



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

June 3, 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
William Schultz, Fire Chief
William Murphy, Police Chief
Chad Michaelis, Director of Information Technology
Michael Wakefield, Public Works Street Superintendent
Sarang Lagvankar, Senior Project Engineer
Sharon Barrett-Hagen, City Clerk

2. Presentations

Mayor Suess read and presented a proclamation to Fire Chief Schultz, in honor of their receipt of the 2018/19 CDH EMS "Agency of the Year" award and thanked the Fire Department for the life-saving services they provide to the community. On behalf of the Fire Department, Chief Schultz expressed his appreciation for the acknowledgement and his appreciation for the dedication and professionalism of the members of the Department.

3. Citizens to Be Heard

None.

4. Consent Agenda

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

1. Approve the May 20, 2019 minutes of the regular Wheaton City Council as submitted.
2. Adopt Resolution R-2019-37, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (116 East Elm Street).

3. Adopt Resolution R-2019-38, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (317 North Elis Avenue).
4. Adopt Resolution R-2019-39, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (610 North Main Street).

Roll Call on Consent Agenda:

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

Nays: None

Absent: None

Motion Carried Unanimously

5. Pass Ordinance No. O-2019-23, An Ordinance Repealing and Rescinding Section 42-3 “Hindering, Obstructing, Delaying Persons Using Public Ways” of Article I “In General,” of Chapter 42 of the Wheaton City Code and Adopting a New Section 42-8 to be Entitled “Blocking Passage,” of Article I, “In General,” Chapter 42 “Offences and Miscellaneous Provisions”

Councilman Rutledge moved and Councilwoman Bray-Parker seconded that Ordinance No. O-2019-23, An Ordinance Repealing and Rescinding Section 42-3 “Hindering, Obstructing, Delaying Persons Using Public Ways” of Article I “In General,” of Chapter 42 of the Wheaton City Code and Adopting a New Section 42-8 to be Entitled “Blocking Passage,” of Article I, “In General,” Chapter 42 “Offences and Miscellaneous Provisions,” be passed.

City Manager Dzugan stated this item appeared as a first reading at the May 20, 2019 Council meeting. He indicated the ordinance is based upon recent court decisions and will amend a section of the City Code prohibiting the obstruction of public ways.

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

6. Approve Appointments to City Boards and Commissions

Mayor Suess moved and Councilwoman Fitch seconded that Linda Moran be appointed to the Historic Commission, Tameka Simone Morton be appointed to the Library Board and Rachel Maggio be appointed to the Sister City Commission, all for three-year terms respectively.

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

Nays: None
Absent: None
Motion Carried Unanimously

7. Adopt Resolution R-2019-40, A Resolution- Authorizing Execution of a Local Public Agency Agreement Amending with the Illinois Department of Transportation for Federal Participation in the Harrison Avenue Resurfacing Project

Councilman Scalzo moved and Councilman Barbier seconded that Resolution R-2019-40, A Resolution- Authorizing Execution of a Local Public Agency Agreement Amending with the Illinois Department of Transportation for Federal Participation in the Harrison Avenue Resurfacing Project, be adopted.

City Manager Dzugan indicated at their May 20, 2019 meeting, the Council acknowledged and committed additional funds in the amount of \$296,000 for two federally funded projects for Harrison Avenue and President/Blanchard Streets resurfacing. This resolution, along with the next resolution, formalizes that funding commitment.

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

Nays: None
Absent: None
Motion Carried Unanimously

8. Adopt Resolution R-2019-41, A Resolution Authorizing Execution of a Local Public Agency Agreement Amending with the Illinois Department of Transportation for Federal Participation in the Blanchard Street/President Street Resurfacing Project

Councilwoman Bray-Parker moved and Councilman Rutledge seconded that Resolution R-2019-41, A Resolution- Authorizing Execution of a Local Public Agency Agreement Amending with the Illinois Department of Transportation for Federal Participation in the Blanchard Street/President Street Resurfacing Project, be adopted.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess

Councilman Rutledge
Councilman Scalzo
Councilman Barbier

Nays: None
Absent: None
Motion Carried Unanimously

9. Adopt Resolution R-2019-42, A Resolution Approving Knautz Plat of Consolidation (301-317 East Prairie Avenue)

Councilwoman Fitch moved and Councilman Barbier seconded that Resolution R-2019-42, A Resolution Approving Knautz Plat of Consolidation (301-317 East Prairie Avenue), be adopted.

City Manager Dzugan advised the proposed consolidation would consolidate three lots into one.

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

10. Adopt Resolution R-2019-43, A Resolution Authorizing the Execution of Contract No. 72 with Trine Construction Corporation for the 2019 Water Main Replacement Project for a Total Amount Not to Exceed \$1,180,005

Councilman Rutledge moved and Councilwoman Bray-Parker seconded that Resolution R-2019-43, A Resolution Authorizing the Execution of Contract No. 72 with Trine Construction Corporation for the 2019 Water Main Replacement Project for a Total Amount Not to Exceed \$1,180,005, be adopted.

City Manager Dzugan noted the City received five bids for the annual water replacement program. He indicated the low bid of \$1,180,005 is \$180,000 over budget but there are sufficient monies in the Water Fund to cover this amount.

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

11. Adopt Resolution R-2019-44, A Resolution Authorizing the Purchase of the ArcGIS Annual Software Renewal from Environmental Systems Research Institute, Inc. (ESRI) for a Total Amount Not to Exceed \$21,459

Councilman Rutledge moved and Councilwoman Fitch seconded that R-2019-44, A Resolution Authorizing the Purchase of the ArcGIS Annual Software Renewal from Environmental Systems Research Institute, Inc. (ESRI) for a Total Amount Not to Exceed \$21,459, be adopted.

City Manager Dzugan stated the cost for this license renewal is slightly under budget.

Roll Call Vote:

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

Nays: None
Absent: None
Motion Carried Unanimously

12. Adopt Resolution R-2019-45, A Resolution Authorizing the Purchase of a Microsoft On-Premise Software License Renewal for a Total Amount Not to Exceed \$66,669 Through the State of Illinois Joint Purchasing Program

Councilman Barbier moved and Councilman Rutledge seconded that Resolution R-2019-45, A Resolution Authorizing the Purchase of a Microsoft On-Premise Software License Renewal for a Total Amount Not to Exceed \$66,669 Through the State of Illinois Joint Purchasing Program, be adopted.

City Manager Dzugan stated the resolution before the Council would renew the City's software license with Microsoft for the next three years.

Roll Call Vote:

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

Nays: None
Absent: None
Motion Carried Unanimously

13. Adopt Resolution R-2019-46, A Resolution Authorizing the Execution of Contract No. 73 with Thomas Engineering Group, LLC. for Engineering Services for Phase I Gary Avenue Between Harrison Avenue and Jewell Road for a Total Amount Not to Exceed \$165,826.59

Councilman Scalzo moved and Councilman Barbier seconded that Resolution R-2019-46, A Resolution Authorizing the Execution of Contract No. 73 with Thomas Engineering Group, LLC. for Engineering

Services for Phase I Gary Avenue Between Harrison Avenue and Jewell Road for a Total Amount Not to Exceed \$165,826.59, be adopted.

City Manager Dzugan stated the City received two bids for Phase I engineering services for improvements to Gary Avenue between Harrison and Jewell, which was discussed by the City Council at an October 2018 Planning Session. He indicated Phase I engineering is necessary for the project to be considered for federal funding. City Manager Dzugan advised staff will provide check point status project updates to the Council.

In response to Councilman Scalzo, Director Redman stated a roundabout is not being considered at the intersection of Gary and Harrison as more land would be needed and there are questions as to its efficiency. Councilwoman Fitch feels the intersection functions well for the most part and would rather see a focus on Prairie and modifications on Jewell.

In response to Councilwoman Bray-Parker, Director Redman confirmed the City will be collaborating with DuPage County and the Wheaton Park District on this project.

Roll Call Vote:

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

14. Adopt Resolution R-2019-47, A Resolution Authorizing Change Order No. 1 to Agreement No. 55 with A Lamp Concrete, Inc. for Phase 3 Public Works Material Yard Improvements for a Total Amount Not to Exceed \$69,782.23

Councilman Rutledge moved and Councilwoman Fitch seconded that Resolution R-2019-47, A Resolution Authorizing Change Order No. 1 to Agreement No. 55 with A Lamp Concrete, Inc. for Phase 3 Public Works Material Yard Improvements for a Total Amount Not to Exceed \$69,782.23, be adopted.

City Manager Dzugan stated the change order would involve removing the asphalt surfaces connecting the driving lane to the salt storage bins and replacing with concrete which was not include in the original proposal. With the change order, the project will come in approximately \$10,000 under budget. Superintendent Wakefield stated this work should conclude this project.

Roll Call Vote:

Ayes:	Councilman Rutledge Councilman Scalzo Councilman Barbier Councilwoman Bray-Parker Councilwoman Fitch Mayor Suess
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Nays: None
Absent: None
Motion Carried Unanimously

15. Adopt Resolution R-2019-48, A Resolution Authorizing the Purchase of Bulk Rock Salt from Compass Minerals America, Inc. Through the Joint Purchasing Program with DuPage County

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Resolution R-2019-48, A Resolution Authorizing the Purchase of Bulk Rock Salt from Compass Minerals America, Inc. Through the Joint Purchasing Program with DuPage County, be adopted.

City Manager Dzugan indicated the cost of bulk rock salt has increased 23% and this is a good opportunity to lock in pricing through the joint purchasing program.

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

Nays: None
Absent: None
Motion Carried Unanimously

Councilman Barbier stated that due to a conflict of interest, he would recuse himself from the discussion and vote regarding Regular Agenda New Business Item #11. Councilman Barbier left the meeting at 7:24 p.m.

16. Adopt Resolution R-2019-49, A Resolution Authorizing the Execution of an Intergovernmental Agreement Between the County of DuPage and the City of Wheaton for Mowing Along County Roads and Rights of Ways

Councilman Rutledge moved and Councilman Scalzo seconded that Resolution R-2019-49, A Resolution Authorizing the Execution of an Intergovernmental Agreement Between the County of DuPage and the City of Wheaton for Mowing Along County Roads and Rights of Ways, be adopted.

City Manager Dzugan advised the City will mow DuPage County right-of-way along Naperville Road between Seven Gables Park and Farnham Lane and will be reimbursed by the County for this work. He advised the City receives many complaints about long grass in this area and feels this will resolve some of those complaints.

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

Nays: None
Absent: Councilman Barbier
Motion Carried Unanimously

Councilman Barbier returned to the meeting at 7:25 p.m.

17. Adopt Resolution R-2019-50, a Resolution Authorizing the Execution of an Intergovernmental Police Service Assistance Agreement to Join the DuPage Metropolitan Emergency Response and Investigation Team (Merit)

Councilwoman Fitch moved and Councilman Rutledge seconded that Resolution R-2019-50, a Resolution Authorizing the Execution of an Intergovernmental Police Service Assistance Agreement to Join the DuPage Metropolitan Emergency Response and Investigation Team (Merit), be adopted.

City Manager Dzugan stated the proposed IGA coordinates and improves local police services in the County by creating the DuPage Metropolitan Emergency Response and Investigative Team (Merit) for shared services. He stated the team would assist in emergency situations that overwhelm individual local departments.

Councilman Rutledge questioned if the City would be represented on the board. Chief Murphy stated that may happen eventually, but not initially. In further response to Councilman Rutledge, Chief Murphy is aware of two DuPage communities that may not be participating at this time.

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

Nays: None
Absent: None
Motion Carried Unanimously

18. Council Comment

Councilman Rutledge complimented Councilman Scalzo on his finish in the Cosley Zoo Run over the weekend. Councilman Scalzo thanked the Park District and the Chamber of Commerce for a great Taste of Wheaton.

19. Approval of Warrant

Councilman Scalzo moved and Councilman Barbier seconded that Warrant No. 753 in the amount of \$372,967.34, be approved.

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

Nays: Councilman Rutledge
None
Absent: None
Motion Carried Unanimously

20. Closed Session

Councilwoman Fitch moved and Councilman Rutledge seconded that the Wheaton City Council adjourn to closed session at 7:28 p.m. for the purpose of discussing Filling a Vacancy on the City Council 5 ILCS 120/2 (c) (3).

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

Nays: None
Absent: None
Motion Carried Unanimously

The City Council returned to the open portion of their meeting at 8:06 p.m.

21. Adjournment

Councilman Rutledge moved and Councilman Scalzo seconded that the regular Wheaton City Council Meeting be adjourned at 8:07 p.m.

The motion to adjourn was unanimously approved by voice vote.

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: June 17, 2019