



WHEATON CITY COUNCIL PROCEEDINGS

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, June 7, 2021

1. Call to Order and Roll Call

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

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

Absent: None

City Staff Physically Present: Michael Dzugan, City Manager
John Duguay, Assistant City Manager
James Knippen, City Attorney
James Kozik, Director of Planning & Economic Development
Joseph Tebrugge, Director of Engineering
William Murphy, Police Chief
Sarang Lagvankar, Senior Project Engineer
Sonia Zala, Project Engineer
Susan Bishel, Public Information Officer
Andrea Rosedale, Executive Assistant
Sharon Barrett-Hagen, City Clerk

2. Presentations

Mayor Suess presided over the police officer swearing-in ceremony for Falon Adams following remarks by Police Chief Murphy.

Mayor Suess read a statement correcting misinformation about a Pride proclamation and stated a proclamation will be issued at the June 21 City Council meeting.

3. Citizens to Be Heard

City Clerk Barrett-Hagen read comments submitted by:

Mr. Steven Gross, 719 Parkside Drive, felt the 2020 Pride Proclamation was a great step forward and expressed his hope there would be a proclamation issued in 2021.

Ms. Wendy Taylor, 1697 Farragut Ct., questioned why the City had not issued a statement supporting June as Pride month.

Ms. Shannon Limjuco, 1969 Chatham Drive, expressed her pride in the proclamation issued in 2020 and her distress that a similar proclamation had not been issued in 2021.

Ms. Dawn Davison, 1981 Brentwood Lane, expressed appreciation for the positive response and acceptance the City has shown to emerging diversity in the community.

Mr. Steve Johnston, 310 S. Washington Street, expressed his disappointment that a Pride proclamation had not been issued in 2021 and expressed his hope that one would be issued in support of Wheaton citizens.

The following individuals spoke at the meeting:

Mr. Jacob Kniep, 1005 Briarbrook Drive, expressed his gratitude that Wheaton will issue a proclamation at the June 21 meeting. He recited a poem by Emily Dickenson and cited suicide statistics for LGBTQ+ individuals. Mr. Kniep stated Pride is not only a celebration of life; it is a remembrance of those who have been lost.

Mr. Seth Chapman, 1921 Cherry Street, expressed his disappointment that his segment of Cherry Street is not higher on the prioritization list for new sidewalks. He distributed a photo showing cars lined upon Cherry Street/Bridle Lane to pick up/drop off Washington School students, resulting in a dangerous situation for kids in the neighborhood. He feels the City did not engage with citizens when the sidewalk criteria was established and encouraged the City to budget for additional sidewalks and invest in kids.

Ms. Liz Albert, 1017 Penny Lane, representing the League of Women Voters, expressed their support for the LGBTQ+ community. She stated the League is solely committed to diversity and does not condone any form of discrimination.

Ms. Sarah Cline, 2100 Manchester Road, stated she was proud of the City for issuing a proclamation last year and felt it sent a message of inclusion. She hopes Wheaton will continue to be progressive and give the LGBTQ+ community a voice.

Ms. Emerelda Seoni, 5 Wheaton Center, stated as a new resident to Wheaton last year, she felt more at peace with the issuance of the 2020 proclamation and the art displayed in storefront windows.

Ms. Mone Spaid, 26W158 Prairie Avenue, stated she is a proud ally of the LGBTQ+ community and feels it is unfortunate the proclamation won't be issued until June 21. She read a statement in support of the LGBTQ+ community written by her daughter.

Mr. Ethan Spaid, 26W158 Prairie Avenue, feels Pride Month should be recognized by the City and is happy a proclamation will be issued on June 21.

Mr. John Monino, Milton Township Supervisor, discussed the cooperative relationship between the Township and the Wheaton Park District and the Township's commitment to continue working with the Park District.

Mr. Dave Diersen, 915 Cove Ct., asked the City Council to direct the Wheaton Park District to return to their policy of accepting sponsorships for the 4th of July parade.

Ms. Ellen Nick, 137 Fairway Lane, expressed her opposition to sidewalks on her block which may result in the loss of mature trees. She stated they were not given notice that their area was moved up to 2021 for sidewalk installation. Ms. Nick asked that the neighbors be given notice and an explanation of the criteria that moved them to next in line.

4. Consent Agenda

Councilwoman Robbins moved and Councilman Brown seconded that the following action be taken on the Consent Agenda items:

1. Approve the minutes of the May 17, 2021 regular Wheaton City Council meeting as submitted.
2. Adopt Resolution R-2021-47, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (600 Webster Avenue).
3. Adopt Resolution R-2021-48, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (1485 Wilmette Street).

Roll Call Vote on Consent Agenda:

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

Nays: None
Absent: None

Motion Carried Unanimously

5. **Pass Ordinance No. O-2021-26, An Ordinance Amending Chapter 2 “Administration” of the Code of Ordinances of the City of Wheaton, Illinois, by the Addition of Article X “Administrative Adjudication” of Municipal Code Violations Sections 2-575 Through 2-590**

Councilwoman Bray-Parker moved and Councilman Brown seconded that Ordinance No. O-2021-26, An Ordinance Amending Chapter 2 “Administration” of the Code of Ordinances of the City of Wheaton, Illinois, by the Addition of Article X “Administrative Adjudication” of Municipal Code Violations Sections 2-575 Through 2-590, be passed.

City Manager Dzugan advised the Council discussed this ordinance establishing an administrative adjudication system on four other occasions. He thanked the City Attorney and staff members for their work on establishing a system which he feels will be a positive change for our residents. City Manager Dzugan anticipates the system to be in operation by the 4th quarter of this year.

Councilwoman Bray-Parker believes the system will be fair and equitable and focuses more on remedies rather than on punitive measures.

Roll Call Vote:

Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins

Councilman Weller
Councilman Barbier

Nays: None
Absent: None
Motion Carried Unanimously

Councilman Brown recused himself at 7:50 p.m. from the discussion and vote on Regular Business Item No. 1, Appointments/Reappointments to City Board and Commissions due to a potential conflict of interest.

6. Approve Reappointments to City Boards and Commission

Mayor Suess moved and Councilwoman Fitch seconded that Lori Bilske be appointed to the Historic Commission for a three-year term, Chris Derrick be appointed to the Planning & Zoning Board for a five-year term, and Anthony Majszak be reappointed to the Environmental Improvement Commission, Penni Cannova and Susan Haines be reappointed to the Board of Fire & Police Commissioners, Laurie Metanchuk, Robert Lyon and Robert McDonough be reappointed to the Library Board, and Jennifer Brown be reappointed to the Liquor Control Commission, all for three-year terms, respectively.

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

Councilman Brown rejoined the meeting at 7:51 p.m.

7. Receive Planning & Zoning Board Report Re: ZA-#21-13/PUD/21 Blanchard Circle/KDP Acquisitions, LLC

Councilman Barbier moved and Councilwoman Robbins seconded to receive Planning & Zoning Board Report Re: ZA-#21-13/PUD/21 Blanchard Circle/KDP Acquisitions, LLC.

City Manager Dzugan stated the Planning & Zoning Board recommended approval of the redevelopment of the former Macaroni Grill property with four conditions.

Roll Call Vote:
Ayes: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: None
Motion Carried Unanimously

Pass Ordinance No. O-2021-27, An Ordinance ranting a Special Use Permit for a Planned Unit Development to Allow the Construction and Use of Two Commercial Buildings on a Certain Piece of Property Commonly Known as 21 Blanchard Circle – KDP Acquisitions, LLC

Councilman Barbier moved and Councilwoman Robbins seconded that Ordinance No. O-2021-27, An Ordinance ranting a Special Use Permit for a Planned Unit Development to Allow the Construction and Use of Two Commercial Buildings on a Certain Piece of Property Commonly Known as 21 Blanchard Circle – KDP Acquisitions, LLC, be passed.

In response to Councilwoman Fitch, Director Kozik stated the proposed nursery school use is similar to a day care and no drop off/pick up lanes have been requested.

Roll Call Vote:
Ayes: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: None
Motion Carried Unanimously

8. Receive Planning & Zoning Board Report Re: ZA-#21-14/Text Amendment and Special Use/1016 College Avenue/LX4 Properties, LLC

Councilman Brown moved and Councilwoman Fitch seconded to receive the Planning & Zoning Board Report Re: ZA-#21-14/Text Amendment and Special Use/1016 College Avenue/LX4 Properties, LLC

City Manager Dzugan stated the Planning & Zoning Board recommended approval of a text amendment to allow reduction of on-site parking requirements along the south side of College Avenue, between President Street and the railroad tracks. He indicated the request is being made in conjunction with the next agenda item which cannot be approved if the text amendment is not approved. City Manager Dzugan advised the amendment would be applicable to all properties along the south side of College Avenue.

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker

Nays: None
Absent: None
Motion Carried Unanimously

In response to Councilwoman Fitch, Director Kozik stated there are 163 parking spaces in Lot 10, which is a daily fee parking lot. He noted there are other parking lots on the other side of the railroad tracks, accessible via a pedestrian tunnel.

Pass Ordinance No. O02021-28, An Ordinance Amending the Text of the Wheaton Zoning Ordinance Article 5.7.B03(3), Article 16.6D, Article 22.1.4 and Article 22.4.1.3(1) to Allow Reduced On-Site Parking Requirements in the College Avenue Area

Councilman Brown moved and Councilwoman Bray-Parker seconded that Ordinance No. O02021-28, An Ordinance Amending the Text of the Wheaton Zoning Ordinance Article 5.7.B03(3), Article 16.6D, Article 22.1.4 and Article 22.4.1.3(1) to Allow Reduced On-Site Parking Requirements in the College Avenue Area, be passed.

Ms. Liz Albert, 1017 Penny Lane, questioned what would be constructed. Director Kozik stated a two-story mixed use building is being proposed. He stated this building would have its own parking area.

Councilwoman Fitch feels the text amendment will make redevelopment of the properties easier and feels it makes sense to reduce the parking requirements.

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker

Nays: None
Absent: None
Motion Carried Unanimously

9. Pass Ordinance No. O-2021-29, An Ordinance Granting a Special Use Permit to Allow the Construction and Use of a Two-Story Mixed Use Building with a Proposed Footprint of 2,156 Square Feet and 5 On-Site Parking Spaces with the Special Use Permit to Allow 4 of These Spaces to be Tandem Parking Spaces on a Certain Piece of Property Commonly Known as 1016 College Avenue – LX4 Properties, LLC

Councilwoman Fitch moved and Councilman Weller seconded that Ordinance No. O-2021-29, An Ordinance Granting a Special Use Permit to Allow the Construction and Use of a Two-Story Mixed Use Building with a Proposed Footprint of 2,156 Square Feet and 5 On-Site Parking Spaces with the Special Use Permit to Allow 4 of These Spaces to be Tandem Parking Spaces on a Certain Piece of Property Commonly Known as 1016 College Avenue – LX4 Properties, LLC, be passed.

City Manager Dzugan indicated the ordinance would allow the construction of a two-story mixed use development at 1016 College Avenue.

Mayor Suess thanked LX4 Properties for their investment in the City. Mr. Mike Lanham of LX4 Properties stated this is an area of Wheaton that needs to be revitalized. He appreciates approval of the parking reduction.

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

10. First Reading of An Ordinance Amending the Code of Ordinances of the City of Wheaton – Chapter 58 – Streets, Sidewalks, and Other Public Places

City Manager Dzugan advised two existing code provisions relate to the construction of driveway approaches: Section 58-7(a) relates to the flare configuration and Section 58-71(c) relates to the City removing the curb and gutter when a drive approach is replaced, a service the City no longer provides. He stated the ordinance appears as a first reading and will return for formal action at the June 21 Council meeting.

In response to Mayor Suess, Director Tebrugge advised the flare is measured from the width of the driveway at the property line.

11. Pass Ordinance No. O-2021-30, An Ordinance Authorizing a Protective Fence – Clapham School – 303 E. Front Street

Councilman Brown moved and Councilman Barbier seconded that Ordinance No. O-2021-30, An Ordinance Authorizing a Protective Fence – Clapham School – 303 E. Front Street, be passed.

City Manager Dzugan stated Clapham School has requested permission to install a 6 foot high protective fence for a playlot located on the site.

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Nays: None
Absent: None

Motion Carried Unanimously

12. First Reading of An Ordinance Amending Section 2-142 “Powers and Duties” of Division 3, “City Manager” of Article III, “Officers” of Chapter 2, “Administration” of the Code of Ordinances of the City of Wheaton (Construction, Use, and Indemnification Agreements)

City Manager Dzugan advised that, as discussed at the last City Council meeting, this code amendment would permit the City Manager to approve and sign construction, use and indemnification agreements. He stated the ordinance appears as a first reading and will return for forma action at the June 21 Council meeting.

13. Adopt Resolution R-2021-49, A Resolution Authorizing the Purchase and Installation of Garage Replacement Doors for the Water Division from Webmarc, Inc. for a Total Amount Not to Exceed \$85,216.68

Councilwoman Robbins moved and Councilman Weller seconded that Resolution R-2021-49, A Resolution Authorizing the Purchase and Installation of Garage Replacement Doors for the Water Division from Webmarc, Inc. for a Total Amount Not to Exceed \$85,216.68, be adopted.

City Manager Dzugan stated the City received three bids to replace the 14 overhead garage doors at the Water Division, and Webmarc, Inc. was the low bidder at \$85,216. He stated \$140,000 had been budgeted for this project.

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

14. Adopt Resolution R-2021-50, A Resolution Authorizing the Execution of Agreement No. 192 with HDR Engineering, Inc. for Wheaton Avenue Pedestrian Underpass Rehabilitation Construction Engineering Services and Optional Grant Administration Services for a Total Amount Not to Exceed \$34,898.44

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Resolution R-2021-50, A Resolution Authorizing the Execution of Agreement No. 192 with HDR Engineering, Inc. for Wheaton Avenue Pedestrian Underpass Rehabilitation Construction Engineering Services and Optional Grant Administration Services for a Total Amount Not to Exceed \$34,898.44, be adopted.

Roll Call Vote:

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

Nays: None
Absent: None
Motion Carried Unanimously

15. Pass Ordinance No. O-2021-31, An Ordinance Authorizing the City Manager to Sign and Directing the City Clerk to Attest to a Master License Agreement for Underground and Aerial Fiber Optic Installations

Councilwoman Fitch moved and Councilwoman Robbins seconded that Ordinance No. 2021-31, An Ordinance Authorizing the City Manager to Sign and Directing the City Clerk to Attest to a Master License Agreement for Underground and Aerial Fiber Optic Installations, be passed.

City Manager Dzugan indicated the proposed ordinance would streamline the process for those companies desiring to use the City's rights of way which do not have a franchise agreement. He stated the City has authority to control access to rights of way, although it is somewhat limited. City Manager Dzugan advised the City is currently working with two companies who desire to locate fiber in the rights of way.

Roll Call Vote:
Ayes: Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess

Nays: None
Absent: None
Motion Carried Unanimously

16. Adopt Resolution R-2021-51, A Resolution Authorizing the Purchase of Thermoplastic Road Striping Services from Superior Road Striping, Inc. Through the Joint Purchasing Program with the Suburban Purchasing Cooperative for a Total Amount Not to Exceed \$35,235.30

Councilwoman Bray-Parker moved and Councilman Brown seconded that Resolution R-2021-51, A Resolution Authorizing the Purchase of Thermoplastic Road Striping Services from Superior Road Striping, Inc. Through the Joint Purchasing Program with the Suburban Purchasing Cooperative for a Total Amount Not to Exceed \$35,235.30, be adopted.

City Manager Dzugan stated staff did solicit bids and, after a review, determined that the cooperative pricing was 7% lower than the competitive bidding.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier

Nays: None
Absent: None
Motion Carried Unanimously

17. Pass Ordinance No. O-2021-32, An Ordinance Amending Ordinances E-3143, F-1282, F-1579 and F-1598, “An Ordinance Granting a Special Use Permit for Planned Unit Development on a Certain Piece of Property Commonly Located at the Northwest Corner of Naperville and Butterfield Roads – Centennial Properties, Ltd. – Danada Farms West C-3 General Business District”

Councilman Weller moved and Councilwoman Fitch seconded that Ordinance No. O-2021-32, An Ordinance Amending Ordinances E-3143, F-1282, F-1579 and F-1598, “An Ordinance Granting a Special Use Permit for Planned Unit Development on a Certain Piece of Property Commonly Located at the Northwest Corner of Naperville and Butterfield Roads – Centennial Properties, Ltd. – Danada Farms West C-3 General Business District,” be passed.

City Manager Dzugan advised the proposed ordinance amends the PUD for the Danada Square West Shopping Center to update the appearance of the center. He stated that while this is considered a major change to the PUD it can be considered without a public hearing as the proposed changes are in substantial conformity with the original PUD.

Roll Call Vote:
Ayes: Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins

Nays: None
Absent: None
Motion Carried Unanimously

18. Adopt Resolution R-2021-52, A Resolution Approving the Establishment of a New Public Sidewalk Criteria and Prioritization List

Councilman Barbier moved and Councilwoman Fitch seconded that Resolution R-2021-52, A Resolution Approving the Establishment of a New Public Sidewalk Criteria and Prioritization List, be adopted.

City Manager Dzugan stated the Council discussed the prioritization of new sidewalk installations at their May Planning Session. He advised that by budgeting \$350,000 annually for this program, the City will meet its goal of having a sidewalk on at least one side of every street by the end of the year 2026. City Manager Dzugan indicated some flexibility exists to look at individual issues if they come up.

Councilman Barbier appreciates the thought and consideration that went into this and, while not all residents will be on the same page, he believes the City is going in the right direction.

Councilman Brown asked if there is an option to increase budgeting to accelerate the pace of sidewalk installation. City Manager Dzugan stated that can be discussed during budget discussions. However, he

cautioned we need to take into consideration how much design work the Engineering staff can accomplish and the time necessary to administer the project.

Councilman Weller asked that staff look at work being done on certain segments and whether that work could be combined with work on other nearby segments.

Roll Call Vote:
Ayes: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: None
Motion Carried Unanimously

19. Council Comment

Councilwoman Bray-Parker firmly believes in acknowledging and honoring diversity and appreciates the respectful comments made by members of the community. She highlighted efforts by the Community Relations Commission and programs at the Wheaton Library.

Councilman Brown appreciates the comments that were shared and recognized all residents of the community. He stated the Council is a non-partisan Council, charged to exercise policy making and legislative decisions for Wheaton. He feels it is outside the scope of the Council to make statements and/or prepare proclamations to individual groups, but should focus on the business of Wheaton and welcome and serve everyone.

Councilman Barbier stated on Friday he attended a food truck fundraiser for the Lincoln School Playground Fund. He stated funds for the playground need to be raised privately and encouraged everyone to participate in one of their fundraising events to replace the same equipment that was there when he attended Lincoln School.

Councilwoman Robbins shared that she, along with several other Council members, attended the Memorial Park Ribbon Cutting event. She feels Wheaton is fortunate to have such a great facility in the City and expressed her appreciation to the Wheaton Park District.

Mayor Suess announced the 4th of July Parade will be on Sunday, July 4 at 11 a.m. He stated the first Wheaton Band concert will be Thursday, June 10 and encouraged everyone to register for a ticket. Mayor Suess gave a shout out to the DWA and all the businesses that participated in the Frida Friday festivities last Friday – continuing efforts to make Downtown Wheaton a destination.

With regard to Pride Week, Mayor Suess feels everyone needs to take a step back and think in terms of how we can work together. As a community, we are all interested in working together, and while we can acknowledge different groups, the focus should be on how we can all work together and move our

community forward. He feels we can have differing views but need to keep the focus on how we can work together and act in the best interests of the community – which is working together.

20. Approval of Warrant

Councilwoman Fitch moved and Councilman Barbier seconded that Warrant No. 801 in the amount of \$2,825,822.05 be approved.

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

21. Adjournment

Councilman Barbier moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 8:26 p.m.

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

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: June 21, 2021