



# 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

Tuesday, September 6, 2022

## 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  
Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller  
Councilwoman Bray-Parker

Absent: Councilman Barbier  
Councilman Brown

City Staff Physically Present: Michael Dzugan, City Manager  
John Duguay, Assistant City Manager  
Jim Knippen, City Attorney  
Jim Kozik, Director of Planning & Economic Development  
Joseph Tebrugge, Director of Engineering  
Al McMillen, Water Superintendent  
Susan Bishel, Public Information Officer  
Andrea Rosedale, City Clerk

## 2. Citizens to be Heard

None.

## 3. Consent Agenda

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

1. Approve the minutes of the Wheaton City Council Public Hearing – August 8, 2022, as submitted.
2. Approve the minutes of the Wheaton City Council Regular Meeting – August 15, 2022, as submitted.
3. Adopt Resolution R-2022-66, A Resolution Approving Sagers Plat of Consolidation.
4. Adopt Resolution R-2022-67, A Resolution Authorizing the Release of Closed Session Minutes.
5. Approve City Manager Compensation.

Ayes: **Roll Call Vote:**  
Councilwoman Robbins  
Councilman Weller  
Councilwoman Bray-Parker

Mayor Suess  
Councilwoman Fitch

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

**4. Pass Ordinance O-2022-37, An Ordinance Amending the Official Motor Vehicle and Traffic Schedules (Chapter 70) for the City of Wheaton**

Councilwoman Bray-Parker moved and Councilwoman Fitch seconded that Ordinance O-2022-37, An Ordinance Amending the Official Motor Vehicle and Traffic Schedules (Chapter 70) for the City of Wheaton, be passed.

City Manager Dzugan stated the amendment clarifies the geographic area of persons living or working within a certain area who are eligible to obtain leases to park in one of the City's two parking structures.

In response to Councilwoman Fitch, Director Kozik confirmed the commercial lease is intended for employees who work downtown between the hours of 8:00 a.m. to 3:00 p.m.

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

**5. Approve Reappointment and Appointment to City Boards and Commissions**

Mayor Suess moved and Councilwoman Fitch seconded that Nancy Flynn be reappointed to the Environmental Improvement Commission and Sophia Ruffalo be appointed to the Historic Commission, for three-year terms.

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

**6. First Reading of An Ordinance Amending Section 6-89, "Limitation on Number of Licenses", of Article III, "Retail Licenses", of Chapter 6, "Alcoholic Beverages"**

City Manager Dzugan highlighted the amendment to City Code will eliminate the need to recodify the code with changes made to the number of licenses available in each classification by keeping the number on file with city clerk.

**7. Approve Issuance of Outdoor Special Event Liquor License – Memorial Park – Wheaton Park District – Free Concert Featuring the DuPage County Symphony Orchestra**

Councilwoman Robbins moved and Councilman Weller seconded that Issuance of Outdoor Special Event Liquor License – Memorial Park – Wheaton Park District – Free Concert Featuring the DuPage County Symphony Orchestra, be approved.

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

**8. Approve Issuance of Outdoor Special Event Liquor License – Central Athletic Complex – Wheaton Park District October Fest**

Councilwoman Bray-Parker moved and Councilwoman Robbins seconded that Issuance of Outdoor Special Event Liquor License – Central Athletic Complex – Wheaton Park District October Fest, be approved.

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

**9. Approve Issuance of Outdoor Special Event Liquor License – DuPage County Fair Association – Nami DuPage Octoberfest**

Councilwoman Robbins moved and Councilman Weller seconded that Issuance of Outdoor Special Event Liquor License – DuPage County Fair Association – Nami DuPage Octoberfest, be approved.

**Roll Call Vote:**  
Ayes: Mayor Suess  
Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller

Councilwoman Bray-Parker

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

Councilman Weller recused himself at 7:10 p.m. from the discussions to Receive Report from Planning and Zoning Board Re: ZA #22-20/ Text Amendment and Special Use Permit/ 518 W. Roosevelt Road/ Hughes, An Ordinance Amending the Text of the Wheaton Zoning Ordinance to Establish a “Certified Personal Training, Wellness, and Rehabilitation Business” as a Special Use in the O-R Zoning District and An Ordinance Amending City of Wheaton Ordinance Number F-0542, F-0882, F-1999 and F-2059, “An Ordinance Amending the Wheaton Zoning Ordinance Map on a Certain Piece of Property Commonly Located at 518 West Roosevelt Road – Walker & May, Inc.” due to a possible conflict of interest.

**10. Receive Report from Planning and Zoning Board Re: ZA #22-20/ Text Amendment and Special Use Permit/ 518 W. Roosevelt Road/ Hughes**

Councilwoman Bray-Parker moved and Councilwoman Robbins seconded to receive the Planning and Zoning Board Report Re: ZA #22-20/ Text Amendment and Special Use Permit/ 518 W. Roosevelt Road/ Hughes.

City Manager Dzugan detailed the report from the Planning and Zoning Board recommends a text amendment to Article 15.1 to allow certified personal training, wellness and rehabilitation business as a Special Use in the Office Research District.

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

**Pass Ordinance O-2022-38, An Ordinance Amending the Text of the Wheaton Zoning Ordinance to Establish a “Certified Personal Training, Wellness, and Rehabilitation Business” as a Special Use in the O-R Zoning District**

Councilwoman Bray-Parker moved and Councilwoman Fitch seconded that Ordinance O-2022-38, An Ordinance Amending the Text of the Wheaton Zoning Ordinance to Establish a “Certified Personal Training, Wellness, and Rehabilitation Business” as a Special Use in the O-R Zoning District, be passed.

Mr. Rich Guerard, 310 S. County Farm Road spoke on behalf of his clients Jim and Debbie Hughes and stated that his clients have agreed to all conditions and recommendations from the Planning and Zoning board.

Councilwoman Fitch expressed her support for the text amendment. She explained the amendment is a prime example of the need to implement the recent Comprehensive Plan amendment related to Roosevelt Road through amending the Zoning Ordinance.

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

**11. Pass Ordinance O-2022-39, An Ordinance Amending City of Wheaton Ordinance Number F-0542, F-0882, F-1999 and F-2059, “An Ordinance Amending the Wheaton Zoning Ordinance Map on a Certain Piece of Property Commonly Located at 518 West Roosevelt Road – Walker & May, Inc.”**

Councilwoman Robbins moved and Councilwoman Fitch seconded that Ordinance O-2022-39, An Ordinance Amending City of Wheaton Ordinance Number F-0542, F-0882, F-1999 and F-2059, “An Ordinance Amending the Wheaton Zoning Ordinance Map on a Certain Piece of Property Commonly Located at 518 West Roosevelt Road – Walker & May, Inc.”, be passed.

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

Councilman Weller returned to the meeting at 7:18 p.m.

**12. Adopt Resolution R-2022-68, A Resolution Authorizing the Execution of Agreement No. 323 with Fox Excavating, Inc. for Dorset Drive Flood Improvements for a Total Amount Not to Exceed \$553,686**

Councilman Weller moved and Councilwoman Robbins seconded that Resolution R-2022-68, A Resolution Authorizing the Execution of Agreement No. 323 with Fox Excavating, Inc. for Dorset Drive Flood Improvements for a Total Amount Not to Exceed \$553,686, be adopted.

City Manager Dzugan confirmed two bids were received for the Dorset Drive Flood Improvements and highlighted although the cost is significantly overbudget, the grant from DuPage County brings cost underbudget. He stated the construction will commence in 2022 and end prior to winter.

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

Councilwoman Robbins

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

**13. Adopt Resolution R-2022-69, A Resolution Authorizing the Execution of Agreement No. 320 with Ixom Watercare, Inc. for the Purchase and Installation of the Manchester Water Tower Tank Mixer for a Total Amount Not to Exceed \$27,430**

Councilwoman Robbins moved and Councilman Weller seconded that Resolution R-2022-69, A Resolution Authorizing the Execution of Agreement No. 320 with Ixom Watercare, Inc. for the Purchase and Installation of the Manchester Water Tower Tank Mixer for a Total Amount Not to Exceed \$27,430, be adopted.

City Manager Dzugan stated the water tower mixer improves water quality in the tank as well as prevents ice formation inside the tower during winter months.

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

**14. Council Comment**

Councilwoman Bray-Parker expressed gratitude to City employees who worked on Labor Day.

Mayor Suess invited the community to the City of Wheaton's September 11<sup>th</sup> Remembrance Ceremony in Memorial Park at 2p.m. which will focus on how 9/11 touched the residents of Wheaton.

**15. Approval of Warrant**

Councilwoman Fitch moved and Councilwoman Bray-Parker seconded that Warrant No. 831 in the amount of \$2,424,696.72 be approved.

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

Councilman Brown  
Motion Carried Unanimously

**16. Closed Session: Probable or Imminent Litigation 5 ILCS 120/2(c)(11)**

Councilwoman Robbins moved and Councilwoman Bray-Parker seconded that the Wheaton City Council adjourn to closed session at 7:24 for the purpose of Probable or Imminent Litigation 5 ILCS 120/2(c)(11).

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

The City returned to open portion of their meeting at 8:01 p.m.

**17. Adjournment**

Councilwoman Robbins moved and Councilwoman Bray-Parker seconded that the regular Wheaton City Council Meeting be adjourned at 8:02 p.m.

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

Respectfully submitted,

Andrea Rosedale  
City Clerk

Submitted for Approval: September 19, 2022