



# 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, October 19, 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  
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  
Holly Schulz, Director of Human Resources  
William Murphy, Police Chief  
Robert Lehnhardt, Finance Director  
Susan Bishel, Public Information Officer  
Sharon Barrett-Hagen, City Clerk

City Staff Electronically Present: Dan Peck, Public Relations Coordinator

## 2. Report of the City Manager

City Manager Dzugan reported he has received word that the auditor for the DuPage County CARES Act will recommend the full reimbursement amount of \$1.7MM to the City of Wheaton.

## 3. Presentations

Mayor Suess read a proclamation proclaiming October 2020 as Arts DuPage Month in Wheaton. Ms. Deborah Venezia, Director of Arts DuPage thanked the Council for the proclamation and spoke of the importance of art and the positive impact it has on educational, emotional and social aspects of our lives. Mayor Suess called attention to the Art Walk which took place last weekend, as well as the "Windows Into Art" project currently taking place in businesses in downtown Wheaton.

**4. Citizens to be Heard**

None.

**5. 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 October 5, 2020 regular Wheaton City Council meeting as submitted.
2. Adopt Resolution R-2020-92, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (928 N. West Street).
3. Adopt Resolution R-2020-93, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (1151 Midwest Lane).
4. Adopt Resolution R-2020-94, A Resolution Authorizing the Execution of a Certain Construction, Use, and Indemnification Agreement (2324 Appleby Drive).

**Roll Call Vote on Consent Agenda:**

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

Nays: None

Absent: None

Motion Carried Unanimously

**6. Approve Application for Class S Liquor License to Yeti Partners LLC d/b/a DuPage Mini Mart at 238 N. Gables Boulevard and Authorize Issuance of Class S Liquor License**

Councilman Rutledge moved and Councilman Zaruba seconded that the Application for Class S Liquor License to Yeti Partners LLC d/b/a DuPage Mini Mart at 238 N. Gables Boulevard be approved and Issuance of a Class S Liquor License be authorized.

City Manager Dzugan stated the Liquor Control Commission approved the issuance of a Class S liquor license to Yeti Partners LLC d/b/a DuPage Mini Mart at 238 N. Gables Boulevard at their meeting on October 8, 2020.

**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

**7. Adopt Resolution R-2020-95, A Resolution Authorizing the Execution of an Agreement Between the City of Wheaton and Wheaton Patrol Chapter #699 Metropolitan Alliance of Police**

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that Resolution R-2020-95, A Resolution Authorizing the Execution of an Agreement Between the City of Wheaton and Wheaton Patrol Chapter #699 Metropolitan Alliance of Police, be adopted.

City Manager Dzugan advised the resolution would approve a three-year agreement with MAP #699, which represents the City's patrol officers and thanked staff for their work.

**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

**8. Adopt Resolution R-2020-96, A Resolution Authorizing the Execution of an Agreement Between the City of Wheaton and Wheaton Patrol Chapter #450 Metropolitan Alliance of Police**

Councilman Barbier moved and Councilwoman Robbins seconded that Resolution R-2020-96, A Resolution Authorizing the Execution of an Agreement Between the City of Wheaton and Wheaton Sergeants and Lieutenants Chapter #450 Metropolitan Alliance of Police, be adopted.

City Manager Dzugan advised this resolution would approve a three-year agreement with MAP #450, which represents the City's police sergeants and lieutenants.

**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

Councilman Barbier recused himself at 7:10 p.m. from discussion and consideration on the next two items, Regular Agenda New Business #4 and Regular Agenda New Business #5 due to a possible conflict of interest.

**9. Pass Ordinance No. O-2020-34, An Ordinance Amending City of Wheaton Ordinance E-1687, “An Ordinance Amending the Wheaton Zoning Map and Granting a Special Use Permit – Addition to DuPage County Health Department Facilities, 111 North Cuntly Farm Road” (“Original Ordinance”); and Ordinance Nos. E-3791 and F-1799, Which Amended the Original Ordinance – DuPage County Health Department – Vehicle Garage**

Councilman Rutledge moved and Councilman Zaruba seconded that Ordinance No. O-2020-34, An Ordinance Amending City of Wheaton Ordinance E-1687, “An Ordinance Amending the Wheaton Zoning Map and Granting a Special Use Permit – Addition to DuPage County Health Department Facilities, 111 North Cuntly Farm Road” (“Original Ordinance”); and Ordinance Nos. E-3791 and F-1799, Which Amended the Original Ordinance – DuPage County Health Department – Vehicle Garage, be passed.

City Manager Dzugan stated the proposed ordinance amends the special use permit for DuPage County’s complex and allows for construction of a vehicle storage garage to be used by the County’s Health Department. He indicated this amendment is considered a major amendment in conformity with the approved PUD, which is allowed to be considered by the City Council without a public hearing as permitted by the City’s Zoning Ordinance.

**Roll Call Vote:**

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

Nays: None  
Absent: Councilman Barbier  
Motion Carried Unanimously

**10. Adopt Resolution R-2020-97, A Resolution Authorizing the Mayor to Sign and Directing the City Clerk to Attest to that Certain Intergovernmental Agreement Between the City of Wheaton, the County of DuPage, the DuPage County Health Department and the Board of Health of DuPage County**

Councilwoman Robbins moved and Councilwoman Fitch seconded that Resolution R-2020-97, A Resolution Authorizing the Mayor to Sign and Directing the City Clerk to Attest to that Certain Intergovernmental Agreement Between the City of Wheaton, the County of DuPage, the DuPage County Health Department and the Board of Health of DuPage County, be adopted.

City Manager Dzugan advised this resolution would approve an intergovernmental agreement with DuPage County for the Health Department's vehicle storage garage approved in the prior item. He stated the County wishes to fund the construction of the garage through the CARES Act and, under the agreement, the City and County would mutually agree to a review plan to proceed as quickly as possible to meet the requirements of the CARES Act.

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

Councilman Barbier returned to the meeting at 7:15 p.m.

**11. Adopt Resolution R-2020-98, A Resolution Authorizing the Binding of Property and Liability Insurance Coverages for November 1, 2020 Through October 31, 2021**

Councilman Rutledge moved and Councilman Barbier seconded that Resolution R-2020-98, A Resolution Authorizing the Binding of Property and Liability Insurance Coverages for November 1, 2020 Through October 31, 2021, be adopted.

City Manager Dzugan stated the Council has a memorandum from the Finance Director detailing the property and liability insurance renewals for the next year. He advised there is an approximate \$152,000 or 36% increase compared to last year.

In response to questions from Councilwoman Fitch, Finance Director Lehnhardt stated he was aware of the potential for an increase in costs at the end of 2019 and indicated other communities have also experienced similar increases. He anticipates this going on for the next couple of years.

In response to Councilman Barbier, the City's consultant, Mr. Mike Nugent of Nugent Consulting, stated the increase in cyber liability coverage is due to increased costs for forensic accountants and an increase in attacks on government entities. He stated he has recommended increases in coverage to all of his clients and feels this is a prudent step to take.

In response to Councilman Barbier, Finance Director Lehnhardt stated the City does not store credit card information for residents, as that is handled by a third party, although information for residents who utilize auto pay is in the system.

	<b>Roll Call Vote:</b>
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>

## 12. Council Comment

Councilman Rutledge expressed his appreciation to the City's police and fire departments for their recent work in thwarting a burglary in progress and a structure fire in the City.

Mayor Suess stated 51 employees were recently honored for their service to the City, several of which have served for 20 – 35 years. He thanked them for their dedicated service to the City of Wheaton.

Mayor Suess thanked WTTW for highlighting the City of Wheaton last Thursday as part of their "Chicago Tonight" series.

Mayor Suess also raised awareness for measures members of the community should continue to take with regard to COVID-19. He stated there have been approximately 881 cases with 25 deaths in Wheaton. Mayor Suess urged residents to continue to wear face coverings, maintain social distancing and be sensitive to being part of large gatherings since COVID is rebounding and not diminishing.

### 13. Approval of Warrant

Councilman Rutledge moved and Councilwoman Fitch seconded that Warrant No. 786 in the amount of \$2,548,859.46, 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

### 14. Adjournment

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 7:30 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: November 2, 2020