Monday, June 19, 2023

1. Call to Order and Roll Call
The regular Wheaton City Council Meeting was called to order at 7:01 p.m. by Mayor Philip J. Suess. Upon roll call, the following were:

Physically Present:  
Mayor Suess  
Councilman Clousing  
Councilwoman Robbins  
Councilman Weller  
Councilman Barbier  
Councilman Brown

Absent:  
Councilwoman Bray-Parker

City Staff Physically Present:  
Michael Dzugan, City Manager  
John Duguay, Assistant City Manager  
Dawn Didier, City Attorney  
James Kozik, Director of Planning & Economic Development  
Joseph Tebrugge, Director of Engineering  
Susan Bishel, Public Information Officer  
Princeton Youker, Deputy Police Chief  
Brian Gabryel, Police Lieutenant  
Jolanta Moryl, Assistant Director of Finance  
Andrea Roseda, City Clerk

City Staff Electronically Present:  
Nathan Plunkett, Street Superintendent

2. Presentations
Mayor Suess read and presented a proclamation to the community proclaiming June 19th through June 25th as Pride Week in the City of Wheaton.

Mrs. Glennette Tilley Turner shared a presentation on the historical significance of Juneteenth which commemorates the end of slavery in the United States. She shared Wheaton’s history as a stop on the Underground Railroad and spoke about some of the many African American residents who have made significant contributions to the community.

3. Citizens to be Heard
Kelly Hemmer, President of PFLAG DuPage thanked the Mayor and City Council for presenting the Pride Proclamation and for their support of the LGBTQ+ community.

Erica Nelson, Chair of the Community Relations Commission, thanked the Mayor and City Council members for their leadership and lifting the community.
Elizabeth Albert, Wheaton resident, expressed appreciation to the City Council for the Proclamation and recognized the community's support of diversity and inclusion.

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

1. Approve the minutes of the Wheaton City Council Regular Meeting – June 5, 2023, as submitted.

2. Adopt Resolution R-2023-46, A Resolution Approving 1502 East Roosevelt Road Consolidation.


4. Approve Bond Waiver/Raffle License – DuPage County 4-H Foundation.

Roll Call Vote:
Ayes:
Councilman Barbier
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: Councilwoman Bray-Parker

Motion Carried Unanimously

5. Approve Appointments to City Commission
Mayor Suess moved and Councilman Weller seconded that Andrea Clayton and Mariaines Valdez be appointed to the Community Relations Commission for three-year terms through June 19, 2026.

Roll Call Vote:
Ayes:
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilman Brown

Nays: None
Absent: Councilwoman Bray-Parker

Motion Carried Unanimously

6. Adopt Resolution R-2023-47, A Resolution Authorizing the Amendment of Agreement No. 366 with Flock Safety to Provide Additional Automated License Plate Recognition Cameras for a One (1) Year Lease and a Total Amount Not to Exceed $138,500 (5 Votes to Pass)
Councilman Brown moved and Councilman Clousing seconded that R-2023-47, A Resolution Authorizing the Amendment of Agreement No. 366 with Flock Safety to Provide Additional Automated License Plate Recognition Cameras for a One (1) Year Lease and a Total Amount Not to Exceed $138,500, be adopted.

City Manager Dzugan stated a one-year $138,500 grant was secured for 44 additional Automated License Plate Recognition Cameras to be located on private property at several entrances and exits of shopping centers and two public garages through a one-year lease.

Deputy Police Chief Youker stated the next two agenda items, funded by Illinois Attorney General Retail Crime Task Force Grants, would enhance public safety and its response to deter criminals and increase the desirability of retailers to operate in Wheaton.

Lieutenant Gabryel, reviewed camera locations. In response to Councilman Clousing, he confirmed there is no cost associated with the removal of all equipment at the end of the contract.

In response to Mrs. Mary Landreth, Gary Ave, Deputy Police Chief Youker stated that cameras were not secured for Wheaton Town Square as the focus was on businesses with large volumes of traffic.

Councilman Barbier requested an evaluation of data be shared to determine the product value at end of the lease term.

Councilman Weller reminded the community the software is strictly to monitor license plates and is not for facial recognition.

Roll Call Vote:

Ayes: Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller
Councilman Barbier

Nays: None
Absent: Councilwoman Bray-Park
Motion Carried Unanimously

7. Adopt Resolution R-2023-48, A Resolution Authorizing the Execution of Agreement No. 383 with Fusus for a One-Year Lease of Camera Integration Software and Core Network Appliances for a Total Amount Not to Exceed $150,000 (5 Votes to Pass)

Councilman Barbier moved and Councilman Weller seconded that R-2023-48, A Resolution Authorizing the Execution of Agreement No. 383 with Fusus for a One-Year Lease of Camera Integration Software and Core Network Appliances for a Total Amount Not to Exceed $150,000, be adopted.

City Manager Dzugan stated Fusus is a cloud-based camera integration system which allows for the linking of public and private cameras, including the City’s body worn cameras. He confirmed the one-year lease is also paid for by a grant from the Illinois Attorney General’s Organized Retail Crime Task Force. He stated exit strategies at lease termination would be dependent upon the value determined following an evaluation.
Deputy Police Chief Youker shared a diagram to illustrate the operating topology of Fusus. He confirmed data is CJIS compliant on the GOV Cloud through AWS and that camera sharing, and the level of sharing may be restricted by the camera system owner. He detailed that Memorandums of Understanding with the owners of retail, private properties, schools, the Park District and Wheaton College will integrate camera systems to allow linking.

**Roll Call Vote:**

**Ayes:**
- Councilman Barbier
- Councilman Brown
- Mayor Suess
- Councilman Clousing
- Councilwoman Robbins
- Councilman Weller

**Nays:**
- None

**Absent:**
- Councilwoman Bray-Parker

**Motion Carried Unanimously**

8. **Pass Ordinance O-2023-22, An Ordinance Amending the Wheaton Liquor Control Ordinance, Chapter 6 – Alcoholic Beverages Class Z Liquor License – Private Pickleball Club**

Councilman Brown moved and Councilman Weller seconded that O-2023-22, An Ordinance Amending the Wheaton Liquor Control Ordinance, Chapter 6 – Alcoholic Beverages Class Z Liquor License – Private Pickleball Club, be passed.

City Manager Dzugan stated the Liquor Control Commission recommended approval of the Class Z license to allow for the sale of beer and wine to members of a private pickleball club.

**Roll Call Vote:**

**Ayes:**
- Councilman Barbier
- Councilman Brown
- Mayor Suess
- Councilman Clousing
- Councilwoman Robbins
- Councilman Weller

**Nays:**
- None

**Absent:**
- Councilwoman Bray-Parker

**Motion Carried Unanimously**

9. **Approve Application for a Class Z Liquor License – Pickled – 288 E. Geneva Rd.**

Councilwoman Robbins moved and Councilman Brown seconded to Approve an Application for a Class Z Liquor License – Pickled – 288 E. Geneva Rd.

**Roll Call Vote:**

**Ayes:**
- Councilwoman Robbins
- Councilman Weller
- Councilman Barbier
10. **Adopt Resolution R-2023-49, A Resolution Authorizing the Purchase of Bulk Rock Salt from Compass Minerals America, Inc. through the Joint Purchasing Program with DuPage County to be Purchased on an as Needed Basis at the Price Per Ton Set Forth in Compass Minerals America, Inc.’s Cost Proposal**

Councilman Barbier moved and Councilwoman Robbins seconded that R-2023-49, A Resolution Authorizing the Purchase of Bulk Rock Salt from Compass Minerals America, Inc. through the Joint Purchasing Program with DuPage County to be Purchased on an as Needed Basis at the Price Per Ton Set Forth in Compass Minerals America, Inc.’s Cost Proposal, be adopted.

**Roll Call Vote:**

**Ayes:**
- Councilman Barbier
- Councilman Brown
- Mayor Suess
- Councilman Clousing
- Councilwoman Robbins
- Councilman Weller

**Nays:** None

**Absent:** Councilwoman Bray-Parker

**Motion Carried Unanimously**

11. **Adopt Resolution R-2023-50, A Resolution Authorizing the Execution of Agreement No. 384 with Herlihy Mid-Continent Company for the Creekside Drive Bridge Replacement for a Total Amount Not to Exceed $1,343,159.23**

Councilman Barbier moved and Councilman Clousing seconded that R-2023-50, A Resolution Authorizing the Execution of Agreement No. 384 with Herlihy Mid-Continent Company for the Creekside Drive Bridge Replacement for a Total Amount Not to Exceed $1,343,159.23, be adopted.

City Manager Dzugan stated the cost to replace the bridge is $750,000 over budget. He detailed that based on bids received and a review of line-item expenses, rebidding would not result in a cost reduction as it appears the initial estimate was inaccurate from the engineers. He stated the bridge is an important north to south linkage particularly to our fire and emergency response.

In response to Councilman Brown, City Manager Dzugan confirmed the Capital Project Fund contains sufficient funds to cover the over budget expense.

**Roll Call Vote:**

**Ayes:**
- Councilman Barbier
- Councilman Brown
- Mayor Suess
12. Receive Planning & Zoning Report Re: ZA #23-11/ FAR and Front Yard Setback Variations/ 603 N. West Street/ Pearse and Pass Ordinance O-2023-23, An Ordinance Granting Floor Area Ratio (FAR) and Front Yard Setback Variations on a Certain Piece of Property Commonly Known as 603 N. West Street – Pearse

Councilman Brown moved and Councilman Weller seconded that Planning and Zoning Report Re: ZA #23-11/ FAR and Front Yard Setback Variations/ 603 N. West Street/ Pearse, be received.

Roll Call Vote:

Ayes: Councilman Brown
      Mayor Suess
      Councilman Clousing
      Councilwoman Robbins
      Councilman Weller
      Councilman Barbier

Nays: None

Absent: Councilwoman Bray-Parker

Motion Carried Unanimously

City Manager Dzugan stated the recommendation from the Planning & Zoning Board would approve variations from the required 40% to 44.6% for floor area ratio and an approximate 2-foot front yard setback variation.

Councilman Weller moved and Councilman Brown seconded that O-2023-23, An Ordinance Granting Floor Area Ratio (FAR) and Front Yard Setback Variations on a Certain Piece of Property Commonly Known as 603 N. West Street – Pearse, be passed.

Roll Call Vote:

Ayes: Councilman Weller
      Councilman Barbier
      Councilman Brown
      Mayor Suess
      Councilman Clousing
      Councilwoman Robbins

Nays: None

Absent: Councilwoman Bray-Parker

Motion Carried Unanimously
Councilwoman Brown moved and Councilman Clousing seconded that the Annual Comprehensive Financial Report for the Fiscal Year Ended December 31, 2022, be received.

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller
Councilman Barbier

Nays: None
Absent: Councilwoman Bray-Parker

Motion Carried Unanimously

Anthony Cervini from Sikich presented an overview of the Annual Comprehensive Financial Report (ACFR). He stated the City voluntarily prepares the ACFR that goes above and beyond what you are required to provide and present in terms of Generally Accepted Accounting Principles (GAAP) as well as compiled statutes to offer full disclosure and transparency to taxpayers. He highlighted the City’s receipt of the Government Finance Officers Association Certificate of Achievement for excellence in financial reporting. Mr. Cervini stated the Management’s Discussion and Analysis (MD&A) is an executive summary that contains comparative information and offers context to financial information throughout the ACFR. He stated the City received a clean, unmodified opinion on the City’s financials as of and for the fiscal year ended December 31, 2022 and is the highest level of assurance as auditors they can provide. In addition, they reported no deficiencies or material weaknesses were noted during the course of the audit and stated the City’s internal control structure was sound based on their review.

In response to Mayor Suess, Mr. Cervini stated the adjustments are for recording the impact related to IMRF and the public safety pension funds and updating the actuarially determined figures in the ACFR from the actuarial valuation reports as of December 31, 2022.

14. Council Comment
Councilwoman Robbins highlighted upcoming events this summer including the Andy Warhol Exhibit at the College of DuPage and Vintage Rides hosted by the DWA. She reported on new retail and restaurant businesses opening in Wheaton and thanked Jim Kozik, Vicky Austin and Allison Orr for their contributions to Wheaton’s growth.

Councilman Brown stated that proclamations should not distract from the business of the City Council. He stated that proclamations are at the discretion of the Mayor and are not voted on by the Council and may leave out numerous other worthy groups and individuals.

Councilman Clousing thanked the Wheaton Fire Department for the tour. He welcomed Punch Barber Shop on Liberty. He stated that Rudy Keller coordinated the return of the Field of Honor at Seven Gables Park on June 30th through July 4th and highlighted 10,000 visitors are expected this year. He stated that Jim Cornelison will sing the National Anthem at 7pm on July 2nd. He noted that he is also not in favor of the use of blanket proclamations that don’t recognize resident accomplishments.
Mayor Suess reflected upon the grand opening of the new Chipotle restaurant at 4105 Naperville Road.

15. Approval of Warrant
Councilman Barbier moved and Councilman Brown seconded that Warrant No. 850 in the amount of $1,510,178.43, be approved.

Roll Call Vote:
Ayes: Councilman Barbier
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: Councilwoman Bray-Parker
Motion Carried Unanimously

16. Adjournment
Councilwoman Robbins moved and Councilman Barbier seconded that the regular Wheaton City Council Meeting be adjourned at 8:09 p.m.

Roll Call Vote:
Ayes: Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilman Brown
Mayor Suess
Councilman Clousing

Nays: None
Absent: Councilwoman Bray-Parker
Motion Carried Unanimously

Respectfully submitted,

Andrea Rosedale
City Clerk

Submitted for Approval: July 17, 2023