



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, April 5, 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
John Duguay, Assistant City Manager
James Knippen, City Attorney
James Kozik, Director of Planning & Economic Development
Joseph Tebrugge, Director of Engineering
William Murphy, Police Chief
Holly Schulz, Director of Human Resources
Kevin Maloney, Public Works Forestry Superintendent
Susan Bishel, Public Information Officer
Andrea Rosedale, Executive Assistant
Sharon Barrett-Hagen, City Clerk

Electronically Present: Vince Laoang, Director of Public Works
Nathan Plunkett, Public Works Streets Superintendent
Lauren Bertolini, HR Generalist
Daniel Peck, PR Coordinator

2. Presentation – Police Officer Swearing-in Ceremony

Mayor Suess presided over the swearing-in ceremony for Police Officer Corey Eldridge following remarks by Police Chief Murphy.

Mayor Suess read and presented a proclamation to Ms. Evelyn Sanguinetti, Executive Director and Mr. Jay Mitchell, Board President of HOPE Fair Housing Center proclaiming April as National Fair Housing Act Month in the City of Wheaton. Ms. Sanguinetti stated that HOPE provides free services that include education, outreach, advocacy and enforcement against housing discrimination. She encouraged anyone who has encountered housing discrimination to contact HOPE at 630-690-6500.

Mayor Suess read and presented a proclamation to Mr. Ted Witte of the Environmental Improvement Commission proclaiming Earth Year 2021 in Wheaton. Mr. Witte thanked the Mayor and City Council and reminded everyone of the Recycling Extravaganza on April 10 in Lot 9 on Carlton Avenue.

Ms. Kay McKeen, Environmental Improvement Commission presented a Green Citizens Award to Public Works Forestry Superintendent Kevin Maloney in appreciation for the support and assistance he has provided to the Commission for their recycling activities. She stated they also presented a Green Citizens Award to Ms. Mary Vieregg for her past service on the Commission and her support for environmental issues.

3. Citizens to be Heard

Ms. Mehret Asgedom spoke of her family's resettlement as refugees in Wheaton in 1983 and her gratitude for the support her family has received over the years. She expressed disappointment that the City has not declared a Martin Luther King Day in Wheaton, particularly since the City issued a proclamation for Pride Month. Ms. Asgedom hopes there will be further conversations on this topic in the future.

4. Consent Agenda

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

1. Approve the minutes of the March 15, 2021 regular Wheaton City Council meeting as submitted.
2. Approve Bond Waivers and Issue Raffle Licenses to St. Michael Parish School and Bartlett Learning Center.
3. Adopt Resolution R-2021-18, A Resolution Authorizing the Disposal of Certain Surplus Property (PW).
4. Adopt Resolution R-2021-19, A Resolution Authorizing the Disposal of Certain Surplus Property (IT).

Roll Call Vote on Consent Agenda:

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 Reappointments and Appointment to City Boards and Commission

Mayor Suess moved and Councilwoman Robbins seconded that Krista Selvey be reappointed to the Community Relations Commission, Robert Young be reappointed to the Environmental Improvement

Commission, Donald Sender be reappointed to the Liquor Control Commission for three year terms, Nicole Aranas and Dan Wansung be reappointed to the Planning & Zoning Board for five year terms and Lori Bilske be appointed to the Sister City Commission for a three year term.

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. First Reading of An Ordinance Amending the Pay Schedules for Officers, Assistants and Employees of the City of Wheaton, Illinois

City Manager Dzugan stated this is a first reading of an ordinance which amends the City's pay schedules for the 2021/2022 year for those non-union employees. He indicated the recommendations are suggested in large part to maintain competitive pay schedules.

In response to Councilwoman Fitch, City Manager Dzugan stated other communities more reliant on sales, hotel and food and beverage taxes were more affected by the pandemic than Wheaton. He confirmed Wheaton has not reduced staff due to the pandemic.

In response to Councilman Barbier, Director Schulz stated the recommended pay schedules are geared toward keeping the entire pay scale within the 50th percentile based on the Compensation Study completed in 2019.

Councilman Rutledge expressed his support. He stated personnel is 70% of the City's budget and he supports competitive pay to hire and retain qualified employees.

Councilman Zaruba feels the City may lose out on qualified individuals if compensation is at the low to mid point of the scale.

Mayor Suess stated he is aware of situations where compensation has been an issue and believes the City needs to be competitive.

7. Pass Ordinance No. O-2021-11, An Ordinance Amending the Calendar Year 2021 Budget Contained in Ordinance No. O-2019-42

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Ordinance No. O-2021-11, An Ordinance Amending the Calendar Year 2021 Budget Contained in Ordinance No. O-2019-42, be passed.

City Manager Dzugan indicated the proposed ordinance would amend the 2021 budget in order to complete a capital project at the library which was put on hold last year as a result of COVID-19.

In response to Councilman Zaruba, City Manager Dzugan stated the money was budgeted in 2020, but rolled over to this year.

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-2021-20, A Resolution Authorizing the Purchase of One (1) Replacement Street Sweeper from Standard Equipment Company Through the Joint Purchasing Program with the Sourcewell Cooperative for a Total Amount Not to Exceed \$282,248

Councilman Rutledge moved and Councilman Zaruba seconded that Resolution R-2021-20, A Resolution Authorizing the Purchase of One (1) Replacement Street Sweeper from Standard Equipment Company Through the Joint Purchasing Program with the Sourcewell Cooperative for a Total Amount Not to Exceed \$282,248, be adopted.

City Manager Dzugan stated a recommendation has been made to replace the City's 2009 vacuum street sweeper. He indicated the cost is about \$58,741 over budget but there are sufficient reserves in the Vehicle Replacement Fund to cover the overage. He also advised that the City does thoroughly vet the cooperatives to ensure compliance with the competitive bid process.

In response to Councilwoman Fitch, Superintendent Plunkett stated the sweeper has had multiple breakdowns the past several years. He indicated the life of this type of street sweeper is typically eight years, and at 12 years, it is due for replacement. He also responded that the City does not contract out street sweeping and it is done in-house. Director Laoang stated the vacuum street sweepers, such as this, are more expensive as it includes more engineering and additional technologies. He stated the City also uses it for sweeping after roadway patching and grinding.

Councilwoman Robbins commented that a comparison with other units was not provided in the information presented to Council. City Manager Dzugan advised the cooperative performs that function through the bidding process.

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

9. Adopt Resolution R-2021-21, A Resolution Authorizing the Purchase of One (1) Replacement Snow Thrower from Bonnell Industries, Inc. Through the Joint Purchasing Program with the Sourcewell Cooperative for a Total Amount Not to Exceed \$115,724.07

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that Resolution R-2021-21, A Resolution Authorizing the Purchase of One (1) Replacement Snow Thrower from Bonnell Industries, Inc. Through the Joint Purchasing Program with the Sourcewell Cooperative for a Total Amount Not to Exceed \$115,724.07, be adopted.

City Manager Dzugan indicated this purchase would replace a 21-year-old snow thrower. He also indicated the cost is \$49,075 below budget.

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

10. Adopt Resolution R-2021-22, A Resolution Authorizing the Execution of Agreement No. 191 with Globe Construction, Inc. for Concrete Flatwork and Miscellaneous Concrete Work for a Total Amount Not to Exceed \$180,000

Councilwoman Robbins moved and Councilman Zaruba seconded that Resolution R-2021-22, A Resolution Authorizing the Execution of Agreement No. 191 with Globe Construction, Inc. for Concrete Flatwork and Miscellaneous Concrete Work for a Total Amount Not to Exceed \$180,000, be adopted.

City Manager Dzugan indicated the City received seven bids for concrete flatwork, sidewalks and some curbing throughout the City. He indicated \$180,000 has been included in the budget for this work.

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

11. Adopt Resolution R-2021-23, A Resolution Authorizing the Execution of Amendment #3 of Agreement #C36898 Between the City of Wheaton, Illinois and Lakeshore Recycling Systems, LLC for Solid Waste Collection and Disposal and Recycling Services

Councilman Rutledge moved and Councilman Barbier seconded that Resolution R-2021-23, A Resolution Authorizing the Execution of Amendment #3 of Agreement #C36898 Between the City of Wheaton, Illinois and Lakeshore Recycling Systems, LLC for Solid Waste Collection and Disposal and Recycling Services, be adopted.

City Manager Dzugan reported that at their March 22, 2021 Planning Session, the Council directed staff to prepare a three-year extension of the contract the City has with Lakeshore Recycling Systems. He stated the extension retains the pay as you throw (PAYT) approach with no flat fee.

Councilman Barbier indicated he will vote no on this extension as presented. He stated his costs would increase approximately \$100 a year and feels it should be reviewed more closely with respect to larger families.

Councilwoman Fitch expressed her opposition to the amendment and feels the rate increase is too high. She questioned if Lakeshore were trying to compensate for having too low of rates for the past few years.

Councilwoman Bray-Parker does not feel Lakeshore is trying to recoup past rates and is supportive of the PAYT approach.

Councilwoman Fitch is not objecting to the PAYT model as she feels it does reduce waste, but feels the increase is too high. She questioned if the larger carts could be eliminated or if the City could help subsidize the higher costs.

Councilman Rutledge indicated the Environmental Improvement Commission is strongly supportive of the PAYT approach. He stated a \$100 annual increase amounts to \$0.27 a day, and he would like to go ahead with a vote on the extension. He noted other rates have increased over the years, such as rates for water.

Councilman Zaruba would like to stay with the PAYT model and likes the idea of perhaps having the City help with the rate bump. He does not support a hybrid option of PAYT and a flat rate.

Mayor Sues feels the PAYT model gives residents the greatest amount of choice by keeping PAYT and not a flat rate. While he does not like rate increases, he feels this model gives residents greater flexibility in controlling their own costs.

Mr. Josh Connell, Lakeshore Recycling Systems, stated the rate will vary, but believes the average increase per household will be around \$5.00 per month.

In response to Councilman Barbier, Assistant City Manager Duguay stated the contract allows for residents to switch cart sizes at no charge during the months of September and October.

Roll Call Vote:

Ayes: Councilman Rutledge
Councilman Zaruba
Councilwoman Bray-Parker
Mayor Suess

Nays: Councilman Barbier
Councilwoman Fitch
Councilwoman Robbins

Absent: None
Motion Carried

12. Pass Ordinance No. O-2021-12, An Ordinance of the City of Wheaton Ratifying a Mayoral Executive Order Declaring a State of Emergency and Waiving Certain Requirements of city of Wheaton Ordinance 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, the Construction and Use of a New Bandshell with Concessions and Restroom Facilities and an Increase in Park District Activities for the Property Commonly Known as Memorial Park, 208 W. Union Avenue

Councilwoman Bray-Parker moved and Councilman Rutledge seconded that Ordinance No. O-2021-12, An Ordinance of the City of Wheaton Ratifying a Mayoral Executive Order Declaring a State of Emergency and Waiving Certain Requirements of city of Wheaton Ordinance 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, the Construction and Use of a New Bandshell with Concessions and Restroom Facilities and an Increase in Park District Activities for the Property Commonly Known as Memorial Park, 208 W. Union Avenue, be passed.

City Manager Dzugan advised the proposed ordinance ratifies the Mayor’s Executive Order 2021-01 which permits School District 200 to hold a certain number of choral and band rehearsals and performances at Memorial Park without counting toward the limits on outdoor concerns established by the special use permit. He stated this matter is coming before the Council due to restrictions placed on indoor events by the State’s COVID-19 mitigation plan.

Councilwoman Fitch supports the increase in concerts but questioned why an executive order was necessary rather than an ordinance amending the special use permit. City Manager Dzugan replied the outcome would be the same regardless of the approach, but believes it makes sense to prepare an executive order because of the pandemic.

City Attorney Knippen stated confirmed City is trying to develop a strategy because of COVID-19. He confirmed the underlying reason for this approach is the pandemic as we remain in an emergent situation.

City Manager Dzugan stated this would be considered a simple amendment to the special use permit which would not require a public hearing before the Planning & Zoning Board; however, he believes the executive order is appropriate as we are still in an emergency situation due to the pandemic.

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

13. Pass Ordinance No. O-2021-13, An Ordinance of the City of Wheaton Ratifying a Mayoral Executive Order Suspending Enforcement of Portions of the City of Wheaton Zoning Ordinance (Ordinance No. F-0393) and Chapter 6 “Alcoholic Beverages,” Sections 6-1 Through 6-132 of the Code of Ordinances of the City of Wheaton to Allow Occupancy of a Portion of Hale Street for Dining Tents and Associated Accoutrements

Councilman Barbier moved and Councilwoman Robbins seconded that Ordinance No. O-2021-13, An Ordinance of the City of Wheaton Ratifying a Mayoral Executive Order Suspending Enforcement of Portions of the City of Wheaton Zoning Ordinance (Ordinance No. F-0393) and Chapter 6 “Alcoholic Beverages,” Sections 6-1 Through 6-132 of the Code of Ordinances of the City of Wheaton to Allow Occupancy of a Portion of Hale Street for Dining Tents and Associated Accoutrements, be passed.

City Manager Dzugan stated the proposed ordinance ratifies the Mayor’s Executive Order 2021-02 which temporarily suspends portions of the Zoning Ordinance and City Code to allow tents on Hale Street, similar to what was done last year.

Ms. Elle Withall, Executive Director of the Downtown Wheaton Association, stated she was able to obtain private funding for the tents which will be up by May 1 and removed on September 7.

Councilman Barbier does not feel this should be done by executive order because he would like a change in the code to allow the tents on a more permanent basis rather just allowing the tents for COVID-19. He said he will, however, support the ordinance.

Mayor Suess stated the reason for the executive order comes down to one issue – COVID-19 – and the fact that the state of emergency declared by the Governor still exists. He feels this is an appropriate process.

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

14. Council Comment

Councilman Rutledge announced the French Market will open this weekend on Reber Street.

Mayor Suess reminded everyone of the Recycling Extravaganza this Saturday in Lot 9 on Carlton Avenue. He thanked Kevin Maloney for his 21 years of service to the City. Mr. Maloney confirmed Arbor Day will be at Jefferson School on April 30 where a sugar maple tree will be planted. Mayor Suess reminded everyone to vote on April 6.

15. Approval of Warrant

Councilman Rutledge moved and Councilwoman Fitch seconded that Warrant No. 797 in the amount of \$1,604,489.88 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

16. Adjournment

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 8:41 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: April 19, 2021