



WHEATON CITY COUNCIL PLANNING SESSION MINUTES

MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILMAN SCOTT BROWN
COUNCILWOMAN SUZANNE FITCH | COUNCILWOMAN LYNN ROBBINS | COUNCILMAN SCOTT WELLER

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

Monday, April 25, 2022

1. Call to Order

The Wheaton City Council Planning Session was called to order at 7:00 p.m. by Mayor Suess. The following were:

Physically Present: Mayor Suess
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Absent: None

City Staff Present: Michael Dzugan, City Manager
John Duguay, Assistant City Manager
Vince Laoang, Director of Public Works
Susan Bishel, Public Information Officer
Andrea Rosedale, City Clerk

City Staff Present Electronically: Nathan Plunkett

2. Public Comment

There were no public comments.

3. Approval of April 11, 2022 City Council Planning Session Minutes

The Council approved the April 11, 2022 City Council Planning Session minutes.

4. Nonregulatory Boards, Commissions and Committees Final Draft

City Manager Dzugan reviewed the proposed final draft of the General Provisions and the Purpose Statements of the nonregulatory boards/commissions/committees, based on the Council's direction at the April 11 Planning Session. He solicited the Council's feedback on the proposed final draft.

One Council comment suggested in the General Provisions Section 2-260, the words "and voting" be removed to make this section consistent with the previous section regarding the number of members needed to take action on an item.

For Section 2-264c, one Council suggestion was to clarify this language by adding that individual members shall not act as an agent of or for any public or private company or organization other than the City of Wheaton.

The Council discussed the Environmental Improvement Commission section's first purpose statement, and it was suggested that the statement "both in the short and long term" could be removed.

In regard to Section 2-257, the Council discussed the requirement for members to be residents of the city, and Council members reached a consensus that since only one current member of any board/commission is not a resident, and because the current process could allow the Council to give preference for residents if the City receives many applications for the same position, the residency requirement is not necessary.

In response to a Council question, Mayor Suess reviewed the process by which the City receives applications for boards and commissions, which is that applications are submitted to the City Clerk, then the City Clerk sends the applications to Mayor, and the Mayor recommends to the City Council individuals to be considered for appointment. City Manager Dzugan suggested that the Council formalize this appointment process.

To answer a Council question about the range in number of members on boards and commissions, City Manager Dzugan stated a range is given to provide each board/commission with flexibility according to their needs.

City Manager Dzugan reviewed a draft reporting template for the boards and commissions to use. In response to Council questions, City Manager Dzugan stated the intent is for groups to develop one action item per purpose statement, but it is possible for an event or action item to correspond with more than one purpose statement.

The Council discussed the possibility of tying each action item to a Strategic Goal in the City's Strategic Plan. Because some action items might not directly correspond to strategic goals, City staff suggested it might be challenging to require this for all action items.

City Manager Dzugan reviewed the next steps, which would be to share an updated final draft with the nonregulatory boards/commissions/committees, receive comments from the regulatory boards/commissions/committees, develop an ordinance amending the City Code, finalize templates, and develop and formalize the board/commission/committee appointment process.

5. Ordinance to Allow Electronic Meeting Attendance

City Manager Dzugan stated throughout the pandemic, the City has been able to allow for electronic meeting attendance under the governor's disaster proclamation executive order, but the City expects this to expire. To continue allowing electronic participation for members of the public body, the City must adopt an ordinance amending the City Code.

City Clerk Rosedale researched many other applicable municipal ordinances, and this information was presented for the Council's review. Staff sought the Council's direction on the procedures for allowing participation (permissive inclusion vs inclusion as a right), length of notice required for electronic attendance, whether to permit electronic attendance at closed session meetings, application to other boards/commissions, and limitations on the number of members attending remotely.

The consensus of the Council was for the ordinance to establish inclusion as a right unless a supermajority votes to exclude. City Manager Dzugan confirmed that a quorum must be physically present at a meeting, and the reason for participating electronically must align with the reasons stated in the Open Meetings Act,

which are that either: 1) the official is ill or disabled, 2) the official is unable to physically attend because of employment or official business of the public body, or 3) the official has a family or other emergency.

For the length of notice required for electronic attendance, the Council expressed interest in leaving the language general, that prior notice must be given.

The majority of the Council expressed support for not allowing participants to attend closed session meetings electronically, because the potential exists for sensitive information to not be secure if participants are attending a closed session meeting electronically.

The Council expressed support for allowing boards and commissions to also permit electronic participation using the same procedures and criteria.

In discussing the logistics of electronic meetings, the Council expressed support for requiring the person who is running the meeting to be physically present. If the person who typically runs a meeting is attending electronically, then a member who is physically present would be voted upon and appointed to run the meeting in their place.

The Council expressed support for not limiting the number of individuals who can participate electronically, since a quorum must be physically present.

The Council directed staff to draft an ordinance for their formal consideration.

6. Sidewalk Snow Removal Requirement – Pedestrian Routes

Assistant City Manager Duguay stated at the Council's request, staff reviewed establishing an ordinance requiring residential and/or commercial property owners to remove snow from adjacent public sidewalks near school crossings and near commercial areas where windrows may develop following snow plow operations.

Staff identified 21 school crossing locations, including 75 ADA landings, of which 65% would be the responsibility of residents to clear.

To identify where windrows would develop, staff reviewed many factors to determine which streets would be considered a safety concern due to windrows. Based on information gathered from the City's Public Works, Engineering, Code Enforcement and Police departments, staff identified several challenges in developing an ordinance. These challenges include perceptions of unfairness if the City requires some property owners to clear sidewalks but not others; difficulty in communicating which property owners must clear sidewalks; enforcement timing; and identifying how often sidewalks must be cleared, as snow plowing may require multiple clearings by a property owner from the same snowfall.

Assistant City Manager Duguay presented three options for sidewalk clearing: 1) requiring all property owners to clear sidewalks adjacent to their property, 2) focusing on sidewalks adjacent to all arterial roads, which would affect approximately 870 residential property owners and 290 commercial property owners, and 3) keeping the existing ordinance and implementing a robust public information campaign to encourage clearing sidewalks.

In response to a Council question, Assistant City Manager Duguay stated that currently, the City only requires property owners with property zoned C-2, which is the Central Business District, to clear sidewalks

adjacent to their property, and Public Works clears the amenity zone and hauls away the snow for these businesses.

The Council expressed support for keeping the existing ordinance and implementing a public information campaign, especially targeting specific areas of concern.

7. City Council/City Staff Comments

There were no City Council/Staff comments.

8. Adjournment

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,

Susan Bishel