

## MEMORANDUM

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**TO:** Record  
**FROM:** Susan Bishel, Public Relations Coordinator  
**SUBJECT:** January 8, 2018 City Council Planning Session Minutes  
**DATE:** January 9, 2018  
**CC:** Mayor and City Council, City Manager, City Clerk, Department Heads

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The Planning Session took place in the Council Chambers, Wheaton City Hall, 303 W. Wesley St., Wheaton, Illinois. Those attending the Planning Session included: Councilman Barbier, Councilwoman Fitch, Mayor Gresk, Councilman Prendiville, Councilman Rutledge, Councilman Scalzo and Councilman Suss. Also in attendance were City Manager Dzugan, Assistant City Manager Duguay, Director of Building & Code Enforcement Kreidl, Director of Public Works Laoang, Director of Finance Lehnhardt, Director of Engineering Redman, Senior Project Engineer Tebrugge and Public Relations Coordinator Bishel. The session began at 7:00 p.m. and concluded at 7:49 p.m. The following items were discussed:

### **I. Call to Order**

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

### **II. Public Comment**

There were no public comments.

### **III. Approval of November 27, 2017 Planning Session Minutes**

The City Council approved the November 27, 2017 Planning Session minutes.

### **IV. Bicycle Advisory Committee**

City Manager Dzugan reviewed the history of the Bicycle Advisory Committee, which was formed in 2012 out of the Wheaton Bicycle Plan. While this has been an active group, current City Code does not recognize the Bicycle Advisory Committee as an official commission or committee. City staff recommends the Council modify City Code to either recognize the group as a separate commission or as a subcommittee of the Environmental Improvement Commission.

Bicycle Advisory Committee members Nancy Allured and Dan Dlhly responded to Council questions by stating they already follow the same format for meetings, agendas and minutes as other commissions of the City. Ms. Allured stated if the City Council chooses to make this group a commission, she believes it would be a statement of support encouraging biking in the city.

Council members complimented the Bicycle Advisory Committee for their work over the past 6 years and expressed support for the group becoming a separate commission. Council members stated they would like the goals and objectives of the proposed commission to be defined in a way that can be measured. The Council directed City staff to prepare a City Code amendment for their formal review.

#### **V. Proposed Changes to City Code Chapter 78 – Vegetation (Hazardous Trees on Private Property)**

Assistant City Manager Duguay reviewed the City Council's Sept. 11 discussion related to vegetation in Chapter 78 of the City Code and the proposed changes presented in November. Based on Council questions about hazardous trees, City staff consulted with the City Attorney and researched policies of neighboring communities.

The City Attorney stated when a property owner perceives a neighbor's tree to be hazardous or dangerous, and if the property owners can't resolve the issue with the neighbor via regular communication, Illinois case law provides a path for property owners to follow. Assistant City Manager Duguay stated staff considered what types of staff resources would be required if the City were to become involved in alleviating private property hazardous tree concerns. Staff concluded the City's Code Enforcement Officer would not be able to take on this additional workload, and the City would need to contract out this or some other service.

In response to Council questions, Assistant City Manager Duguay stated there would be no liability for the City if it identifies a tree as not hazardous and it is later found to be hazardous.

In response to Council questions, Assistant City Manager Duguay stated currently, if the City receives a complaint about a private property tree that a neighbor believes is hazardous, the City cannot enter onto private property to evaluate the tree. The City will advise the concerned property owner to try to resolve it with their neighbor, and if the tree is hanging over onto their property, the concerned party can remove the overhanging branches, as long as it would not cause harm to the tree in doing so.

Assistant City Manager Duguay stated the City has not had instances of trees falling and causing injury. City Manager Dzugan stated a property owner can hire legal counsel to send a letter to the other property owner, and this legal avenue would have the same outcome that the City would have.

The Council unanimously supported keeping the City's policy regarding private property trees unchanged.

## **VI. Storm Sewer Rate Analysis**

City Manager Dzugan stated the 2017/18 Budget shows operating expenditures in the storm sewer fund exceeding revenues, and the fund balance is below the policy level of 25% of operating expenses. In addition, storm sewer and sanitary sewer rates have not been adjusted in more than 10 years.

City Manager Dzugan stated there are two areas the City will need to fund: capital projects to maintain existing infrastructure, and new storm sewers that could be added as the result of stormwater studies. City staff suggests a \$0.10 rate increase and the addition of a new flat fee of \$1.50 per month starting in May 2018. The additional revenue would be applied to operating expenses and capital needs. In addition, City staff is proposing to move one staff member from the sanitary group to the storm sewer group, and contracting for additional work.

In addition, City Manager Dzugan stated roadside ditches have not been addressed in a long time, and the City will need to look at what work needs to be done. He stated in order to implement the proposed changes, the City Council would need to amend rates in the City Code.

In response to Council comments and questions, City Manager Dzugan stated some communities base their rates on the amount of impervious area in a property, but this could be difficult to implement.

In response to Council questions, City Manager Dzugan stated ditches are the City's responsibility because they are above-ground stormwater conveyance systems. Director of Engineering Redman stated it has been a long-term goal for the City to work on dredging drainage channels and roadside ditches. Senior Project Engineer Tebrugge stated identifying all of the basins and how they are functioning is a very time-consuming process, and the City is approximately 10% of the way done in identifying the systems.

In response to Council questions, City Manager Dzugan stated once the City has completed all of the stormwater studies in the next couple years, staff will be able to present the data to the Council to inform the Council with options for remediation based upon certain flood protection levels the City desires and, as a result, a rate can then be developed to fund these new capital projects.

**VII. City Council/Staff Comments**

Mayor Gresk stated there will be several vacancies on City boards and commissions. If interested, residents should fill out an application on the City's website.

Councilwoman Fitch stated she would be interested in hearing from the Environmental Improvement Commission regarding recycling options for the downtown streetscape plan.

**VIII. Adjournment**

The meeting was adjourned at 7:49 p.m.

Draft Minutes