

RESOLUTION R-2025-24

A RESOLUTION ADOPTING AND APPROVING A DECISION AFFIRMING THE DENIAL OF RADICAL HOSPITALITY MINISTRIES' APPLICATION FOR A GROUP CARE HOME LICENSE

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, Radical Hospitality Ministries ("RHM") applied for a Group Care Home ("GCH") license in accordance with the provision set forth in Chapter 26, Article VI of the Wheaton City Code; and

WHEREAS, the Group Care Home License Review Committee (the "Committee") established under Article VI held a public meeting on January 22, 2025 to consider RHM's application; and

WHEREAS, at the conclusion of that meeting, the Committee voted (3-0) to deny RHM's application and issued a written decision on January 27, 2025; and

WHEREAS, Section 26-173 allows an applicant to appeal a denial within 15 days of such decision, which RHM timely filed an appeal; and

WHEREAS, Section 26-173 also provides that the City Council shall hear such appeal, which it did on March 10, 2025 at a public meeting; and

WHEREAS, at the March 10, 2025 meeting, the City Council voted (7-0) to affirm the Committee's decision to deny RHM's application; and


WHEREAS, Section 26-173 requires the City Council to render a written decision to the applicant within 30 days of its meeting, which said written decision is attached hereto and incorporated herein as Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Wheaton, Illinois, that:

Section 1. The foregoing recitals are incorporated into and made a part of this Resolution as findings of the Mayor and the City Council.

Section 2. The Mayor and City Council hereby adopt and approve the written decision attached hereto as Exhibit A.

ADOPTED this 7th day of April 2025.



Mayor

ATTEST:



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

WHEATON CITY COUNCIL

DECISION ON RADICAL HOSPITALITY MINISTRIES APPEAL OF THE GROUP CARE HOME LICENSE REVIEW COMMITTEE'S DENIAL OF ITS APPLICATION FOR A GROUP CARE HOME LICENSE

On March 10, 2025, the City of Wheaton City Council ("City Council") held a public meeting on Radical Hospitality Ministries' ("RHM") appeal of the City's Group Care Home License Review Committee's (the "Committee") Denial of its Application for a Group Care Home ("GCH") license for the property located at 530 E. Indiana Street, Wheaton, Illinois ("the Subject Property").

Decision

The City Council voted (7-0) to affirm the Committee's denial of RHM's license application.

Record on Appeal

Prior to the March 10, 2025 meeting, the City Council had received the Record on Appeal, which consisted of the following:

- Article VI, Chapter 26 of the Wheaton City Code
- RHM's Appeal with attachments (dated 2-11-25)
- RHM's Application for a GCH license
- RHM's Articles of Incorporation
- RHM's Annual Report
- Resume of James Baugh
- RHM's Answers/Documents to GCH Committee request on 6-17-24
- Statement of Financial Position dated June 2024
- Diagrams for the layout of the exterior and interior of the house
- RHM's Client Intake Form
- RHM's Client Handbook
- RHM's Answers/Documents to GCH Committee request on 10-21-24
- Projected Monthly Budget
- DuPage County Grant Application
- Lease with Property Owners dated 10-30-24
- RHM's first appeal with attachments (dated 12-3-24)
- IRS Form 990EZ for year 2022
- Information printed from RHM's website
- Facebook posts by Katrina Baugh (dated 3-13-23 and March 11)
- Memo from neighbors of 530 E. Indiana dated 11-5-24
- Emails between Director Kozik and RHM
- City of Wheaton Fire Department inspection reports
- Written decision from GCH Committee dated January 27, 2025



WHEATON MAYOR PHILIP J. SUESS

CITY MANAGER MICHAEL DZUGAN

CITY COUNCIL: MICHAEL BARBIER | ERICA BRAY-PARKER | SCOTT BROWN | BRADLEY CLOUSING | LYNN ROBBINS | SCOTT WELLER

- GCH Committee approved minutes from January 22, 2025 meeting

Findings of Fact

1. The City Council adopted the findings of fact set forth in the Committee's written decision dated January 27, 2025 denying RHM's application, which is attached hereto and incorporated herein as Exhibit 1.
2. The City Council found that RHM was providing a program and offering services to Patrick Manning while he was living in the house at the Subject Property.
3. The City Council determined that among other things, transporting Mr. Manning to appointments, providing him with money for groceries, cell phone service and medical costs constituted providing services while in the house.
4. The City Council found that RHM was operating a GCH without a license thereby violating the City Code.

Basis

The City Council agreed with the bases set forth in the Committee's written decision. The City Council concluded that the statements made by RHM's representatives (James and Katrina Baugh) and Linda Hayward that no services or required meetings ever took place in the house were not credible.

**CITY OF WHEATON
GROUP CARE HOME LICENSE REVIEW COMMITTEE**

DATE: January 27, 2025

DECISION ON APPLICATION SUBMITTED BY RADICAL HOSPITALITY MINISTRIES

On January 22, 2025, the City of Wheaton Group Care Home License Review Committee ("the Committee") held a public meeting on an application for a Group Care Home ("GCH") license for the property located at 530 E. Indiana Street, Wheaton, Illinois ("the Subject Property") submitted by Radical Hospitality Ministries ("RHM").

Decision

At the meeting, the Committee voted to deny RHM's license application by a vote of 3-0 based on the following.

Documents/Information

Prior to its decision, the Committee had received and reviewed the following information/documents:

1. Submitted by RHM
 - Application
 - Articles of Incorporation
 - Annual Report
 - Resume of James Baugh
 - Statement of Financial Position dated June 2024
 - Diagrams for the layout of the exterior and interior of the house
 - Client Intake Form
 - Client Handbook
 - Projected Monthly Budget
 - DuPage County Grant Application
 - Lease with Property Owners dated 10-30-24
 - Answers to Questions from the Committee
 - RHM's first appeal dated 12-3-24
2. Submitted by Neighbors of 530 E. Indiana Street
 - IRS Form 990EZ for year 2022
 - Information printed from RHM's website
 - Facebook posts by Katrina Baugh (dated 3-13-23 and March 11)
 - Memo dated 11-5-24
3. Miscellaneous Items
 - Emails between Director Kozik and RHM
 - City of Wheaton Fire Department inspection reports
4. Statements from James Baugh and various speakers at the 1-22-25 public meeting

Findings of Fact (any type in bold is in emphasis, not original)

1. James and Katrina Baugh incorporated RHM as a 501(c)(3) not-for-profit corporation in September 2020. (Articles of Incorporation)
2. James and Katrina moved into the Subject Property in 2022. (James' statement 1-22-25)
3. The Baughs had a verbal lease with James and Linda Hayward, the owners of the Subject Property, and then entered into a written lease on October 30, 2024 ("the Lease"). (First Appeal; Lease)
4. The Lease allows RHM to perform **re-entry services** at the Subject Property. (Application; Lease)
5. In January 2023, a client (Patrick Manning) moved into the home on the Subject Property. (RHM website, Kristina's Facebook page; James' statement 1-22-25)
6. Katrina and James, as residential directors, are onsite professional staff who directly oversee the application of RHM's **program** and delivery of **group care resources to clients**. (Application; 8-12-24 email from James Baugh to Jim Kozik)
7. RHM provides two categories of services – Matchmaking, Administrative Support and Consultation (MASC) and a House Program. RHM provides **comprehensive re-entry services**, logistical and financial support to its clients. (Application)
8. As part of RHM's House Program, the Residential Directors (James and Katrina) practice **restorative justice meetings, provide MASC services, and regularly meet with clients to manage their cases**. (Application)
9. For its House Program, RHM has a Radical Hospitality Ministries Residential Handbook ("the Handbook"). The Handbook includes the following provisions:
 - a. Residents must establish a Personal Growth Plan ("PGP") within 1 month of residency, the purpose of which is to outline short- and long-term goals, pertaining to their growth, **rehabilitation**, reconciliation, and progress towards the achievement of independent living. Residents must meet with RHM staff regarding their PGPs.
 - b. List of the Programs and Services RHM provides to its residential clients. The Programs and Services includes housing, but also a host of other services – food, "Flex" Spending, Identification and Document Support, Financial Advisorship, Healthcare, Technology and "Getting up to Speed", Religion and Spiritual Belief, and Transportation Support and Vehicle Ownership.
 - c. Residents can be disciplined in they violate a provision of the Handbook.
 - d. Clients must review the Handbook before agreeing to enter the Program. (8-12-24 email from James Baugh to Jim Kozik)
10. In response to a request for additional information from the Committee, RHM provided a copy of a grant application it had submitted to DuPage County. The grant application stated as follows:
 - a. RHM provides consultation services. In 2023, RHM welcomed its first residential client in a single-family style home in Wheaton.
 - b. RHM described its Program as "housing support, along with food assistance, **mentoring/case management**, and logistical support". RHM indicated that one person had been served by this Program.
 - c. RHM indicated the residential client had significant issues prior to living at the house, and within the seven months he had lived there he improved his health outcomes, been offered jobs, and was on track for early release from parole.
 - d. In describing how the grant funds would be used, RHM stated that they live alongside their residents and help them address basic administrative needs of adulthood and teach them the basics of healthy living
11. In RHM's 2022 990EZ federal tax form, it stated that it provides **comprehensive transitional services** to people existing incarceration, including education, housing, food assistance, medical

cost assistance, technology training, employment matchmaking services and document acquisition assistance.

12. Linda Hayward lives at 530 E. Indiana Street, Wheaton, with her husband and the Baughs. She lived there while Patrick Manning was living there. (Linda's statement 1-22-25)
13. Patrick Manning's physical address was not listed in the References section of James Baugh's resume. (Application)

Applicable City of Wheaton Code Provisions

Sec. 26-165. Legislative findings.

It is hereby found that there presently, and may in the future, exist within the city, facilities which provide a program structured to meet the social, habilitative, and respite needs for persons residing therein, in a residential community setting, with no federal, state or county license being required to operate such a facility. In order to protect and promote the public health, safety and general welfare of residents in the community, and the residents and employees of the facility, it is further found that the establishment and enforcement of a group care home license for those facilities which have no license available from a federal, state or county agency shall be required.

Sec. 26-166. Definitions.

Group care home means a residential facility maintained as a single housekeeping unit occupied by unrelated individuals where qualified professional staff provide a program structured to meet the social, habilitative and respite needs of persons residing therein, in a residential community setting.

Sec. 26-167. License required.

It shall be unlawful for any person or entity to conduct, keep, manage or operate a group care home without a valid license from a state, federal or county agency unless the group care home conforms to the ordinances of the city and in particular this article. If no valid state, federal, or county license is available or applicant chooses not to apply for a state, federal or county license a city license shall be required. Notice shall be given to the city upon revocation of a state, federal, or county agency license and such revocation shall constitute noncompliance with this article.

Sec. 26-170. Issuance or denial of license.

(c) If the group care home license review committee determines that a license should not be issued, the director of planning shall, within ten days of the determination, notify the applicant of such determination, in writing, setting forth specifically the grounds for denial. A license applied for under this article may be denied if the application is incomplete or inaccurate, or if the applicant or sponsoring organization or agency fails to comply with applicable federal, state, and city laws, ordinances, and/or regulations, and such deficiency cannot be eliminated or sufficiently mitigated.

Sec. 26-177. - Penalty for violation of article.

Violations of this article may bar future consideration for a group care home license.

Wheaton Zoning Ordinance

24.10 Particular Home Occupations Permitted.

8. The letting for hire of rooms for rooming or boarding use for a lease term of greater than fourteen (14) days to not more than four (4) persons unrelated to the owner of the property or

lessor who Lives on Site. Provided, however, that this provision shall not allow the occupancy of a dwelling unit by more than five (5) unrelated individuals. Prior to the initial use of letting for hire of rooms for rooming or boarding use, the operator of the home occupation shall obtain a letter approving the occupancy from the Director of Planning & Economic Development, certifying that all applicable life safety ordinances and codes have been satisfied.

Basis

Based on the above, the information and documents that were submitted, and statements made by RHM and the public, it is evident that RHM operated a program and was providing services to a residential client for over a year at 530 E. Indiana Street. RHM was providing more than housing to Patrick Manning; they were providing comprehensive re-entry/transitional services. The Handbook details all the services RHM provides to its residential clients. RHM's activities at the Subject Property meet the definition of a Group Care Home under the City's ordinance.

The statements made by James Baugh, both verbally and in writing, that RHM was only providing housing to Patrick Manning are not credible. RHM's mission is to provide services to help formerly incarcerated individuals get to a point of independent living. It is inconceivable that neither James nor Katrina provided assistance to Patrick to reach this status of independent living. The Handbook explicitly requires RHM staff and the residential client to meet to discuss the PGP. RHM has also stated that Patrick's health improved, he received job offers, and was on track for early release from parole. The notion that RHM simply allowed Patrick to live in the house without providing any support is unreasonable. It is highly likely that RHM staff assisted Patrick with organizing and scheduling his meetings or appointments. Additionally, it is reasonable to assume they met with him to discuss his goals and progress during the 1 ½ years he resided at the property.

As RHM was operating a Group Care Home without obtaining the required City of Wheaton Group Care Home license, it violated City Code. Not only were there violations of the GCH provisions of the City Code, but also violations of the Wheaton Zoning Ordinance. Specifically, the occupants at 530 E. Indiana Street, including the Baughs and Haywards, failed to comply with Section 24.10.8. of the Zoning Ordinance in that they neither requested nor received an approval letter from the City allowing additional renters/boarders (the Baughs and Patrick Manning) to reside at the Subject Property for more than 14 days while the Haywards were residing there.

Violations of any laws and ordinances are sufficient grounds to deny a license.

Furthermore, RHM failed to disclose at any time that it had a "client" living at the Subject Property. While Patrick Manning's name was listed as a client reference in James Baugh's resume, his physical address was not included. The Committee only became aware of a client living at the Subject Property through information provided by the neighbors. In the Committee's opinion, this is a material omission and misrepresentation of substantial, relevant and important information.

Finally, inspection conducted by the Fire Department revealed concerning conditions within the home. Parts of the house exhibited almost hoarder-like conditions, along with unsafe electrical wiring and components. Allowing a client to live in unsafe conditions demonstrates a lack of sound judgment on RHM's part and raises serious concerns about their ability to operate a facility wherein care and services will be provided to third parties.

The denial of RHM's application for a GCH license will protect and promote the public health, safety and general welfare of residents in the community, and the residents and employees of the home.

