



WHEATON CITY COUNCIL PLANNING SESSION MINUTES

MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILWOMAN SUZANNE FITCH
COUNCILWOMAN LYNN ROBBINS | COUNCILMAN JOHN RUTLEDGE | COUNCILMAN CHRISTOPHER ZARUBA

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

Monday, March 9, 2020

1. Call to Order

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

Physically Present: Mayor Suess
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba

Absent: None

City Staff Present: Michael Dzugan, City Manager
John Duguay, Assistant City Manager
James Kozik, Director of Planning & Economic Development
Sarang Lagvankar, Senior Project Engineer
Joe Tebrugge, Senior Project Engineer

2. Public Comment

There were no public comments.

3. Approval of February 24, 2020 Minutes

The Council approved the February 24, 2020 City Council Planning Session minutes.

4. Amendment to Special Use Permit for Memorial Park – Liquor Sales

City Manager Dzugan stated the Council approved a special use permit for Memorial Park in May 2019, and it included several conditions on the use of the park. Based upon information presented at the public hearing and thereafter about the proposed concert series, City staff determined that the concerts did not meet the definition of a special event as defined by City Code. City staff worked with the Park District to determine the best course of action and determined an amendment to the special use permit to allow for the sale of beer and wine at all events in the park would be most appropriate.

City Manager Dzugan stated all events would be required to follow the special event permit and outdoor special event liquor review process. City Manager Dzugan stated given the Park District's positive track record holding events in which beer and wine are served, City staff has no concerns with the proposed amendment. The Council will consider the amendment at its March 16 meeting; this meeting is for further information sharing on the amendment.

A. Public Comments

Michael Gresk, representing the Wheaton Lions Club, stated the Lions Club board of directors voted to recommend the Council grant permission to the Wheaton Park District to sell beer, wine and similar alcoholic beverages at its Memorial Park events. Mr. Gresk stated the Park District has demonstrated its ability to responsibly sell alcohol at its events over many years with no incidents at Memorial Park and other locations.

Marty Keller, Executive Director of the CERT Program, stated his program's volunteers help provide security for the Park District's Memorial Park events. He stated over the 10 years he has worked in this capacity, the Park District has hosted many large events that sold alcohol responsibly and without incident.

Kerry O'Brien, President of the Wheaton Chamber of Commerce, stated the Chamber's legal counsel had sent a statement to the City Council and staff on behalf of the Chamber's Board of Directors. She spoke of her experience working as a partner with the Wheaton Park District during large events. Ms. O'Brien outlined the measures the Park District uses to ensure alcohol is served safely and responsibly and its reputation as a part of the community. She expressed the Chamber's full support of the amendment.

Brooke Leaton, 116 W. Union, expressed concern with the effect that an increased number of events will have on neighboring property values. She stated she is not against alcohol being served at events, but she is concerned that having up to 30 events in which alcohol could be served would reduce the availability of the park to the general public. She also expressed concern with changes happening in the park, including trees being removed, changes to the nature of the park, and the encroachment for commercial purposes on the neighborhood.

Chaz Nieponski, 126 W. Union, expressed concerns with the Park District's Memorial Park plans, including the increased number of proposed events, and negative effects on the immediate neighborhood on a regular basis in terms of parking.

Tonya Parravano, owner of 131 W. Wesley and president of the Downtown Wheaton Association board, expressed the Downtown Wheaton Association's unanimous support for the Park District's request. She stated as a downtown business owner, the economic development of the area is important for the community, which includes improvements to the park and bringing people to downtown through events.

Kathy Anderson, 416 W. Seminary, asked whether the park would continue to be fenced off during events in the park that serve alcohol. The Council confirmed that this protocol will be maintained.

Chris Mazzarella, 421 N. Wheaton Avenue, asked if there would be police present outside of the park during events. City staff confirmed that police officers would be present as part of their patrolling duties. Mr. Mazzarella expressed concern that events could attract people from out of town that we don't want to linger after events.

Beth Schomig, 1215 Irving Avenue, expressed support for the limits placed on the number of events being proposed and support for the changes to the park. She stated bringing people into the park for events would be good for the downtown.

David Boyce, 200 W. Franklin, stated he lives a block from the park and has seen a number of problems in the area before, during and after events with alcohol, including people leaving trash in his yard and parking concerns. He expressed concern that without additional police presence, there could be issues with people drinking and driving or other conflicts.

B. Council Comments

Councilwoman Fitch stated it was her legislative intent in approving the original ordinance that the concert series would fall under the category of special events and would be subject to the same review process as other special events in which alcohol would be served. She stated she thinks that amending the original ordinance rather than seeking a special liquor license classification is preferable because it provides more protection for the neighborhood and also gives the Police Chief the opportunity to determine the number of officers that are needed for different events.

In answering a Council question, City staff stated private events at the Mary Lubko Center would continue to use their license through Arrowhead for catered events that include alcohol.

In response to Council questions, City Manager Dzugan confirmed that feedback regarding the Memorial Park project would be best directed to the Wheaton Park District, as it is the owner of park. City Manager Dzugan confirmed that special events that include liquor go through a review process that includes the Liquor Control Commission, Wheaton Police Department, City staff and the City Council.

City Manager Dzugan confirmed a condition of this ordinance that provides an opportunity for the City and Park District to evaluate how the permit is working one year after the Park District receives occupancy.

Director of Planning & Economic Development Kozik responded to questions about liquor served during events by stating the Park District presents specific details to the Liquor Control Commission and City regarding the plan for fencing around areas where liquor would be allowed. He answered a question about refuse by stating the type of containers used for alcoholic beverages is not specified in the permit.

City Manager Dzugan answered a Council question about the concert series by stating the City anticipates it will receive a preview at some point of the lineup the Park District expects to have for its concert series.

Michael Benard, Wheaton Park District Executive Director, stated the approval process for future events will cover all of the details discussed here, so it would be preemptive to have the discussion now.

Mayor Suess stated the language in the original ordinance was ambiguous, and the City is going through this process to clear up ambiguities. He thanked the Park District for working with the City on this.

5. Flood Resiliency Investigation Discussion

City Manager Dzugan stated the City's Engineering Department would be presenting one of two parts of a presentation regarding the City's flood resiliency investigation and flood protection program. This portion will focus on the background of stormwater management.

Joe Tebrugge, Senior Project Engineer, presented to the Council on why Wheaton floods. Much of this is due to the historical lack of stormwater ordinances when development began occurring (starting in 1859), and development happening in floodplains and flood prone areas. He reviewed the earliest drainage legislation formed in the late 1800s, followed by the development of creeks for stormwater control, measures for agricultural purposes. As more development occurred, storm drains began being used in some areas but were not required.

In the 1950s, some large storm sewers were put into place, and by the mid-1950s, the City had begun developing into all the flood-prone areas. Senior Project Engineer Tebrugge reviewed the City's first

required stormwater control measures in the 1960s, followed by the development of the National Flood Insurance Program in 1968. This was followed by the first required detention in Wheaton for a large development, which was the Briarcliffe subdivision. In the 1970s, the City received its first federally developed floodplain maps.

Wheaton passed its first stormwater ordinance in 1977 requiring regulations for floodplain areas, notably for the protection of properties downstream. Most of the City was mainly developed by the time this ordinance was put in place. In 1989, the City installed its first large flood protection project with the Briarcliffe Flood Control/Rice Lake project.

DuPage County developed its countywide stormwater ordinance in 1991, and much additional detention was required for all developments. The City adopted these requirements as well. In 1992, new studies set adjusted levels for the 100-year flood control, making previous requirements the equivalent of only the 30-year flood level protection.

Senior Project Engineer Tebrugge reviewed the City's actions to create a new Stormwater Engineer position in 2008, followed by a 2010 strategic initiative related to overland flooding of principal structures in floodplain and flood-prone areas. The initiative stated the City would identify projects to decrease overland flooding and metrics to equitably weigh projects.

The City began stormwater studies in 2011. In 2016, the City approved the remaining 14 stormwater studies and floodplain surveying. Senior Project Engineer Tebrugge reviewed the City's goal in 2016 to flood-protect 100% of structures for a certain level of established rain event.

The City received new floodplain maps from FEMA in 2019, doubling the number of properties that were considered in the floodplain. In late 2019, the City also received updated numbers for 100-year storm rainfall levels over 24 hours. In summary, most detention existing in Wheaton is only compliant to the current 50-year or 17-year storm level.

Senior Project Engineer Tebrugge showed where flooding was happening according to the 2010 projected results versus the 2020 confirmed results, which showed 53.5% of flooding happening in flood prone areas, followed by 31.5% as site-specific flooding, and 15% in floodplain areas.

Amy Kasmar, 1860 Shetland Drive, asked about how long it takes for flooding issues to cause entry into a structure. In response, Senior Project Engineer Tebrugge stated this depends on the structure and can be different in every situation. He stated it is largely due to grading and the way stormwater travels.

Mike Torney, 1904 Doncaster Court, asked if other conditions can affect flooding, such as frozen ground. Senior Project Engineer Tebrugge confirmed that conditions such as how saturated the ground is and the timing of a storm can be factors in flooding, and there are many factors that can come into play.

In response to a Council question on modifications to the County's stormwater ordinance, Senior Project Engineer Tebrugge stated the changes were related to redevelopment projects to account for what was currently on a site being redeveloped.

Jo Ann Scharf, 1755 Brentwood, asked if the City would be providing more information about flooding that took place in 2013 and the studies that followed. City Manager Dzugan stated this would take place in the second part of this presentation, which will discuss options for flood-protecting properties.

6. City Council/City Staff Comments

There were no comments.

7. Adjournment

The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Susan Bishel