Monday, August 7, 2023

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 Clousing
- Councilwoman Robbins
- Councilman Weller
- Councilwoman Bray-Parker
- Councilman Brown

**Absent:**
- Councilman Barbier

**City Staff Physically Present:**
- Michael Dzugan, City Manager
- John Duguay, Assistant City Manager
- Dawn Didier, City Attorney
- James Kozik, Director of Planning & Economic Development
- Robert Lehnhardt, Director of Finance
- Joseph Tebrugge, Director of Engineering
- Susan Bishel, Public Information Officer
- Andrea Rosedale, City Clerk

**City Staff Electronically Present:**
- Nathan Plunkett, Street Superintendent

2. **Citizens to be Heard**
Michelle Dunlap, 1336 S. Main Street, Chair of the Bicyclist and Pedestrian Commission, spoke on behalf of the Commission regarding two proposals voted unanimously by the Commission. She reviewed the Commission’s request to the City Council for paved shoulders during the construction of Warrenville Road to allow cyclists to be passed safely, as well as the painting of sharrows on the east and west sides of West Street between the Illinois Prairie Path and Harrison during the resurfacing project scheduled for 2024.

Jeff Westergaard, 742 Ralph Court, expressed concern related to the planned expansion of Cosley Zoo related to traffic.

3. **Consent Agenda**
Councilwoman Bray-Parker 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 – July 17, 2023, as submitted.

3. Adopt Resolution R-2023-63, A Resolution Approving a Plat of Easement Grant 300 E. Cole Avenue (PIN 05-09-108-014).

4. Approve Application for an Outdoor Special Event Liquor License – DuPage County Fair Association / Exchange Club of Naperville – September 15th thru September 17th (Ribfest) – DuPage County Fairgrounds.

5. Approve Application for a Class M Liquor License – Amante Marketplace, Inc. – 102 N. Hale Street.

6. Approve Application for a Class B Liquor License – Qcurrys Inc, d/b/a Qcurrys Indian Kitchen, at 390 W. Front Street

7. Adopt Resolution R-2023-64, A Resolution Authorizing the Execution of Agreement No. 400 with Mid-American Elevator Co. for Elevator Preventative Maintenance and Repairs for a Two-Year Agreement and a Total Amount Not to Exceed $29,400.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: Councilman Barbier
Motion Carried Unanimously

Councilman Brown moved and Councilman Weller seconded that O-2023-26, An Ordinance Authorizing the Signing of an Annexation Agreement 2021 N. Stoddard Ave - Cox, be passed.

City Manager Dzugan stated this item, and the two subsequent items relate to the annexation of property located at 2021 N. Stoddard Ave. where the owners desire to construct a new single-family home and connect to City utilities. He detailed at the February Public Hearing the council discussed the need for a private stormwater easement to permit the property to the east, 2034 Summit to drain and confirmed a private easement has been finalized. He summarized the owner will construct the private line with the City reimbursing them for the cost and once the property owner to the east connects, the City will recuperate the expense.
5. Pass Ordinance O-2023-27, An Ordinance Annexing a Certain Property to the City of Wheaton, Illinois 2021 N. Stoddard Avenue - Cox

Councilman Weller moved and Councilman Clousing seconded that O-2023-27, An Ordinance Annexing a Certain Property to the City of Wheaton, Illinois 2021 N. Stoddard Avenue - Cox, be passed.

Roll Call Vote:

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

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

6. Pass Ordinance O-2023-28, An Ordinance Amending the Wheaton Zoning Map on Certain Property Commonly Known as 2021 N. Stoddard Avenue - Cox

Councilwoman Robbins moved and Councilwoman Bray-Parker seconded that O-2023-28, An Ordinance Amending the Wheaton Zoning Map on Certain Property Commonly Known as 2021 N. Stoddard Avenue - Cox, be passed.

City Manager Dzugan noted the ordinance updates the Wheaton Zoning Map to add 2021 N. Stoddard Avenue to Residential Zoning District R-2.

Roll Call Vote:

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

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously
Nays: None
Absent: Councilman Barbier
Motion Carried Unanimously

7. **Adopt Resolution R-2023-65, A Resolution Authorizing the Execution of Agreement No. 403 with Triggi Construction, Inc. for the 2023 Fall New Sidewalk Program for a Total Amount Not to Exceed $1,485,749.80**

Councilman Brown moved and Councilman Weller seconded that R-2023-65, A Resolution Authorizing the Execution of Agreement No. 403 with Triggi Construction, Inc. for the 2023 Fall New Sidewalk Program for a Total Amount Not to Exceed $1,485,749.80, be adopted.

City Manager Dzugan stated the 2023 New Sidewalk program provides 2.5 miles of new sidewalk. He detailed the low bid is approximately $300,000 under budget, however the budget was based upon two phases and therefore the cost is approximately 40% higher than the amount budgeted. He stated that completion of the program providing a sidewalk on one side of every street is projected to be complete by fall of 2025 with a projected cost of $6 Million to finish.

Roll Call Vote:

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

Nays: None
Absent: Councilman Barbier
Motion Carried Unanimously

8. **Adopt Resolution R-2023-66, A Resolution Authorizing the Execution of Agreement No. 402 with Design Developers & Rehub, Inc. for Electrical Improvements at Liberty Square for a Total Amount Not to Exceed $83,000**

Councilwoman Robbins moved and Councilwoman Bray-Parker seconded that R-2023-66, A Resolution Authorizing the Execution of Agreement No. 402 with Design Developers & Rehub, Inc. for Electrical Improvements at Liberty Square for a Total Amount Not to Exceed $83,000, be adopted.

City Manager Dzugan stated the electrical improvements to accommodate holiday lighting at the northwest corner of Liberty Drive and West Street south of the train tracks are $23,000 over budget, however, sufficient revenue is available to cover the additional expense.

Roll Call Vote:

Ayes: Councilwoman Robbins
Councilman Weller
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
9. First Reading of An Ordinance Amending the Code of Ordinances of the City of Wheaton Chapter 1 (General Provisions); Chapter 2 (Administration); Chapter 6 (Alcoholic Beverages); Chapter 10 (Special Events, Amusements and Entertainments); Chapter 26 (Businesses); Chapter 54 (Solid Waste); Chapter 58 (Streets, Sidewalks and Other Public Places); Chapter 62 (Subdivisions); and Chapter 78 (Vegetation)

City Manager Dzugan stated the ordinance includes several amendments to various sections of the City Code recommended by our City Attorney in working with staff. He detailed a couple substantive amendments including approval of outdoor special event liquor licenses by the Liquor Commissioner (the mayor) after review by the Director of Planning to reduce application processing time. He detailed in Section 8 of the ordinance limits races, runs, walks, and parades to two events per year in the same or similar geographic area to address resident feedback. He stated Block Parties were codified since website regulations were not codified.

In response to Councilwoman Bray-Parker, Director Kozik confirmed the mayor approving Outdoor Liquor Licenses following his review expedites and streamlines the process of approval.

In response to Councilwoman Bray-Parker, Attorney Didier stated the required application submission date of 90 days prior to a special event from 30 days allows for advanced police officer staffing as set forth in the police officer labor contract as City Code requires police officers to be present at events that require an Outdoor Special Event Liquor License.

10. Receive Planning and Zoning Board Report Re: ZA #23-07/ PUD Amendment/ 2185 W. Roosevelt Road/ Dunkin'

Councilman Brown moved and Councilwoman Robbins seconded that Planning and Zoning Board Report Re: ZA #23-07/ PUD Amendment/ 2185 W. Roosevelt Road/ Dunkin’, be received.

City Manager Dzugan stated the ordinance prepared for a Planned Unit Development amendment subject to three conditions is based upon the report and recommendation from the Zoning Board to approve an amendment to an existing Planned Unit Development for the old Chase Bank property to allow for a restaurant, Dunkin’.

Roll Call Vote:

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

Nays: None
Absent: Councilman Barbier
Motion Carried Unanimously

Pass Ordinance O-2023-29, An Ordinance Amending Ordinance F-1415 – Chase Bank (2185 W. Roosevelt Road)
Councilman Brown moved and Councilwoman Robbins seconded that O-2023-29, An Ordinance Amending Ordinance F-1415 – Chase Bank (2185 W. Roosevelt Road), be passed.

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller
Councilwoman Bray-Parker

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

11. Adopt Resolution R-2023-67, A Resolution Authorizing the Execution of Agreement No. 398 with Marsh & McLennan Agency for Insurance Broker Services for Property & Casualty Insurance and Risk Management Consulting Services for a Three-Year Term and Total Amount Not to Exceed $75,000
Councilman Weller moved and Councilwoman Bray-Parker seconded that R-2023-67, A Resolution Authorizing the Execution of Agreement No. 398 with Marsh & McLennan Agency for Insurance Broker Services for Property & Casualty Insurance and Risk Management Consulting Services for a Three-Year Term and Total Amount Not to Exceed $75,000, be adopted.

City Manager Dzugan stated the insurance broker services scope includes assessment of the City’s risks, providing recommendations on the types and levels of insurance, prepare specifications and solicit bids from carriers. He detailed the broker would also provide a review of the City’s current risk management program and assist administration with risk management efforts, and quarterly claims reviews.

Roll Call Vote:
Ayes: Councilman Weller
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

12. First Reading of An Ordinance Amending the Code of Ordinances of the City of Wheaton Chapter 2 (Administration)
City Manager Dzugan reflected upon the July planning session where the council reviewed a draft procurement policy. He stated staff provided data points to focus in on an appropriate spending authority amount by surveying 12 municipalities, providing the number of purchases in expense ranges, and a calculation on inflation since 2017 when the state statute was last amended. He stated that two documents will be considered by Council at the subsequent meeting including a Resolution containing the procurement policy and the Ordinance containing the City Code amendments, both of which will include a $35,000 spending authority.

Councilwoman Bray-Parker moved and Councilman Clousing seconded that O-2023-30, An Ordinance Amending the Calendar Year 2023 Budget Contained in Ordinance No. O-2022-57, be passed.

City Manager Dzugan stated the budget amendment amount of $300,000 in the Sanitary Sewer Fund to cover expenses related to the new residential reimbursement programs related to residential sewer back up and sewer service line replacement. He detailed that both programs have seen increased participation stemming from changes made to the program in 2022.

Director Tebrugge stated the changes in the inflow and infiltration would be difficult to see initially in response to Councilman Weller. City Manager Dzugan added there is more mileage of private services over public mains which contributed to the City’s plan to attack that component as opposed to building underground storage tanks. He stated Wheaton is one of the few communities offering similar programs in an attempt to solve these problems in this manner.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
       Councilman Brown
       Mayor Suess
       Councilman Clousing
       Councilwoman Robbins
       Councilman Weller

Nays: None
Absent: Councilman Barbier
Motion Carried Unanimously

14. Council Comment
Councilwoman Robbins reminded the community of the upcoming Neighborhood Roll Call at St. Matthews Church on Tuesday, August 8th, 2023.

Councilman Weller expressed appreciation to the Wheaton Fire Department for their exceptional service and quick response time for a dumpster fire at his place of employment.

Mayor Suess thanked the Wheaton Municipal Band for their tremendous performances throughout their 94th season in Wheaton. He reflected upon their final event hosted at Edmond Chapel of Wheaton College. He stated the community’s support of the Wheaton Municipal Band is wonderful. Mayor Suess gave recognition to former St. Michael Parish priest, Fr. Don McLaughlin who passed away on August 6,
2023. He quoted Fr. Don McLaughlin following the fire which destroyed St. Michael Church, saying, “We did not lose the Church. We lost the building where the Church gathers. We are the Church.”

15. Approval of Warrant
Councilwoman Bray-Parker moved and Councilwoman Robbins seconded that Warrant No. 853 in the amount of $3,604,767.27, be approved.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

16. Closed Session:
Councilman Brown moved and Councilwoman Robbins seconded that the Wheaton City Council adjourn to closed session at 7:33 p.m. for the purpose of Probable or Imminent Litigation 5 ILCS 120/2(c)(11).

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller
Councilwoman Bray-Parker

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

The City Council returned to the open portion of their meeting at 8:12 p.m.

17. Adjournment
Councilwoman Bray-Parker moved and Councilman Brown seconded that the regular Wheaton City Council Meeting be adjourned at 8:13 p.m.

Roll Call Vote:
Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
WHEATON CITY COUNCIL PROCEEDINGS
Monday, August 7, 2023

Councilman Clousing
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: Councilman Barbier

Motion Carried Unanimously

Respectfully submitted,

Andrea Rosedale
City Clerk

Submitted for Approval: August 21, 2023