



# WHEATON CITY COUNCIL PROCEEDINGS

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, June 21, 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  
Councilman Brown  
Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller

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  
Russell Peacock, Development Engineer  
William Schultz, Fire Chief  
Dave DiClementi, Fire Inspector  
Members of the Wheaton Fire Department  
Chad Michaelis, Director of Information Technology  
Susan Bishel, Public Information Officer  
Andrea Rosedale, Executive Assistant  
Sharon Barrett-Hagen, City Clerk

City Staff Electronically Present:

Kinga Konkol, Senior Systems Analyst

## 2. Presentations

Mr. Justin Williams, EMS Coordinator, Northwestern Central DuPage Hospital, presented the Wheaton Fire Department with the hospital's 2020 EMS Agency of the Year Award. Mr. Williams spoke of the significance of receiving the award in 2020, a year which presented extraordinary challenges and personal risk to EMS personnel. Chief Schultz accepted the award on behalf of the Fire Department.

Mayor Suess read a proclamation proclaiming June 21 through June 27 a Pride Week in Wheaton.

Councilman Brown read a statement stating he feels proclamations are ambiguous and are often done without input from other members of the City Council. He feels the Council should codify and define what and/or who proclamations should be used for, and feels the proposed ordinance should explicitly exclude all people groups with the exception of Wheaton residents, as many other groups who also share in our community were not included in this proclamation. Councilman Brown stated the Council is

non-partisan and is charged with exercising policy making on behalf of the residents of Wheaton and needs to give their full attention to the business of Wheaton.

Mr. Matt Larson, Executive Director, Wheaton Sanitary District, gave a presentation on the District's Northside Interceptor Project. Mr. Larson reviewed the project background, the project overview and schedule, as well as resident outreach. In response to questions from Council, he detailed the streets that will be torn up during the construction and stated once construction was completed, the District would rehabilitate the areas affected by the construction work.

**3. Citizens to be Heard**  
None

**4. Consent Agenda**

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

1. Approve the minutes of the June 7, 2021 regular Wheaton City Council meeting as submitted.
2. Adopt Resolution R-2021-52, A Resolution Authorizing the Issuance of Solid Waste Collection and Disposal Licenses.
3. Adopt Resolution R-2021-53, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (614 N. Wheaton Avenue).
4. Adopt Resolution R-2021-54, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (103 Triple Crown Court).
5. Adopt Resolution R-2021-55, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (1815 Golden Pond Lane).
6. Adopt Resolution R-2021-56, A Resolution for the Improvement Under the Illinois Highway Code (2021 Road, Sewer, and Water Rehabilitation Program).

**Roll Call Vote on Consent Agenda:**

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

Nays: None  
Absent: None

Motion Carried Unanimously

**5. Pass Ordinance No. O-2021-33, An Ordinance Amending the Code of Ordinances of the City of Wheaton – Chapter 58 – Streets, Sidewalks, and Other Public Places**

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that Ordinance No. O-2021-33, An Ordinance Amending the Code of Ordinances of the City of Wheaton – Chapter 58 – Streets, Sidewalks, and Other Public Places, be passed.

City Manager Dzugan advised this ordinance appeared at the last meeting as a first reading and stated it would amend two existing code provisions related to the construction of driveway approaches.

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

**6. Pass Ordinance No. O-2021-34, An Ordinance Amending Section 2-142 “Powers and Duties” of Division 3, “City Manager” of Article III, “Officers” of Chapter 2, “Administration” of the Code of Ordinances of the City of Wheaton (Construction, Use and Indemnification Agreements)**

Councilwoman Robbins moved and Councilman Barbier seconded that Ordinance No. O-2021-24, An Ordinance Amending Section 2-142 “Powers and Duties” of Division 3, “City Manager” of Article III, “Officers” of Chapter 2, “Administration” of the Code of Ordinances of the City of Wheaton (Construction, Use and Indemnification Agreements), be passed.

City Manager Dzugan stated this ordinance appeared at the last meeting as a first reading and would amend the City Code to authorize the City Manager to sign and approved construction, use, and indemnification agreements.

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

**7. Approve Appointments to City Boards and Commission**

Mayor Suess moved and Councilwoman Fitch seconded that Meg Beasley be appointed to the Community Relations Commission, Seema Wadia be appointed to the Environmental Improvement Commission, each for a three-year term and Jessica Wozniak be appointed to the Environmental Improvement Commission for a term ending October 7, 2022 (filling the remainder of former member Khizar Jafri’s term).

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

**8. Pass Ordinance No. O-2021-35, An Ordinance Amending Ordinances E-3191, E-3328, F-1260, F-1578, F-1676, F-1935 and F-1963 “An Ordinance Granting a Special Use Permit for Planned Unit Development on a Certain Piece of Property Commonly Located at the Northeast Corner of Naperville and Butterfield Roads – S & W Associates/Danada Farms East C-3 General Business District**

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Ordinance No. O-2021-35, An Ordinance Amending Ordinances E-3191, E-3328, F-1260, F-1578, F-1676, F-1935 and F-1963 “An Ordinance Granting a Special Use Permit for Planned Unit Development on a Certain Piece of Property Commonly Located at the Northeast Corner of Naperville and Butterfield Roads – S & W Associates/Danada Farms East C-3 General Business District, be passed.

City Manager Dzugan stated the proposed ordinance amends the existing PUD ordinances for the Danada Square East Shopping Center to permit the former PDQ fast-food restaurant to be remodeled for occupancy by Panera Bread, which is relocating from Rice Lake Square. He confirmed this is considered a major change to the PUD but can be approved without a public hearing if the changes are deemed to be in substantial conformity with the original PUD.

Councilman Weller stated he is generally supportive of this amendment, but expressed concerns about the substantial traffic back up issues at Starbucks. Director Kozik indicated a primary reason for Panera Bread to relocate to Danada East is to have a drive-thru option, which is a different design from Starbucks’ drive thru. City Manager Dzugan stated staff will research the traffic issues at Starbucks and work with them and the shopping center owners for a solution.

**Roll Call Vote:**  
Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess  
Councilwoman Fitch

Councilwoman Robbins  
Councilman Weller

Nays: None  
Absent: None  
Motion Carried Unanimously

**9. Approve Comprehensive Plan/Market Study/Zoning Ordinance Update – Roosevelt Road Corridor Study – Market Study Update Proposal**

Councilman Barbier moved and Councilman Brown seconded to Approve Comprehensive Plan/Market Study/Zoning Ordinance Update – Roosevelt Road Corridor Study – Market Study Update Proposal

City Manager Dzugan indicated staff felt it might be beneficial to update the market study done approximately three years ago for the Roosevelt Road Corridor post-COVID per the proposal received from Valarie Kretchmer and Associates.

Councilman Barbier feels the market has not reached a post-COVID equilibrium, and he would rather not pay for data that is not actionable.

Ms. Kretchmer believes the market is now more stabilized with a lot of activity on the retail front in other locations and feels this may be an opportune time to see what retail brokers are projecting. She stated the office market was hurting prior to COVID and she sees few changes.

Councilman Barbier stated he is not seeing the connection between this proposal and the Camiros report and will vote no on this proposal.

Councilwoman Fitch stated the market study was just one part of the component and the plan was not only about what the market dictates.

In response to Councilwoman Bray-Parker, Ms. Kretchmer stated this is about general trends, not specific properties along Roosevelt Road. Councilwoman Bray-Parker agrees this is one component of a very large project.

In response to Mayor Suess's request for more detail as to changes in retail post-COVID, Ms. Kretchmer stated anything that is more convenient, grocery stores and stores selling staples did well. She stated she does not believe on-line sales will be the death knell for brick and mortar, but regional malls may have problems. Ms. Kretchmer stated there is a lot of interest in eating, drinking and entertainment in secondary locations, such as Roosevelt Road.

**Roll Call Vote:**

Ayes: Councilwoman Bray-Parker  
Councilman Brown  
Councilwoman Fitch  
Councilman Weller

Nays: Councilman Barbier  
Mayor Suess  
Councilwoman Robbins

Absent: None  
Motion Carried

**10. Receive Planning & Zoning Board Report Re: ZA-#21-15/Special Use and Variations/908 E. Roosevelt Road/McCON Building Corporation**

Councilwoman Fitch moved and Councilwoman Robbins seconded to receive the Planning & Zoning Board Report Re: ZA-#21-15/Special Use and Variations/908 E. Roosevelt Road/McCON Building Corporation

City Manager Dzugan stated the Planning & Zoning Board recommended approval of a special use permit and variations for the redevelopment of the former Wheaton Rental property on Roosevelt Road with a Culver's restaurant with three conditions.

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

Councilwoman Fitch stated the issue of stacking will need to be considered carefully with the proposed two drive-thru lanes.

In response to Councilwoman Bray-Parker, Director Kozik stated City Code limits the hours for garbage collection. He advised a notice would be sent to the garbage collection company if a complaint is received about garbage collection outside of allowed hours and if it continues, the City Council could revoke the company's license.

**Pass Ordinance No. O-2021-36, An Ordinance Granting a Special Use Permit and Variations to Allow the Construction and Use of a 4,385 Square Foot Fast-Food and Drive-In Restaurant (Culver's) on a Certain Piece of Property Commonly Known as 908 E. Roosevelt Road – McCON Building Corporation**

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Ordinance No. O-2021-36, An Ordinance Granting a Special Use Permit and Variations to Allow the Construction and Use of a 4,385 Square Foot Fast-Food and Drive-In Restaurant (Culver's) on a Certain Piece of Property Commonly Known as 908 E. Roosevelt Road – McCON Building Corporation, be passed.

**Roll Call Vote:**  
Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess

Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller

Nays: None  
Absent: None  
Motion Carried Unanimously

**11. Adopt Resolution R-2021-57, A Resolution Authorizing the Execution of Agreement No. 201 with CMS Solutions for a Mitel Telephone System Upgrade for a Total Amount Not to Exceed \$31,350**

Councilman Brown moved and Councilman Weller seconded that Resolution R-2021-57, A Resolution Authorizing the Execution of Agreement No. 201 with CMS Solutions for a Mitel Telephone System Upgrade for a Total Amount Not to Exceed \$31,350, be adopted.

City Manager Dzugan advised the City received three bids for an upgrade to the City's Mitel telephone system. While not included in the 2020 CY budget, he stated there are sufficient funds in the Replacement Fund to accommodate the expense and allow the City to take advantage of aggressive pricing.

Ayes: **Roll Call Vote:**  
Councilman Brown  
Mayor Suess  
Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller  
Councilman Barbier  
Councilwoman Bray-Parker

Nays: None  
Absent: None  
Motion Carried Unanimously

**12. Adopt Resolution R-2021-58, A Resolution Authorizing the Purchase of Six (6) Replacement Vehicles for the Police and Fire Departments from Currie Motors Fleet Through the Joint Purchasing Program with the Suburban Purchasing Cooperative for a Total Amount Not to Exceed \$225,330**

Councilwoman Bray-Parker moved and Councilman Barbier seconded that Resolution R-2021-58, A Resolution Authorizing the Purchase of Six (6) Replacement Vehicles for the Police and Fire Departments from Currie Motors Fleet Through the Joint Purchasing Program with the Suburban Purchasing Cooperative for a Total Amount Not to Exceed \$225,330, be adopted.

City Manager Dzugan stated the proposed resolution authorizes the purchase of four police and two fire vehicles. He advised the budget includes \$286,900 which includes the cost to outfit the units with certain equipment.

Ayes: **Roll Call Vote:**  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess  
Councilwoman Fitch

Councilwoman Robbins  
Councilman Weller  
Councilman Barbier

Nays: None  
Absent: None  
Motion Carried Unanimously

**13. Adopt Resolution R-2021-59, A Resolution Authorizing the Purchase of Network Security Testing Services from Illumant for a Three-Year Term and for a Total Amount Not to Exceed \$20,232**

Councilwoman Robbins moved and Councilman Brown seconded that Resolution R-2021-59, A Resolution Authorizing the Purchase of Network Security Testing Services from Illumant for a Three-Year Term and for a Total Amount Not to Exceed \$20,232, be adopted.

City Manager Dzugan stated the City received five bids for network security testing services.

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

**14. Adopt Resolution R-2021-60, A Resolution Authorizing the Execution of Agreement No. 215 with Plote Construction Inc. for the 2021 Road, Sewer, and Water Rehabilitation Program for a Total Amount Not to Exceed \$4,691,917.85**

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Resolution R-2021-60, A Resolution Authorizing the Execution of Agreement No. 215 with Plote Construction Inc. for the 2021 Road, Sewer, and Water Rehabilitation Program for a Total Amount Not to Exceed \$4,691,917.85 be adopted.

City Manager Dzugan stated the City received two bids for the 2021 road program. He advised a listing of the streets that will be reconstructed or resurfaced are included on Exhibit A.

In response to Councilwoman Fitch, Director Tebrugge confirmed that when streets are reconstructed, the sanitary sewer is also replaced. In response to Mayor Suess, Director Tebrugge stated work will start as soon as possible.

**Roll Call Vote:**  
Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess



Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller

Nays: None  
Absent: None  
Motion Carried Unanimously

**15. Adopt Resolution R-2021-61, A Resolution Authorizing the Purchase of Two (2) Replacement Ambulances from North Central Ambulance Through the Joint Purchasing Program with the Houston Galveston Area Council for a Total Amount Not to Exceed \$446,776.80**

Councilwoman Fitch moved and Councilman Brown seconded that Resolution R-2021-61, A Resolution Authorizing the Purchase of Two (2) Replacement Ambulances from North Central Ambulance Through the Joint Purchasing Program with the Houston Galveston Area Council for a Total Amount Not to Exceed \$446,776.80, be adopted.

City Manager Dzugan indicated the proposed resolution authorizes the purchase of two ambulances, for a total slightly below the budgeted amount of \$453,200. He stated the ambulances being replaced are 8 and 9 years old.

In response to Councilwoman Fitch, Chief Schultz advised local contractors often purchase used ambulances at municipal auctions. In response to Mayor Suess, Chief Schultz stated he hopes to receive the ambulances within six months. He stated the Fire Department plans to continue to have three front-line ambulances with one in reserve, which are rotated quarterly around the fire stations.

**Roll Call Vote:**

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

Nays: None  
Absent: None  
Motion Carried Unanimously

**16. Adopt Resolution R-2021-62, A Resolution Authorizing the Execution of Agreement No. 212 with Michels Corporation for the 2021 Sewer Main to Service Lateral Connection Testing and Sealing Project for a Total Amount Not to Exceed \$179,840**

Councilman Barbier moved and Councilwoman Bray-Parker seconded that Resolution R-2021-62, A Resolution Authorizing the Execution of Agreement No. 212 with Michels Corporation for the 2021 Sewer Main to Service Lateral Connection Testing and Sealing Project for a Total Amount Not to Exceed \$179,840, be adopted.

City Manager Dzugan stated the City received three bids for the sewer lateral service line sealing to continue the City's efforts to reduce the amount of infiltration into the sanitary sewer system, one of

the main contributors to backups and overflows of the system. He indicated the \$179,840 amount is over the \$100,000 budget due to additional research suggesting the lining extend 10 feet up the service lateral rather than 4 feet.

In response to Mayor Suess, Director Tebrugge stated the work will be done in Basins 3 and 4 and approximately 250 homes will be affected.

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

**17. Adopt Resolution R-2021-63, A Resolution Authorizing the Purchase of a Microsoft 365 Subscription Renewal for a Three-Year Term from Dell Marketing LP Through the State of Illinois Joint Purchase Master Contract for a Total Amount Not to Exceed \$315,000**

Councilwoman Bray-Parker moved and Councilwoman Robbins seconded that Resolution R-2021-63, A Resolution Authorizing the Purchase of a Microsoft 365 Subscription Renewal for a Three-Year Term from Dell Marketing LP Through the State of Illinois Joint Purchase Master Contract for a Total Amount Not to Exceed \$315,000, be adopted.

City Manager Dzugan stated this is a critical renewal since almost all of the City's staff uses Microsoft Office 365 in one way or another.

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

**18. Council Comment**

Councilwoman Bray-Parker thanked Representative Sean Casten for touring the Wheaton Downtown area and for attending the meeting.

Referencing the Pride proclamation Councilman Barbier recited the record and achievements of Dorian Bryant, a football player for Purdue, who declined a contract with the Tennessee Titans to live life on his terms. Councilman Barbier stated no one should have to give up their dreams because of prejudice.

Councilman Fitch thanked Councilman Brown for the hats and is looking forward to wearing it in the 4<sup>th</sup> of July parade.

Mayor Suess announced the 4<sup>th</sup> of July parade will be held on Sunday, July 4 at 11 am. with the route going down Main Street.

**19. Approval of Warrant**

Councilwoman Fitch moved and Councilman Barbier seconded that Warrant No. 802 in the amount of \$1,237,989.72 be approved.

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

**20. Adjournment**

Councilman Barbier moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 8:21 p.m.

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

Respectfully submitted,

Sharon Barrett-Hagen  
City Clerk

Submitted for Approval: July 6, 2021