



## WHEATON CITY COUNCIL PUBLIC HEARING MINUTES

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MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILWOMAN SUZANNE FITCH

COUNCILWOMAN LYNN ROBBINS | COUNCILMAN JOHN RUTLEDGE | COUNCILMAN CHRISTOPHER ZARUBA

WHEATON CITY HALL, COUNCIL CHAMBERS, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

Monday, January 13, 2020

### I. Call to Order and Roll Call

The public hearing of the Wheaton City Council was called to order at 7:00 p.m. by Mayor Suess. The public hearing was held in the Council Chambers, Wheaton City Hall, 303 W. Wesley Street, Wheaton, Illinois. Upon roll call, the following were:

Present: Mayor Suess  
Councilman Michael Barbier  
Councilwoman Erica Bray-Parker  
Councilwoman Suzanne Fitch  
Councilwoman Lynn Robbins  
Councilman Christopher Zaruba

Absent: Councilman John Rutledge

City Staff Present: Michael Dzugan, City Manager  
John Duguay, Assistant City Manager  
James Kozik, Director of Planning & Economic Development  
Paul Redman, Director of Engineering  
Susan Bishel, Public Relations Coordinator  
Andrea Rosedale, Administrative Assistant

### II. Public Hearing – Vacation Request/Public Alley right-of-Way/Summit Street Subdivision

#### a. Presentation

Craig Henninger, 842 N. Summit St., spoke on behalf of Henninger Homes regarding their vacation request for the alley on the east end of Summit Street. He stated in conjunction with the builder's proposal to construct five new homes, the City included a condition of approval to submit a petition for the alley east of the subject property. The request is to mitigate drainage for the nearby lots. It is currently used as an easement for utilities and the area will continue to maintain that easement.

#### b. Public Comment

Shawn Rooney, 222 N. Prospect St., inquired whether the builder would be paying for the land if it is vacated, and he expressed concern that the trees in the alleyway could be removed. Mr. Rooney suggested that the land could possibly be divided among the adjacent property owners. He expressed concern that if the alley were built upon, the structure would be close to his home.

Mr. Henninger stated this vacation request was a collaborative effort with City staff. He stated if the alley were vacated, the builder wouldn't need to a variance for lot depth. He stated they do not intend to build in the alley, and the builder doesn't intend to remove trees unless it is required for drainage.

**c. Council Comment**

In response to Councilwoman Fitch’s question about stormwater improvements, Director of Engineering Redman stated while it is preliminary at this point, the proposed improvements generally would require regrading of some areas to compensate for any filled area and installing a storm drain on the north end of the subject area.

Assistant City Manager Duguay answered Mayor Suess’s question about compensation for the land by stating that under City Code, if a permanent easement is required over the entire right-of-way, there is no compensation required.

Director of Planning & Economic Development Kozik confirmed Councilman Zaruba’s question regarding where a fence could be constructed. A new homeowner would be able to put up a fence that would extend the additional 12 feet of the vacated alley. City Manager Dzugan stated if the alley were not vacated, this would not be allowed, and there would be a 12 foot difference between fences on the adjoining properties.

Councilman Barbier stated due to the permanent easement, granting this request seems to be the most straightforward solution.

In response to Councilman Zaruba’s question, Director of Engineering Redman stated the alley is currently not being used for anything and consists of grass and trees.

**III. Adjournment**

Councilman Zaruba moved and Councilwoman Robbins seconded a motion to close the public hearing at 7:12 p.m.

**Roll Call Vote:**

Ayes: Councilman Zaruba  
Councilman Barbier  
Councilwoman Bray-Parker  
Councilwoman Fitch  
Mayor Suess  
Councilwoman Robbins

Nays: None

Absent: Councilman Rutledge

Motion Carried Unanimously

Respectfully submitted,

Susan Bishel