



WHEATON CITY COUNCIL PROCEEDINGS

MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILWOMAN SUZANNE FITCH

COUNCILMAN JOHN RUTLEDGE | COUNCILMAN TODD SCALZO

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

May 20, 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 Philip J. Suess. Upon roll call, the following were:

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

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
Vincent Laoang, Director of Public Works
Michael Wakefield, Public Works Street Superintendent
Susan Wallace, Public Works Administrative Superintendent
Kevin Maloney, Public Works Forestry Superintendent
Robert R. Lehnhardt, Finance Director
Chad Michaelis, Director of Information Technology
Sharon Barrett-Hagen, City Clerk

2. Presentations

Mayor Suess presented Certificates of Excellence to the following 2019 National Merit Finalists: Luke Mondia & William Richards (Wheaton North High School), and David Taullahu (Wheaton Warrenville South High School). Connell Hecht, Daniel Hjellming & Stephen Parch (Wheaton Warrenville South High School students) and Gina Heaton (Benet Academy student) were not present.

Community Relations Commission Chair, Gail Forrest, along with Commission members Colleen Attwell, Shayne Moore, Tony Asta, Julie Kulovits, Erica Nelson, Sandy McKeen, Alex Mayster, Kay Frederick, Larniecia Smith and Marcella Incarnati presented the 2019 Good Citizen Awards to: Student Category – Karissa Paulsen, Selam Kahsay, Jenna Kortenhoeven, Emma Armbrust & Emma Goebel; Adult Category – Robert Jacobsen, Michael “Hawk” Gates, Donald & Diane Mattison, Doug Wicks, Laura Brady, Nancy Allured, Kristin Chmiel, Mehret Asgedom & Vickie Miller; and Group Category – The Board of the Student Excellence Foundation.

Mayor Suess read and presented a proclamation to Public Works Street Superintendent Wakefield proclaiming the week of May 19 through 25, 2019 as “National Public Works Week” in Wheaton and thanked Public Works Department for the work they do for the community.

3. Citizens to Be Heard

None.

4. Consent Agenda

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

1. Approve the May 6, 2019 minutes of the regular Wheaton City Council as submitted.
2. Adopt Resolution R-2019-32, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (50 Somerset Circle).

Roll Call on Consent Agenda:

Ayes: Councilman Scalzo
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilman Rutledge

Nays: None

Absent: None

Motion Carried Unanimously

5. Receive and Discuss An Ordinance Authorizing a Special Use Permit to Allow the Demolition of the Existing Bandshell, Concession/Restroom Facilities and Tennis Court at Memorial Park and the Construction and Use of a New Bandshell with Concessions and Restrooms Facilities and an Increase in Park District Activities for the Property Commonly Known as Memorial Park, 208 W. Union Avenue

Councilwoman Fitch moved and Councilman Barbier seconded to receive and discuss An Ordinance Authorizing a Special Use Permit to Allow the Demolition of the Existing Bandshell, Concession/Restroom Facilities and Tennis Court at Memorial Park and the Construction and Use of a New Bandshell with Concessions and Restrooms Facilities and an Increase in Park District Activities for the Property Commonly Known as Memorial Park, 208 W. Union Avenue

City Manager Dzugan stated a public hearing was held on April 8, 2019 and the Council had a discussion on an initial draft ordinance at the May 6, 2019 Council meeting where the Council requested a one year “look back” provision be included in the ordinance.

Ms. Kerry O’Brien, Executive Director, Wheaton Chamber of Commerce, spoke in favor of the proposed renovations. She stated the Chamber places a high value on their relationship with the Wheaton Park District and feels the proposed events at Memorial Park will increase the quality of life in the Wheaton community, as well as provide benefits to downtown businesses and restaurants. Ms. O’Brien believes the level of professionalism, responsibility and openness make the Park District responsible stewards of the park.

Ms. Paula Barrington, Executive Director, Downtown Wheaton Association, believes the Park District is one of the many great assets in the Wheaton community and displays a high standard for producing well executed events. She stated Downtown Wheaton is a gathering place and the events at Memorial Park

will bring many people into the downtown to patronize stores and dine in downtown restaurants. Ms. Barrington feels the Park District is a good and caring neighbor and will resolve any problems or issues that arise.

Ms. Brooke Leaton, 116 W. Union, appreciates the planned improvements to the park but feels this is an encroachment of the commercial corridor into her neighborhood. She is concerned about the removal of trees and would like to see them replaced with large deciduous trees rather than ornamental trees. Ms. Leaton stated the park is dedicated to veterans and would like it to be the City's victory garden and not destroyed by commercialization. She is also opposed to making Hale Street a one-way street with diagonal parking as she feels that would crowd and clutter the street in front of the residential homes. She raised concerns about noise and speakers directed away from the bandstand towards the residences. Ms. Leaton believes that a review after one year will provide a greater understanding of the impact the events will have on the neighborhood.

In response to Councilman Rutledge, Mr. Mike Benard, Executive Director, Wheaton Park District, stated while the District does not believe it is ideal to be contemplating a look back provision, they are prepared to move forward with their investment in the community and will accept the terms of the proposed ordinance. He confirmed they will be good stewards and a responsible partner to the community.

Councilman Barbier moved and Councilwoman Fitch seconded that Ordinance No. O-2019-21, An Ordinance Authorizing a Special Use Permit to Allow the Demolition of the Existing Bandshell, Concession/Restroom Facilities and Tennis Court at Memorial Park and the Construction and Use of a New Bandshell with Concessions and Restrooms Facilities and an Increase in Park District Activities for the Property Commonly Known as Memorial Park, 208 W. Union Avenue, be passed.

Councilman Rutledge expressed his support for the proposed ordinance.

Councilwoman Fitch stated she would also vote in favor of the ordinance as it contains a lot of important restrictions and requirements. She feels the Park District has been very cooperative throughout this process and believes they will be very respectful of and will address the concerns of the neighbors. Councilwoman Fitch stated she has been asked about the financial aspects of the project and wanted to confirm that the City Council is voting on this as a zoning issue, does not have any financial information and is not promoting or endorsing decisions made by the Park District Board.

Mayor Suess reiterated the City's cooperation and partnership with the Park District and feels the Park District is an integral part of the community.

	Roll Call Vote:
Ayes:	Councilman Barbier Councilwoman Bray-Parker Councilwoman Fitch Mayor Suess Councilman Rutledge Councilman Scalzo
Nays:	None
Absent:	None
	<u>Motion Carried Unanimously</u>

6. Receive Planning & Zoning Board Report Re: ZA #19-05/Special Use Permit/104 North Hale Street/Images Med Spa Wheaton Corp. and Pass Ordinance No. O-2019-21, An Ordinance Amending the Wheaton Zoning Map by Granting a Special Use Permit to Allow a Business and Professional Office (Medical Spa) to Occupy the Main Floor of an Existing Building in the C-2 Retail Core Commercial District – 104 North Hale Street/Images Med Spa Wheaton Corp.

Councilman Scalzo moved and Councilman Rutledge seconded that the Planning & Zoning Board Report Re: ZA #19-05/Special Use Permit/104 North Hale Street/Images Med Spa Wheaton Corp., be received.

Roll Call Vote:
Ayes: Councilman Scalzo
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilman Rutledge

Nays: None
Absent: None
Motion Carried Unanimously

City Manager Dzugan stated the Planning & Zoning Board unanimously recommended approval of a special use permit to allow a business and professional office, a medical spa, to occupy the main floor of the building located at 104 North Hale Street at their meeting on May 15, 2019.

Mr. Jeff Glazer, owner of Images Med Spa, stated they currently have four other locations in the Chicagoland area. He said they did a large amount of research on this location and feels it would be a good fit for their business.

Councilman Rutledge moved and Councilwoman Bray-Parker seconded that Ordinance No. O-2019-21, An Ordinance Amending the Wheaton Zoning Map by Granting a Special Use Permit to Allow a Business and Professional Office (Medical Spa) to Occupy the Main Floor of an Existing Building in the C-2 Retail Core Commercial District – 104 North Hale Street/Images Med Spa Wheaton Corp., be passed.

Roll Call Vote:
Ayes: Councilman Rutledge
Councilman Scalzo
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess

Nays: None
Absent: None
Motion Carried Unanimously

7. First Reading of An Ordinance Repealing and Replacing Chapter 42 “Offenses and Miscellaneous Provisions,” Article I “In General,” Section 42-3 “Hindering, Obstructing, Delaying Persons Using Public

Ways” of the Wheaton City Code with a New Chapter 42 “Offenses and Miscellaneous Provisions,” Article I “In General,” Section 42-8 Entitled “Blocking Passage”

City Manager Dzugan stated the ordinance before the Council amends a section of the City Code that prohibits the obstruction of public ways, including sidewalks. He advised the amendments were proposed based upon recent court decisions. He stated the item appears as a first reading, with formal action to be taken at the June 3, 2019 City Council meeting.

8. Approve Authorization to Illinois Department of Transportation to Award Contracts for the LAFO (Federal Funded) Street Resurfacing Projects for Harrison Avenue and President Street

Councilman Barbier moved and Councilman Scalzo seconded to approve authorization to Illinois Department of Transportation to award contracts for the LAFO (federal funded) street resurfacing Projects for Harrison Avenue and President Street.

City Manager Dzugan stated the resolution would authorize the City’s acknowledgment and commitment for additional funds for two federally funded repaving projects for Harrison Avenue and President Street. He indicated the bids received were higher than what was budgeted for this work and staff is looking to increase funding for the projects.

In response to Councilman Barbier, Director Redman stated the City is in the process of receiving approval of additional Federal funds by DuPage Mayors and Managers Conference in the amount of \$196,172.

	Roll Call Vote:
Ayes:	Councilman Barbier Councilwoman Bray-Parker Councilwoman Fitch Mayor Suess Councilman Rutledge Councilman Scalzo
Nays:	None
Absent:	None
	<u>Motion Carried Unanimously</u>

9. Adopt Resolution R-2019-33, A Resolution Authorizing the Execution of Contract No. 71 with Hoerr Construction, Inc. for the 2019 Sanitary Sewer Main Rehabilitation for a Total Amount Not to Exceed \$260,540.00

Councilman Rutledge moved and Councilwoman Fitch seconded that Resolution R-2019-33, A Resolution Authorizing the Execution of Contract No. 71 with Hoerr Construction, Inc. for the 2019 Sanitary Sewer Main Rehabilitation for a Total Amount Not to Exceed \$260,540.00, be adopted.

City Manager Dzugan advised the City received four bids for the annual sewer and storm main rehabilitation program, with the low bidder being Hoerr Construction in the amount of \$260,540.00. He noted funding for the project is through the Sanitary and Storm Sewer Funds.

In response to Councilman Rutledge, Director Redman stated taps protruding into the City’s sewer lines are removed robotically. He also explained that during the lateral lining process, the lining will pass the lateral openings, and the openings are then reinstated using robotic cutters.

Roll Call Vote:
Ayes: Councilman Rutledge
Councilman Scalzo
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess

Nays: None
Absent: None
Motion Carried Unanimously

10. Adopt Resolution R-2019-34, A Resolution Accepting an Illinois Department of Commerce and Economic Opportunity Parks Improvement Grant in the Amount of \$225,000.00 for Adams Park and Authorizing Execution of Grant Agreement

Councilman Scalzo moved and Councilwoman Bray-Parker seconded that Resolution R-2019-34, A Resolution Accepting an Illinois Department of Commerce and Economic Opportunity Parks Improvement Grant in the Amount of \$225,000.00 for Adams Park and Authorizing Execution of Grant Agreement, be adopted.

City Manager Dzugan thanked Senator Michael Connelly for finding this opportunity for the City.

Mayor Suess also expressed his thanks to Senator Connelly and Senator Ellman in ensuring the City received this grant.

Roll Call Vote:
Ayes: Councilman Scalzo
Councilman Barbier
Councilwoman Bray-Parker
Mayor Suess
Councilman Rutledge

Nays: Councilwoman Fitch
Absent: None
Motion Carried

11. Adopt Resolution R-2019-35, A Resolution Authorizing the Execution of Contract No. 59 with E. Hoffman, Inc. for Adams Park Renovations Phase I and II for a Total Amount Not to Exceed \$364,484.50

Councilman Barbier moved and Councilman Rutledge seconded that Resolution R-2019-35, A Resolution Authorizing the Execution of Contract No. 59 with E. Hoffman, Inc. for Adams Park Renovations Phase I and II for a Total Amount Not to Exceed \$364,484.50, be adopted.

City Manager Dzugan advised that the City received seven bids for the sidewalk work in Adams Park. He stated the resolution would authorize a contract with E. Hoffman, Inc. in the amount of \$364,484.50, with grant funding for \$225,000 of that cost.

Roll Call Vote:

Ayes: Councilman Barbier
Councilwoman Bray-Parker
Mayor Suess
Councilman Rutledge
Councilman Scalzo

Nays: Councilwoman Fitch
Absent: None
Motion Carried

12. Adopt Resolution R-2019-36, A Resolution Authorizing the Execution of Agreement No. 51 with Total Parking Solutions, Inc. for Parking Management Equipment, Software, and Services in the Amount of \$113,050.00, plus Ongoing Fees

Councilwoman Bray-Parker moved and Councilman Barbier seconded that Resolution R-2019-36, A Resolution Authorizing the Execution of Agreement No. 51 with Total Parking Solutions, Inc. for Parking Management Equipment, Software, and Services in the Amount of \$113,050.00, plus ongoing Fees, be adopted.

City Manager Dzugan stated the City received two bids for the Parking Technology Enhancement Project, Phase I, which involves two paystations at each train station, the ability to pay with a mobile device, a citation management system and a license plate recognition (LPR) system that will create significant efficiencies in parking enforcement. The low most qualified bidder was Total Parking Solutions for a total cost of \$113,050.

Councilman Rutledge questioned how this would work with the City's existing parking meters. Assistant City Manager Duguay stated the City has 269 parking meters and a majority of the meters would be removed, with the only remaining meters being located on Karlskoga Avenue, N. Hale Street and the vicinity of Willow Avenue as those locations are outside Special Services Area #2. He stated that initially the project would involve commuter parking and other parking will be included as part of Phase 2 at a later date. Assistant City Manager Duguay indicated the cost for daily commuter parking would remain the same at \$1.50 per day for the time being, but there would be a \$0.32 transaction fee for those paying using a mobile device.

Councilman Rutledge stated he is concerned about making it easy for visitors to park in Wheaton. He would like to remove all customer parking meters and would like to see some financial analysis regarding customer parking.

Councilwoman Fitch requested more information prior to voting on the non-commuter meter issue, specifically a map of the parking areas that would be included in the system. She feels parking should be considered on a block by block basis to determine if it should be paid parking or not.

In response to Councilman Rutledge, Assistant City Manager Duguay confirmed Phase 1 would include the commuter lots and on-street commuter parking on Crescent, Liberty, Carlton and Front west of West.

Mayor Suess stated the focus tonight is to purchase the equipment and focus on commuter parking with other parking discussed and considered at a later time.

In response to Councilwoman Bray-Parker, Assistant City Manager Duguay explained how the LPR and issuance of violation notices would work.

In response to Councilman Rutledge, Assistant City Manager Duguay stated it would take approximately 4 weeks to receive the equipment and then some time following that to implement. He stated tonight's approval would allow the purchase of the paystations, LPR equipment and software to move forward and staff would further discuss how other parking areas would be managed at a future planning session.

In response to Mayor Suess, Assistant City Manager Duguay confirmed parking could still be paid for in cash.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilman Rutledge
Councilman Scalzo
Councilman Barbier

Nays: None
Absent: None
Motion Carried Unanimously

13. Council Comment

Councilwoman Bray-Parker expressed her appreciation to the Community Relations Commission and stated she was particularly excited to see the contributions achievements of the students.

Mayor Suess issued a reminder that applications to fill the vacancy on the Council in the North District will be accepted up to May 28, 2019. He also complimented the Community Relations Commission and their hard work on the Good Citizen Award recognition program.

Mayor Suess congratulated Councilwoman Fitch on her selection for the 2019 class of Edgar Fellows out of nearly 170 nominees to one of the 40 slots available in the 2019 class.

14. Approval of Warrant

Councilman Scalzo moved and Councilman Rutledge seconded that Warrant No. 752 in the amount of \$2,932,058.88, be approved.

Roll Call Vote:
Ayes: Councilman Scalzo
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilman Rutledge

Nays: None
Absent: None
Motion Carried Unanimously

15. Adjournment

Councilman Rutledge moved and Councilman Barbier seconded that the regular Wheaton City Council Meeting be adjourned at 8:28 p.m.

	Roll Call Vote:
Ayes:	Councilman Rutledge Councilman Scalzo Councilman Barbier Councilwoman Bray-Parker Councilwoman Fitch Mayor Suess
Nays:	None
Absent:	None
	<u>Motion Carried Unanimously</u>

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: June 3, 2019