



WHEATON CITY COUNCIL PROCEEDINGS

MAYOR PHILIP J. SUESS

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

COUNCILWOMAN LYNN ROBBINS | COUNCILMAN JOHN RUTLEDGE | COUNCILMAN CHRISTOPHER ZARUBA

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

Monday, January 4, 2021

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
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba

Absent: None

City Staff Physically Present: Michael Dzugan, City Manager
James Knippen, City Attorney
Susan Bishel, Public Information Officer
Sharon Barrett-Hagen, City Clerk

City Staff Electronically Present: John Duguay, Assistant City Manager
James Kozik, Director of Planning & Economic Development
Joseph Tebrugge, Director of Engineering
Chad Michaelis, Director of I.T.
Pat Keegan, Assistant Director of I.T.
Daniel Peck, PR Coordinator

2. Citizens to be Heard

None.

3. Consent Agenda

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

1. Approve the minutes of the December 14, 2020 Public Hearing and the December 21, 2020 regular Wheaton City Council meeting as submitted.

Ayes: **Roll Call Vote on Consent Agenda:**
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilwoman Robbins

Councilman Rutledge
Councilman Zaruba

Nays: None
Absent: None
Motion Carried Unanimously

4. Adopt Resolution R-2021-01 – A Resolution Authorizing the Execution of a Market License Agreement with WFM26, LLC, Commencing on April 1, 2022

Councilman Rutledge moved and Councilman Zaruba seconded that Resolution R-2021-01 – A Resolution Authorizing the Execution of a Market License Agreement with WFM26, LLC, Commencing on April 1, 2022, be adopted.

City Manager Dzugan stated at the December 21, 2020 meeting, the City Council continued this item and directed staff to work with Bensidoun to vacate Lot 3 earlier on Saturdays to allow time for other City events to occur on the lot after the French Market closes. He feels use of the space will evolve over time and the City will have the ability to adjust to the demand for the space.

In response to Councilwoman Fitch, Director Kozik stated Lot 3 is used for leased parking for downtown employees during the week from 8-5.

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

5. Approve Reappointment to City Boards/Commissions

Mayor Suess moved and Councilman Rutledge seconded that Anthony Asta be reappointed to the Community Relations Commission and the Fine & Cultural Arts Commission, for a three-year term on each commission.

Roll Call Vote:
Ayes: Mayor Suess
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Nays: None

Absent: None
Motion Carried Unanimously

6. Pass Ordinance O-2021-01, An Ordinance Ratifying a Certain Mayoral Executive Order During the Declaration of Local State of Emergency – Executive Order 2020-11

Councilwoman Robbins moved and Councilwoman Bray-Parker seconded that Ordinance O-2021-01, An Ordinance Ratifying a Certain Mayoral Executive Order During the Declaration of Local State of Emergency – Executive Order 2020-11, be passed.

City Manager Dzugan advised the Mayor signed an executive order under the Declaration of Local Emergency authority which extended the benefits of the Families First Coronavirus Relief Act which expired the end of December 2020. He stated this ordinance ratifies Executive Order 2020-11 and extends benefits under the Act to the end of June 2021.

Councilwoman Fitch referred back to the meeting of May 18, 2020 and queried if the local state of emergency was still in effect. She questioned if a regular ordinance could be approved rather than the Mayor issuing an executive order. City Manager Dzugan advised that it was determined an executive order was appropriate in this instance due to the uncertainty of action Congress may take and to eliminate any possible gap in benefits.

In response to Mayor Suess, City Attorney Knippen confirmed the City Code provides discretion under the City Code for the Mayor to declare a local state of emergency.

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

Nays: None
Absent: None
Motion Carried Unanimously

7. Adopt Resolution R-2021-02, A Resolution Approving First Amendment to Lease Between City of Wheaton and Wheaton Park District – Presidents Park

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Resolution R-2021-02, A Resolution Approving First Amendment to Lease Between City of Wheaton and Wheaton Park District – Presidents Park, be adopted.

City Manager Dzugan reported the proposed lease amendment would address the Park District's concern with investing \$250,000 to \$300,000 on new playground equipment in Presidents Park and possibly losing that investment if the City determines Presidents Park can be used to provide flood storage in the area. He stated the amendment would require the City to reimburse the Park District for the equipment's depreciated value if the City removes the equipment. City Manager Dzugan feels this is

a fair approach to the Park District's concerns, while allowing the Park District to address the desires of the area's residents.

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

Nays: None
Absent: None
Motion Carried Unanimously

8. Adopt Resolution R-2021-03, A Resolution Authorizing the Purchase of a Renewal Subscription of CrowdStrike Falcon Complete Service from CDW Government, LLC for a Total Amount Not to Exceed \$46,728

Councilwoman Fitch moved and Councilwoman Robbins seconded that Resolution R-2021-03, A Resolution Authorizing the Purchase of a Renewal Subscription of CrowdStrike Falcon Complete Service from CDW Government, LLC for a Total Amount Not to Exceed \$46,728, be adopted.

City Manager Dzugan stated the City received one response to an RFP for computer security and protection.

In response to comments by Mayor Suess, Director Michaelis stated CrowdStrike was targeted for cyber intrusion in 2020 but was able to block it, and he expressed his confidence in them.

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

Nays: None
Absent: None
Motion Carried Unanimously

9. Council Comment

Councilman Rutledge stated he has received some kind comments for the help and support the City has provided to Wheaton restaurants.

Councilman Barbier commented on the passing of Ron Grego, who played for the Wheaton Tiger's football team and Northwestern University. He summarized his football career and mourned his passing.

Mayor Suess wished everyone a Happy New Year and expressed his hope for a better 2021. He thanked the residents who participated in "Light Up Wheaton" and encouraged everyone to leave their lights up a bit longer.

10. Approval of Warrant

Councilman Rutledge moved and Councilwoman Fitch seconded that Warrant No. 791 in the amount of \$895,446.06, be approved.

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

11. Adjournment

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 7:26 p.m.

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

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

Submitted for Approval: January 19, 2021