the review process has 3 safety nets: 1) city staff will vett to make sure the request is warranted, 2) Transportation Advisory Board (TAB), 3) City Council approval. In addition, staff does a quarterly review in the first year for any new subdivision, and the city has the right to revoke the program at any time for non-compliance. HOAs need consensus before they make the request, and regarding safety, overnight parking is only allowed on the non-hydrant side of the street. There is no degradation to city services. In addition, one of the requirements to participate is that residents in the HOA subscribe to Naper Notify and the city has the ability to send notifications to just those residents.
- Sullivan asked what the criteria was that staff would push back. Novak said, "We operate pretty well in the gray." Wanted the guidelines to be clear that this program is only for certain types of streets or neighborhoods.
- White asked what type of power the HOAs have. The representative from Vintage Club said they can charge fines but they are difficult to enforce.

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- Hinterlong wanted to know how many passes would be given out. Novak explained that this would be determined by HOAs. Was also concerned about snow plowing. Dublinski explained that it would be better for them. Hinterlong was worried that this means that people will stop living within their means and start using their garages for stuff because they can park on the street.
 - Kelly was comfortable and noted that the pilot programs (going on 8 years) have had no issues and staff doesn't see any concerns.
 - Mayor supported the program, with just a few changes. Council directed staff to revise the program and bring it back at the next meeting: 1) restrict eligibility to developments built before 2.25 spaces/unit was required, 2) multi-family subdivisions, and 3) additional rules for HOAs.

New Business

White reminded everyone of the Juneteenth Celebration on 6/18/2022 from 1pm-4pm on Rotary Hill.

Any Issues Discussed That Have Implications for LWV?

Speakers supporting the comments made by an NCHS student at the 5/17/2022 meeting regarding Solar Purchase Power Agreements (PPAs).

Next Meetings

Tuesday, June 21, 2022

Report Reviewed By

Susan Craighead
