



WHEATON CITY COUNCIL PLANNING SESSION MINUTES

MAYOR PHILIP J. SUESS

COUNCILMAN MICHAEL BARBIER | COUNCILWOMAN ERICA BRAY-PARKER | COUNCILMAN SCOTT BROWN
COUNCILWOMAN SUZANNE FITCH | COUNCILWOMAN LYNN ROBBINS | COUNCILMAN SCOTT WELLER

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

Monday, July 25, 2022

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: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Absent: None

City Staff Present: Michael Dzugan, City Manager
John Duguay, Assistant City Manager
Vince Laoang, Public Works Director
Joe Tebrugge, Director of Engineering
Bob Lehnhardt, Director of Finance
Holly Schulz, Director of Human Resources

2. Public Comments

Matt Long, 419 Westwood, provided revised sidewalk information for his neighborhood to the City Council. He stated the purpose of his presentation and comments of other neighbors was to persuade the Council to move sidewalks closer to the street. He thanked the City Council members who have visited and appreciated the good communication on the topic of sidewalks with some councilmembers.

Susan Brinkman, 413 Birch, suggested there were cultural issues involved with the issue on installing new sidewalks in mature neighborhoods. She discussed the relationship between the City and property owner regarding rights and privileges of parkway use. She suggested the City, as owner of the parkway, should allow adjacent property owners to use the parkway at their own discretion, and property owner opinions and desires should carry significant weight. She stated the parties should pursue an agreement whereby property owners and the City would equally benefit.

Jim Covert, 2108 Driving Park, stated his main two concerns were safety and connectivity of the sidewalk to the north. He stated he met with staff and recommended changing the mid-block crossing near the intersection of Driving Park and Washington Street. He was pleased the new proposed designs show the sidewalk at a safer location. He stated ending the sidewalk near Geneva Road may encourage pedestrians to attempt to cross this busy road. He stated staff informed him that if his sprinkler system in the parkway is damaged, it would be his responsibility to repair, at his cost. He does not feel this is fair.

Nick Allen, 501 Westwood, stated he was pleased the Council supports installing new sidewalks in the neighborhood. He also supports the previous speakers regarding locating the sidewalks closer to the street. He was concerned about traffic and speeding, suggesting that a 3-way stop at the intersection of Westwood and Beecher would make the area more safe for pedestrians by slowing down traffic.

Doug Gilmour, 413 Westwood, supports moving the sidewalks closer to the street. He stated the process for deciding the sidewalk location is discriminatory against people who do not have flowers, plantings and trees in the parkway. He stated sidewalks are not consistently and fairly located in the draft designs. He stated the average cost of sidewalk installation in the neighborhood is \$4,000/residence and even if the cost in the future more than doubled, it would not be a significant cost should the rare occasion present itself to fix a water main break, explaining that the Water Division provided information that the water main has had very few required repairs. He suggested using a democratic approach giving residents a choice.

In response to Council questions, Mr. Gilmour stated he was discriminated against because the sidewalk policy is unequally applied. He also stated people who don't mulch or plant flowers in the adjacent parkway are discriminated against versus those who only desire grass in the parkway.

Dan Aderholdt, 409 Birch, understands the installation of sidewalks in the neighborhood will occur as part of a city-wide project. He requested the Council consider the neighbor's rational approach and prioritize resident concerns. He requested the communication continue. He offered to stay until the end of the meeting in case a councilmember had a question.

Erica Nelson, 1734 Kay, stated she had many questions and concerns related to the new sidewalk program. She asked the Council to consider the unique needs and circumstances of each neighborhood. She received communication from staff last week detailing the updated east terminus of the Kay Road new sidewalk. With the sidewalk ending in the street, she feels it is not safe design. She is not against new sidewalks but doesn't see the connection between policy and execution.

3. Approval of Planning Session Minutes – May 23, 2022

The Council approved the June 27, 2022 City Council Planning Session minutes.

4. Replacement of Public and Private Water Lead Services Program

City Manager Dzugan stated Water Division Superintendent McMillen would present a program developed by staff to replace all private and public lead water services in the City. He added Director of Finance Lehnhardt would discuss funding for the program. City Manager Dzugan stated there are 91 residences where only the private service is lead, 156 residences where both the public and private service line are lead and approximately 880 residences where only the public service lines are suspected to be lead. In order to ensure all lead services are replaced, staff is recommending the City pay for the cost of private lead service replacement which is anticipated to be approximately \$1.4MM.

Water Superintendent McMillen stated this program is in response to Strategic Priority 2, Goal E: Remove Lead Public and Private Services. He stated all City testing meets EPA regulations, there is no lead in the source water (Lake Michigan) and no lead in water mains. He stated potential sources of lead included private and public service lines and household plumbing fixtures or solder.

Water Superintendent McMillen stated Illinois House Bill 3739, Lead Service Line Replacement and Notification Act was passed in 2016 which in part required initiating an inventory of lead pipes and other

notification requirements. He described to the Council where the public and private services lines are in relation to the “b-box” and property line. He stated the vast majority of public and private service lines are either copper or cast/ductile iron. He stated that currently, when a lead service is identified, the City only replaces the public lead service line. With the approval of HB 3739, all lead service lines are to be replaced by April 15, 2042. The program Superintendent McMillen proposes will complete all lead services line replacements in Wheaton by 2031.

Superintendent McMillen stated the State requires “high-risk facilities” such as schools and day care centers be prioritized. He stated there are no lead public or private service lines at high-risk facilities in Wheaton. He expects to commence work at residences where only the private service lines are lead based on geographic water districts. This work includes 91 services replaced over 3 years costing approximately \$546,000. Concurrently, complete service line replacements would occur for those residences where both public and private service lines are lead. This part of the program is expected to take 5 years and cost \$1.56MM. Finally, replacement at residences with public only lead services is expected to take 10 years to complete at a cost of \$3.528MM.

In response to Council questions, Superintendent McMillen stated the suspected public lead services lines were determined by age of the water main (installed prior to 1950) and also records of work completed at neighboring houses where lead services were identified. He stated that some of the 880 suspected public lines would be found to be copper once dug up; therefore, expects the number of actual public lead service lines will be less than 880.

In response to Council questions, staff stated a resident will be required to sign a waiver if they refuse private lead service line replacement and the State may require the waiver or some other document to be recorded so future homeowners will be aware of the lead service lines. Superintendent McMillen stated the City website currently contains service line information for each home and a Lead Service Line Replacement Dashboard would be added soon so residents can determine when replacement is expected at their home.

In response to Council questions, Superintendent McMillen stated the City intends to clearly communicate the current favorable test results as the program is rolled out. He added the plan would be to group road work with this replacement, where possible.

Director of Finance Lehnhardt discussed the state of the Water Fund. He stated capital projects are typically funded with the difference between operating revenues and operating expenditures. His projections assume all of Superintendent McMillen’s proposed capital projects and the City funding 100% of lead service line replacement. Director Lehnhardt stated the last water rate increase was in 2015. His projections do not include a water rate increase. He added DuPage Water Commission has increased the cost of water by 4.2%, but the City has not passed that increase on to residents. He stated that in 2025, a rate increase may need to be considered if his projections hold, since the reserves are anticipated to fall below the desired 25% target reserve.

Director Lehnhardt stated Carol Stream recently conducted a survey of the typical monthly water bill for 26 DuPage Water Commission members. Wheaton residents pay the 5th lowest bill, on average. He added staff will continue to seek other funding sources such as grants and IEPA loans.

City Manager Dzugan summarized the program and stated that if approved, there were many other items to work through including legal notices, releases, etc. Mayor Suess stated he is in favor of the program as

presented and that it was important for the City to pay the 100% for private lead service replacement to ensure all lead services are replaced. It was the consensus of the Council to move ahead with the program.

5. Proposed New Program: Yard Flooding Improvement Reimbursement Program

City Manager Dzugan stated staff is bringing this program as an action item for Strategic Priority 2, Goal B: Use Innovative Methods to Address Flooding Issues. He stated this program deals specifically with “nuisance flooding” in yards.

Director of Engineering Tebrugge reviewed the proposed program stating there are some properties where water stagnates or are difficult to drain and this program would reimburse a resident for installing a private stormwater service connecting to the City storm main.

He stated this program provides for a 50% cost share up to \$5,000 and is not a first come – first serve program, residents will need to apply. The application period runs August 1 – February 1 and staff will then review and prioritize projects based on completing the application, the depth of yard flooding and any neighborhood benefits provided. If approved, the new storm service would need to be installed by that December.

In response to Council questions, Director Tebrugge stated this is not a program for someone with “overland flooding”. He stated anyone who is dissatisfied with their yard drainage and meets the basic criteria (depressional area at least 6-inches deep) should apply. Depending on applications received, they will have an opportunity to receive a grant/funding.

There was general discussion related to stagnant water and the length of time water might remain until absorbed. Director Tebrugge stated it depends on the size and depth of the depressional area and any methods or work a resident may do assist the area to drain.

In response to Council questions, Director Tebrugge stated there are many reasons for the increased nuisance yard flooding. He stated the primary reason was homes were built in areas that were already depressional. He added another issue is when residents alter the swale or drainage pattern with landscaping, etc., and that over time, the land does change with silt, lawn clippings, etc. He stated this program will not stop yards from flooding but will assist a much quicker removal of the water in the depressional areas.

There will be a maintenance agreement requirement, and Director Tebrugge spoke generally about the need to clean out the pipes and neighbors joining together when the depressional area covers more than one home.

In a consensus, the Council desired to move forward with the program.

6. Draft Ordinance Boards, Commissions, and Committees

City Manager Dzugan stated there have been multiple meetings to discuss changes related to the Boards and Commissions in the City Code. While he was introducing the draft changes at the Planning Session, the proposed code changes will be placed on the August 1, 2022 agenda for a first reading, with the second reading expected on August 15, 2022.

Councilwoman Fitch questioned the 5-year terms on the Planning & Zoning Board. Following Council discussion, it was the consensus of the Council to keep the Planning & Zoning Board term requirements the same as other boards which is 3-years as stated in the General Provisions. It was noted that there are no term limits for the Chair or for Commission members, so volunteers can remain active via the appointment process.

There was general Council discussion related to residency requirements for regulatory and non-regulatory Boards and Commissions. There are only currently 3 Commission members who do not reside within the corporate City limits. City Manager Dzugan stated the original draft mandated residency for all Boards and Commissions. At a later meeting, the residency requirement was eliminated. City Manager Dzugan stated the thought was that applications will be considered as part of the recommendation/approval process. At that time, the Council may review the appropriateness of a non-resident's application depending on the Commission.

In response to Council questions, City Manager Dzugan stated he would communicate and reach out to the Housing Commission after an ordinance was approved. He believes based on feedback and communication with the Commission that they are aware of the proposed changes. He added the Commission on Aging will be a challenge to kick start with a new purpose and direction.

7. City Council/City Staff Comments

Councilman Brown stated he appreciated most of the resident feedback related to sidewalks, complimenting speakers on their presentations. He asked staff to look closely at the sidewalk situations and felt it was very important to thoughtfully consider resident feedback. Councilman Brown took exception to one presenter's claim that some residents were granted privilege by the City based on whether or not flowers or plantings were placed in the parkway.

Councilwoman Fitch asked if the final designs would be presented to the Council at a future Planning Session. City Manager Dzugan suggested staff provide information to the Council summarizing the current prioritization thought process related to determining the placement of a sidewalk. He emphasized the importance of remaining consistent. The Council agreed with this suggestion.

Councilman Weller stated the parkway adjacent to his home will receive a new sidewalk. He added that not everyone on his street is pleased, but complimented staff on being available and responsiveness.

Mayor Suess asked people to look at the big picture with sidewalks. Wheaton is a residential community, with the goal of keeping people from walking in the street. He also complimented the efforts of the DWA for the "Christmas in July" event. He stated two local television stations showed stories on the event.

8. Closed Session – Collective Bargaining 5 ILCS 120/2(c)(2)

Councilman Barbier moved and Councilwoman Robbins seconded to go into Closed Session for the purpose of discussing collective bargaining.

9. Adjournment

The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

John M. Duguay