



WHEATON CITY COUNCIL PROCEEDINGS

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, February 3, 2020

1. Call to Order and Roll Call

The regular Wheaton City Council Meeting was called to order at 7:00 p.m. by Mayor Philip J. Suess. Upon roll call, the following were:

Physically Present: Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba

Absent: None

City Staff Present: Michael G. Dzugan, City Manager
John M. Duguay, Assistant City Manager
James Knippen, City Attorney
James P. Kozik, Director of Planning & Economic Development
Paul G. Redman, Director of Engineering
William Schultz, Director of Building & Code
Sharon Barrett-Hagen, City Clerk

2. Presentation

Mayor Suess read and presented a proclamation to Ms. Liz Albert of the League of Women Voters in honor of their 100th anniversary. Ms. Albert was joined by League member Ms. Jan Kay and thanked the Mayor and Council for recognizing their 100th year anniversary. She stated the League works to register and educate voters and stop voter suppression.

3. Report of the City Manager

City Manager Dzugan announced that Director of Engineering Paul Redman will be retiring on February 14 after 35 years with the City and this was his last Council meeting. He calculated that during those 35 years, Director Redman attended over 700 City Council meetings, 500 Planning & Zoning Board meetings and, after adding in Planning Sessions, probably attended over 1,500 evening meetings. City Manager Dzugan stated his knowledge and expertise will be missed and wished him well in his retirement.

4. Report of the City Attorney

City Attorney Knippen thanked Director Redman for his years of service.

5. Citizens to Be Heard

Mr. Ted Utchen, 1686 Grosvenor Circle, stated he is disturbed by the waste of electricity when the lights remain on at the library late at night. He also expressed his objection to prayers at the City Council meetings and does not feel that a tradition of having prayers makes it lawful or constitutional to do so.

Mayor Suess stated he noted that the U. S. Senate opened each of their sessions with the Chaplain giving a prayer.

City Attorney Knippen advised the U. S. Supreme Court has twice ruled that legislative prayer is constitutional.

Mr. Iftekar Ahmad stated the Ahmadiyya Muslim Community has been part of the Wheaton community for over 40 years and are celebrating their 100th anniversary of being in America this year.

6. Consent Agenda

Councilman Rutledge moved and Councilman Zaruba seconded that the following action be taken on the Consent Agenda items:

1. Approve the minutes of the January 21, 2020 regular Wheaton City Council meeting, as submitted.
2. Approve bond and Milton Township waivers and authorize issuance of raffle license to Midwest Dachshund Rescue, Inc.
3. Adopt Resolution R-2020-08, A Resolution Approving the Plat of Subdivision of Brown and English Resubdivision.

Roll Call Vote on Consent Agenda:

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

Nays: None

Absent: None

Motion Carried Unanimously

7. Pass Ordinance O-2020-05, An Ordinance Amending the Code of Ordinances of the City of Wheaton – Chapter 22 – Buildings and Building Regulations

Councilwoman Robbins moved and Councilwoman Fitch seconded that Ordinance O-2020-05, An Ordinance Amending the Code of Ordinances of the City of Wheaton – Chapter 22 – Buildings and Building Regulations, be passed.

City Manager Dzugan stated the proposed ordinance would adopt the 2018 ICC Building Codes. He stated the draft ordinance was presented at a planning session, followed by the first reading at the last meeting.

Roll Call Vote:
Ayes: Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Nays: None
Absent: None
Motion Carried Unanimously

8. Approve reappointments to City Boards and Commissions

Mayor Suess moved and Councilwoman Bray-Parker seconded that Kristine Eisenmann and Bill Gilbertson be reappointed to the Housing Commission, both for a three-year term.

Roll Call Vote:
Ayes: Mayor Suess
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Nays: None
Absent: None
Motion Carried Unanimously

9. Receive Planning & Zoning Board Report Re: ZA #20-01/Subdivision and Variations/Harwarden Crossing – NEC Prospect Avenue and Harwarden Street/Evermore Homes

Councilman Barbier moved and Councilman Rutledge seconded that the Planning & Zoning Board Report Re: ZA #20-01/Subdivision and Variations/Harwarden Crossing – NEC Prospect Avenue and Harwarden Street/Evermore Homes, be received.

City Manager Dzugan advised the Planning & Zoning Board unanimously recommended approval of a 4-lot subdivision and variation requests for proposed located at the northeast corner of Harwarden Street and Prospect Avenue with the condition the applicant reduce the width of Lots 1 and 2 from 65 to 60 feet and increase the lot depth of lots 3 and 4. He believes part of the Board's rationale was homeowners often seek variations for sheds and patios and the increased depth may help reduce those requests.

Mr. Perry Janke, 57 E. Hattendorf Avenue, Roselle, developer, stated he would prefer to not reduce the width of lots 1 and 2 to allow him to put a better home design with a two-car garage on those lots. He also stated that new construction requires the installation of sidewalks. As there are no sidewalks currently on the property, he would prefer to provide funds to be used when public sidewalks are installed in the area.

In response to Councilman Zaruba, Mr. Janke stated the four proposed homes would be the same design and dimension, but would have different facades.

	Roll Call Vote:
Ayes:	Councilman Barbier Councilwoman Bray-Parker Councilwoman Fitch Mayor Suess Councilwoman Robbins Councilman Rutledge Councilman Zaruba
Nays:	None
Absent:	None
	<u>Motion Carried Unanimously</u>

Direct the City Attorney to Prepare an Ordinance Approving the Subdivision and Variations/Harwarden Crossing

Councilman Rutledge moved and Councilwoman Robbins seconded to direct the City Attorney to prepare an ordinance approving the subdivision and variations/Harwarden Crossing.

Ms. Ruth Winter, 1635 Harwarden Street, feels some sidewalk is better than no sidewalk and would like to see a sidewalk installed when the homes are constructed.

Councilman Rutledge stated zoning and lot depth requirements are a known factor and feels developers should follow the rules as they exist.

Mayor Suess agrees with the recommendation from the Planning & Zoning Board. He feels it would be important to have sidewalks and feels the development should be constructed as close as possible to all existing regulations.

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

10. Reconsideration of Vote Approving Streetscape Scope Extension Option 1

City Manager Dzugan stated the City Council expressed a desire to reconsider the vote on the option for the streetscape extension on Main Street, between Wesley Street and Seminary Avenue. He stated four steps will be needed to accomplish this, with the first motion being to reconsider the motion approving Option 1 for the extension work.

Councilman Rutledge moved and Councilman Zaruba seconded to reconsider approval of Option 1 for the extension of the streetscape with no tapering of the sidewalk.

Councilwoman Fitch stated the initial vote at the last meeting was to approve streetscape extension work. She stated the Council has since learned of traffic lane alignment issues and that it would take an additional six weeks to complete the extension work. Councilwoman Fitch stated she is leaning toward keeping this area as a transition zone.

In response to Councilwoman Bray-Parker, Assistant City Manager Duguay stated there would be no amenities, such as brick work or benches in this area if it were a transition zone. He said that they may do some lining in the underground utilities until such time as resurfacing is scheduled.

In response to Councilman Barbier, Assistant City Manager Duguay stated the underground utility work and repaving could be done if it were a transition zone. He stated that work would take place in the northbound traffic lane and would take approximately two weeks to complete. Councilman Barbier also stated he is leaning toward a transition zone for this area.

Mayor Suess stated Main Street north of Seminary Avenue was repaved a few years ago and Main Street south of Wesley Street was repaved as part of the streetscape work. He indicated this block would be the only area not resurfaced if it were left as a transition zone.

Councilman Rutledge feels it is important to do this right and stated he would like to extend the streetscape work.

In response to Councilman Zaruba, City Attorney Knippen stated the Council cannot go back to the initial vote with regard to the transition zone as that was not published on the agenda and would be a violation of the Open Meetings Act to reconsider that vote at this meeting. He advised the Council could consider rescinding that vote at the next meeting with a 2/3 majority vote of the Council.

City Manager Dzugan stated a vote to reconsider would bring the vote to approve Option 1 back for another vote.

Roll Call Vote:
Ayes: Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilwoman Robbins

Nays: None
Absent: None
Motion Carried Unanimously

Councilman Barbier moved and Councilwoman Robbins seconded to approve Option 1 for the extension of the streetscape with no tapering of the sidewalk.

Roll Call Vote:
Ayes: None

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

Absent: None
Motion Failed

11. Reconsideration of Vote Approving Streetscape Scope Extension Option 2

City Manager Dzugan advised this item will reconsider the vote on Option 2 for the streetscape extension work which would bring the original motion back to the floor.

Councilman Zaruba moved and Councilwoman Fitch seconded to reconsider Option 2 for the extension of the streetscape.

Roll Call Vote:
Ayes: Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilwoman Robbins
Councilman Rutledge

Nays: None
Absent: None
Motion Carried Unanimously

Mayor Suess stated he intends to vote to approve Option 2 for the streetscape extension. He said an important aspect is getting the street to line up with previous streetscape work and this is the time to do the work. He feels Option 2 is the best option.

Councilman Barbier stated this area was designed to be a transition zone and keeping it as a transition zone will not prevent the utility work from being done. He stated he would vote no.

In response to Councilwoman Bray-Parker, Assistant City Manager Duguay stated early drawings extended the streetscape to this area, but the project was engineered back to this being a transition zone.

Councilman Rutledge moved and Councilman Zaruba seconded to approve Option 2 for the extension of the streetscape.

Roll Call Vote:
Ayes: Councilman Rutledge
Councilman Zaruba
Councilwoman Bray-Parker
Mayor Suess

Nays: Councilman Barbier
Councilwoman Fitch
Councilwoman Robbins

Absent: None
Motion Carried

12. Adopt Resolution R-2020-09, A Resolution Authorizing the Execution of Agreement No. 98 with Primera Engineering, Ltd. for Design Services for Phase 4 of the Downtown Streetscape Project for a Total Amount Not to Exceed \$1,271,028

Councilman Rutledge moved and Councilman Zaruba seconded that Resolution R-2020-09, A Resolution Authorizing the Execution of Agreement No. 98 with Primera Engineering, Ltd. for Design Services for Phase 4 of the Downtown Streetscape Project for a Total Amount Not to Exceed \$1,271,028, be adopted.

City Manager Dzugan stated the proposed resolution would authorize an agreement with Primera Engineering for design services for Phase 4, the last phase, of the downtown streetscape project. He indicated this phase will be the largest in terms of dollars since some of the work originally planned for Phase 3 was moved to Phase 4.

Roll Call Vote:

Ayes:	Councilman Rutledge Councilman Zaruba Councilman Barbier Councilwoman Bray-Parker Councilwoman Fitch Mayor Suess Councilwoman Robbins
Nays:	None
Absent:	None
	<u>Motion Carried Unanimously</u>

13. Council Comment

Councilwoman Robbins stated she, Councilman Zaruba, Councilwoman Fitch and City Manager Dzugan attended the “Mad Fore Plain” mini golf tournament fund raising event held at the Wheaton Public Library and congratulated Councilman Zaruba for winning the Best in Plaid award. She also stated she was pleased to see that the City received a check from ComEd for the City’s 2019 LED Streetlights Upgrade project.

Councilwoman Bray-Parker commended the League of Women Voters for their work and encouraged citizen engagement.

Councilman Barbier attended the Christ the King College Prep School gala – a great event for a school with a 100% graduation rate.

Mayor Suess thanked the League of Women Voters and for the great work they do in the community. He expressed his appreciation to Director Redman for his years of service to the City.

Mayor Suess announced he has asked Councilwoman Robbins to represent the Council at the Downtown Wheaton Association. He thanked Councilwoman Fitch for serving previously in this role.

14. Approval of Warrant

Councilman Rutledge moved and Councilwoman Fitch seconded that Warrant No. 769 in the amount of \$789,432.97, be approved.

Roll Call Vote:
Ayes: Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilwoman Robbins
Nays: None
Absent: None
Motion Carried Unanimously

15. Adjournment

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 8:20 p.m.

Roll Call Vote:
Ayes: Councilwoman Fitch
Mayor Suess
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Nays: None
Absent: None
Motion Carried Unanimously

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: February 18, 2020