



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

City Council Special Meeting
Monday, March 23, 2020

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
Councilwoman Robbins
Councilman Zaruba

Electronically Present: Councilman Barbier
Councilwoman Bray-Parker
Councilwoman Fitch
Councilman Rutledge

Absent: None

City Staff Present: Michael G. Dzugan, City Manager
John M. Duguay, Assistant City Manager
James Knippen, City Attorney

2. Citizens to Be Heard

None.

3. Pass Ordinance No. O-2020-12, An Ordinance Amending Section 2-127 “Emergency Powers and Duties” of the Wheaton City Code

Councilman Rutledge moved and Councilwoman Robbins seconded that Ordinance No. O-2020-12, An Ordinance Amending Section 2-127 “Emergency Powers and Duties” of the Wheaton City Code, be passed.

City Manager Dzugan advised the proposed ordinance would amend the City Code provisions with regard to emergency declarations. He said the ordinance has general applicability and amends what the City Code states regarding emergency declarations. He indicated the second item on the agenda would be the execution of a local declaration of emergency and the third item is an ordinance extending the emergency declaration to April 30 and more specifically states items applicable to the coronavirus.

In response to Councilwoman Bray-Parker, City Manager Dzugan stated the actions listed in Section 2-130 of the ordinance may or may not be invoked, depending on the emergency situation. He advised the items are what could be authorized if necessary.

City Attorney Knippen stated the first item listed in Section 2-130 of the ordinance, which authorizes the Mayor to utilize all actions reasonably necessary to respond to the emergency, is deliberately vague because no one can anticipate what will be needed in an emergency and grants the City the flexibility it will need to deal with emergencies.

In response to Councilman Zaruba, City Attorney Knippen confirmed the nine actions listed are not mandatory but are available to use based on the specific nature of the emergency and are consistent with state statutes.

Mayor Suess asked for clarification on the rationale for amending the code and if it would facilitate the City in recouping expenses.

City Attorney Knippen advised it is no longer necessary to have an emergency declaration in place to receive federal or state aid. He stated the City's current ordinance dating back to 1968 was outdated as it mainly pertained to riots and needed to be updated.

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

4. Execution of City of Wheaton Declaration of Local State of Emergency, March 23, 2020

Mayor Suess signed the Declaration of Local State of Emergency which was attested by City Manager Dzugan

5. Pass Ordinance No. O-2020-13, An Ordinance Extending a Declaration of Local State of Emergency Entered Into March 23, 2020

Councilman Zaruba moved and Councilwoman Robbins seconded that Ordinance No. O-2020-13, An Ordinance Extending a Declaration of Local State of Emergency Entered Into March 23, 2020, be passed.

City Attorney Knippen stated current state statutes provide for a seven-day rollover of declarations of emergencies which would require the City Council to meet and approve a rollover. He stated we now know the state of emergency will probably remain in effect for longer than seven days and the proposed ordinance extends the date to April 30. City Attorney Knippen advised one of the primary purposes of the emergency declaration is to make sure people do not come in to meet and possibly enhance the transmission of the virus.

City Attorney Knippen confirmed the Mayor has the ability to declare the emergency over or the City Council could vote to declare the emergency over. Likewise, the declaration could be extended by the City Council if so needed.

In response to Councilwoman Robbins, City Attorney Knippen stated the Mayor has the ability to amend the emergency declaration to reference the Governor's executive "orders" rather than specifically Order 2020-07.

Councilwoman Bray-Parker asked if the City's boards and commissions understood they could meet through video or telephone conferencing. City Manager Dzugan replied that the boards and commissions were encouraged not to meet during the month of April.

Roll Call Vote:

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

Nays: None
Absent: None
Motion Carried Unanimously

Mayor Suess invited City Manager Dzugan to share any further comments he had. City Manager Dzugan reported the Crisis Management Team met and listened to Governor Pritzker's latest news conference. He stated the City was fully prepared to implement a shelter in place; however, the Governor directed a stay at home order. He feels the actions the City has taken with limiting access to the public and implementing stronger social distancing for staff will allow the City to continue to provide essential services while taking appropriate steps to protect the health and safety of residents and employees.

In response to Councilman Rutledge, City Manager Dzugan stated the City Council meeting of April 6 will probably be cancelled, and the second meeting of April may be cancelled as well.

Mayor Suess: thanked Wheaton residents for their cooperation as the City works through this situation; said it is important for people to stay home if they can; reported the City is in a position to continue to provide critical City services, particularly with respect to public safety; thanked the staff for their work to maintain the health and safety of residents and thanked his colleagues on the City Council for their on-going involvement during this emergency situation.

6. Adjournment

Councilwoman Robbins moved and Councilman Zaruba seconded that the regular Wheaton City Council Meeting be adjourned at 7:24 p.m.

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

Respectfully submitted,

Sharon Barrett-Hagen
City Clerk

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March 23, 2020

Submitted for Approval: April 20, 2020