

# Observer Report

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<b>Organization Observed</b>	Naperville City Council
<b>Observer</b>	Allison Longenbaugh
<b>Date</b>	Tuesday, October 18, 2022
<b>Meeting Time: X-Y</b>	7:00 pm - 7:59 pm
<b>Meeting Held-In Person, Remote, Hybrid</b>	In Person
<b>Meeting Observed- In Person, Livestream, Recorded</b>	Livestream, Recorded

## Attendees (note if remote)

<b>Quorum (yes or no)</b>	Yes
<b>Elected</b>	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
<b>Staff (list names/roles)</b>	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)**

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Director of Communications, Linda LaCloche

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NCTV-17, Naperville Sun, Daily Herald

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**Public (number)**

Maybe 10

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## 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): <a href="https://www.naperville.il.us/government/city-of-naperville-government-meeting-listing/">https://www.naperville.il.us/government/city-of-naperville-government-meeting-listing/</a> City meeting management system (legistar): <a href="https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=">https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=</a>
Agenda Posted 48 hours prior to meeting?	x		Agenda posted on legistar & emailed on Wednesday, October 12, 2022. <a href="https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=">https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=</a>
Agenda clearly describes items to be discussed?	x		
Meeting packet available to the public before meeting?	x		<a href="https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=">https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=</a>
Minutes from previous meetings posted?	x		Minutes from the last meeting (10/4/2022) were approved during this meeting.
Public Comment encouraged?	x		
Public treated respectfully?	x		

## Business Transactions

Agenda and Packet Found Where	<a href="https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=">https://naperville.legistar.com/MeetingDetail.aspx?ID=989509&amp;GUID=F73D9E6E-BCE2-4D5F-BD6B-5EF6DD080DAB&amp;Options=&amp;Search=</a>
Meetings Streamed and Archived Where	<a href="https://naperville.legistar.com/DepartmentDetail.aspx?ID=34747&amp;GUID=ACE7D218-B3F0-4AF6-B414-F8F820FB6FEE&amp;Mode=MainBody">https://naperville.legistar.com/DepartmentDetail.aspx?ID=34747&amp;GUID=ACE7D218-B3F0-4AF6-B414-F8F820FB6FEE&amp;Mode=MainBody</a>
Closed Session Notes From Agenda	n/a

### Public comment - none

### Consent Agenda - passed 9-0

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

- 22-1204 Approve the Cash Disbursements for the period of 09/01/2022 through 09/30/2022 for a total of \$34,543,527.84
- 22-1240 Approve the regular City Council meeting minutes of 10/4/2022
- 22-1238 Approve the City Council meeting schedule October, November, December 2022, and January 2023
- 22-1237 Approve student representative appointments to City boards and commissions *[The Mayor appointed 26 students to be representatives on 11 boards and commissions.]*
- 22-168 Approve the award of Sole Source Procurement 22-303, SEL Equipment, to A Star Electric Inc. for an amount not to exceed \$850K *[Schweitzer Engineering Labs, Inc. (SEL) manufactures products that the Electric Utility uses in electrical substation and distribution applications. The Utility installs fault indicators on new transformers as they are put into the field. Recently, a program to replace non-functioning or obsolete indicators on existing equipment was begun and has driven a need to purchase additional fault indicators for the warehouse to distribute to the field crews performing the work. SEL is the sole designer and manufacture of these products which have been in use for 20 years.]*
- 22-1202 Approve the award of Cooperative Procurement 22-313, Pierce Enforcer Pumper, Unit 312, to MacQueen Emergency Group, for an amount not to exceed \$799,100. *[Unit 312 is a 2005 E-One Typhoon Pumper Engine used daily by the Fire Department (FD) as a multi-purpose emergency response vehicle transporting personnel and equipment to fire and other emergency calls. It will be replaced with a 2024 Pierce Enforcement Pumper; delivery in approximately 18-20 months. Staff recommends ordering now in order to avoid cost increases and to reserve a build slot. The retired vehicle will be retained as a reserve. One of the current reserve units will be sold at auction once the new vehicle is delivered.]*
- 22-1151 Approve the award of Change Order #1 to Contract 17-056, Cityworks Upgrade and Enhancement Project, to POWER Engineers, Inc. for an amount not to exceed \$161,226 and a total award of \$2,235,133.88. *[Citiworks management system is a single platform for work orders, service requests, asset management, and warehouse inventory management. Council awarded the first phase to POWER Engineers in December 2017 and approved a second award in February 2022 for Phase Two. The change order is requested to have POWER lead the version upgrades and post-deployment support.]*
- 22-1201 Approve the award of Change Order #2 to Contract 21-394, Electrician Services, to Volt Electric Inc. for an amount not to exceed \$27,747 and a total award of \$216,238. *[The Change Order is requested to add funds to cover the material and labor required to upgrade the automatic transfer switch controls at Fire Station 7 and to upgrade the electrical panel at Fire Station 3. Work will be completed by 12/30/2022]*
- 22-1200 Pulled for discussion and public comment.**
- 22-1206 Waive the first reading and pass the ordinance amending Section 11-3-1 of the

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Naperville Municipal Code establishing an 8-ton weight restriction for the Washington Street Bridge until construction of the replacement bridge is completed (requires 6 positive votes). *[The most recent inspection of the bridge showed signs of further deterioration. Illinois Department of Transportation (IDOT) bridge engineers directed the City to lower the posted weight limit to 8 tons (16K pounds) and to close the traffic lanes on the bridge over 2 beams. Traffic control and signage near the bridge for these changes have been installed. The new load restriction will keep the bridge operational and must remain in place until it is reconstructed.]*

11. 22-1203 Adopt the resolution approving the update of the Intergovernmental Agreement between The Illinois State Toll Highway Authority and the City of Naperville. *[In 1995, the Naperville Fire Department entered into an Intergovernmental Agreement with the Illinois State Toll Highway Authority to provide fire protection and emergency medical services on I-88 between Eastbound milepost 123.1-milepost 127.9 and Westbound milepost 126.9 - milepost 121.6. Estimated \$18K annual revenue.]*
12. 22-1213 Adopt the resolution approving a personal injury settlement between Vickie Davis and the City of Naperville. *[On 4/28/2018, Vickie Davis was injured while on City-owned property. She later filed a personal injury lawsuit against the City of Naperville. The City and Davis have agreed to a settlement for a one-time payment of \$70K.]*
13. 22-1241 Adopt the resolution authorizing execution of a collective bargaining agreement between the City of Naperville and the F.O.P. Labor Council representing the Police 911 Telecommunicator employees. *[The Police Department (PD) has 25 employees in the position of Police 911 Telecommunicator and they are represented by the F.O.P Labor Council ("Union"). The Collective Bargaining Agreement (CBA) expired on 12/31/2022. The City and Union have reached agreement on a successor CBA, a 5-year agreement retroactive to 1/1/2021 and terminating on 12/31/2025.]*
14. 22-1243 Adopt the resolution authorizing execution of a collective bargaining agreement between the City of Naperville and IUOE Local 150 representing the Naperville Department of Public Works Equipment Operator employees. *[The Department of Public Works has 45 employees in the position of Equipment Operator and they are represented by the I.U.O.W. Local ("Union"). Their CBA expired on 12/31/2021. The City and Union have reached agreement on a successor CBA, a 5-year term retroactive to 1/1/2022 and terminating on 12/31/2026.]*

**#9 Pulled for discussion:** 22-1200 Waive the first reading and pass the ordinance amending Section 10-7-1 of the Naperville Municipal Code regarding approval of fireworks permit applications (requires 6 positive votes). *[Each year, approximately 6 events involving fireworks are held. Because the current approval process for fireworks permits requires a thorough evaluation by the Fire Department (FD), and to improve meeting efficiency and agenda management, the FD is recommending administrative approval for all fireworks permit applications.]*

**Public comment: 1**

**Marilyn Schweitzer** asked Council to revise the ordinance to include better controls and enforcement. For example: require permitting at least 15 days before the event, require a fee for the permit for private events, raise the penalty fee for late permit requests, change permit requirements for private events, establish limits on time, noise level, and frequency, require public notice, etc.

**Council comments**

- **Hinterlong** agreed that Staff should revise the ordinance and come back. Would want to see the 4th of July firework permit continue to come back to Council but is okay with smaller events being approved by the FD.
- **Mayor** agreed; Staff should come back with a revised ordinance. Asked if Staff had seen an increase of events recently. Wants the process to be easy; does not want organizers to be holding these illegally to avoid the process. **Marcie Schatz** (Deputy City Manager) said that there has not been any growth in the number of events.

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- **Holzhauser** spoke to Michelle Clemens (Naperville Responds to Veterans), who asked that this item be tabled.
  - **Gustin** also agreed that Council should make an informed decision.

### **Ordinances & Resolutions - Option A passed 8-1 (No: Hinterlong)**

22-1193 Option A: Concur with staff that a sound wall on an adjacent property does not preclude the City from requiring the landscaping outlined in the OAA and requiring the Petitioner install parkway trees along 103rd Street and Viburnum Court; or Option B: Concur with the Petitioner that installing the same amount and quality of landscaping is unnecessary due to the sound wall and that the City be responsible for installation and payment of all parkway trees required for the development. *[Silverthorne Development Company (petitioner), is seeking approval of a Preliminary/Final Plat of Subdivision for the parcel located at the northeast corner of Nannyberry Street and 103rd Street for the development of 9 single-family detached residential homes. Two outstanding items: 1) Landscaping plan: the current plan submitted by Petitioner does not align with what exists in the Ashwood Heights neighborhood and staff has rejected it. Staff has discussed this position with the Petitioner, and they do not intend to adjust the landscaping plans as requested. Petitioner contends that since sound walls will be installed adjacent to the existing Ashwood Heights subdivision located to the north of the Subject Property, the landscaping on that property will not be visible so it is unnecessary for the Subject Property to install the same amount and quality of landscaping on the Subject Property. 2) Payment for Parkway Trees: per municipal code, a developer is required to install parkway trees at a maximum spacing of 1 tree per 40 feet of frontage within new residential developments. At the spacing required by Code, 37 trees are required at a cost of \$14,800 (\$400 per tree). Because Petitioner has agreed to dedicate an additional twenty feet (20') of right-of-way to the City, the City has agreed to pay for and be responsible for installation of the parkway trees along 248th, leaving Petitioner responsible for installing 22 parkway trees along 103rd Street and Viburnum Court. This approach eliminates any timing issues relative to installation of parkway trees by the Petitioner. Petitioner does not agree with this approach and seeks to have the City be responsible for installation and payment of all parkway trees required for the development.]*

**Written comments: 1** (In favor of Option A)

#### **Council comments**

- **Hinterlong 1** asked the petitioner (Jim Work) for details on the fencing: height, look, maintenance. **Work** explained the fence height would be 6' (vs 8' for sound walls), wood against stone pillars, and owners would sign something saying they would be responsible for maintaining it because there is no HOA. 2) Asked Staff if code enforcement covers fences. **Bill Novak** (Director of TED) confirmed that it does.
- **Taylor** asked how future owners would know they were responsible for maintenance given that there is no HOA. Was concerned about maintenance and beautification years from now. **Work** feels it is impractical to put landscaping on only 8' of space.
- **Alison Laff** (Deputy Director TED) clarified they are asking the petitioner to match the landscaping in the new development to the landscaping in the development to the north, even though the landscaping to the north will eventually be hidden behind a sound wall. The new development was not approved for a sound wall.
- **Paul Layman** (petitioner working with Jim Work) used 95th and Naperville/Plainfield Road as an example where the City had not installed landscaping around the sound walls. Doesn't think there needs to be landscaping because of the placement of the sound wall to the north. The developer will plant the parkway trees on Viburnum Court and 103rd and the City will plant them on 248th.
- **Sullivan** and **Kelly** asked Staff for general clarification. **Laff** said the homeowners would be required to maintain the fence, landscaping, and mowing.
- **White** asked about the location of landscaping. **Laff** explained that the landscaping would be visible from the road.
- **Novak** confirmed that the City would be responsible for the right-of-way path on 248th,

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which will be installed after the widening of 248th. Landscaping will not be damaged in the widening project.

- **Mayor** “called the question” in the middle of the discussion in order to have the vote.

### **Awards & Bids - GCG Financial/Alera**

22-1207 **Passed 8-0 (Leong recused because of an employment interest in a related company)** Approve the recommendation by GCG Financial/Alera Group to award Medical Claim Administration renewal to Blue Cross Blue Shield of Illinois (BCBSIL) for an amount not to exceed \$2,591,229.28 in fixed costs, based on HMO and PPO enrollment, for a one-year term (Item 1 of 4).

22-1208 **Passed 9-0** Approve the recommendation by GCG Financial/Alera Group to award Stop Loss Reinsurance to Sun Life Assurance Company of Canada (Sun Life) for an amount not to exceed \$1,004,501.52 in fixed premium, based on PPO enrollment, for a one-year term (2 of 4)

22-1209 **Passed 9-0** Approve the recommendation by GCG Financial/Alera Group to continue with CVS/Caremark - Employers Health - VPS (CVS/Caremark) for Pharmaceutical Services Administration and Services for a one-year term with no change in cost (Item 3 of 4)

22-1210 **Passed 9-0** Approve the recommendation by GCG Financial/Alera Group to award Group Life/Accidental Death and Dismemberment to VOYA for an amount not to exceed \$587,091, based on enrollment for three years (\$195,697/year), with the option for two one-year extensions (Item 4 of 4)

### **Reports & Recommendations - passed 9-0**

**22-1142** Approve the 2023 and 2024 New Sidewalk Program. *[The New Sidewalk Program was established in 2004 following the adoption of the Comprehensive Sidewalk Policy, a guiding document that defines the policies and programs for implementation of the pedestrian component of Naperville's Comprehensive Transportation Plan. The New Sidewalk Program annually installs new public sidewalk in locations that are lacking sidewalk along the roadway (sidewalk gaps). Every few years, locations for a multi-year program are reviewed by the Transportation Advisory Board (TAB) and the City Council for approval. To date, the program has installed 13.8 miles of sidewalk in 118 gap locations. At the 9/1/2022 TAB meeting, they approved the 2023 and 2024 recommendation, with additional guidance that Staff should further investigate concerns heard about the 2025 program. Consistent with past funding levels (\$300K/year), the proposed Calendar Year 2023-2028 Capital Improvement Program includes \$300K for the New Sidewalk Program in CY23 and CY24.]*

#### **Speakers: 1**

**Marilyn Schweitzer** agreed with TAB’s recommendation to revisit the 2025 sidewalk program. Asked for a more holistic approach to establish where sidewalks are needed and to better evaluate walkability.

#### **Council comments**

- **Taylor** brought up another area that staff identified that needed new sidewalks but TAB decided not to go forward because of opposition. Made a motion to approve the sidewalk program with the addition to the 2023 program of 516, 520, 524 Spring Avenue (including the side yard of 524 Spring along Douglas) but not including 527 W Douglas.
- **Kelly** asked about tree removal and sidewalk placement. **Novak** explained that they do not do any survey of the site until the program passes Council. They will work with homeowners concerning easements and tree removal. They do their best to keep trees but sometimes it can’t be avoided.
- **White** asked how it would affect the budget. **Novak** said that if trees needed to be removed there would be a small modification.
- **Hinterlong** asked if there were any other small gaps in the City and if Staff could provide addresses. **Novak** said that there is a wide variety of gaps.

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**New Business**

- **Gustin** 1) Leaf pickup - said some residents have reached out to ask why we do leaf pickup. Asked Staff to get something out about pickup. 2) Victim of hate crime. One of her signs in Aurora was vandalized with swastikas. Asked Staff and the Police Department to refer to the US Attorney's office criminal division.

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**Any Issues Discussed  
That Have Implications  
for LWV?**

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**Next Meetings**

Monday, October 24, 2022- Budget Workshop I  
Tuesday, November 1, 2022 - Regular meeting  
Monday, November 9, 2022- Budget Workshop II  
Tuesday, November 15, 2022 - Regular meeting  
Monday, November 21, 2022- Budget Workshop III

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**Report Reviewed By**

Anne Mathews

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