



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

April 1, 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 Scalzo
Councilman Suess

Absent: None

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
Holly Schulz, Director of Human Resources
Vincent Laoang, Director of Public Works
Sharon Barrett-Hagen, City Clerk

2. Presentations

Mayor Gresk read and presented a proclamation to Mr. Ted Witte, Allison Torrence and Carlo Treviso of the Environmental Improvement Commission declaring April 6 – 30, 2019 as “Earth Days” in the City of Wheaton. Mr. Witte thanked the Mayor and Council for the proclamation and invited everyone to participate in the recycling extravaganza on April 6 which will also include paint and syringe collection, native plant sale and prairie path clean up on April 27 and electronic recycling on the second Saturday of each month.

3. Citizens to Be Heard

None.

4. Consent Agenda

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

1. Approve the March 18, 2019 minutes of the regular Wheaton City Council.
2. Approve Bond Waiver and Authorize Issuance of Raffle License to DuPage Social Service Association.

Roll Call on Consent Agenda:
Ayes: Councilman Barbier
Councilwoman Fitch
Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Scalzo
Councilman Suess

Nays: None
Absent: None
Motion Carried Unanimously

5. Approve Reappointments to City Boards/Commissions

Mayor Gresk moved and Councilman Prendiville seconded that Erica Nelson be reappointed to the Community Relations Commission, Charles Hartman and Michael Savegnago be reappointed to the Board of Trustees Firefighters Pension Fund, and Teri Ash be reappointed to the Sister City Commission, all for 3-year terms, respectively.

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

Nays: None
Absent: None
Motion Carried Unanimously

6. First Reading of An Ordinance Amending Sections 26-54, 58-24.1, 58-24.2 and 58-24.3 of the Wheaton City Code

City Manager Dzugan stated the proposed amendments were discussed at the March 25, 2019 Planning Session. He indicated the amendments relate to uses on downtown sidewalks, such as sidewalk cafes, decorative landscape containers, outdoor merchandise displays and placard signs. City Manager Dzugan advised the item appears on the agenda as a first reading with formal action to be taken at the April 15, 2019 Council meeting.

Councilman Suess expressed concern with the requirement that outdoor tables and chairs be placed in the amenity zone adjacent to the street when they were typically placed close to the building. He asked if there would be any increased liability to the City with a requirement such be located in the amenity zone.

City Attorney Knippen stated he could not provide a definitive answer without further research, but feels each situation would need to be reviewed through the tort immunity act.

City Manager Dzugan stated staff has discussed reviewing each application for the appropriate location for outdoor tables and chairs as there may be some circumstances where it would be best not to place them in the amenity zone.

City Attorney Knippen stated he feels the tort immunity act would apply if the City uses discretion in making a decision on placement of outdoor furniture.

In response to Councilman Suess, City Manager Dzugan stated staff would revisit the wording in the proposed ordinance in this regard.

In response to Councilman Barbier, City Attorney Knippen stated the City would use its best judgment and discretion to determine where placement of outdoor furniture would be appropriate. City Manager Dzugan stated, as an example, placement near the street may not be the best location if parallel parking exists in that particular location due to conflicts with opening of vehicle doors.

7. First Reading of An Ordinance Amending Appendix B (Fee Schedule), Section B-7(B)(1)(a) (Engineering Department) of the Wheaton City Code.

City Manager Dzugan stated an amendment adjusting the site improvement fee from 2% of the cost of the site improvements to one half of one percent for local government entities was also discussed at the March 25, 2019 Planning Session. He advised the item appears on the agenda as a first reading with formal action to be taken at the April 15, 2019 Council meeting.

8. First Reading of an Ordinance Amending the Pay Schedules for Officers, Assistants and Employees of the City of Wheaton

City Manager Dzugan stated the proposed ordinance sets forth pay scales for approximately 40% of the City's work force, with the remaining 60% being union employees covered by collective bargaining agreements. He stated the plan includes a 2% pay increase for non-union employees. He stated this item also appears on the agenda as a first reading with formal action to be taken at the April 15, 2019 Council meeting.

Councilman Barbier feels the Council should discuss the City's pay plan and the benchmarking study in more detail at a planning session. He also feels this discussion should take place in collaboration with discussions on the levy. He had questions as to why the plan has been established in this manner.

City Manager Dzugan stated the benchmarking study has not yet been completed, but preliminary numbers indicate the City is behind 5% to 6% compared to our peers. The 2% increase is generally what union employees receive. He stated staff will review this further as part of next year's budget discussions and its impact on operating expenses.

In response to Councilman Barbier, City Manager Dzugan advised that estimated salary and pension increases are included as part of the budget draft. He stated in order to receive an increase, employees need to go through an evaluation process. He offered to meet with Councilman Barbier to go over the pay plan in more detail.

Mayor Gresk stated Councilman Rutledge wrote a letter to the newspaper explaining how the levy is arrived. He agrees it can be a mystery as to how this is done.

9. Adopt Resolution R-2019-19, A Resolution Authorizing the Purchase of a Ford F150 Crew Cab Pickup Truck from Morrow Brothers Ford Inc. for a Total Amount Not to Exceed \$23,520 Through the State of Illinois Joint Purchasing Program

Councilwoman Fitch moved and Councilman Rutledge seconded that Resolution R-2019-19, A Resolution Authorizing the Purchase of a Ford F150 Crew Cab Pickup Truck from Morrow Brothers Ford Inc. for a Total Amount Not to Exceed \$23,520 Through the State of Illinois Joint Purchasing Program, be adopted.

City Manager Dzugan stated the vehicle being replaced is 17 years old.

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

10. Adopt Resolution R-2019-20, A Resolution Authorizing the Execution of Contract No. 58 with Globe Construction, Inc. for Concrete Flatwork for the Annual Sidewalk Replacement Program and Miscellaneous Concrete Work for a Total Amount Not to Exceed \$170,000

Councilman Rutledge moved and Councilman Prendiville seconded that Resolution R-2019-20, A Resolution Authorizing the Execution of Contract No. 58 with Globe Construction, Inc. for Concrete Flatwork for the Annual Sidewalk Replacement Program and Miscellaneous Concrete Work for a Total Amount Not to Exceed \$170,000, be adopted.

City Manager Dzugan stated staff has recommended the City enter into a contract with Globe Construction in an amount not to exceed an amount of \$170,000 for concrete work for the City's annual sidewalk replacement program.

Councilman Rutledge indicated the bid was for \$119,262.50 and asked if we were doing additional work. City Manager Dzugan confirmed work would be done up to the budgeted amount of \$170,000 and 940 squares of sidewalk would be replaced.

Roll Call Vote:

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

Nays: None

Absent: None
Motion Carried Unanimously

11. Council Comment

Mayor Gresk complimented the contractor doing the streetscape work on Wesley Street for working so gently and quickly with such heavy equipment.

12. Approval of Warrant

Councilman Suess moved and Councilman Scalzo seconded that Warrant No. 749 in the amount of \$765,626.52, be approved.

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

Nays: None
Absent: None
Motion Carried Unanimously

13. Closed Session

Councilman Rutledge moved and Councilman Prendiville seconded that the Wheaton City Council adjourn to closed session at 7:24 p.m. for the purpose of discussing Pending Litigation 5 ILCS 120/2 (c) (11).

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

Nays: None
Absent: None
Motion Carried Unanimously

The City Council returned to the open portion of their meeting at 8:12 p.m.

14. Adjournment

Councilman Scalzo moved and Councilman Rutledge seconded that the regular Wheaton City Council Meeting be adjourned at 8:12 p.m.

The meeting was adjourned by unanimous voice vote.

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: April 15, 2019