Monday, May 8, 2023

I. Call to Order
The Wheaton City Council Planning Session was called to order at 6:59 p.m. by Mayor Suess. The following were:

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

Absent:  
None

Present Electronically:  
Dawn Didier, City Attorney
Sean Walsh, Sewer Superintendent

City Staff Present:  
Michael Dzugan, City Manager
John Duguay, Assistant City Manager
Erik Berg, Management Analyst
Brandon Kowalke, Senior Management Analyst
Joseph Tebrugge, Director of Engineering
Halie Cardinal, Public Relations Coordinator

II. Public Comment
John Patterson, 1849 N. Cherry Street, expressed concerns to the City Council regarding the intersection of Cherry Street and Bridle Lane as it relates to Washington School drop off/pick up. He thanked City Council members and staff for visiting the intersection and for their time during the previous Coffee with Council. He presented a petition signed by residents on Cherry Street to request a variance to the City’s existing plan to add a sidewalk on the east side of the street, which currently comes up to 15 feet from the curb.

Olivia Doering stated that she has returned to bring forth the request to allow hen keeping for residents. She stated that her petition has gained over 500 signatures, that requests for hen keeping have been made since 2016 by others, that residents have the right to grow food on their properties, and that hen keeping encourages environmental sustainability. She suggested that the City execute a pilot program for hen keeping to gauge community response.

Peter Weicher, a Wheaton resident, stated that he supports the request to allow hen keeping in Wheaton. He stated that hen keeping would teach his children to take care of animals and the earth while illustrating the value of meaningful work. He presented a packet of information related to hen keeping, and he urged the City Council to join other Chicagoland municipalities in permitting this practice.
III. Approval of Planning Session Minutes – March 13, 2023
The City Council approved the March 13, 2023 City Council Planning Session Minutes.

IV. Stormwater Utility Fee Assessment: Presentation on Proposed Fee Policies and Impact
City Manager Dzugan stated that Senior Management Analyst Brandon Kowalke and Management Analyst Erik Berg were present to continue discussions related to a new method of calculation for the stormwater utility fee.

Management Analyst Berg stated the current stormwater fee, introduced in 2003, is based on water usage, and there is insufficient revenue from the current rate to cover future stormwater operating and capital costs.

He stated that City staff suggested basing the new stormwater utility fee on the amount of impervious area (IA) on a property, which is all surfaces that prevent water infiltration, rather than water consumption, because it is more directly related to stormwater runoff and is a more appropriate metric for assessing stormwater fees. In February 2023, City staff presented an assessment of adopting a new fee. Through DuPage County’s aerial photography and City of Wheaton Information Technology Department staff, the analysts generated the amount of IA for each parcel in the City.

The new proposed fee structure is based on two factors: the amount and proportion of IA on a property. For the amount of IA, the City starts with a base billing rate, the Equivalent Runoff Unit (ERU), which is equal to 3,300 square feet. Properties would pay based on their amount of ERUs.

In response to a Council question, Management Analyst Berg stated that the ERU was generated by logging all of the parcels considered as single-family residential within the City and taking the average of their IA to get to the ERU equaling 3,300 square feet.

The proportion of IA is based on the intensity of development factor (IDF), which adds ERUs to each property based on its ratio of IA. Therefore, the higher the ratio of IA, the more ERUs are added. This results in broader fee distribution and slightly lower fees for properties with more pervious area. At the City Council’s request from the February meeting, staff adjusted the IDF ranges to more consistent increments.

In response to a Council question, Management Analyst Berg stated that driveways count towards IA. Senior Management Analyst Kowalke stated that an appeals process would exist should a property owner contest their IA, such as in cases of permeable driveways.

Management Analyst Berg stated that the following exemptions exist: public right-of-way, which are necessary assets that provide citywide benefits (roads, sidewalks, utilities, etc.); City-owned properties; and properties with less than 250 square feet of IA.

Regarding customer billing, fees are billed monthly along with water and sanitary sewer fees on a combined utility bill; if no utility account exists, then a bill will be sent to the property owner; and a property’s ERU will be rounded up to the nearest 1/10. For multi-account properties, commercial properties will be billed to the property owner’s utility account and multi-family properties will be billed equally across all accounts.

Senior Management Analyst Kowalke stated that the City will establish an appeal process for customers to contest the following: mathematical billing errors; amount of IA recorded for their property; and who the
City has recorded as the property owner and/or bill payer. He stated that staff are suggesting a credit option, which is a 50% fee reduction if a property owner can show that none of a property’s stormwater runoff discharges to the City’s utility system during a 100-year storm event. This would involve the property owner applying for the credit, which could be granted for a 5-year period.

Senior Management Analyst Kowalke stated that the current revenue needed for stormwater operating costs is $1,750,000 for 2024 and the fee per ERU would be $4.24. Regarding the fee’s impact, commercial and industrial properties typically use little water and have moderate to high amounts of IA. Fees for these properties would increase under the new structure. Residential properties use a greater amount of water than other property types and on average have low amounts of IA. Fees for these properties would typically remain the same or decrease slightly. He stated that institutional properties, such as the Wheaton Park District and CUSD 200, would generally see an increase in fees under the new structure.

In summary, he stated that the initial revenue generation minimizes fee increases but only covers existing stormwater operating costs; and that the proposed fee policies and credit option focus on reducing administrative complexity and costs. Next steps would include reviewing property and billing data; communicating fee changes; finalizing fee policies and the ordinance; adoption; and implementation.

Some Council members expressed concern regarding administrative overhead, such as in situations involving residents contesting the amount of IA.

Some Council members expressed support for the proposed new stormwater fee assessment, as it charges property owners more appropriately and directly for the service provided. The Council discussed how incentives to encourage environmental sustainability through the stormwater fee are an added benefit.

In response to a Council question, Senior Management Analyst Kowalke stated that at least every four to six years the City would perform recalculation of the ERUs.

Council members requested that the City clearly communicate the appeals policy and process.

In response to a Council question, Senior Management Analyst Kowalke stated that the increase in fees for commercial properties may not necessarily deter new businesses from moving into the City. After communicating with other municipalities, he stated that larger retailers are not deterred and are accustomed to stormwater utilities fees. He stated that regarding institutional properties that will experience an increased stormwater fee, it is a possibility that the new fee is passed on and shared proportionally across taxpayers within those respective areas.

In response to a Council question, Senior Management Analyst Kowalke stated that based on the currently proposed fee structure and policies, additional staffing is not required. He stated that there is a potential need, during the introductory phase of the fee, for a temporary part-time position. He stated that the ERU model is mirrored after Libertyville, and the method of averaging the single-family properties for calculation is common.

In response to a Council question, Senior Management Analyst Kowalke stated property owners near creeks may qualify for the aforementioned credit.
In response to a Council question, Senior Management Analyst Kowalke stated that regarding private developments, permanent impervious detention ponds would contribute towards the ERU of a property, and area not included within the public right-of-way would also contribute.

The Council discussed a potential benefit to including a minimum stormwater fee.

V. City Council/Staff Comments
Mayor Suess thanked the DuPage Veterans Foundation for hosting an event that benefited Honor Flight Chicago.

VI. Adjournment
The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Halie Cardinal