



# 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

February 4, 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

Absent: Councilman Scalzo  
Councilman Suess

City Staff Present: John M. Duguay, Assistant City Manager  
James Knippen, City Attorney  
James P. Kozik, Director of Planning and Economic Development  
Paul G. Redman, Director of Engineering  
William Schultz, Fire Chief  
Robert R. Lehnhardt, Finance Director  
Sharon Barrett-Hagen, City Clerk

## 2. Presentations

Mayor Gresk presented a proclamation to Ms. Amy Langford, Perrin-Wheaton Chapter of the National Society of the Daughters of the American Revolution recognizing February 12, 2019 as Perrin-Wheaton Chapter of the National Society of the Daughters of the American Revolution Day in honor of the Chapter's 91<sup>st</sup> anniversary. Ms. Langford thanked the Mayor and City Council for the proclamation and highlighted their work on promoting citizenship, historic preservation and literacy.

Mayor Gresk presented a proclamation to staff members of Wheaton Sport Center, recognizing the organization's 40<sup>th</sup> anniversary. They thanked the Mayor and City Council for the proclamation and for the support of the community over the past 40 years.

## 3. Citizens to Be Heard

None.

## 4. Consent Agenda

Councilman Prendiville moved and Councilman Barbier seconded that the following action be taken on the Consent Agenda items:

1. Approve the January 22, 2019 minutes of the regular Wheaton City Council.

2. Approve Bond Waivers and Authorize Issuance of Raffle Licenses to the Lowell PTA and We Grow Dreams.

**Roll Call on Consent Agenda:**

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

Nays: None  
Absent: Councilman Scalzo  
Councilman Suess  
Motion Carried Unanimously

**5. Approve Reappointment to City Boards and Commissions**

Mayor Gresk moved and Councilman Rutledge seconded that Tim Bayee be reappointed to the Board of Trustees Police Pension Fund for a two-year term.

**Roll Call Vote:**

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

Nays: None  
Absent: Councilman Scalzo  
Councilman Suess  
Motion Carried Unanimously

**6. Pass Ordinance No. O-2019-07, An Ordinance Authorizing a Protective Fence – Wheaton Park District – Central Athletic Complex, 500 S. Naperville Road**

Councilman Rutledge moved and Councilman Prendiville seconded that Ordinance No. O-2019-07, An Ordinance Authorizing a Protective Fence – Wheaton Park District – Central Athletic Complex, 500 S. Naperville Road, be passed.

Assistant City Manager Duguay stated the Wheaton Park District has asked to construct a 30-foot protective fence at the Central Athletic Complex on Naperville Road. He stated staff feels the fence would alter the essential character of the area and has recommended, as a compromise, that the fence be removed after baseball season is over.

Councilwoman Fitch agrees with the findings of fact set out in the ordinance but does not believe that staff's proposed condition to remove the poles and netting is necessary. She stated she would be in favor of removing that condition.

Councilman Rutledge agreed that if the protective fence is constructed, it should remain.

Councilman Prendiville agrees with the comments made and thanked the Wheaton Park District for addressing this matter.

Councilwoman Fitch moved and Councilman Barbier seconded to remove the condition requiring the support poles and netting be removed.

Mr. Frank Moscardini, Youth Baseball and Softball Commissioner stated they are requesting the fence because they are seeing an increase in foul balls, mainly in their softball program.

In response to Councilman Rutledge, Assistant City Manager Duguay stated staff felt the height of the poles and netting did not fit the character of the general area.

**Roll Call Vote on Amendment:**  
Ayes: Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge  
Councilman Barbier

Nays: None  
Absent: Councilman Scalzo  
Councilman Suess  
Motion Carried Unanimously

**Roll Call Vote on Motion to Approve Ordinance as Amended:**  
Ayes: Councilman Rutledge  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk

Nays: None  
Absent: Councilman Scalzo  
Councilman Suess  
Motion Carried Unanimously

**7. Receive Planning & Zoning Board Report RE ZA #19-01/Special Use Permit/124 N. Main Street/Leventis and Pass Ordinance No. O-2019-08, An Ordinance Amending the Wheaton Zoning Map by Granting a Special Use Permit to Allow a Health Club and/or Business and Professional Office to Occupy a Portion of the Main Floor (Unit B – 520 Square Feet and Unit C – 1,330 Square Feet) of an Existing Building in the C-2 Retail Core Commercial District – 124 North Main Street/Leventis**

Councilwoman Fitch moved and Councilman Barbier seconded that the Planning & Zoning Board Report be received and Ordinance No. O-2019-08, An Ordinance Amending the Wheaton Zoning Map by Granting a Special Use Permit to Allow a Health Club and/or Business and Professional Office to Occupy a Portion of the Main Floor (Unit B – 520 Square Feet and Unit C – 1,330 Square Feet) of an Existing Building in the C-2 Retail Core Commercial District – 124 North Main Street/Leventis, be passed.

Assistant City Manager Duguay reported the City received a request for a special use permit to allow a health club and/or business and professional office to occupy a portion of the ground floor of the existing building located at 124 N. Main Street in the C-2 Zoning District. He stated the Planning & Zoning Board unanimously recommended approval of this request at their meeting on January 23, 2019.

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

**8. Adopt Resolution R-2019-07, A Resolution Authorizing the Execution of Extension #2 to Agreement #C36768 with Kurtz Paramedic Service, Inc. for Paramedic Services and Ambulance Billing Services**

Councilman Rutledge moved and Councilman Prendiville seconded that Resolution R-2019-07, A Resolution Authorizing the Execution of Extension #2 to Agreement #C36768 with Kurtz Paramedic Service, Inc. for Paramedic Services and Ambulance Billing Services, be adopted.

In response to Councilman Rutledge's question regarding the 70% staff turnover, Chief Schultz replied paramedics typically move on from contract paramedic service to full-time positions with municipalities and Fire Prevention Districts.

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

**9. Council Comment**

Councilman Rutledge introduced Randy and Mary Rutledge who were in the audience, as well as Steven Walsh of Troop 35.

**10. Approval of Warrant**

Councilman Rutledge moved and Councilman Barbier seconded that Warrant No. 745 in the amount of \$1,511,922.46, be approved.

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

Mayor Gresk announced the Council would go into Closed Session and would return to open session to take action on the closed session item.

### 11. Closed Session

Councilman Prendiville moved and Councilwoman Fitch seconded that the Wheaton City Council adjourn to closed session at 7:19 p.m. for the purpose of discussion Pending Litigation 5 ILCS 120/2 (c) (11). City Attorney Knippen stated the litigation deals with a tax appeal.

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

The Council returned to open session at 7:29 p.m.

### 12. Adopt Resolution R-2019-08, A Resolution Authorizing Approval and Execution of Property Tax Assessment Settlement Agreement

Councilwoman Fitch moved and Councilman Prendiville seconded that Resolution R-2019-08, A Resolution Authorizing Approval and Execution of Property Tax Assessment Settlement Agreement, be adopted.

**Roll Call Vote:**  
Ayes: Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk  
Councilman Rutledge  
Councilman Barbier  
Nays: None

Absent: Councilman Scalzo  
Councilman Suess  
Motion Carried Unanimously

**13. Adjournment**

Councilman Prendiville moved and Councilman Barbier seconded that the regular Wheaton City Council Meeting be adjourned at 7:30 p.m.

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

Respectfully submitted,

Sharon Barrett-Hagen  
City Clerk

Submitted for Approval: February 19, 2019