



WHEATON CITY COUNCIL PROCEEDINGS

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

March 18, 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
Councilman Prendiville
Councilman Rutledge
Councilman Suess (arrived at 7:03 p.m.)

Absent: Councilwoman Fitch
Councilman Scalzo

City Staff Present: Michael G. Dzugan, City Manager
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
Michael Wakefield, Public Works Street Superintendent
Special Projects Assistant Austin Lewey
Sharon Barrett-Hagen, City Clerk

2. Citizens to Be Heard

Jim McGuire, DuPage County Fair Association, distributed information to the City Council regarding the change in fees to be charged for city services and the impact it would have on them. He advised the Fairgrounds in its 56th year provides many services to various entities within the City free of charge and asked for some relief from the new fees which would double their costs for police services.

3. Consent Agenda

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

1. Approve the March 4, 2019 minutes of the regular Wheaton City Council.
2. Approve Bond Waiver and Authorize Issuance of Raffle License to Jefferson Early Education Center PTA.
3. Adopt Resolution R-2019-15, A Resolution for the Improvement Under the Illinois Highway Code (2019 Road, Sewer, and Water Rehabilitation Program)

Ayes: **Roll Call on Consent Agenda:**
Councilman Prendiville
Mayor Gresk

Councilman Rutledge
Councilman Suess
Councilman Barbier

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

4. Pass Ordinance No. O-2019-10, An Ordinance Amending Chapter 10, Amusements and Entertainments, and Appendix B, Fee Schedule, of the Wheaton City Code

Councilman Barbier moved and Councilman Suess seconded that Ordinance No. O-2019-10, An Ordinance Amending Chapter 10, Amusements and Entertainments, and Appendix B, Fee Schedule, of the Wheaton City Code, be passed.

City Manager Dzugan stated this item and the following item are amendments to the City Code relating to special events as discussed at previous planning sessions and a first reading at the March 4, 2019 Council meeting. He advised, as referenced by Mr. McGuire, that fees for city services have been adjusted to reflect the City's actual costs.

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

5. Pass Ordinance No. O-2019-11, An Ordinance Amending Chapter 6 (Alcoholic Beverages), Chapter 18 (Annexation), Chapter 30 (Fire Prevention and Protection), Chapter 38 (Law Enforcement), and Chapter 42 (Offences and Miscellaneous Provisions) of the Wheaton City Code

Councilman Prendiville moved and Councilman Suess seconded that Ordinance No. O-2019-11, An Ordinance Amending Chapter 6 (Alcoholic Beverages), Chapter 18 (Annexation), Chapter 30 (Fire Prevention and Protection), Chapter 38 (Law Enforcement), and Chapter 42 (Offences and Miscellaneous Provisions) of the Wheaton City Code, be passed.

City Manager Dzugan stated this ordinance amends various sections of the City Code impacted by the amendments to Chapter 10.

Roll Call Vote:
Ayes: Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Suess

Councilman Barbier

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

6. Pass Ordinance No. O-2019-12, An Ordinance Vacating a Portion of the Schaffner Road Right-of Way

Councilman Barbier moved and Councilman Rutledge seconded that Ordinance No. O-2019-12, An Ordinance Vacating a Portion of the Schaffner Road Right-of Way, be passed.

City Manager Dzugan advised the Council held a public hearing on January 14 to review a petition from the Wheaton Park District to vacate a portion of the Schaffner Road right-of-way adjacent to Atten Park.

Roll Call Vote:
Ayes: Councilman Barbier
Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Suess

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

7. Pass Ordinance No. O-2019-13, An Ordinance Granting a Rear Yard Setback Variation of a Certain Piece of Property Commonly Known as 222 E. Madison Avenue – R. Lautz Construction, Inc.

Councilman Prendiville moved and Councilman Rutledge seconded that Ordinance No. O-2019-13, An Ordinance Granting a Rear Yard Setback Variation of a Certain Piece of Property Commonly Known as 222 E. Madison Avenue – R. Lautz Construction, Inc., be passed.

City Manager Dzugan stated at the March 4, 2019 City Council meeting, the Council directed the City Attorney to prepare an ordinance approving a rear yard setback of 7 feet in lieu of the required 25 feet for a patio on the property located at 222 E. Madison Avenue. In response to a question that arose regarding any structures associated with the patio, City Manager Dzugan indicated there is a proposed 2-foot high seating wall running approximately 15 feet along the edge of the patio.

Councilman Rutledge stated he will support the variation, but voiced his concerns that the need for a variation was due to the house proposed for this particular lot. Councilman Barbier agreed with those concerns.

Councilman Suess believes a review should be done regarding variation requests. He feels that compensation should be made to the City for this type of situation because value is being given at the expense of those who follow the regulations.

Roll Call Vote:
Ayes: Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Suess
Councilman Barbier

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

8. Approve Appointments to City Boards/Commissions

Mayor Gresk moved and Councilman Suess seconded that Elizabeth Bishop be appointed to the Bicycle Advisory Commission for a 3-year term and Sandy McKeen be appointed to the Community Relations Commission for a term expiring on July 7, 2021, completing the remaining term of former member Erik Miller.

Roll Call Vote:
Ayes: Mayor Gresk
Councilman Rutledge
Councilman Suess
Councilman Barbier
Councilman Prendiville

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

9. Adopt Resolution R-2019-16, A Resolution Authorizing the Execution of Agreement No. 55 with A Lamp Concrete, Inc. for Phase 3 of the Public Works Material Yard Improvements in an Amount Not to Exceed \$147,529.20

Councilman Prendiville moved and Councilman Suess seconded Resolution R-2019-16, A Resolution Authorizing the Execution of Agreement No. 55 with A Lamp Concrete, Inc. for Phase 3 of the Public Works Material Yard Improvements in an Amount Not to Exceed \$147,529.20, be adopted.

In response to Councilman Rutledge's question, Superintendent Wakefield stated additional money has been budgeted for other items needed for the improvements, such as curtains in front of the salt bins, which are required by EPA regulations.

Roll Call Vote:
Ayes: Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Suess
Councilman Barbier

Nays: None

Absent: Councilwoman Fitch
Councilman Scalzo
Motion Carried Unanimously

10. Adopt Resolution R-2019-17, A Resolution Authorizing the Execution of Agreement No. 57 with R. W. Dunteman Co. for the 2019 Road, Sewer and Water Rehabilitation Program in the Amount of \$3,242.406.18

Councilman Rutledge moved and Councilman Suess seconded that Resolution R-2019-17, A Resolution Authorizing the Execution of Agreement No. 57 with R. W. Dunteman Co. for the 2019 Road, Sewer and Water Rehabilitation Program in the Amount of \$3,242.406.18, be adopted.

City Manager Dzugan stated staff has recommended the City enter into an agreement with R. W. Dunteman for the 2019 Road Program in the amount of \$3,242,406.18. Under the agreement, 3.6 miles of streets will be improved. In addition, the Public Works Department will resurface an additional 4 miles of streets this year. In response to Councilman Rutledge, City Manager Dzugan confirmed the program is approximately \$310,000 over budget, but the Water and Sewer Funds have sufficient reserves to cover the additional amount.

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

11. Adopt Resolution R-2019-18, A Resolution Authorizing the Purchase of Two Replacement Single Axle Plow Trucks from TransChicago Truck Group in the Amount of \$398,369 Through the Joint Purchasing Program with Sourcewell

Councilman Barbier moved and Councilman Suess seconded that Resolution R-2019-18, A Resolution Authorizing the Purchase of Two Replacement Single Axle Plow Trucks from TransChicago Truck Group in the Amount of \$398,369 Through the Joint Purchasing Program with Sourcewell, be adopted.

City Manager Dzugan stated staff has recommended the City replace two 12-year old plow trucks by purchasing two new trucks, plows and spreaders from TransChicago Truck Group through the Sourcewell Purchasing Cooperating for a total amount of \$398.369.

Roll Call Vote:
Ayes: Councilman Barbier
Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Suess

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

12. Council Comment

None.

13. Approval of Warrant

Councilman Suess moved and Councilman Barbier seconded that Warrant No. 748 in the amount of \$1,614,061.48, be approved.

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

14. Adjournment

Councilman Rutledge moved and Councilman Prendiville seconded that the regular Wheaton City Council Meeting be adjourned at 7:20 p.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

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: April 1, 2019