

RESOLUTION R-2024-19

A RESOLUTION SETTING FORTH THE CITY OF WHEATON'S COMMITMENT TO MONITOR AND ACT IN A MEASURED AND THOUGHTFUL WAY REGARDING LOCAL IMPACTS OF NATIONAL IMMIGRATION POLICIES

WHEREAS, the City of Wheaton, Illinois, ("City") is an Illinois Home Rule Municipality pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution of 1970 and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City is committed to protecting the health, safety, and welfare of all individuals in our City, including those who reside and work in Wheaton and those who are visiting; and

WHEREAS, since December 2023, charter buses have dropped off passengers at the City's train stations with Chicago as a final destination which is currently the location of the State of Illinois' only intake center for individuals seeking asylum in the United States; and

WHEREAS, the Wheaton Police Department has passively observed the arrival and departure of passengers, which has been orderly and without incident; and

WHEREAS, the City Council has become aware of resident concerns about the ongoing immigration situation nationally and its potential impact on the City; and

WHEREAS, the City does not have pre-arranged services to support large groups of passengers arriving in the City with the intention of staying in the City without provisions for food, shelter and other basic needs; and

WHEREAS, the arrival of passengers in inclement or severe weather conditions without a coordinated plan poses a significant threat to their health, safety and welfare and may create inhumane conditions for individuals in the City; and

WHEREAS, the City Council met on January 22 and January 29, 2024, to discuss various issues related to buses using the City as a transition point for passengers whose final destination is the City of Chicago's intake center and received information from City staff including:

1. Data pertinent to the Wheaton and Union Pacific West line train station drop offs.
2. City of Chicago bus licensing which led bus companies to develop a workaround using drop off points other than Chicago's intake center.
3. Copy of Wynne Transportation complaint filed in Federal Court seeking declaratory judgment and injunctive relief from Chicago's bus ordinance.
4. Gubernatorial Disaster Proclamation granting the Governor a wide range of authority to address assistance to individuals arriving in Illinois seeking refuge or asylum.
5. Reviewed the Illinois 2021 Way Forward Act, Illinois TRUST Act, and Illinois VOICES Act all providing specific local law enforcement requirements and protections for immigrants.
6. Legal status of the bus passengers traveling from Texas to Illinois being passengers who have been processed and screened by U.S. Customs and Border Protection and have been granted parole status, notice to appear, or notice to report.

7. Draft ordinance prepared by staff addressing bus drop offs wherein passengers do not re-board the bus or immediately board the train or other transportation to leave the City; and

WHEREAS, the City recognizes that immigration is of federal interest but that decisions and implementation plans made at the federal level can have direct impacts on local governments throughout the nation including decisions surrounding the Parole for Individuals Outside the United States set forth in Section 212(d)(5)(A) of the Immigration and Nationality Act; and

WHEREAS, the City shall continue to work collaboratively with councils of government to discuss and share information, and other municipal, county, state and federal representatives seeking effective approaches addressing any impacts immigration may have locally; and

WHEREAS, the City shall continue to monitor these key areas:

1. Local, state and national events affecting immigration.
2. Arrivals and departures of large groups in the City.
3. Relevant litigation at the local, state and federal level.
4. Efforts working cooperatively with other governmental agencies.
5. Relevant Federal and State legislation for their potential impact on the City; and

WHEREAS, when necessary, based upon monitoring of those key areas, the City may respond locally in a measured and thoughtful way ensuring the health, safety and welfare of all individuals in Wheaton; and

WHEREAS, the Administrative staff will continue to communicate to the City Council and residents activities and actions related to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wheaton, Illinois, DuPage County, Illinois, pursuant to its home rule powers, hereby approves the following:

SECTION 1: The Wheaton City Council directs the Administrative staff to carry out the intentions set forth herein.

SECTION 2: The Administrative staff shall periodically and/or as necessary report to the City Council and residents on the results of monitoring the identified key areas.

ADOPTED this 20th day of February 2024.



Mayor

Attest:



City Clerk

City Clerk

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

