



# WHEATON CITY COUNCIL PROCEEDINGS

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MAYOR MICHAEL J. GRESK  
COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN SUZANNE FITCH | COUNCILMAN JOHN PRENDIVILLE  
COUNCILMAN JOHN RUTLEDGE | COUNCILMAN TODD SCALZO | COUNCILMAN PHILIP SUESS

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

January 7, 2019

## 1. Call to Order and Roll Call

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

Physically Present: Mayor Gresk  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Councilman Rutledge  
Councilman Suess

Absent: Councilman Scalzo

City Staff Present: Michael G. Dzugan, City Manager  
John M. Duguay, Assistant City Manager  
James Knippen, City Attorney  
James Kozik, Director of Planning and Economic Development  
Paul G. Redman, Director of Engineering  
William Murphy, Police Chief  
P.J. Youker, Deputy Police Chief  
Holly Schulz, Director of Human Resources  
Lauren Bertolini, Human Resources Generalist  
Sharon Barrett-Hagen, City Clerk

## 2. Presentations

Mayor Gresk presided over a swearing-in ceremony for new police officers Kamila Nawrot, Sara Niedbala and Chad Fedler.

## 3. Citizens to Be Heard

None

## 4. Consent Agenda

Councilman Suess moved and Councilman Rutledge seconded that the following action be taken on the Consent Agenda item:

1. Approve the December 17, 2018 minutes of the regular Wheaton City Council meeting

**Roll Call on Consent Agenda:**  
Ayes: Councilman Suess  
Councilman Barbier  
Councilwoman Fitch

Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge

Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

**5. Pass Ordinance O-2019-01, An Ordinance Amending the Official Motor Vehicle and Traffic Schedules (Chapter 70) for the City of Wheaton – Yield Right-of-Way Intersections**

Councilman Barbier moved and Councilman Suess seconded that Ordinance O-2019-01, An Ordinance Amending the Official Motor Vehicle and Traffic Schedules (Chapter 70) for the City of Wheaton – Yield Right-of-Way Intersections, be passed.

City Manager Dzugan stated a first reading was held at the December 17, 2018 City Council meeting for the proposed ordinance which establishes yield controls at 13 intersections. He advised the Engineering Department reviewed 31 four-way cross non-controlled intersections, and determined that 13 of those intersections would be appropriate for the installation of yield signs.

Councilman Barbier believes installation of the yield signs at the 13 intersections will improve safety and eliminate confusion on the part of motorists. He would like staff to review the non-controlled T intersections in the City and develop a policy, similar to what was done for pedestrian crosswalks, for all non-controlled intersections within the City.

**Roll Call Vote:**  
Ayes: Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge  
Councilman Suess  
Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

**6. Pass Ordinance No. O-2019-02, An Ordinance Amending Portions of City of Wheaton Employee Rules and Regulations**

Councilman Rutledge moved and Councilman Prendiville seconded that Ordinance No. O-2019-02, An Ordinance Amending Portions of City of Wheaton Employee Rules and Regulations, be passed.

City Manager Dzugan stated a first reading was held at the December 17, 2018 City Council meeting for the proposed ordinance which sets forth various changes to the City's employee manual, most of which relate to changes in federal or state laws.

**Roll Call Vote:**  
Ayes: Councilman Rutledge  
Councilman Suess

Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk

Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

**7. Approve Appointment/Reappointments to City Boards/Commissions**

Mayor Gresk moved and Councilman Rutledge seconded that Kristine Eisenmann be appointed to the Housing Commission for a term expiring on February 3, 2020, completing the term of former Commission member Andrea Petti, and that Sarah Antas be reappointed to the Fine & Cultural Arts Commission, and Paula Barrington and Kevin McGuire be reappointed to the Downtown Wheaton Design Review Board, all for three-year terms respectively.

**Roll Call Vote:**  
Ayes: Mayor Gresk  
Councilman Rutledge  
Councilman Suess  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

Councilwoman Fitch stated that due to a possible conflict of interest, she would recuse herself from the discussion and vote regarding Regular Agenda New Business Items #2 and #3. She left the meeting at 7:14 p.m.

**8. Receive Planning & Zoning Board Report Re: ZA #18-21/Zoning Ordinance Text Amendment and Pass Ordinance No. O-2019-03, An Ordinance Adding Hair Stylists as a Special Use in the M-1 Zoning District**

Councilman Rutledge moved and Councilman Prendiville seconded that the Planning & Zoning Board Report be received and Ordinance No. O-2019-03, An Ordinance Adding Hair Stylists as a Special Use in the M-1 Zoning District, be passed.

City Manager Dzugan stated the Planning & Zoning Board unanimously approved a text amendment adding hair stylists as a special use in the M-1 manufacturing zoning district. He indicated the City had received a request for a hair stylist to occupy the existing building at 931 West Liberty which is zoned M-

**Roll Call Vote:**  
Ayes: Councilman Rutledge  
Councilman Suess  
Councilman Barbier  
Councilman Prendiville

Mayor Gresk

Nays: None  
Absent: Councilwoman Fitch  
Councilman Scalzo  
Motion Carried Unanimously

**9. Pass Ordinance No. O-2019-04, An Ordinance Granting a Special Use Permit to Allow a Hair Stylist to Occupy the Property Located at 931 W. Liberty Drive – AMB Holdings II LLC**

Councilman Rutledge moved and Councilman Prendiville seconded that Ordinance No. O-2019-04, An Ordinance Granting a Special Use Permit to Allow a Hair Stylist to Occupy the Property Located at 931 W. Liberty Drive – AMB Holdings II LLC, be passed.

City Manager Dzugan stated the ordinance would grant a special use for a hair stylist to occupy the property at 931 W. Liberty Drive in the M-1 zoning district. He indicated the Planning & Zoning Board unanimously recommended approval of the special use permit at their December 11, 2018 meeting.

In response to Councilman Rutledge’s question, Director Kozik stated the term hair stylist is an inclusive term that also includes nail technicians.

Councilman Prendiville agreed with staff’s suggestion to review the M-1 zoning district to ensure the regulations accommodate today’s business market.

**Roll Call Vote:**  
Ayes: Councilman Rutledge  
Councilman Suess  
Councilman Barbier  
Councilman Prendiville  
Mayor Gresk  
  
Nays: None  
Absent: Councilwoman Fitch  
Councilman Scalzo  
Motion Carried Unanimously

Councilwoman Fitch returned to the meeting at 7:16 p.m.

**10. Receive Planning & Zoning Board Report Re: ZA #18-20/PUD Amendment and Subdivision/104 and 110 W. Farnham Lane/Pointner and Pass Ordinance No. O-2019-05, An Ordinance Amending Ordinances No. F-0688 and O-2018-36 “An Ordinance Amending the Wheaton Zoning Ordinance Map and Granting a Special Use Permit for a Residential Planned Unit Development on a Certain Piece of Property Commonly Known as 104 West Farnham Lane/Farnham Lane P.U.D.”**

Councilman Barbier moved and Councilman Rutledge seconded that the Planning & Zoning Board Report be received and Ordinance No. O-2019-05, An Ordinance Amending Ordinances No. F-0688 and O-2018-36 “An Ordinance Amending the Wheaton Zoning Ordinance Map and Granting a Special Use Permit for a Residential Planned Unit Development on a Certain Piece of Property Commonly Known as 104 West Farnham Lane/Farnham Lane P.U.D.” be passed.

City Manager Dzugan advised past restrictive covenants on the property prohibited the subdivision of the lots and the parties have agreed to amend the covenants to allow the subdivision. He stated the proposed ordinance would abrogate the Farnham Ridge restrictive covenants and grant subdivision approval to subdivide the property at 104 and 110 West Farnham Lane into two traditional lots.

In response to Councilwoman Fitch, City Attorney Knippen confirmed the private settlement agreement between the parties has been recorded.

**Roll Call Vote:**  
Ayes: Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge  
Councilman Suess  
  
Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

**11. Approve Recommendation to Purchase Watch Guard Video Dashboard Camera Systems from WatchGuard for a Total Amount of \$44,330**

Councilman Rutledge moved and Councilman Prendiville seconded to Approve the Purchase of Watch Guard Video Dashboard Camera Systems from WatchGuard for a Total Amount of \$44,330

City Manager Dzugan advised the Director of Information Technology has recommended the City begin a three-year replacement of 17 police vehicle dashboard video cameras for a total amount of \$44,330. He indicated five would be replaced during this budget year with a purchase from WatchGuard through a State of Illinois joint purchase contract. He stated the City is seeking grant money for the purchase of the cameras, which would reimburse \$5,700 of the \$8,800 for the cameras and system.

In response to Councilman Rutledge, Director of IT Michaelis stated a grant could be available for up to 19 cameras.

Councilman Suess is concerned about the City having two different camera systems, and feels it would be more advantageous to replace all of them. Councilman Rutledge also feels the City should replace all the cameras at one time. Director Michaelis stated he would need to confirm with the vendor that they could supply all 19 cameras and, if the grant money is received, all cameras would be replaced.

In response to Councilwoman Fitch, City Attorney Knippen stated dashboard cameras are not required by law. In response to her questions about how long the data is saved, Director Michaelis stated the data is archived, which does not require much time or money on the part of the City.

Councilman Prendiville questioned what triggers the camera's operation. Police Chief Murphy stated the camera is automatically triggered when the police vehicle is operating with full lights, usually for traffic stops. He stated not all situations can be recorded and confirmed the cameras can be triggered or

turned off manually, depending on the situation and whether it can be recorded. In response to Councilman Suess, Chief Murphy stated if the recording is needed for evidence, it is burned to a disk.

Responding to questions from Councilman Barbier, City Attorney Knippen stated that since most criminal charges are brought as quickly as possible, concerns about the statute of limitations is usually not an issue. He stated if there is a long investigation for a civil case, the data is kept as long as is necessary to complete the case.

**Roll Call Vote:**  
Ayes: Councilman Rutledge  
Councilman Suess  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
  
Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

**12. Adopt Resolution R-2019-01, A Resolution Authorizing Execution of a Local Public Agency Agreement with the Illinois Department of Transportation for Federal Participation in the Blanchard Street/President Street Resurfacing Project**

Councilman Suess moved and Councilwoman Fitch seconded that Resolution R-2019-01, A Resolution Authorizing Execution of a Local Public Agency Agreement with the Illinois Department of Transportation for Federal Participation in the Blanchard Street/President Street Resurfacing Project, be adopted.

City Manager Dzugan stated the resolution before the Council would permit the City to receive a maximum of \$553,788 in federal dollars for the resurfacing of Blanchard Street from Tara Court to President and President Street from Blanchard to Roosevelt Road. He indicated that amount represents 70% of the construction costs for this work.

Councilman Suess questioned if North Main Street was scheduled for resurfacing utilizing federal dollars. Director Redman stated an application for federal monies was submitted, but not received.

**Roll Call Vote:**  
Ayes: Councilman Suess  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge  
  
Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

**13. Approve Extension of Agreement with Comcast for Enterprise Network Services**

Councilman Prendiville moved and Councilman Rutledge seconded that an extension of an Agreement with Comcast for Enterprise Network Services, be approved.

City Manager Dzugan stated the Director of Information Technology has recommended the City extend its agreement with Comcast to provide internet and private network connections. He indicated the 36-month extension would double the City's bandwidth and would increase the City's monthly costs by \$171.

**Roll Call Vote:**

Ayes: Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge  
Councilman Suess  
Councilman Barbier  
Councilwoman Fitch

Nays: None

Absent: Councilman Scalzo

Motion Carried Unanimously

**14. Council Comment**

Councilman Prendiville congratulated Mayor Gresk on the birth of his grandchild.

Councilman Rutledge noted a student from Fenwick High School was attending the meeting as part of his civics class.

**15. Approval of Warrant**

Councilman Suess moved and Councilman Barbier seconded that Warrant No. 743 in the amount of \$800,558.48, be approved.

**Roll Call Vote:**

Ayes: Councilman Suess  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge

Nays: None

Absent: Councilman Scalzo

Motion Carried Unanimously

**16. Closed Session**

Councilman Rutledge moved and Councilwoman Fitch seconded that the Wheaton City Council adjourn to closed session at 7:36 p.m. for the purpose of Reviewing Closed Session Minutes 5 ILCS 120/2 (c) (21). Mayor Gresk indicated that no action would be taken after the Closed Session and announced this would conclude the broadcast portion of the meeting.

**Roll Call Vote:**  
Ayes: Councilman Rutledge  
Councilman Suess  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
  
Nays: None  
Absent: Councilman Scalzo  
Motion Carried Unanimously

The City Council returned to the open portion of their meeting at 7:44 p.m.

**17. Adjournment**

Councilman Rutledge moved and Councilman Barbier seconded that the regular Wheaton City Council Meeting be adjourned at 7:44 p.m.

Motion to adjourn was unanimously approved by voice vote.

Respectfully submitted,

Sharon Barrett-Hagen  
City Clerk

Submitted for Approval: January 22, 2019