

Observer Report

Organization Observed	Naperville City Council
Observer	Allison Longenbaugh
Date	Tuesday, September 20, 2022
Meeting Time: X-Y	7:00 pm - 8:23 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 Pat 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

Press (list names)

Director of Communications, Linda LaCloche

NCTV-17, Naperville Sun, Daily Herald

Public (number)

At least 30

General Observations _____

	Yes	No	Comments
Meeting start on time?			
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=985930&GUID=A69B11EF-F198-4C74-83E9-3A6730201ADA&Options=&Search=
Agenda Posted 48 hours prior to meeting?	x		Agenda posted on legistar & emailed on Wednesday, September 14, 2022. https://naperville.legistar.com/MeetingDetail.aspx?ID=985930&GUID=A69B11EF-F198-4C74-83E9-3A6730201ADA&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=985930&GUID=A69B11EF-F198-4C74-83E9-3A6730201ADA&Options=&Search=
Minutes from previous meetings posted?	x		Minutes from the last meeting (9/6/2022) were approved during this meeting and posted on the legistar on 9/21/2022.
Public Comment encouraged?	x		
Public treated respectfully?	x		

Business Transactions

Agenda and Packet Found Where	https://naperville.legistar.com/MeetingDetail.aspx?ID=985930&GUID=A69B11EF-F198-4C74-83E9-3A6730201ADA&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

Awards & Recognitions - presentation of the 2022 Senior of the Year Awards 22-1104 Senior of the Year Award recipients are Naperville residents that have a history of community service, giving back selflessly, and are 65 or older. Mayor Chirico presented the awards to Vicky M. Joseph and Robert F. Tanner.

- Vicky Joseph started Families Helping Families in 1994 to help homeless families in DuPage County. <https://www.famhelpingfam.org>
- Robert Tanner volunteers at many organizations across Naperville, including Compass Church Senior Group.

Public comment

1. Basim Esmail (Naperville) – My plaza, Maplebrook Shopping Center. Five of his tenants have been in his center for over 40 years. The City handles the administration of electricity to the tenants. One of his tenants went out of business and the City is holding Esmail liable for the tenant’s default on 5 months of electric bills to the City. Per City ordinance, the City wants to put a lien on him (as landlord) because of the tenant’s default, rather than putting a lien on the tenant. Esmail felt that the City had power that he did not and, as the administrator of the utilities, could have turned off the tenant’s power in order to force the tenant into paying their bills.

Council/Staff response:

Business Transacted

- **Mayor** views the landlord as being in the best position to vett the credit worthiness of their tenants.
 - **Munch** (Finance Department) explained that the City offers opportunities to pay down balances.
 - **DiSanto** (City Attorney) explained that there are civil remedies available for landlords to pursue unpaid utility bills. The City position is that landlords are in the best position to do that.
2. Peter Portincasa – Parking Structure at library and other politics. West Street between Aurora and Rickert- asking for a speed trap. Cannot find parking when he goes to the library; would be in favor of a parking structure where a library card could be used for entry validation. **Mayor** responded: asked Chief Arres to keep West Street on their list for special enforcement and informed the speaker that the library parking structure is in the preliminary stages of review.

Consent Agenda - passed 9-0

Consent agenda, as passed *[additional description each item per agenda links in italics]:*

1. 22-1076 Approve the Cash Disbursements for the period of 08/01/2022 through 08/31/2022 for a total of \$35,926,690.64
2. 22-1134 Approve the regular City Council meeting minutes of 9/6/2022
3. 22-1130 Approve the City Council meeting schedule October, November, and December 2022
4. 22-1050 Approve the award of Cooperative Procurement 22-275, 2023 Police Vehicle

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- Purchases (11), to National Auto Fleet Group for an amount not to exceed \$558,591.44. *[The 11 vehicles are used daily for police emergency response, routine un/marked and non-emergency patrol, parking enforcement, and traffic/crowd control at special events. All 11 will be auctioned through the City's auction service provide.r All will be replaced with 2023 Ford Utility Interceptor Hybrid units. The units will be received in 2023 and be part of the 2023 budget but they need to be ordered now to secure a build slot.]*
5. 22-1077 Approve the award of Cooperative Procurement 22-115, Police Department Uniforms and Equipment, to Galls LLC for an amount not to exceed \$168,110 for a 1-year term. *[The PD provides all uniforms to new hires as well as replacements for current staff.]*
 6. 22-1125 Approve the award of Cooperative Procurement 22-285, LED Light Fixture Conversion, to Graybar, Inc. for an amount not to exceed \$672,780. *[The Department of Public Works (DPW) established 1) the Citywide LED Street Lighting Conversion (SL137) to replace all existing street lights with LED fixtures and 2) the Capital Upgrade/Replacement of Street Lighting Systems (SL125) to upgrade deteriorated poles. They began in 2015. This phase will replace existing high intensity discharge (HID) fixtures with LED fixtures on approx. 500 decorative street lights and poles.]*
 7. 22-0981 Approve the award of Sole Source Procurement 22-257, Naviline Public Administration and Public Safety CAD/RMS Software Maintenance and Support, to CentralSquare Technologies for an amount not to exceed \$414,875.31 and for a 1-year term (10/1/2022-9/30/2023). *[CentralSquare Technologies has served as the provider of the City's primary public administration (Naviline) and public safety (CAD/RMS) software applications for various services and functions since 1994. The software maintenance and support agreement provide the City with upgrades to new software releases and the ability for staff to receive 24/7 support for critical software issues. The Information Technology (IT) department coordinates the annual renewal of the software maintenance contract for the Public Administration and Public Safety applications. IT considers this a sole source procurement because CentralSquare Technologies is the developer and owner of the software and the only vendor allowed to provide maintenance and support services. Without the maintenance agreement, the City will not receive future enhancement updates, program fixes, or customer support for the systems.]*
 8. 22-1091 Approve the award of Option Year 1 of Cooperative Procurement 21-343, Cellular Phone Services, to Verizon Wireless for an amount not to exceed \$278K and for a 1-year term. *[Certain staff positions are assigned cellular smartphones to enhance their productivity and to promote effective communications with other staff, the Mayor and City Council members, and with key vendors and contractors. e.g. ambulance personnel transmitting data to the hospital while they are en route with patients, and City staff monitoring water, sewer, and electric services remotely 24 hours a day. This award is for the first of 2 option years to extend those services.]*
 9. 22-1092 Approve the award of Option Year One of Cooperative Procurement 21-344, Mobile Broadband Data Services, to Verizon Wireless for an amount not to exceed \$133K and for a 1-year term. *[Mobile broadband data services provide wireless data connections that enable enhanced productivity through the use of laptop computers when working in the field, and through networking various mobile technology systems. E.g. Police and Fire Departments using computer-aided dispatch applications with automatic vehicle location information, the Department of Public Works (DPW) using job management applications, and the Water and Electric Utilities using remote monitoring applications. This award is for the first of 2 option years to extend those services.]*
 10. 22-1031 Approve the award of Option Year 2 to Contract 19-197, Security Camera Maintenance and Repair Services, to Pace Systems Inc. for an amount not to exceed \$135K. *[The Department of Public Works (DPW) maintains more than 370 security cameras located throughout the City, including in and around City facilities, in the downtown area, and in and around the Naperville Metra train station. DPW has historically contracted the maintenance and repair of the security cameras. This contract provides routine and non-routine maintenance and repair of the City's security cameras. Based upon the vendor's performance, DPW recommends extending the contract for the second option year. Pace Systems Inc has requested a 2.3% increase to the contract pricing due to labor rate increases that they have incurred, which*
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staff finds reasonable.]

11. 22-1101 Approve the award of Option Year 4 to Contract 17-097, Holiday Lighting and Decorations, to Holiday Creations Pro, Inc. for an amount not to exceed \$185K. *[DPW is responsible for holiday lighting and decorations in the Central Business District (CBD). Historically, this consisted of holiday lighting for approximately 200 trees, rooftop lighting, and lit garland on streetlight poles.]*
12. 22-1103 Approve the award of Bid 22-242, Naperville Insertion Valve Installation Program, to Superior Excavating Co for an amount not to exceed \$314,780, plus a 5% contingency. *[The Water Utilities operates and maintains 747.5 miles of water main ranging in size from 4"-24" diameter. This includes approximately 14,500 distribution system valves. A large number of these valves are at the end of their expected service life of 50 years, and some are experiencing irreparable operational issues. The use of insertion valves in targeted areas will minimize water supply disruption to customers while installing new valves and keeping water mains in service to critical water users. The service life of an insertion valve is approximately 50 years. The initial completion date of this project is 12/31/2023. Upon satisfactory completion of the initial project term, this contract allows for 3 additional 1-year options to extend.]*
13. 22-1054 Approve the award of Change Order #1 to Option Year 1 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 \$27K and a total award of \$145,930. *[This contract provides HVAC-D services that are not in scope of in-house staff or to augment efforts of in-house staff. This change order will complete 4 projects that were not foreseeable at the time of execution and are necessary to protect equipment at Northwest Waterworks (NWWW) and Springbrook Water Reclamation Center (SWRC).]*
14. 22-1069 Approve the award of Change Order #1 to Contract 22-022, West Highlands and Maplebrook East Water Main Replacement, to J. Congdon Sewer Service for an additional 67 calendar days. *[This will replace aging and functionally-deficient water mains in West Highlands and Maplebrook East subdivisions. The change order will extend the completion date from 9/30/2022 to 12/5/2022 because of a shortage in water main pipe and appurtenances.]*
15. 22-1087 Approve the award of Change Order #1 to Contract 20-390, Staffing Services, to Addison Group, Pace Systems, Sentinel Technologies, and Stivers Staffing for an amount not to exceed \$217,640 and a total award of \$317,640. *[The City utilizes contract services to supplement current staff. These 4 temporary agencies have different expertise and access to people to fill a variety of positions. Currently, contract employees are working in the Finance, IT, and Electric Utility departments and are scheduled through the remainder of the year. The City has also seen an increase in recruiting time and a decrease in qualified and interested candidates for employment. These temporary positions also help to offset that lag time.]*
16. 22-1098 Approve the award of Change Order #1 to Contract 22-021, Park Addition Water Main Replacement, to Copenhaver Construction, Inc. for an additional 50 calendar days. *[For this project, the lack of available water main contributed to a delay of approximately three weeks. The strike by the International Union of Operating Engineers Local 150 against material producers and quarries across northern Illinois adversely impacted the availability of aggregate necessary for construction. Additionally, due to poor subsurface conditions, there was difficulty installing water services by the specified method, requiring a more time-consuming change in approach. In total, Copenhaver estimates they have been delayed by approximately 14 weeks. This will extend the completion date from 9/30/2022 to 11/18/2022.]*
17. 22-1127 Approve the fireworks display application and issue a permit for the North Central Homecoming event on 10/1/2022. *[North Central College (NCC) is hosting a homecoming event with a fireworks display behind the Benedetti-Wehrli Stadium.]*
18. 22-1126 Accept the public underground, street, and streetlight improvements at 77th Street and Naper Commons Phase 1 and 2 and authorize the City Clerk to reduce the corresponding public improvement surety. *[The 77th Street project is a 10-home subdivision on the NE corner of Wehrli Road and 77th Street. Naper Commons is a 227-home subdivision at the NW corner of Naperville and Warrenville Roads (Nokia campus).]*

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19. 22-1093 Pass the ordinance granting a variance to permit a lockable spa cover and waive the additional barrier requirement for 2515 Pine Cone Court. *[The City requires a barrier for all pools and spas regardless of whether they are equipped with lockable safety cover. The applicant is seeking a variance to the City's local amendment and is requesting that an in-ground spa with lockable cover be permitted, but that the additional barrier requirement (i.e., fence) be waived. The applicant argues a hardship due to HOA restrictions on fences in the neighborhood.]*
 20. 22-1051B Pass the ordinance granting a variance to permit the installation of 7 signs at 2132 City Gate Lane - PZC 22-1-077. *[The Petitioner (MQMF CityGate Owner) seeks to install a monument sign, directional sign, canopy sign, and 4 blade signs. The subject property is an apartment residential use, so the residential sign code allowances for the number, type, and size of signs are not aligned with the property's use. Staff is supportive of the requested variance due to the property's commercial surroundings and appearance as a commercial use. Planning and Zoning Commission (PZC) approved 6-0 and staff concurs.]*
 21. 22-1096 Pass the ordinance to establish temporary traffic controls and issue a Special Event Permit for the Downtown Naperville Trick-or-Treat Event scheduled on Sunday, 10/23/2022. *[Streets will close to vehicular traffic from 9a-12:30p.]*
 22. 22-1097 Pass the ordinance establishing temporary traffic controls and issue a Special Event permit for the Naperville Central High School (NCHS) Marching Band Competition scheduled on Saturday, 10/15/2022. *[15 bands (approx. 1,500 students) will walk to and from NCHS parking lots and Knoch Park. Hillside Avenue will be closed from West Street to Webster Street from 9a-7p.]*
 23. 22-1099 Pass the ordinance to establish temporary traffic controls and issue Special Event and Amplifier permits for the Naperville Half Marathon and 5K scheduled on Sunday, 10/16/2022. *[Start/finish is on Eagle Street and Aurora Avenue and follows the same course used in 2021. Road closures will be staggered.]*

Ordinances & Resolutions

1. 22-0988B **Tabled to the 10/4/2022 meeting.** 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 620 N Sleight Street - PZC 22-1-068; or Option B: Concur with staff and deny the variance - PZC 22-1-068. *[The lot was consolidated into one in 2008 and subdivided into two in 2020. The petitioner is requesting a variance to the interior side yard setback to allow for a new single-family detached home. New homes must comply with the post-1989 setback of 20 feet (each yard a minimum of 8 feet). Petitioner requests a variance to 16 feet using pre-1989 setback requirements. Staff does not concur because 1) 2020 resubdivision was approved with intent that a new home would be in compliance with 1989 setbacks and 2) new construction can be adjusted to comply with setbacks and does not prove hardship. PZC approved 6-0 on 9/7/2022.]*
 2. 22-1122 Adopt the resolution authorizing the City of Naperville to transfer up to \$1.2M to the Naperville Heritage Society for the Innovation Gateway capital improvement at Naper Settlement. **Passed 9-0.** *[The proposed Innovation Gateway will be an approximately 5,150 square foot Digital Experience & Welcome Zone and Education Center at the entrance to Naper Settlement. The Society has provided proof to the City Manager that it has secured funding by way of donations, pledged donations, and grants to cover at least 2/3 of the total cost. If authorized, the City will disburse up to \$1.2M based on total estimated costs of approximately \$5,032,621.]*
 3. 22-1123 Pass the ordinance and schedule a public hearing for 10/4/2022 for the proposed Heinen Business District. **Passed 8-1 (No: Taylor).** *[A Business District encourages redevelopment by establishing a levy for additional sales tax. Heinen's is a grocer from Ohio who is considering purchasing the Butera Market and plaza. They would fix the parking lot flooding by providing storm water storage underneath (\$2M cost). The Business District would allow for a levy of additional sales tax for up to 23 years (with a maximum of \$4.4M collected) to assist with financing the storm water improvements. An ordinance will be brought to Council setting a public hearing date on the proposal.]* **NOTE:** At the 8/16/2022 meeting, Council approved 8-1 (Taylor
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no) to consider designation of this Business District.

Council comments

- **Taylor** will be voting no, in line with her comments from the 8/16/2022 meeting. Felt that putting a tax on groceries is unconscionable given inflation rates. Did not think that the City should be involved with a private property water issue.
 - **Holzhauser** is concerned when profitable companies ask for taxes to increase and to have those taxes not go to the public services. This one is different (e.g. different than a tax-funded stadium) because this property has drainage issues which affect a major thoroughfare in the City. There is a public improvement crisis in this area and this would be a tax increase to serve a public need.
 - **Mayor** agreed that this addresses a public need to solve stormwater. Agreed with tax worries but reminded Taylor that food and staples are exempt from the taxes. This is a creative way to solve an infrastructure dilemma without doing it on the backs of the school districts.
4. 22-0945 Adopt the resolution expressing the City of Naperville's intent to consider a Business District designation and impose appropriate Business District sales taxes on portions of the Westridge Court Shopping Center and Heritage Square properties.

Passed 5-4 (No: Taylor, Sullivan, Kelly, Holzhauser). *[Brixmor owns the 2 shopping plazas on the NE corner of Rt59 and Aurora Avenue. They are looking to remove many of the existing buildings and to completely remove and relocate the infrastructure (wastewater, electric, utilities, parking lots). This resolution does not obligate the City to form the proposed Business District or to pay any developer expenses. Even if a Business District is formed the City will not be funding any part of the District; any payments to the developer would be generated solely by the imposition of additional sales tax (up to 1%) by the businesses within the district.]*

Written comment: 1 in favor (IPSD204 Superintendent Talley)

Council/Staff comments

- **Taylor** is worried that there will be an increase in requests to put forth Business Districts. The Business Group originally said they needed \$17M to redevelop this area to get a healthy rate of return for their investors. They increased it to \$20M and added an area that was recently redeveloped. Understands that School District 204 (IPSD204) would like revitalization that doesn't include housing but feels the scope is too big because it includes an area that is not blighted, and the taxes would affect young families (e.g. Buy Buy Baby is one of the stores). For the future agenda item, would like the developer to provide revenue projections of what the development could bring to the school districts.
- **Mayor** explained that the school district is highly in favor because they've seen commercial land converted to high density multi-family, often with a TIFF. This freezes future revenues for school districts. This is broadly supported by IPSD204 because it is solid financial management for funding future public education. He also likes the project because Aurora's Home Rule Sales Tax is 1.75% but Naperville's is 0.75%. Shopping on the Naperville side of Route 59, even with an additional Business District tax, makes the taxes consistent with the surrounding area. He also sees strip malls like this across the country being converted to residential, and that is a loss to the broad tax base which hurts funding for public education. He explains that the tax has restrictions and this is a good way to incentivize investment in the community. Given that it's empty now, this will be a way to bring investment, productivity, and jobs to the area that we don't have now.
- **Sullivan** was not comfortable with this tax going to private, not public investment. Council should be able to control where the taxes go. This one is different from Heinen (previous agenda item) because that business district tax is specifically for stormwater. This tax goes straight to development. Thinks the developer should finance their \$20M in a different way.
- **White** has seen the concepts and is in support because it will help out the school district. In addition, some of the financial burden will be picked up by non-Naperville residents.
- **Holzhauser** - A starting salary for a Naperville Police Officer is \$74,923. In the last recession, Naperville cut its police force. What will future residents say if we approved a \$20M tax increase used to fund a private company and then have trouble funding our own bills for public services? Matching Aurora's tax rate could be problematic because any developer who is looking to put a property on Route 59 could ask for a 1% special business district on their property. Against taxation where there's no public purpose. Asked Staff if there could be an

enforcement mechanism where if the developer doesn't deliver on their promised revenues, the incentive would go away.

- **Gustin** reminded everyone that this is only a resolution/intent to consider and will come back to Council twice before this is final. Would love to see this be redeveloped. The new residences on the other side of the street will need places to shop and to eat. IPSD204 needs funding and this will provide funds towards the school system. Council received a letter from IPSD204 Superintendent Talley in favor of this development.
- **Kelly** - Calling this "blighted" is a stretch and does not think it needs an incentive but sees benefits for the school district.
- **Hinterlong** thinks that it's just a matter of time before it is blighted and the next step is it being a TIFF housing district, which would bring no revenue to the school district. Risk is all on the developer and improving it could bring in dollars we are not currently seeing.
- **Kreiger** (City Manager) explained how the risk is on the developer and not to the City. There are no up-front funds paid by the City to the developer. The taxes are distributed by the state of Illinois to the City, who reimburses the developer. If the development doesn't generate any revenue, the City has not paid them anything up front.

5. 22-1139 Adopt the resolution authorizing execution of the major business term agreement related to the lease of city land located southeast of IL Route 59 and 103rd on Tower Court for affordable senior and IDD housing between the City of Naperville and Gorman & Company, LLC; and direct staff to continue due diligence concerning the feasibility of obtaining property tax relief for the project and negotiate terms for the potential sale of the property if determined that the lease conditions cannot be met (requires 7 positive votes). **Passed 9-0.** *[In September 2021, Council approved leveraging city-owned land to address affordable housing needs in Naperville. In June 2022, Council approved the form and substance of Major Business Terms (MBTs) between the City of Naperville and Gorman for the sale of the property. The MBT includes:*

- *Minimum number of units (60)*
- *Tenant restrictions (e.g. seniors over 62, individuals with Intellectual or Developmental Disabilities (IDD) over 18)*
- *Site amenities and service availability (incl. transportation)*
- *Timeframes for project*
- *Financial, legal, and reporting obligations*

Staff has been in negotiations to improve the offer. The structure changed from a land sale to a land lease agreement, which means the City will retain ownership of the land and receive lease revenue (\$30K/year) over the lease term (99 years).

Gorman needs to obtain relief from property taxes. In July 2021, the Illinois General Assembly passed the COVID-19 Affordable Housing Grant Program Act which provides funding for qualified housing developments awarded federal Low-Income Housing Tax Credits. Will County opted out of implementing the provisions of the Act regarding preferential assessment for low-income housing property.

Staff is uncertain whether the City and Gorman can obtain the tax relief Gorman requires. For that reason, in addition to adopt the resolution authorizing execution of the major business term agreement related to the lease staff recommends Council authorize staff to continue due diligence concerning the feasibility of obtaining property tax relief for the project and negotiate terms for the potential sale of the property if determined that the lease conditions cannot be met.]

Written comment: 2 in favor

Position statements: 10 in support

Speakers: 2

1. Donielle Deering (Naperville). Thanked Staff for so much work behind the scenes and to the Mayor and Council members for their support.
2. Kathleen McGowan (Naperville) – Naperville Senior Task Force (co-Chair). This would address a gap in housing for seniors in Naperville and is in support of the resolution.

Council/Staff comments - Taylor, Holzhauser, White, Gustin all made comments of support. The Mayor added that the City is in this position because it has a robust local economy.

Awards & Bids - 22-0686B

Approve the award of Bid 22-180, Southwest Wastewater Pump Station Rehabilitation, to Integral Construction Inc. for an amount not to exceed \$1,332,000, plus a 3% contingency.

Passed 5-4 (No: Hinterlong, Taylor, Holzhauer, Kelly). *[The Southwest Wastewater Pump Station is located at 1870 Hassert Boulevard and houses 3 pumps. The rehabilitation work includes the replacement of 3 existing submersible sewage pumps, 2 mixers in the wet well, guide rails and piping in the wet well; installation of VFDs for new pumps and mixers, and upgrades to the existing SCADA system. Work also includes associated conduits, wires, concrete pad, and earthwork. The completion date is 7/1/2023 and is a planned Capital Improvement Project (CIP). NOTE: this was tabled at the 9/6/2022 meeting to review a confidential letter from the Illinois/Indiana/Iowa Foundation of Fair Contracting that brought up issues with the contractor.]*

Council/Staff comments

- **Hinterlong** said Staff provided more information from another municipality. Issues with the contractor were all “self-inflicted” and not from material shortages or strikes. Commended Staff for their due diligence but would not support due to the several complaints.
- **Mayor** asked if the issues were due to quality. Referenced agenda items #14 and #16 which were extensions to contracts due to delays. **Blennis** (Director of Public Utility- Water) said out of 13 reference checks, there were 12 responses: 11 were satisfactory for work quality and 1 no-response because work was still under construction. Three were non-satisfactory due to issues with time delays, change orders, and punch list items.
- **Holzhauer** asked for a definition of “punch list items”. Felt it said a lot if other municipalities made a comment in references about how the contractor handled them. **Blennis** explained that these are smaller items at the end of a project. The City makes progress payments but can hold back on those payments to give leverage over the contractor at the end of the project to make sure the items get fixed.
- **Kelly** also had reservations. Asked if it was typical for municipalities to give feedback about punch list items and asked if the feedback was comparable to the delays in agenda items #14 and #16. **Blennis** said that he would not hold the contractors responsible for the delays in #14 and #16. The delays referenced in this award were on the contractor.

New Business - none

Any Issues Discussed That Have Implications for LWV?

- Consent agenda item 4- replacement of police vehicles. All 11 to be replaced with hybrid units to meet the City’s sustainability goals.
- Consent agenda item 6- street light replacement program to LED to reduce light pollution and environmental impact through energy reduction. Estimated to save \$4.56M over 10 years with the payback starting after 6 years. The LED conversion project started in 2015.

Next Meetings

Monday, September 26, 2022- Budget Workshop I
Tuesday, October 4, 2022- Regular meeting

Report Reviewed By

Anne Mathews
