



**City of Wilmington
1165 South Water Street
Wilmington, IL 60481**

**Agenda
Regular City Council Meeting
Wilmington City Hall
Council Chambers
February 21, 2017
7:00 p.m.**

I. Call to Order

II. Pledge of Allegiance

III. Roll Call by City Clerk

John Persic, Jr.	Kevin Kirwin
Kirby Hall	Larry Hall
Joe VanDuyne	Fran Tutor
Steve Evans	Frank Studer

Mayor Orr: I declare that the regular meeting of the City Council on February 21, 2017 is now in session at _____ p.m.

IV. Approval of Minutes of the February 7, 2017 Regular City Council Meeting

V. Public Hearing

Annexation & Rezoning R2 (County) to I2 (City)
Location: West of RT 53 on south side of Stripmine Road
Petitioner: Castillo, Barney
PIN: 03-17-35-100-003-0000

VI. Mayor's Report

1. Proclamation of Retirement of Gary W. Van Duyne

VII. Citizens Comments

All citizens wishing to speak please state your name and/or sign in with the City Clerk for record keeping purposes

*Posting Date:
2/17/2017 9:42 AM jjz*

VIII. Planning & Zoning Commission

1. Approve Ordinance No. 17-02-21-01 ó An Ordinance Rezoning Certain Property (PIN: 03-17-16-300-005-0000, Owner Adar Ridgeport Industrial Partners, LLC)
2. Approve or Deny the Planning and Zoning Commission's Recommendation for the City Council to annex the Castillo property and zone the property to I2-Light Industrial subject to the conditions that it be operated only as a landscape business and not other business entities that are applicable to the I-2 zoning, comply with restrictions which were agreed to by the petitioner for the IDNR issues based on the memo submitted, the property would revert to uses consistent with R-1 zoning at anytime which Mr. Castillo or his family no longer owned and operated the business, and he would be required to grant the City any easements needed in the event that water or sewer service is extended to or beyond his property
3. Approve An Ordinance Annexing Certain Territory to the City of Wilmington, Will County, Illinois (03-17-35-100-003-0000, Petitioner Castillo)
4. Approve An Ordinance Rezoning Annexed Property ó I2 Light Industrial (03-17-35-100-003-0000, Petitioner Castillo)
5. The next scheduled meeting is Thursday, March 2, 2017 at 5:00 p.m.

IX. Committee Reports

A. Buildings, Grounds, Parks, Health & Safety Committee

Co-Chairs – John Persic, Jr. & Joe VanDuyne

1. The next scheduled meeting is Wednesday, March 15, 2017 at 5:30 p.m.

B. Water, Sewer, Streets & Alleys Committee

Co-Chairs – Frank Studer & Kevin Kirwin

1. The next scheduled meeting is Wednesday, March 15, 2017 at 6:00 p.m.

C. Police & ESDA Committee

Co-Chairs – Frank Studer & Fran Tutor

1. The next scheduled meeting is Tuesday, March 14, 2017 at 5:30 p.m.

D. Finance, Administration & Land Acquisition Committee
Co-Chairs – Frank Studer & Fran Tutor

1. Approve the Accounting Reports as Presented by the City Accountant
2. Approve Request to Reduce/Eliminate Building Permit Fees for VFW New Construction
3. Approve Resolution No. 2017-03 ó A Resolution for a Temporary Loan Between Funds
4. The next scheduled meeting is Tuesday, March 21, 2017 at 6:00 p.m.

E. Ordinance & License Committee
Co-Chairs – Kirby Hall & Steve Evans

1. Approve Ordinance No. 17-02-21-02 ó An Ordinance Establishing Travel, Meal and Lodging Expense Reimbursement Regulations for the City of Wilmington, Will County, Illinois
2. Approve Ordinance No. 17-02-21-03 ó An Ordinance Declaring as Surplus Certain Equipment and Authorizing the City Administrator to Dispose of Said Equipment in a Manner in the Best Interest of the City of Wilmington
3. First Reading ó Revisions to Chapter 118-Peddlers, Solicitors and Street Vendors
4. The next scheduled meeting is Tuesday, March 14, 2017 at 6:00 p.m.

F. Personnel & Collective Bargaining Committee
Co-Chairs – Larry Hall & John Persic, Jr.

Nothing to report at this time

X. City Engineer’s Report

XI. City Administrator’s Report

XII. Attorney’s Report

XIII. Adjournment

The next regular City Council meeting is Tuesday, March 7, 2017 at 7:00 p.m.

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**Minutes of the Regular Meeting of the
Wilmington City Council
Wilmington City Hall
1165 South Water Street
Tuesday, February 7, 2017**

Call to Order

The Regular Meeting of the Wilmington City Council on February 7, 2017 was called to order at 7:00 p.m. by Mayor Orr in the Council Chambers of the Wilmington City Hall.

Roll Call

Upon Roll Call by the Clerk the following members of the corporate authorities answered "Here" or "Present":

Aldermen Present Persic, L. Hall, Tutor, Kirwin, K. Hall, Evans, Studer

Alderman Absent Van Duyne

Quorum

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

Other Officials in Attendance

Also in attendance were the Interim City Administrator Frank Koehler, Deputy City Clerk Joie Ziller, City Account Kim Doglio and Attorney John Urban

Approval of Minutes

Alderman Studer made a motion and Alderman Tutor seconded to approve the January 17, 2017 Regular City Council meeting minutes and have them placed on file

Upon roll call, the vote was:

AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

Mayor's Report

The Mayor discussed with the Council to reduce and/or eliminate the building permit fees for the new construction of the VFW. Mayor Orr stated that Chuck Keslin (Building Inspector) has agreed to waive all of his inspection fees. The Council agreed to discuss this further at the February 21, 2017 Finance, Administration and Land Acquisition meeting.

Alderman Persic made a motion and Alderman L. Hall seconded to approve the Mayoral Appointment of Ken Ewenson as Temporary Superintendent of Public Works

Upon roll call, the vote was:

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AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

Citizen Comments

George Zouganelis spoke on behalf of residents residing on Cottage Road regarding the tractor-trailers not having the correct directions and making u-turns ó i.e. õThe other morning I was coming to work and there was a driver that tried to do a U-turn and turn his tractor-trailer around on Lorenzo Road. The driver drives right into the mud and gets stuck. The tractor-trailer sits Lorenzo Road with two squads one on each side, directing traffic around it, I don't know if the driver was ticketed, but I think that those officers shouldn't have let another tractor-trailer pull up there to pull this guy out. I think he should have been stuck with the tow truck billö.

Mike Stover is very concerned that the semi-trailers are going to go through his house unless some kind of barrier is put in place to stop the madness. Mr. Stover stated that the City created the madness and now the City should have to stop it. The utility equipment for his house (the corner of Lorenzo and Cottage) had to be moved because it had been hit so many times by trucks trying to turn around there.

Traci Stover stated that somebody's going to get killed. The cars trying to get around those trucks while they're trying to do U-turns - they back out in the middle of the road. It's horrible.

Mike Dodge, Cottage Road resident, stated that the truckers are also doing 40 mph to 45 mph on Cottage Road, which is well over the road's speed limit and they're also beyond the posted weight limit.

Mayor Orr stated that this big issue is the drivers are looking for Kavanaugh Road which no longer exists so the City Engineer has been working with the companies at Ridgeport to get permanent signage on Lorenzo Road informing the truckers to turn on Graaskamp Boulevard and also send the correct information to the GPS companies to eliminate Kavanaugh Road. In addition, electronic reader board signs will be put in place instructing drivers to use Graaskamp Boulevard. Lastly the City will work with the Will County Highway Department and Wilmington Township Highway Department to install some type of barrier at the corner and install additional signage.

Planning & Zoning Commission

The next meeting is scheduled for Thursday, March 2, 2017 at 5:00 p.m.

Committee Reports

Buildings, Grounds, Parks, Health & Safety Committee
Co-Chairs – John Persic Jr. & Joe VanDuyne

The next scheduled meeting is Wednesday, February 15, 2017 at 5:30 p.m.

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Water, Sewer, Streets and Alleys Committee

Co-Chairs – Frank Studer & Kevin Kirwin

The next scheduled meeting is Wednesday, February 15, 2017 at 6:00 p.m.

Police & ESDA Committee

Co-Chairs – Frank Studer & Fran Tutor

The next scheduled meeting is Tuesday, February 14, 2017 at 5:30 p.m.

Finance, Administration & Land Acquisition Committee

Co-Chairs – Frank Studer & Fran Tutor

Alderman Tutor made a motion and Alderman Evans seconded to approve the Accounts Payable Report dated February 7, 2017 in the amount of \$447,422.75 as presented by the City Accountant

Upon roll call, the vote was:

AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

The next scheduled meeting is Tuesday, February 21, 2017 at 6:00 p.m.

Ordinance & Licensing Committee

Co-Chairs – Kirby Hall & Steve Evans

The next scheduled meeting is Tuesday, February 14, 2017 at 6:00 p.m.

Personnel & Collective Bargaining Committee

Co-Chairs – Larry Hall & John Persic Jr.

Alderman L. Hall made a motion and Alderman Persic seconded to approve the Authorization to Seek Replacement for a Building Inspector/Code Enforcement Officer

Upon roll call, the vote was:

AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

Alderman L. Hall made a motion and Alderman Studer seconded to approve the Authorization to Seek a Management Intern

Discussion ó Interim City Administrator Koehler explained that the management intern would help with the budget process and do some capital and long-range financial planning as well as

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assist with human resource issues. This is a non-paid position filled by a student pursuing a degree in a related field.

Upon roll call, the vote was:

AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

Interim City Administrator's Report

Administrator Koehler informed the Council that he has been tracking two pieces of legislation that may impact the City ó 1) House Bill 278 which could increase funding for local municipalities and 2) House Bill 66 which creates a Route 66 Centennial Commission for the 100th Anniversary of the Mother Road in 2026. Administrator Koehler also stated that he is working with the Wilmington Police Department to apply for a \$10,000 ComEd grant and is researching a federal grant for Route 66 enhancement opportunities. He also briefed the Council on the meetings he has held and meetings he has attended.

Attorney's Report

Attorney Urban reported that he has been working on the closing for the cell tower transfer to WESCOM. The issue now is the utility services and meters which are shared with the old Police Department. This creates a problem if the building is sold. Attorney Urban requested that this be brought to the Buildings, Grounds & Parks meeting for further discussion.

Executive Session

Alderman L. Hall made a motion and Alderman Kirwin seconded to go into Executive Session at 7:40 p.m. for Matters of Personnel ó 2(c)(1) and 2(C)(2) and Matters of Land Acquisition ó 2(c)(5) and 2(c)(6)

Upon roll call, the vote was:

AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

Alderman L. Hall made a motion and Alderman Evans seconded to come out of Executive Session at 8:27 p.m.

Upon roll call, the vote was:

AYES: 7 Aldermen Studer, Tutor, Persic, K. Hall, Kirwin, Evans, L. Hall

NAYS: 0

ABSENT: 1 Van Duyne

The motion carried.

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Action Taken Following Executive Session

Alderman Persic made a motion and Alderman Tutor seconded to approve the Collective Bargaining Agreement with AFSCME pending legal review

Upon roll call, the vote was:

AYES: 5 Aldermen Studer, Tutor, Persic, Kirwin, Evans

NAYS: 2 L. Hall, K. Hall

ABSENT: 1 Van Duyne

The motion carried.

Alderman Persic made a motion and Alderman Studer seconded to approve purchase of Openlands property pursuant to prior agreement with Openlands

Upon roll call, the vote was:

AYES: 5 Aldermen Studer, Tutor, Persic, Kirwin, Evans

NAYS: 2 L. Hall, K. Hall

ABSENT: 1 Van Duyne

The motion carried.

Adjournment

Motion to adjourn the meeting made by Alderman Tutor and seconded by Alderman L. Hall. Upon voice vote, the motion carried. The Regular Meeting of the City of Wilmington City Council held on February 7, 2017 adjourned at 8:35 p.m.

Respectfully submitted,



Joie Ziller, Deputy City Clerk

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS .} Ss.
County of Will,

Copy of Notice Herein Referred To

Wilmington to consider annexation, rezoning

PUBLIC NOTICE

Notice of Public Hearing
City Council of the City of Wilmington, IL

Notice is hereby given that on February 21, 2017 at 7:00 p.m., a Public Hearing will be held by the City Council of the City of Wilmington at the City Hall located at 1165 S. Water Street, Wilmington, IL., for the purpose of receiving and considering testimony and public comment on the request of petitioner, Barney Castillo in regards to the annexation, along with rezoning to I2-Light Industrial, to the City of Wilmington, Illinois of property comprising of 2.3 acres generally located on the south side of Stripmine generally described as follows:

THE NW1/4 SEC 35 T33N-R9E THAT IS W OF THE RAILROAD (EX THE N 327 FT MEASRD AT RT ANGL FROM THE N LN OF SD SEC OF THE W 400 FT OF THE E 1510 FT OF THE NW1/4) & (EX THAT PRT PF THE NW1/4 LYG NW OF THE NW ROW LN OF THE GM&O RR (EX THE N 327 FT AS MEARSD AR RIGHT ANG FROM THE N LN OF SD SEC OF THE W 714 FT OF THE E 1824 FT OF THE NW1/4 SEC 35) PER R74-10755).

PIN: 03-17-35-100-003-000

All persons interested in attending are invited to do so and will be given an opportunity to be heard. Additional information on such a request can be obtained from the City of Wilmington Zoning Administrator at 1165 S. Water Street, Wilmington, IL 1-815-476-2175. By order of the Corporate Authorities of the City of Wilmington, Will County, Illinois.

Published in the Free Press Advocate on Wednesday, Jan. 25, 2017.

I, **Janet M. Fisher** do hereby certify that **Eric D. Fisher** the publisher of the The Free Press Advocate, v now and has been for more than six months prior to the first publication of this notice hereto annexed, a weekly newspaper of general circulation, printed and published in the city of Wilmington in said County, and that said advertisement or notice relating to the matter of:

The Feb. 21, 2017 public hearing to consider the annexation and rezoning for Castillo, etc.

has been published in said paper every week, one time

consecutively of the issues commencing January 25 A.D. 2017,

ending January 25 A.D. 2017, which are the dates of the first and last papers containing the same.

Given under my hand this 25th day of January A.D. 2017,

Printer's Fee \$ 48.40

Paid 20

By: Eric D. Fisher
Eric D. Fisher Publisher

Janet M. Fisher

"OFFICIAL SEAL"
Janet M. Fisher
Notary Public, State of Illinois
My Commission Expires 12-15-20

Minutes to the City of Wilmington
Planning and Zoning Commission Meeting
Wilmington City Hall
1165 South Water Street
Thursday, February 2, 2017 at 5:00 PM

Call to Order

The February 2, 2017 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:00 p.m. by Deputy City Clerk Joie Ziller in the Council Chambers of the Wilmington City Hall.

Roll Call

Upon Roll Call by the Clerk the following members answered "Here" or "Present":

Commissioners Clennon, Tryner, Wysocki, Kulpa, Jones

Commissioners Absent

Smith, Humphries

Quorum

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

Other Officials in Attendance

Also in attendance were the City Planner Carrie Hansen of Schoppe Design Associates, Inc., City Engineer Colby Zemaitis and Deputy City Clerk Joie Ziller

Elect Pro-Tem Chairman

Commissioner Clennon made a motion and Commissioner Jones seconded to elect Commissioner Tryner as Chairman of tonight meeting.

Upon roll call, the vote was:

AYES: 5 Clennon, Tryner, Wysocki, Kulpa, Jones

NAYS: 0

The motion carried.

Approval of Minutes

Commissioner Clennon made a motion and Commissioner Wysocki seconded to approve the January 5, 2017 Planning & Zoning meeting minutes as written and have them placed on file.

Upon roll call, the vote was:

AYES: 5 Clennon, Tryner, Wysocki, Kulpa, Jones

NAYS: 0

The motion carried.

Public Hearing

Annexation & Rezoning R2 County to I2 City

Location: West of RT 53 on south side of Stripmine Road
Petitioner: Castillo, Barney
PIN: 03-17-35-100-003-0000

Commissioner Kulpa made a motion and Commissioner Jones seconded to open the public hearing at 5:03 p.m.

Upon roll call, the vote was:

AYES: 5 Clennon, Tryner, Wysocki, Kulpa, Jones

NAYS: 0

The motion carried.

The Deputy City Clerk confirmed that the public hearing notice was published (not less than 15 days and not more than 30 days) accordingly and made part of the record. In addition, the applicant's affidavit, certified copies of the notices sent adjacent property owners within 250 feet. Also included with the agenda packet was the letter from IDNR with their recommendations for protection to the land and endangered species found in the neighboring property known as the Hitts Siding Prairie Nature Preserve, along with Interim City Administrator Frank Koehler's memo and recommendation.

Petitioner Barney Castillo explained to the Commission that he would like to annex his property, approximately 2.3 acres located on the south side of Stripmine Road into the City's Corporate limits, along with re-zoning the property to I2-Light Industrial. Mr. Castillo informed the Commission that he cannot use the property for outside storage under its current Will County zoning. The Will County Land Use Department suggested that he annex the land to the City of Wilmington. He currently stores his company vehicles, trailers, materials and equipment inside two cargo containers.

Chairman Tryner explained to the Committee that Petitioner Castillo did email the City a response regarding the six recommendations made by the IDNR in their letter dated December 13, 2016. They are as follows:

Recommendation #1: As a condition of approval, the City should consider requiring the petitioner to develop a policy and procedure to train employees to recognize these endangered species, to avoid handling them, and to report them to the Department when observed.

We will develop a policy and procedure to train our employees to recognize these endangered species, to avoid handling them, and to report them to the Department when they are observed.

Recommendation #2: The Department recommends the City require the storage and handling of lawn chemicals (fertilizers and pesticides) to occur on a paved or impermeable surface protected from the weather, so that any spilled or leaching

chemicals can be prevented from entering surface or ground water, and be easily cleaned-up.

All fertilizers and pesticides are stored and contained on an impermeable surface protected from the weather. This is a completely sealed and enclosed 8' x 40' steel container. The fertilizers and pesticides we use are designed for home and garden use.

Recommendation #3: The City should prohibit the temporary storage, composting, or permanent disposal of landscaping waste on the property.

We dispose of landscaping debris off site or in an onsite dumpster. We do not do mowing or have any lawn clippings.

Recommendation #4: The City should prohibit the washing or cleaning of landscaping equipment on the property.

We clean our landscaping equipment at a facility off site. We have no water available on site.

Recommendation #5: The City should impose a wetland buffer zone and filter strip.

We will keep a 10' vegetative buffer zone and filter strip between the wetlands and the parking area.

Recommendation #6: The City should impose a buffer yard on the edges of the parcel facing the Nature Preserve.

We propose to install a buffer on the west edge of the parcel facing the Nature Preserve. The buffer will be a berm of dirt at least 10' wide with vegetation. A silt fence will be installed at the base of the berm 5' from the lot line. This will create a minimum buffer zone of 15'. The majority of the south edge of the parcel is wetlands.

Jerry Stewart questioned the letter submitted by Wilmington Township Road Commissioner. Commissioner Jones stated the letter was submitted by a private citizen and that it was submitted for the public hearing held on August 4, 2016. It was made part of the permanent record for that meeting.

Commissioner Jones made a motion and Commissioner Clennon seconded to close the public hearing at 5:22 p.m.

Upon roll call, the vote was:

AYES: 5 Clennon, Tryner, Wysocki, Kulpa, Jones

NAYS: 0

The motion carried.

Commissioner Review, Approval & Recommendation on Annexation and Zoning request by petitioner, Castillo, Barney

After some discussion the Commission agreed and recommended the following language be included with the annexation agreement:

1. I2-Light Industrial zoning be granted to the petitioner with the recommendations made by the IDNR are met and followed by the petitioner
2. Petitioner be granted I2-Light Industrial zoning with the restriction that he can only operate as a landscape business on the subject property and not any other businesses that would be applicable under the I2-light Industrial Zoning
3. Petitioner is required to grant to the City of Wilmington any easements needed in the in the event the City needs to extend sewer and/or water beyond the subject property
4. Business must be owned and operated by Barney Castillo or the immediate Castillo family. Upon sale of property and business the property will revert back to R1-Single Family Residential

Commissioner Jones made a motion and Commissioner Wysocki seconded to recommend to the City Council to annex the Castillo property and zone the property to I2-Light Industrial subject to the conditions that it be operated only as a landscape business and not other business entities that are applicable to the I-2 zoning, comply with restrictions which were agreed to by the petitioner for the IDNR issues based on the memo submitted, the property would revert to uses consistent with R-1 zoning at anytime which Mr. Castillo or his family no longer owned and operated the business, and he would be required to grant the City any easements needed in the event that water or sewer service is extended to or beyond his property.

Upon roll call, the vote was:

AYES: 5 Clennon, Tryner, Wysocki, Kulpa, Jones

NAYS: 0

The motion carried.

Review and Approve 2017 City of Wilmington Zoning Map

City Planner Carrie Hansen informed the Commission that this will be reviewed at the March 2, 2017 meeting.

Citizen's Comment

None

Adjournment

Motion to adjourn the meeting made by Commissioner Clennon and seconded by Commissioner Kulpa. Upon voice vote, the motion carried. The Wilmington Planning & Zoning meeting held on February 2, 2017 adjourned at 5:34 p.m.

Respectfully submitted,



Joie Ziller
Deputy City Clerk

**BEFORE THE PLANNING AND ZONING COMMISSION OF
THE CITY OF WILMINGTON ON FEBRUARY 2, 2017**

**THE MATTER OF A
MAP AMENDMENT FROM R-2 RESIDENTIAL SINGLE FAMILY (WILL COUNTY ZONING)
TO I-2 LIGHT INDUSTRIAL – STRIPMINE ROAD
PIN 03-17-35-100-003-0000
PETITIONER, CASTILLO, BARNEY**

PZC MAP AMENDMENT FORM FOR FINDINGS AND RECOMMENDATIONS

JURISDICTIONAL REQUIREMENTS FOR A HEARING

- Yes No Published Public Hearing Notice was made not less than 15 days and not more than 30 days prior to hearing.
- Yes No Public Hearing Notice made part of the record.
- Yes No Applicant's Affidavit that signage was posted not less than 15 days and not more than 30 days prior to hearing.
- Yes No Copy of the Notice was sent to each property owner within 250 feet of the proposed variance.
- Yes No Applicant's Affidavit of Service of Notice to each property owner was filed.

**PLANNING AND ZONING COMMISSION FINDINGS RELATIVE TO THE PETITION FOR
MAP AMENDMENT**

After giving due consideration and weight to the following factors: (1) the potential benefits and detriments of the proposed zoning change to the public health, safety and welfare; (2) the extent to which the proposed amendment is in compliance with and/or deviates from the adopted comprehensive plan; (3) the suitability of the property in question for the uses permitted under the proposed zoning; and (4) the adequacy of appropriate public facilities, such as sewer, water and roads and of other required services, the Planning and Zoning Commission hereby finds as follows:

- Yes No (1) The proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.
- Yes No (2) The proposed rezoning conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

Yes No (3) The proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses.

Yes No (4) Adequate public facilities and services exist or can be provided.

Facts supporting map amendment as to issue 1: _____

Facts supporting map amendment as to issue 2: _____

Facts supporting map amendment as to issue 3: _____

Facts supporting map amendment as to issue 4: _____

The final vote of the Planning and Zoning Commission to recommend APPROVAL of the requested map amendment from R-2 Residential Single Family (Will County Zoning) to I-2 Light Industrial on Stripmine Road, by ayes and nays, was as follows:

Chris Smith absent Larry Clennon aye Jonathan Jones aye

Ken Kulpa aye Bryan Humphries absent Gina Wysocki aye

John Tryner aye

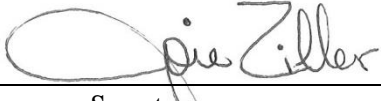
PZC hereby recommends the granting of the map amendment from R-2 Residential Single Family (Will County Zoning) to I-2 Light Industrial on Stripmine Road based upon the conditions and restrictions, if any, set forth below:


1. I2-Light Industrial zoning be granted to the petitioner with the recommendations made by the IDNR are met and followed by the petitioner
2. Petitioner be granted I2-Light Industrial zoning with the restriction that he can only operate as a landscape business on the subject property and not any other businesses that would be applicable under the I2-light Industrial Zoning
3. Petitioner is required to grant to the City of Wilmington any easements needed in the in the event the City needs to extend sewer and/or water beyond the subject property
4. Business must be owned and operated by Barney Castillo or the immediate Castillo family. Upon sale of property and business the property will revert back to R1-Single Family Residential

OR

- PZC hereby recommends against the granting of the map amendment from R-2 Residential Single Family (Will County Zoning) to I-2 Light Industrial on Stripmine Road in this matter.

Dated: February 2, 2017


Secretary


Chairman



Land Use Petition
City of Wilmington, Illinois

Petitioner: Barney Castillo
Address: 1101 W. Division St.
City: Braceville State: IL Zip: 60407
Phone No.: 815-739-1607 Fax No.: Email: dmello1@hotmail.com

- Petitioner is the owner of the subject property and is the signer of this petition
Petitioner is the contract purchaser of the subject property and has attached a copy of said contract to this petition
Petitioner is acting on behalf of the owner of the subject property and has attached a letter granting such authority signed by the owner

In the event the property is held in trust, a notarized letter from an authorized trust officer identifying the petitioner as an authorized individual acting on behalf of the beneficiaries and providing the name, address, and percentage of interest of each beneficiary is attached to this executed petition.

Subject Property

Location: Couple blocks W of Rt. 53 on South side Strip Mine Rd.
Size of Property: 2.3 Acres (314' x 327') Tax Parcel No.: 03-17-35-100-003-0000

The following documents have been attached:

- Legal Description, List of Adjacent Property Owners, Preliminary Plat, Preliminary Plan, Impact Fee Form, Plat of Survey, Site Plan, Final Plat, Final Plan, Bank Trust Letter

Type of Action Requested

- Annexation, Annexation Agreement, Concept Plan, Preliminary Plat/Plan (circle one), Final Plat/Plan (circle one), Map Amendment from R2 to I2 County, Conditional Use, Variance, Site Plan Review

I have submitted the required filing fee. I understand that the fee is non-refundable. The fee is determined according to the attached schedule of fees. \$150 (fee) (initial here)

Statement of Petition

Please provide a brief statement describing the proposal as it relates to the standards of petition accompanying this document (attach additional sheets if necessary).

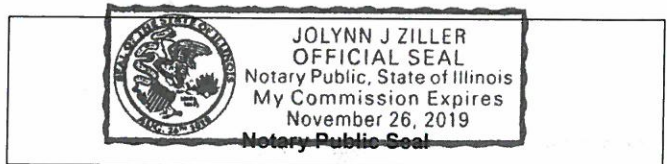
I am requesting the City of Wilmington to annex my property and allow it to be re-zoned to I-2. This is so I can have outside storage to park my equipment for my landscape company. This will include my 2 containers and pickups.

Number of Dwelling Units, Proposed Time Schedule for Development, Requested Variances, Type of Units, Square Footage, JUN 16 2016, 4017, 4048

Authorization

I hereby affirm that I have full legal capacity to authorize the filing of this petition and that all the information and exhibits herewith submitted are true and correct to the best of my knowledge.

State of Illinois, County of Will, 6/16/16, Barney Castillo, Signature of Petitioner



I, the undersigned, a notary public in and for the said county and state aforesaid, do hereby that Barney Castillo is personally known to me to be the same person whose name is subscribed to the forgoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act, for the uses and purposes set forth.

Notary Signature: Jolynn J Ziller, My Commission Expires: 11/26/2019

Given under my hand and notary seal this 16 day of June, A.D. 2016

RECEIVED

MAY 23 '16

CITY OF WILMINGTON

I have a piece of property on W Strip Mine Rd., Wilmington, about 1 block west of the railroad tracks and Davy Lane. I am asking if the City of Wilmington will annex this property and then re-zone it as I-2, Light Industrial.

I have a gravel parking area that I would like to use as outdoor storage to park my landscaping equipment and trucks on. It would also be used for the storage of some supplies. I provide residential landscape services and don't use this as a retail business.

I am in the process of putting a dirt berm, that will be at least 8 feet, across the face of the property to screen it from public view. The other sides cannot be seen by the public due to natural woods.

I would like to keep my 2 cargo containers for tool storage. They are placed on an elevated gravel base and have recently been painted a nice brown to blend in with the natural surroundings.

I have attached 2 pictures to show my gravel parking area and equipment as it looks and a picture of the containers on their elevated gravel base.

Thank you for considering this proposal.

Barney Castillo

Parking area for storage of landscape equipment, trucks, supplies



RECEIVED
MAY 23 '18
CITY OF WILMINGTON

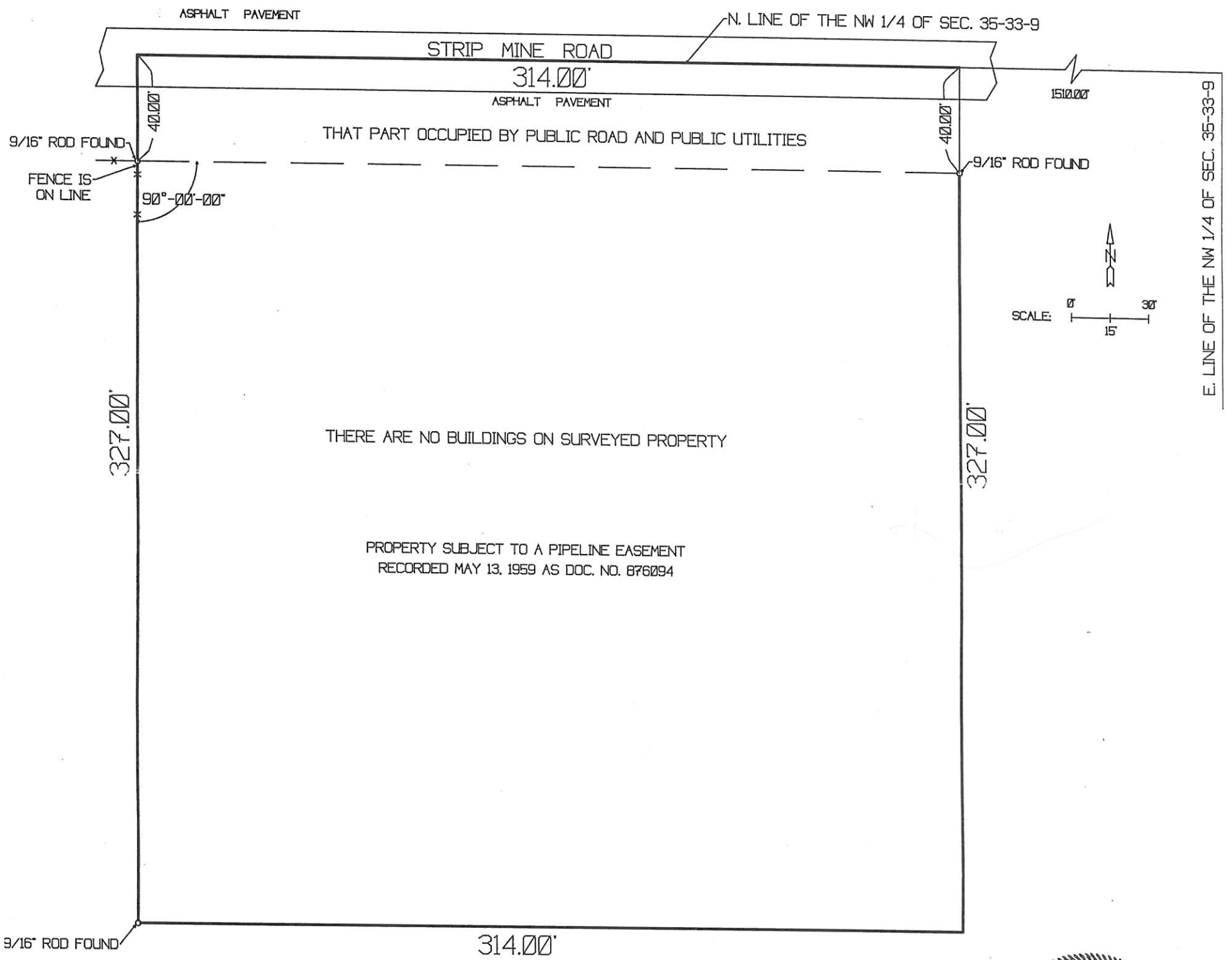
Painted containers on elevated gravel base

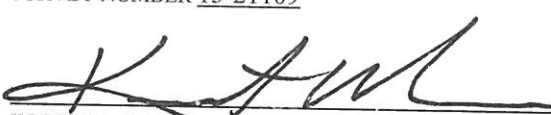


PLAT OF SURVEY

THE NORTH 327 FEET (MEASURED AT A RIGHT ANGLE FROM THE NORTH LINE OF SAID SECTION) OF THE WEST 714 FEET (EXCEPT THE EAST 400 FEET OF THE EAST 1824 FEET) OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS

W. STRIPMINE ROAD
WILMINGTON, IL



<p>COMMUNITY SURVEY INC. 68 N. CHICAGO STREET, SUITE 218 JOLIET, IL 60432</p> <p>(815) 722-9005 (815) 722-9019 - fax</p> <p>DESIGN FIRM NO. 184-002899 CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY. COMPARE POINTS BEFORE BUILDING.</p>	<p>WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED FOR JOHN TRYNER UNDER MY HAND AND SEAL THIS 25TH DAY OF JUNE 2015.</p> <p>FIELD WORK 6/24/2015 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEY NUMBER 15-21109</p> <p> ILLINOIS LAND SURVEYOR NO. 3701 EXPIRES 11/30/2016</p>
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Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

December 13, 2016

Mr. Colby Zemaitis
City of Wilmington
1165 S. Water Street.
Wilmington, IL 60481

**RE: Castillo Property Annexation and Rezoning, Wilmington, Will County
Endangered Species Consultation Program
EcoCAT Review #1703400**

Dear Mr. Zemaitas:

The Department received this proposed action for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11]; the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17]; and Title 17 *Illinois Administrative Code* Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herptiles-Herps Act* [510 ILCS 69].

Thank you for the additional information you provided by e-mail on October 11, 2016, pertaining to the proposed action.

The unincorporated Castillo parcel lies entirely within the Hitts Siding Prairie Illinois Natural Areas Inventory (INAI) Site, and is bounded to the south and west by the 300-acre Hitts Siding Prairie Nature Preserve, a property owned and managed by the Illinois Department of Natural Resources, which contains high-quality natural communities (mesic prairie, mesic sand prairie, wet mesic prairie, and tallgrass prairie), provides essential habitat for at least six State-listed endangered or threatened species, and enjoys the highest level of land/resource protection available under Illinois laws.

The *Illinois Natural Areas Preservation Act*, Section 17, directs a local government “to evaluate, through a process of consultation with the Department, whether the actions, including capital projects, that are authorized, funded, or carried out by the agency of State or local government

are likely to result in the destruction or adverse modification of any natural area that is registered under this Act or identified in the Illinois Natural Areas Inventory.”

Further: *“The evaluation shall be conducted early in the planning of a proposed action. If the proposed action is found likely to have an adverse impact on a natural area, the agency shall study the proposed action to determine possible methods of eliminating or mitigating the adverse impact. Before implementing any action, the agency shall attempt to mitigate or eliminate any adverse impacts in a manner consistent with the planned action.”* 525 ILCS 30/17.

The Department believes the proposed annexation/rezoning and proposed use is likely to jeopardize the essential habitats for six State-listed threatened or endangered species or cause adverse modification of the Natural Area because of: (a) potential disturbance of the nesting grounds of threatened or endangered turtles which may exist on the parcel; (b) potential spills and seepage of lawn chemicals into the wetlands on the Castillo parcel and into the adjacent Nature Preserve which would adversely alter the water quality which occurs on that property and within the Nature Preserve; and (c) storing lawn waste on the Castillo property poses the potential introduction of invasive and non-native plants into the adjacent Nature Preserve.

Pursuant to the administrative rules for the Consultation Procedure, Section 1075.40(f), the Department offers the following recommendations, which may minimize or avoid the adverse impacts of the proposal.

As noted earlier, the entire parcel under consideration lies within the Hitts Siding Prairie Illinois Natural Areas Inventory (INAI) Site, which provides essential habitat for the endangered Blanding’s Turtle, the threatened Ornate Box Turtle, and the endangered Eryngium Stem-Borer Moth. All three are definitely present inside the Nature Preserve and may be present within the Castillo parcel, whose physical features contain appropriate habitat elements.

On June 23, 2016, IDNR personnel visited the parcel and found the Natural Area had already been adversely modified. Mixed in a pile of soil and debris, IDNR discovered broken turtle eggs, which were collected and subsequently submitted to a laboratory for DNA analysis to identify which species produced them. The context in which these eggshells were found appears to be the result of unauthorized grading activities on the parcel to construct the gravel parking area. The DNA analysis determined the eggs were those of the **Common Snapping Turtle**, *Chelydra serpentina*, which is not protected as an endangered or threatened species.

However, their presence is proof that turtles used the unmodified parcel as a nesting ground before the petitioner’s disturbance of the site. The petitioner’s creation of the gravel parking area, by increasing solar exposure and creating a favorable thermal environment, actually increases the probability listed species of turtle will nest on the parcel in the future. All turtles prefer sunny locations for their nests, and the Ornate Box Turtle is noted for its tendency to nest

on or near roads and trails.¹ The Blanding's Turtle often nests on road shoulders and in railroad ballast. Thus the gravel parking area may be an enticing location for nesting.

The proposed use of the parcel poses a significant risk that the activities of the petitioner and his employees could result in the prohibited taking of endangered or threatened species.

Recommendation #1: As a condition of approval, the City should consider requiring the petitioner to develop a policy and procedure to train employees to recognize these endangered species, to avoid handling them, and to report them to the Department when observed. In doing so, the petitioner may determine it would be beneficial to seek and to obtain from the Department of Natural Resources an Incidental Take Authorization pursuant to Part 1080 of the Department's Administrative Rules and Section 5.5 of the *Illinois Endangered Species Protection Act*. Such an Authorization would relieve the petitioner of potential liability under that statute, so long as the terms of the Authorization are observed.

Recommendation #2: The Department recommends the City require the storage and handling of lawn chemicals (fertilizers and pesticides) to occur on a paved or impermeable surface protected from the weather, so that any spilled or leaching chemicals can be prevented from entering surface or ground water, and be easily cleaned-up.

The requested storage of pesticides on the parcel raises the possibility of spills which expose endangered species to high concentrations of these chemicals. Throughout Northeastern Illinois, turtle hatchlings have displayed physical deformities attributed, in part, to the exposure of adult females during gestation to anthropogenic chemicals released into the environment.

Wetlands on the Castillo property extend into the Nature Preserve; any alterations of the hydrology or water quality which occur on that property will have adverse consequences within the Nature Preserve. The soils on the site are highly permeable. Any spills of dry or liquid chemicals will be difficult or impossible to clean up or remove. Over time, accidental spills are nearly certain to occur even with strong precautions. The isolated location increases the chance of theft or vandalism resulting in chemical spills.

While the existing cargo containers may protect chemicals from the weather, the gravel working surface cannot prevent the movement of spilled chemicals into the soil and will render adequate clean-up difficult. The best way to avoid the migration of chemicals is to provide an impermeable surface under a roof.

Recommendation #3: The City should prohibit the temporary storage, composting, or permanent disposal of landscaping waste on the property. A less-effective measure would be to require such materials to be covered at all times.

The petitioner will be providing landscaping services to clients across a wide area and is likely to work with or collect landscaping waste containing the seeds and viable vegetative parts of

¹ Research on a Western Illinois natural area found that 50% of Ornate Box Turtle nests were on or next to the only roadway through the site.

numerous non-native and invasive plants. Even the temporary storage of these wastes on this parcel may result in their introduction into the Nature Preserve.

Recommendation #4: The City should prohibit the washing or cleaning of landscaping equipment on the property.

The seeds of non-native and invasive plants are often introduced to new sites on tires and machine parts which have not been adequately cleaned; cleaning them on this parcel is virtually certain to introduce such plants to the Nature Preserve, requiring costly remedial action on the part of the Department of Natural Resources at a time when the State's financial resources are restricted.

Recommendation #5: The City should impose a wetland buffer zone and filter strip.

Currently, little or no buffer exists between the on-site wetlands and the petitioner's activities. This promotes soil erosion and the movement of sediments from the parking area directly into the wetlands. While space on the parcel may be limited, there is adequate room to establish a vegetative filter strip between the wetlands and the parking area to abate sedimentation and water quality degradation due to water movement over the slope into the wetland.

Recommendation #6: The City should impose a buffer yard on the edges of the parcel facing the Nature Preserve.

If the requested use is permitted, a buffer yard should be established to protect the boundaries of the Nature Preserve from incursion. A minimum width of ten feet should be imposed, but 15 or 20 feet would offer more protection to the Nature Preserve. The petitioner should be required to maintain the buffer yard free of non-native invasive species of plants, as well as plants classified as noxious (poison ivy).

The Department's consultation with the City of Wilmington is mandated by State laws and is separate and distinct from any other authority, mission, or purpose of the Department. The conclusion of the consultation process will in no way modify or affect any other rights or prerogatives of the Department which derive from the ownership of real estate within the City of Wilmington.

Consultation on the part of the Department is closed, unless the City desires additional information or advice related to this proposal. In accordance with 17 Ill. Adm. Code 1075.40(h), the City should notify the Department of its disposition of these recommendations: whether it will proceed with the action as proposed; whether it will require modification of the proposed action; or whether it will forego the proposed action.

This consultation is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations. Also, note that closure of consultation does not imply IDNR's authorization or endorsement of the proposed action. Please contact me if you have questions regarding this review.

Should you have any questions about this request for information or the consultation process, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Keith M. Shank". The signature is written in a cursive style with a large initial "K".

Keith M. Shank, Acting Chief
Impact Assessment Section
Division of Ecosystems and Environment
keith.shank@illinois.gov
(217) 785-4984

cc: Mr. Barney Castillo
Valerie Njapa, Illinois Nature Preserves Commission

Applicant: Brian Holland
Contact: Barney Castillo
Address: 8300 42nd Street
Rock Island, IL 61201

IDNR Project Number: 1703400
Date: 10/04/2016
Alternate Number: 1703050

Project: Castillo Property
Address: West Strip Mine Rd., Wilmington

Description: I am requesting the City of Wilmington to annex my property and allow it to be re-zoned from R-2 (Residential) to I-2 (Light Industrial). This is so I can have outside storage for parking my landscape equipment, 2 storage containers and some pallets of pavers.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

- Hitts Siding Prairie INAI Site
- Kankakee River INAI Site
- Hitts Siding Prairie Nature Preserve
- Blanding's Turtle (*Emydoidea blandingii*)
- Blanding's Turtle (*Emydoidea blandingii*)
- Eryngium Stem Borer (*Papaipema eryngii*)
- Grass Pink Orchid (*Calopogon tuberosus*)
- Northern Long-Eared Myotis (*Myotis septentrionalis*)
- Northern Panic Grass (*Dichanthelium boreale*)
- Oklahoma Grass Pink Orchid (*Calopogon oklahomensis*)
- Ornate Box Turtle (*Terrapene ornata*)

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Will

Township, Range, Section:
33N, 9E, 35



**IL Department of Natural Resources
Contact**
Keith Shank
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
City of Wilmington
Colby Zemaitis, PE, CFM
1165 S. Water St.
Wilmington, Illinois 60481

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.
3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

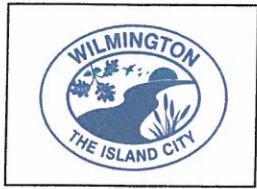
Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



MEMORANDUM

TO: Members, Wilmington Planning Commission
FR: Frank Koehler, Interim City Administrator
DT: Friday, January 27th, 2017
RE: **CASTILLO ANNEXATION**

The Castillo family owns certain property located on the south side of Strip Mine Road west of its intersection with Baltimore Street. They are seeking to annex the property into the City to allow for the continuance of an outside storage area associated with their landscaping business. The current use is not permitted under applicable county zoning regulations which prevail as the property is unincorporated.

As part of their annexation request, they have requested I-2 zoning to allow for the current uses. Under the City of Wilmington's Comprehensive Plan, dated 2008, the property is earmarked for open space. The I-2 zoning would be inconsistent with this requested land use. In fact, it could be considered spot zoning as no other I-2 zoned property is adjacent to or in the immediate vicinity of the subject property. On the north side of the street, which is unincorporated, the comprehensive plan suggests commercial uses. At present, there is a smattering of residential, agricultural and commercial uses in this area.

The Castillo property is in an environmentally sensitive area, as it is within the Hitts Siding Prairie Illinois National Areas Inventory (INAI) site. This necessitated a review by the Illinois Department of Natural Resources (IDNR) as to the efficacy of having the proposed use on this property. The IDNR, after a careful review, did not preclude the use, but did provide a series of recommendations as far as limiting the use of the property. The Castillo's have agreed to the recommendations as furthered by IDNR.

The challenge to the City is to (A) approve the annexation of the property as requested and if so then (B) to determine the zoning most appropriate for the use.

Under zoning protocol, municipalities are not allowed to enter into side agreements relaxing or modifying zoning regulations for a specific property. This is what is called CONTRACT ZONING. However, under procedures for annexation agreements, which are in fact a contract between a municipality and a property owner, conditions and limitations can be included within an agreement, notwithstanding the overlying zoning. To this end, should the City be desirous of having the intended use on the property, there are options.

One would be zoning. Under zoning provisions, land comes into a municipality at the most restrictive classification. In this case, the property would come into the City at R-1 single family. In so far as open space is an allowable use under R-1 standards, this would, on paper, be more consistent with the comprehensive plan as opposed to having I-2 zoning in the area.

The City could restrict or limit the time period for which the existing activity is permitted, such that the proposed use could be allowed to remain so long as the business was operated by the Castillo's and the property was owned by them. At the expiration of the business, or upon sale of the property, any future use would have to be consistent with the R-1 zoning.

Finally, in so far as the Castillo's have agreed to all of the limitations as recommended by IDNR, this should be incorporated into and made a part of any annexation agreement with the City.

The role of the Plan Commission, with respect to annexations, is to render a recommendation as to land use and zoning. To this end, the Commission would need to recommend an appropriate zoning classification. The recommended zoning in this case would be R-1 Single Family. Furthering the proposed use of the property as requested by the Castillo's would require a more detailed agreement with conditions noted above, which would be formalized by the City Council in the approval of any subsequent annexation agreement.

I trust this is of help to you.

ORDINANCE NO. 17-02-21-01

An Ordinance Rezoning Annexed Property

NOW, THEREFORE be it ordained by the City Council of the City of Wilmington, Will County, Illinois that the property legally described on the Attached Exhibit A is hereby rezoned to I-5 PID (Planned Industrial District) classification.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED this 21st day of February, 2017 with _____ members voting aye, _____ members voting nay, the Mayor _____ voting, with _____ members abstaining or passing and said vote being:

John Persic, Jr.	_____	Kevin Kirwin	_____
Larry Hall	_____	Kirby Hall	_____
Fran Tutor	_____	Joe VanDuyne	_____
Steve Evans	_____	Frank Studer	_____

Approved this 21st day of February, 2017

J. Marty Orr, Mayor

Attest:

Joie Ziller, Deputy City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

THE SW1/4 OF THE SW1/4 (EX THE S 30 ACRES) & THE NW1/4 OF THE SW1/4 OF SEC.
16, T33N-R9E. REM/CONS PER PET.#94-108 NDA

PIN: 03-17-16-300-005-0000

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF
WILMINGTON, WILL COUNTY, ILLINOIS**

WHEREAS, a written petition, signed by the legal owner of record of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Wilmington, Will County, Illinois, requesting that said territory be annexed to the City of Wilmington; and

WHEREAS, there are no electors residing within the said territory; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Wilmington; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by state statute; and

WHEREAS, copies of such notices required to be recorded, if any, have been recorded in the Office of the Recorder of Will County; and

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of the annexation agreement and with the statutes of the State of Illinois, specifically Section 7-1-8 of the Illinois Municipal Code; and

WHEREAS, it is in the best interests of the City of Wilmington that the territory be annexed thereto,

NOW THEREFORE, be it ordained by the City Council of the City of Wilmington, Will County, Illinois as follows:

SECTION 1: That the following described territory,

THE NW1/4 SEC 35 T33N-R9E THAT IS W OF THE RAILROAD (EX THE N 327 FT MEASRD AT RT ANGL FROM THE N LN OF SD SEC OF THE W 400 FT OF THE E 1510 FT OF THE NW1/4) & (EX THAT PRT PF THE NW1/4 LYG NW OF THE NW ROW LN OF THE GM&O RR (EX THE N 327 FT AS MEARSD AR RIGHT ANG FROM THE N LN OF SD SEC OF THE W 714 FT OF THE E 1824 FT OF THE NW1/4 SEC 35) PER R74-10755). ALSO KNOWN AS: 03-17-35-100-003-0000.

being indicated on an accurate map of the annexed territory (which is appended to and made a part of this Ordinance), is hereby annexed to the City of Wilmington, Will County, Illinois.

SECTION 2: That the City Clerk is hereby directed to record with the Recorder and to file with the County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to the Ordinance.

SECTION 3: EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its passage and approval in the manner required by law.

PASSED this ____ day of February, 2017 with ____ members voting aye, ____ members voting nay, and the Mayor ____ voting, with ____ members abstaining or passing and said vote being:

Larry Hall _____
Steve Evans _____
Kevin Kirwin _____
Joe VanDuyne _____

Kirby Hall _____
John Persic, Jr. _____
Frank Studer _____
Fran Tutor _____

Approved this _____ day of _____, 2017

J. Marty Orr, Mayor

Attest:

Deputy City Clerk

ORDINANCE NO. _____

An Ordinance Rezoning Annexed Property

NOW, Therefore, be it ordained by the City Council of the City of Wilmington, Will County, Illinois that the property legally described on the Attached Exhibit A is hereby rezoned to I2 Light Industrial.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED this ___ day of February, 2017 with _____ members voting aye, _____ members voting nay, the Mayor _____ voting, with _____ members abstaining or passing and said vote being:

Larry Hall	_____	Kirby Hall	_____
Steve Evans	_____	John Persic, Jr.	_____
Kevin Kirwin	_____	Frank Studer	_____
Joe VanDuyne	_____	Fran Tutor	_____

Approved the ___ day of February, 2017

J. Marty Orr, Mayor

Attest:

Deputy City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

THE NW1/4 SEC 35 T33N-R9E THAT IS W OF THE RAILROAD (EX THE N 327 FT MEASRD AT RT ANGL FROM THE N LN OF SD SEC OF THE W 400 FT OF THE E 1510 FT OF THE NW1/4) & (EX THAT PRT PF THE NW1/4 LYG NW OF THE NW ROW LN OF THE GM&O RR (EX THE N 327 FT AS MEARSD AR RIGHT ANG FROM THE N LN OF SD SEC OF THE W 714 FT OF THE E 1824 FT OF THE NW1/4 SEC 35) PER R74-10755).

PIN: 03-17-35-100-003-0000

West of RT 53 on south side of Stripmine Road

City of Wilmington

Check Register Meeting Date: February 21, 2017



Check#	Date	Vendor/Employee	Amount
Fund	1	General Corporate Fund	
0	2/21/2017	Misc City Hall ACH	323.83
0	2/21/2017	FedEX	37.12
0	2/21/2017	ICMA	665.00
0	2/21/2017	WEX Bank	3,210.66
0	2/21/2017	Payroll Sweep	74,122.64
18652	2/21/2017	Air Gas USA, LLC	55.93
18653	2/21/2017	Alarm Detection Systems, Inc.	576.03
18654	2/21/2017	Annemarie Dell'Aquila	282.50
18655	2/21/2017	AT&T	55.00
18656	2/21/2017	Brown's Building Maintenance, Inc.	2,184.00
18657	2/21/2017	Chart Automotive Group Inc	806.05
18658	2/21/2017	Clark Baird Smith, LLC	3,852.50
18659	2/21/2017	Comcast	149.85
18660	2/21/2017	ComEd	99.21
18661	2/21/2017	D'Orazio Ford	1,427.31
18662	2/21/2017	DTW Inc	1,955.00
18663	2/21/2017	First Tactical	64.98
18664	2/21/2017	Teresa Fisher	700.00
18665	2/21/2017	Fisher Auto Parts Inc	804.51
18666	2/21/2017	Fleet Safety Supply	151.17
18667	2/21/2017	G W Communications	23.00
18668	2/21/2017	Galls, LLC	96.93
18669	2/21/2017	GovTemps USA, LLC	4,882.50
18670	2/21/2017	Grundy Supply	772.15
18671	2/21/2017	Harmonic Design Inc.	1,154.00
18672	2/21/2017	DS Waters of America Hinckley Springs	81.35
18673	2/21/2017	Illinois Notary Discount Bonding Co.	53.95
18674	2/21/2017	Illinois Power Marketing	7,122.75
18675	2/21/2017	Jcm Uniforms	260.95
18676	2/21/2017	Joliet Asphalt LLC	1,130.45
18677	2/21/2017	Kavanagh Grumley & Gorbald, LLC	2,415.00
18678	2/21/2017	Ketten Incorporated	234.75
18679	2/21/2017	Stephanie Little	78.61
18680	2/21/2017	MailFinance	221.19
18681	2/21/2017	William McCluskey	15.00
18682	2/21/2017	Minarich Graphics & Supplies Inc.	216.05
18683	2/21/2017	Office Depot	201.73
18684	2/21/2017	Prairie Material Sales Inc	1,150.86
18685	2/21/2017	Secretary Of State	95.00

Check#	Date	Vendor/Employee	Amount
18686	2/21/2017	Service Industrial Supply Inc	80.73
18687	2/21/2017	Staples Advantage	63.98
18688	2/21/2017	TA Operating, LLC	457.17
18689	2/21/2017	Traffic Control & Protection, Inc.	1,479.30
18690	2/21/2017	Transport Towing Inc	168.00
18691	2/21/2017	TransUnionsRisk&Alternative Data Solutions, Inc.	38.70
18692	2/21/2017	United Communications Systems Inc	621.59
18693	2/21/2017	John Urban	1,221.00
18694	2/21/2017	Verizon Wireless	1,226.79
18695	2/21/2017	Whitmore Investments Inc	157.30
18696	2/21/2017	Will County Recorder	75.50
18697	2/21/2017	Konica Minolta	312.64
18698	2/21/2017	Secretary Of State	95.00
TOTAL:			<u>117,727.21</u>

Fund	2	Water Operating M & R Fund	
0	2/16/2017	Payroll Sweep	15,619.82
0	2/16/2017	Wex	336.94
9655	2/21/2017	DTW Inc	250.63
9658	2/21/2017	G & D Tire Alignment	40.39
9659	2/21/2017	Jack Henry & Associates, Inc.	44.80
9660	2/21/2017	Linde Inc	1,006.96
9662	2/21/2017	MailFinance	257.79
9663	2/21/2017	Minarich Graphics & Supplies Inc.	113.55
9668	2/21/2017	Underground Pipe & Valve Co	1,497.40
9669	2/21/2017	United Communications Systems Inc	97.05
9671	2/21/2017	Verizon Wireless	251.79
9672	2/21/2017	Viking Chemical Company	4,003.17
9674	2/21/2017	Waste Management Of Il SW	35,602.21
9675	2/21/2017	Water Products Company	1,087.71
9676	2/21/2017	Whitmore Investments Inc	102.68
TOTAL:			<u>60,312.89</u>

Fund	3	Sewer Capital Project Fund	
0	2/16/2017	Payroll Sweep	453.20
TOTAL:			<u>453.20</u>

Fund	4	Sewer Operating M & R Fund	
0	2/16/2017	Misc SWR ACH	11,577.55
0	2/16/2017	WEX	154.30
0	2/16/2017	Misc Vendor	637.04
9653	2/21/2017	Arro Laboratories Inc	59.70
9654	2/21/2017	Docs Discount Drugs Ltd	38.38

Check#	Date	Vendor/Employee	Amount
9655	2/21/2017	DTW Inc	250.62
9656	2/21/2017	Fisher Auto Parts Inc	89.77
9657	2/21/2017	Francis Machine, Inc.	160.00
9659	2/21/2017	Jack Henry & Associates, Inc.	44.81
9661	2/21/2017	Stephanie Little	51.92
9662	2/21/2017	MailFinance	257.79
9663	2/21/2017	Minarich Graphics & Supplies Inc.	113.55
9664	2/21/2017	Nestle Water North America	72.33
9665	2/21/2017	Nicor	624.61
9666	2/21/2017	Suburban Laboratories, Inc.	502.80
9667	2/21/2017	TA Operating, LLC	75.00
9669	2/21/2017	United Communications Systems Inc	150.14
9670	2/21/2017	USA Blue Book	90.94
9671	2/21/2017	Verizon Wireless	258.88
9673	2/21/2017	Vortex Technologies, Inc.	745.00
9676	2/21/2017	Whitmore Investments Inc	102.80
TOTAL:			<u>16,057.93</u>

Fund	5	DFC Federal Grant Fund	
0	2/16/2017	Better Business Planning Inc.	2,530.06
TOTAL:			<u>2,530.06</u>

Fund	7	ESDA Fund	
0	2/21/2017	WEX Bank	2,250.00
0	2/21/2017	Payroll Sweep	161.84
18665	2/21/2017	Fisher Auto Parts Inc	46.84
18692	2/21/2017	United Communications Systems Inc	223.22
18694	2/21/2017	Verizon Wireless	163.17
18695	2/21/2017	Whitmore Investments Inc	81.47
TOTAL:			<u>2,926.54</u>

Fund	17	Water Capital Project Fund	
0	2/16/2017	Payroll Sweep	1,359.60
TOTAL:			<u>1,359.60</u>

Fund	24	Capital Project Fund	
2019	2/21/2017	ESI Consultants Ltd	11,548.62
2020	2/21/2017	Hey & Associates, Inc.	4,120.00
2021	2/21/2017	ESI Consultants Ltd	1,537.73
2022	2/21/2017	Hey & Associates, Inc.	8,476.60
2023	2/21/2017	Robert E Hamilton Cons Eng	2,867.50
TOTAL:			<u>28,550.45</u>

Check#	Date	Vendor/Employee	Amount
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Fund	25	RidgePort TIF#2 Fund	
1107	2/21/2017	Peckham Guyton Albers & Viets, In	437.50
TOTAL:			<u>437.50</u>
GRAND TOTAL:			<u><u>230,355.38</u></u>

<hr/> Larry Hall	<hr/> Kirby Hall	<hr/> Steve Evans
<hr/> John Persic, Jr.	<hr/> Kevin Kirwin	<hr/> Frank Studer
<hr/> Joe VanDuyne	<hr/> Fran Tutor	<u>Approved: Feb. 21, 2017</u>

City of Wilmington
Collector's Report of Deposits Other Than Taxes
For the Month Ended January 31, 2017

GENERAL CORPORATE

BUSINESS REGISTRATION FEE	860.00
ECONOMIC DEVELOPMENT FEE	1,843.13
CONTRACTOR'S REGISTRATION FEE	3,800.00
OPERATING LICENSES - MISC	50.00
LIQUOR LICENSES	0.00
OTHER MISC. REIMBURSEMENTS	0.00
HEALTH INSURANCE REIMBURSEMENTS	3,275.46
OTHER MISC. INCOME	1,103.59
DEVELOPERS REIMBURSEMENTS	43,381.27

BUILDING

BUILDING PERMIT FEES	10,975.00
BUILDING PERMIT INSPECTION FEES	1,275.00
CITY ENGINEER SERVICES BLDG DEPT	0.00
CITY ENGINEER SERVICES P & Z	0.00
PLANNING & ZONING FEE	0.00

POLICE

CLERK OF CIRCUIT COURT FINES	4,252.23
ORDINANCE/MISC FINES	6,867.75
IMPOUNDMENT FINES	500.00
K-9 DONATIONS	32,487.61

GENERAL CORPORATE TOTAL	110,671.04
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WATER & SEWER

WATER DIST SYSTEM TAP-ON FEES	0.00
WATER SYSTEM CAPACITY USER FEES	0.00
WATER METER PURCHASES	0.00
SEWER SYSTEM CAPACITY USER FEES	0.00
SEWER COLLECTION SYSTEM FEES	0.00
LATE FEES/PENALTIES	5,765.71
CITY ENGINEER SERVICES	0.00
OTHER MISC. INCOME	2,956.66
OTHER REIMBURSEMENTS - W&S	1,592.04
UTILITY BILLING CASH RECEIPTS	279,361.52

WATER & SEWER TOTAL	289,675.93
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<u>TOTAL MONTHLY RECEIPTS:</u>	\$400,346.97
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General Ledger
 Revenue vs. Expenses Summary

<u>Fund</u>	<u>Description</u>	<u>YTD Balance Before Period</u>	<u>Revenues for Period</u>	<u>Expenses for Period</u>	<u>Year to Date Amount</u>
01	General Corporate Fund	309,841.83	301,328.07	301,850.18	309,319.72
02	Water Operating M & R Fund	69,806.38	145,329.95	111,512.82	103,623.51
03	Sewer Capital Project Fund	(70,278.05)	4,111.07	10,696.40	(76,863.38)
04	Sewer Operating M & R Fund	(55,353.35)	146,886.30	54,299.48	37,233.47
05	DFC Federal Grant Fund	7,872.12	1,071.20	8,943.32	0.00
06	Motor Fuel Tax Fund	99,883.27	13,672.15	0.00	113,555.42
07	ESDA Fund	(7,085.72)	0.00	1,467.03	(8,552.75)
12	Debt Service Fund	39,704.28	2,808.92	32,025.00	10,488.20
17	Water Capital Project Fund	416,271.37	13,365.09	2,719.20	426,917.26
20	Building Deposit Holding Acct	0.00	0.00	0.00	0.00
21	Mobile Equipment Fund	2,413.00	300.00	0.00	2,713.00
24	Capital Project Fund	1,916,117.88	12,360.46	34,057.80	1,894,420.54
25	RidgePort TIF#2 Fund	956,830.01	478.55	1,662.50	955,646.06
	Report Totals:	3,686,023.02	641,711.76	559,233.73	3,768,501.05

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Period Amount</u>	<u>Year to Date Amount</u>	<u>Year to Date Variance</u>	<u>Percent Variance</u>
01	General Corporate Fund					
	Property Tax Revenue	1,140,154.00	0.00	1,115,032.00	25,122.00	2.20
	Taxes-State Per Capita Revenue	719,514.00	76,065.02	538,424.07	181,089.93	25.16
	Tax Revenue - Other	1,163,000.00	91,435.54	829,095.41	333,904.59	28.71
	Utility Taxes	674,000.00	22,506.47	350,907.15	323,092.85	47.93
	License Fees	61,300.00	6,553.13	32,739.24	28,560.76	46.59
	Building Fees	786,720.00	12,250.00	801,950.79	(15,230.79)	(1.93)
	Franchise Fee	75,000.00	0.00	0.00	75,000.00	100.00
	Fines and Court Fees	131,000.00	11,619.98	105,370.52	25,629.48	19.56
	Rental Income	1,000.00	0.00	175.00	825.00	82.50
	Interest Income	600.00	265.20	1,665.69	(1,065.69)	(177.61)
	Grants - Misc.	9,000.00	0.00	9,056.00	(56.00)	(0.62)
	Special Use Revenue	0.00	33,137.61	33,787.61	(33,787.61)	0.00
	Developer Reimbursements	412,500.00	43,381.27	239,274.50	173,225.50	41.99
	Other Reimbursements	50,000.00	0.00	23,443.23	26,556.77	53.11
	Employee Ins Reimb.	70,000.00	3,275.46	50,298.11	19,701.89	28.14
	Other Misc. Income	25,000.00	838.39	16,044.97	8,955.03	35.82
	Transfers From Other Funds	75,000.00	0.00	14,313.25	60,686.75	80.91
	REVENUE Totals:	5,393,788.00	301,328.07	4,161,577.54	1,232,210.46	22.84
	Salary Expense	2,080,200.00	152,460.40	1,463,454.88	616,745.12	29.64
	Police Commission Exp	17,500.00	0.00	3,796.86	13,703.14	78.30
	Employee Health & Life Insuran	340,000.00	25,851.60	211,153.03	128,846.97	37.89
	Retired Empl Health Ins/Dental	125,000.00	10,364.82	80,598.25	44,401.75	35.52
	Oper Supplies and Tools	36,500.00	2,196.88	21,355.89	15,144.11	41.49
	Gasoline, Oil & Tolls	82,000.00	2,979.65	38,475.54	43,524.46	53.07
	Office Supplies	20,850.00	779.35	8,430.11	12,419.89	59.56
	Training Expenses & Mileage	25,000.00	432.00	12,993.33	12,006.67	48.02
	Property, Equip & Liabilty Ins	328,000.00	15,381.00	257,075.00	70,925.00	21.62
	Engineering Services	61,000.00	0.00	6,801.30	54,198.70	88.85
	Legal Services	103,000.00	2,235.00	50,257.23	52,742.77	51.20
	Notices/Legal Publications	4,000.00	54.00	1,753.20	2,246.80	56.17
	Consulting /Service Fees	465,700.00	11,632.42	394,262.27	71,437.73	15.34
	Other Professional Services	281,500.00	26,573.25	232,294.41	49,205.59	17.48
	Computer Maint. & Prog. Fees	49,000.00	2,499.72	42,809.85	6,190.15	12.63
	Dues, Subscrp. & Memberships	12,400.00	5,730.44	9,053.48	3,346.52	26.98
	Community Dev Expense	42,000.00	2,429.09	12,358.47	29,641.53	70.57
	Maintenance - Equipment	40,800.00	1,202.66	20,599.65	20,200.35	49.51
	Maintenance - Grounds/Building	175,000.00	3,384.36	155,471.81	19,528.19	11.15
	Vehicle Expenses	51,700.00	844.16	26,495.11	25,204.89	48.75
	Uniforms	29,000.00	2,824.73	27,436.08	1,563.92	5.39
	Rental of Equipment	10,400.00	0.00	3,359.45	7,040.55	67.69
	Utilities / Telephone Services	132,800.00	10,574.45	86,471.46	46,328.54	34.88
	Misc	175,500.00	210.70	4,802.90	170,697.10	97.26
	Expensed Equipment	13,000.00	189.98	4,380.32	8,619.68	66.30

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Period Amount</u>	<u>Year to Date Amount</u>	<u>Year to Date Variance</u>	<u>Percent Variance</u>
	Leased Equipment	105,100.00	1,696.35	98,165.48	6,934.52	6.59
	Capital Equipment Purchases	8,000.00	0.00	3,205.92	4,794.08	59.92
	Transfers to Other Funds	105,000.00	0.00	15,000.00	90,000.00	85.71
	Payroll Tax/Pension Expenses	662,000.00	19,323.17	559,946.54	102,053.46	15.41
	EXPENSES Totals:	5,581,950.00	301,850.18	3,852,257.82	1,729,692.18	30.98
	01 Totals:	(188,162.00)*	(522.11)*	309,319.72*	(497,481.72)*	264.39*
02	Water Operating M & R Fund					
	Garbage Collection Fees	478,000.00	35,583.49	322,492.96	155,507.04	32.53
	Utility Usage Fees	905,000.00	94,742.41	719,760.01	185,239.99	20.46
	Utility Base/DS Fees	168,000.00	13,791.39	124,463.23	43,536.77	25.91
	Meter Fees	30,000.00	0.00	10,907.69	19,092.31	63.64
	Utility Capacity Fees	38,700.00	0.00	44,325.00	(5,625.00)	(14.53)
	Interest Income	50.00	37.57	195.44	(145.44)	(290.88)
	Other Reimbursements	10,700.00	900.09	7,956.02	2,743.98	25.64
	Other Misc. Income	8,000.00	275.00	4,350.00	3,650.00	45.62
	Transfers From Other Funds	85,000.00	0.00	0.00	85,000.00	100.00
	REVENUE Totals:	1,723,450.00	145,329.95	1,234,450.35	488,999.65	28.37
	Salary Expense	397,000.00	31,639.81	286,032.81	110,967.19	27.95
	Employee Health & Life Insuran	91,000.00	7,110.68	56,013.73	34,986.27	38.44
	Oper Supplies and Tools	13,000.00	270.27	3,692.32	9,307.68	71.59
	Gasoline, Oil & Tolls	20,000.00	311.03	4,794.31	15,205.69	76.02
	Office Supplies	13,000.00	1,333.25	8,003.62	4,996.38	38.43
	Training Expenses & Mileage	5,200.00	36.32	3,057.76	2,142.24	41.19
	Property, Equip & Liabilty Ins	113,000.00	2,450.00	95,088.00	17,912.00	15.85
	Legal Services	2,000.00	0.00	0.00	2,000.00	100.00
	Notices/Legal Publications	700.00	0.00	541.20	158.80	22.68
	Consulting /Service Fees	6,000.00	605.20	4,679.15	1,320.85	22.01
	Other Professional Services	18,500.00	264.75	10,528.50	7,971.50	43.08
	Computer Maint. & Prog. Fees	13,000.00	44.81	10,241.74	2,758.26	21.21
	Dues, Subscrp. & Memberships	1,300.00	0.00	524.60	775.40	59.64
	Maintenance - Equipment	55,750.00	0.00	15,523.15	40,226.85	72.15
	Maintenance - Grounds/Building	50,000.00	6,802.44	70,255.19	(20,255.19)	(40.51)
	Vehicle Expenses	1,000.00	0.00	281.49	718.51	71.85
	Uniforms	2,500.00	268.09	1,264.47	1,235.53	49.42
	Rental of Equipment	9,000.00	0.00	0.00	9,000.00	100.00
	Utilities / Telephone Services	71,500.00	6,829.76	40,398.24	31,101.76	43.49
	Debt Service Bond Pymts	70,700.00	0.00	29,108.95	41,591.05	58.82
	Misc	22,500.00	84.58	232.98	22,267.02	98.96
	Expensed Equipment	500.00	0.00	0.00	500.00	100.00
	Leased Equipment	29,000.00	109.00	7,345.35	21,654.65	74.67
	Capital Equipment Purchases	10,000.00	0.00	0.00	10,000.00	100.00

Account	Description	Budget	Period Amount	Year to Date Amount	Year to Date Variance	Percent Variance
	Construction Projects	0.00	0.00	0.00	0.00	0.00
	Transfers to Other Funds	50,000.00	3,578.04	31,099.04	18,900.96	37.80
	Chemical Treatment, Disposal	129,000.00	7,118.28	65,814.51	63,185.49	48.98
	Garbage Disposal Fee	478,000.00	36,097.95	331,576.66	146,423.34	30.63
	Payroll Tax/Pension Expenses	82,200.00	6,558.56	54,729.07	27,470.93	33.42
	EXPENSES Totals:	1,755,350.00	111,512.82	1,130,826.84	624,523.16	35.57
	02 Totals:	(31,900.00)*	33,817.13*	103,623.51*	(135,523.51)*	424.83*
03	Sewer Capital Project Fund					
	Utility Usage Fees	38,000.00	3,073.42	30,031.79	7,968.21	20.96
	Utility Exp, Fees (TAP)	6,000.00	0.00	6,000.00	0.00	0.00
	Utility Eng. Fee for Service	1,000.00	0.00	190.00	810.00	81.00
	Rental Income	6,600.00	550.00	4,950.00	1,650.00	25.00
	Interest Income	500.00	487.65	2,971.90	(2,471.90)	(494.38)
	Other Reimbursements	0.00	0.00	0.00	0.00	0.00
	Other Misc. Income	0.00	0.00	0.00	0.00	0.00
	Transfers From Other Funds	50,000.00	0.00	0.00	50,000.00	100.00
	REVENUE Totals:	102,100.00	4,111.07	44,143.69	57,956.31	56.76
	Salary Expense	12,500.00	906.40	8,531.60	3,968.40	31.74
	Engineering Services	175,000.00	9,790.00	108,200.00	66,800.00	38.17
	Misc	20,000.00	0.00	0.00	20,000.00	100.00
	Capital Equipment Purchases	30,500.00	0.00	4,275.47	26,224.53	85.98
	Construction Projects	15,000.00	0.00	0.00	15,000.00	100.00
	Transfers to Other Funds	0.00	0.00	0.00	0.00	0.00
	EXPENSES Totals:	253,000.00	10,696.40	121,007.07	131,992.93	52.17
	03 Totals:	(150,900.00)*	(6,585.33)*	(76,863.38)*	(74,036.62)*	49.06*
04	Sewer Operating M & R Fund					
	Utility Usage Fees	820,000.00	67,570.13	632,034.02	187,965.98	22.92
	Utility Base/DS Fees	960,000.00	77,881.04	708,074.61	251,925.39	26.24
	Utility Capacity Fees	160,000.00	0.00	188,930.00	(28,930.00)	(18.08)
	Interest Income	50.00	0.00	0.00	50.00	100.00
	Other Reimbursements	10,000.00	691.95	14,336.55	(4,336.55)	(43.36)
	Other Misc. Income	2,000.00	743.18	2,620.20	(620.20)	(31.01)
	Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00
	REVENUE Totals:	1,952,050.00	146,886.30	1,545,995.38	406,054.62	20.80
	Salary Expense	310,000.00	21,961.43	208,322.42	101,677.58	32.79
	Employee Health & Life Insuran	82,000.00	5,674.86	42,128.49	39,871.51	48.62
	Oper Supplies and Tools	15,000.00	679.14	8,115.56	6,884.44	45.89
	Gasoline, Oil & Tolls	8,000.00	147.23	1,592.09	6,407.91	80.09

General Ledger
Revenue vs. Expenditure By Fund

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Period Amount</u>	<u>Year to Date Amount</u>	<u>Year to Date Variance</u>	<u>Percent Variance</u>
	Office Supplies	14,500.00	1,382.87	8,466.55	6,033.45	41.61
	Training Expenses & Mileage	7,500.00	0.00	2,652.74	4,847.26	64.63
	Property, Equip & Liability Ins	88,000.00	1,770.00	78,852.00	9,148.00	10.39
	Engineering Services	5,000.00	0.00	0.00	5,000.00	100.00
	Legal Services	2,000.00	0.00	0.00	2,000.00	100.00
	Notices/Legal Publications	1,000.00	0.00	441.00	559.00	55.90
	Consulting /Service Fees	7,000.00	605.20	4,647.10	2,352.90	33.61
	Other Professional Services	20,000.00	497.20	15,497.20	4,502.80	22.51
	Computer Maint. & Prog. Fees	17,000.00	136.04	7,784.03	9,215.97	54.21
	Dues, Subscrip. & Memberships	1,100.00	206.00	401.00	699.00	63.54
	Maintenance - Equipment	88,000.00	2,621.33	47,513.76	40,486.24	46.00
	Maintenance - Grounds/Building	52,000.00	466.93	31,594.89	20,405.11	39.24
	Vehicle Expenses	2,500.00	60.83	447.86	2,052.14	82.08
	Uniforms	3,000.00	143.95	1,010.41	1,989.59	66.32
	Rental of Equipment	3,000.00	0.00	0.00	3,000.00	100.00
	Utilities / Telephone Services	112,000.00	6,743.98	63,343.63	48,656.37	43.44
	Debt Service Bond Pymts	902,300.00	0.00	902,113.72	186.28	0.02
	Misc	12,500.00	85.93	198.40	12,301.60	98.41
	Expensed Equipment	500.00	0.00	0.00	500.00	100.00
	Leased Equipment	4,000.00	109.00	1,863.37	2,136.63	53.41
	Capital Equipment Purchases	5,000.00	0.00	114.00	4,886.00	97.72
	Transfers to Other Funds	50,000.00	0.00	0.00	50,000.00	100.00
	Chemical Treatment, Disposal	70,500.00	6,667.51	46,758.74	23,741.26	33.67
	Payroll Tax/Pension Expenses	62,000.00	4,340.05	34,902.95	27,097.05	43.70
	EXPENSES Totals:	1,945,400.00	54,299.48	1,508,761.91	436,638.09	22.44
	04 Totals:	6,650.00*	92,586.82*	37,233.47*	(30,583.47)*	(459.90)*
05	DFC Federal Grant Fund					
	Grants - Federal	185,000.00	1,071.20	107,680.15	77,319.85	41.79
	REVENUE Totals:	185,000.00	1,071.20	107,680.15	77,319.85	41.79
	Misc	185,000.00	8,943.32	107,680.15	77,319.85	41.79
	EXPENSES Totals:	185,000.00	8,943.32	107,680.15	77,319.85	41.79
	05 Totals:	0.00*	(7,872.12)*	0.00*	(0.00)*	0.00*
06	Motor Fuel Tax Fund					
	Taxes-State Per Capita Revenue	148,250.00	13,578.89	115,015.63	33,234.37	22.41
	Interest Income	200.00	93.26	439.34	(239.34)	(119.67)
	Other Misc. Income	5,000.00	0.00	0.00	5,000.00	100.00
	REVENUE Totals:	153,450.00	13,672.15	115,454.97	37,995.03	24.76
	Misc	1,000.00	0.00	0.00	1,000.00	100.00

General Ledger
Revenue vs. Expenditure By Fund

Account	Description	Budget	Period Amount	Year to Date Amount	Year to Date Variance	Percent Variance
	Road Construction Projects	5,000.00	0.00	1,899.55	3,100.45	62.00
	Road Repair Materials	16,000.00	0.00	0.00	16,000.00	100.00
	EXPENSES Totals:	22,000.00	0.00	1,899.55	20,100.45	91.36
	06 Totals:	131,450.00*	13,672.15*	113,555.42*	17,894.58*	13.61*
07	ESDA Fund					
	Property Tax Revenue	1,414.00	0.00	1,426.09	(12.09)	(0.85)
	Interest Income	30.00	0.00	0.00	30.00	100.00
	Grants - State- Other	16,600.00	0.00	9,390.00	7,210.00	43.43
	Special Use Revenue	0.00	0.00	820.00	(820.00)	0.00
	Other Reimbursements	1,000.00	0.00	449.65	550.35	55.03
	Other Misc. Income	500.00	0.00	0.00	500.00	100.00
	Transfers From Other Funds	30,000.00	0.00	15,000.00	15,000.00	50.00
	REVENUE Totals:	49,544.00	0.00	27,085.74	22,458.26	45.33
	Salary Expense	9,000.00	0.00	6,025.00	2,975.00	33.05
	Oper Supplies and Tools	10,200.00	632.53	2,171.85	8,028.15	78.70
	Gasoline, Oil & Tolls	4,000.00	181.24	1,834.12	2,165.88	54.14
	Office Supplies	1,300.00	0.00	144.11	1,155.89	88.91
	Training Expenses & Mileage	5,500.00	0.00	870.00	4,630.00	84.18
	Notices/Legal Publications	200.00	0.00	0.00	200.00	100.00
	Other Professional Services	6,000.00	36.36	990.94	5,009.06	83.48
	Dues, Subscrp. & Memberships	1,100.00	0.00	233.95	866.05	78.73
	Maintenance - Equipment	5,500.00	0.00	5,141.93	358.07	6.51
	Vehicle Expenses	5,000.00	230.78	1,410.99	3,589.01	71.78
	Utilities / Telephone Services	4,500.00	386.12	3,585.46	914.54	20.32
	Misc	3,500.00	0.00	0.00	3,500.00	100.00
	Expensed Equipment	1,500.00	0.00	184.24	1,315.76	87.71
	Capital Equipment Purchases	7,500.00	0.00	13,045.90	(5,545.90)	(73.94)
	Transfers to Other Funds	0.00	0.00	0.00	0.00	0.00
	EXPENSES Totals:	64,800.00	1,467.03	35,638.49	29,161.51	45.00
	07 Totals:	(15,256.00)*	(1,467.03)*	(8,552.75)*	(6,703.25)*	43.93*
12	Debt Service Fund					
	Property Tax Revenue	145,700.00	0.00	143,984.63	1,715.37	1.17
	Deer Ridge SSA Repayments	32,000.00	2,743.21	35,759.68	(3,759.68)	(11.74)
	Revenue from Bonds/Loans	140,000.00	0.00	140,000.00	0.00	0.00
	Interest Income	100.00	65.71	523.53	(423.53)	(423.53)
	Other Misc. Income	0.00	0.00	0.00	0.00	0.00
	Transfers From Other Funds	5,000.00	0.00	0.00	5,000.00	100.00
	REVENUE Totals:	322,800.00	2,808.92	320,267.84	2,532.16	0.78

General Ledger
Revenue vs. Expenditure By Fund

Account	Description	Budget	Period Amount	Year to Date Amount	Year to Date Variance	Percent Variance
	Consulting /Service Fees	7,500.00	0.00	5,500.00	2,000.00	26.66
	Debt Service Bond Pymts	305,225.00	32,025.00	304,279.64	945.36	0.31
	Misc	3,000.00	0.00	0.00	3,000.00	100.00
	Transfers to Other Funds	0.00	0.00	0.00	0.00	0.00
	EXPENSES Totals:	315,725.00	32,025.00	309,779.64	5,945.36	1.88
	12 Totals:	7,075.00*	(29,216.08)*	10,488.20*	(3,413.20)*	(48.24)*
17	Water Capital Project Fund					
	Utility Usage Fees	32,000.00	2,692.29	25,716.84	6,283.16	19.63
	Meter Replacement Fees	74,500.00	6,231.50	56,139.50	18,360.50	24.64
	Utility Exp, Fees (TAP)	2,000.00	0.00	2,000.00	0.00	0.00
	Utility Eng. Fee for Service	1,000.00	0.00	380.00	620.00	62.00
	Revenue from Bonds/Loans	160,000.00	0.00	0.00	160,000.00	100.00
	Rental Income	6,600.00	550.00	4,950.00	1,650.00	25.00
	Interest Income	300.00	313.26	1,240.40	(940.40)	(313.46)
	Other Reimbursements	0.00	0.00	17,200.00	(17,200.00)	0.00
	Other Misc. Income	400,000.00	0.00	400,000.00	0.00	0.00
	Transfers From Other Funds	50,000.00	3,578.04	31,099.04	18,900.96	37.80
	REVENUE Totals:	726,400.00	13,365.09	538,725.78	187,674.22	25.83
	Salary Expense	36,200.00	2,719.20	25,594.80	10,605.20	29.29
	Employee Health & Life Insuran	0.00	0.00	0.00	0.00	0.00
	Engineering Services	100,000.00	0.00	0.00	100,000.00	100.00
	Legal Services	10,000.00	0.00	0.00	10,000.00	100.00
	Other Professional Services	6,000.00	0.00	5,007.00	993.00	16.55
	Maintenance - Equipment	82,100.00	0.00	55,163.26	26,936.74	32.81
	Misc	5,000.00	0.00	0.00	5,000.00	100.00
	Other Capital Projects	190,000.00	0.00	22,179.95	167,820.05	88.32
	Capital Equipment Purchases	40,000.00	0.00	3,863.51	36,136.49	90.34
	Transfers to Other Funds	15,000.00	0.00	0.00	15,000.00	100.00
	EXPENSES Totals:	484,300.00	2,719.20	111,808.52	372,491.48	76.91
	17 Totals:	242,100.00*	10,645.89*	426,917.26*	(184,817.26)*	(76.33)*
20	Building Deposit Holding Acct					
	Interest Income	0.00	0.00	0.00	0.00	0.00
	Other Misc. Income	0.00	0.00	0.00	0.00	0.00
	Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00
	REVENUE Totals:	0.00	0.00	0.00	0.00	0.00
	Community Dev Expense	15,000.00	0.00	0.00	15,000.00	100.00
	Misc	1,000.00	0.00	0.00	1,000.00	100.00
	Transfers to Other Funds	15,000.00	0.00	0.00	15,000.00	100.00

General Ledger
Revenue vs. Expenditure By Fund

Account	Description	Budget	Period Amount	Year to Date Amount	Year to Date Variance	Percent Variance
	EXPENSES Totals:	31,000.00	0.00	0.00	31,000.00	100.00
	20 Totals:	(31,000.00)*	0.00*	0.00*	(31,000.00)*	100.00*
21	Mobile Equipment Fund					
	Fines and Court Fees	5,000.00	300.00	2,713.00	2,287.00	45.74
	Interest Income	0.00	0.00	0.00	0.00	0.00
	Developer Reimbursements	0.00	0.00	0.00	0.00	0.00
	Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00
	REVENUE Totals:	5,000.00	300.00	2,713.00	2,287.00	45.74
	MEF FUND Purchases	40,000.00	0.00	0.00	40,000.00	100.00
	Transfers to Other Funds	0.00	0.00	0.00	0.00	0.00
	EXPENSES Totals:	40,000.00	0.00	0.00	40,000.00	100.00
	21 Totals:	(35,000.00)*	300.00*	2,713.00*	(37,713.00)*	107.75*
24	Capital Project Fund					
	Revenue from Bonds/Loans	0.00	0.00	0.00	0.00	0.00
	Interest Income	500.00	1,111.90	3,180.67	(2,680.67)	(536.13)
	Grants- State IDOT/EDP	5,733,655.00	1,439.31	2,229,387.54	3,504,267.46	61.11
	Grants - State- Other	251,000.00	0.00	0.00	251,000.00	100.00
	Grants - Misc.	78,000.00	0.00	0.00	78,000.00	100.00
	Developer Reimbursements	0.00	0.00	0.00	0.00	0.00
	Other Reimbursements	325,000.00	9,809.25	87,157.52	237,842.48	73.18
	Other Misc. Income	301,000.00	0.00	10,000.00	291,000.00	96.67
	Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00
	REVENUE Totals:	6,689,155.00	12,360.46	2,329,725.73	4,359,429.27	65.17
	Consulting /Service Fees	0.00	0.00	0.00	0.00	0.00
	Community Dev Expense	515,000.00	0.00	232,558.18	282,441.82	54.84
	Misc	10,000.00	0.00	0.00	10,000.00	100.00
	Other Capital Projects	350,000.00	34,057.80	123,291.07	226,708.93	64.77
	Construction Projects	0.00	0.00	0.00	0.00	0.00
	Transfers to Other Funds	0.00	0.00	0.00	0.00	0.00
	Road Construction Projects	5,976,655.00	0.00	78,549.26	5,898,105.74	98.68
	Bridge Cap Projects	80,000.00	0.00	906.68	79,093.32	98.86
	EXPENSES Totals:	6,931,655.00	34,057.80	435,305.19	6,496,349.81	93.72
	24 Totals:	(242,500.00)*	(21,697.34)*	1,894,420.54*	(2,136,920.54)*	881.20*
25	RidgePort TIF#2 Fund					
	Property Tax Revenue	1,021,900.00	0.00	991,017.34	30,882.66	3.02
	Interest Income	100.00	478.55	2,032.23	(1,932.23)	(1,932.23)

City of Wilmington
 User: kim

General Ledger
 Revenue vs. Expenditure By Fund

Printed: 02/16/2017 1:47 PM
 Period 9, 2017

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Period Amount</u>	<u>Year to Date Amount</u>	<u>Year to Date Variance</u>	<u>Percent Variance</u>
	REVENUE Totals:	1,022,000.00	478.55	993,049.57	28,950.43	2.83
	Other Professional Services	25,000.00	1,662.50	23,090.26	1,909.74	7.63
	Community Dev Expense	922,000.00	0.00	0.00	922,000.00	100.00
	Transfers to Other Funds	75,000.00	0.00	14,313.25	60,686.75	80.91
	EXPENSES Totals:	1,022,000.00	1,662.50	37,403.51	984,596.49	96.34
	25 Totals:	0.00*	(1,183.95)*	955,646.06*	(955,646.06)*	0.00*
	REVENUE TOTAL	18,324,737.00**	641,711.76**	11,420,869.74**		
	EXPENSE TOTAL	18,632,180.00**	559,233.73**	7,652,368.69**		
	GRAND TOTAL	(307,443.00)**	82,478.03**	3,768,501.05**		

RESOLUTION NO. 2017-03

A RESOLUTION FOR A TEMPORARY LOAN BETWEEN FUNDS

WHEREAS, the City has recently received a contribution of funds in the amount of \$400,000.00 for capital improvements related to the Pro Logis development; and

WHEREAS, said funds have been deposited in the Water Capital Project Fund for future projects related to the Pro Logis development; and

WHEREAS, there are no immediate projects for which funds will be needed from the Water Capital Project Fund for the Pro Logis development; and

WHEREAS, the City desires to complete its contracted purchase of property on the South Island Park which was initiated in June of 2012 and is in conformity with the official Island Park Vision Plan adopted by the City of Wilmington on November 17, 2015; and

WHEREAS, the City's Capital Project Fund balance is insufficient at this time to complete the purchase; and

WHEREAS, it has been recognized many times by the Illinois Supreme Court that municipal corporations have the ability, in the exercise of good business judgment, to make a temporary loan from one fund to another; and

WHEREAS, there is a need to make a temporary loan from the Water Capital Project Fund to the Capital Project Fund of the City's General Corporate Fund in the amount of \$280,000.00; and

WHEREAS, the City shall be in receipt of grant funds and other sources of revenue to repay, in a timely fashion, the amount of \$280,000.00 to the Water Capital Project Fund.

NOW, THEREFORE, BE IT RESOLVED that there is hereby made a temporary loan in the amount of \$280,000.00 from the Water Capital Project Fund to the Capital Project Fund, and that offsetting General Journal entries will be recorded in the balance sheets of the affected Funds.

PASSED this 21st day of February, 2017 with _____ members voting aye, _____ members voting nay, the Mayor not voting, with _____ members abstaining or passing and said vote being:

John Persic, Jr.	_____	Kevin Kirwin	_____
Larry Hall	_____	Kirby Hall	_____
Fran Tutor	_____	Joe VanDuyne	_____
Steve Evans	_____	Frank Studer	_____

Approved this 21st day of February, 2017

J. Marty Orr, Mayor

Attest:

Joie Ziller, Deputy City Clerk

ORDINANCE NO. 17-02-21-02

AN ORDINANCE ESTABLISHING TRAVEL, MEAL AND LODGING EXPENSE REIMBURSEMENT REGULATIONS FOR THE CITY OF WILMINGTON, WILL COUNTY, ILLINOIS

WHEREAS, the Illinois General Assembly has recently enacted Public Act 99-0604, known as the "Local Government Travel Expense Control Act", which Act becomes effective on January 1, 2017; and

WHEREAS, pursuant to the Act, non-home rule units of local government are required to establish regulations with respect to allowable travel, meal, and lodging expenses;

NOW, THEREFORE, be it ordained by the corporate authorities of the City of Wilmington as follows:

Section 1. The recitals set forth hereinabove shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. Definitions.

"Entertainment" includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

"Public Business" means expenses incurred in the performance of a public purpose which is required or useful for the benefit of the City to carry out the responsibilities of City business.

"Travel" means any expenditure directly incident to official travel by employees and officers of the City or by wards or charges of the City involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

Section 3. The City shall only reimburse the following types of travel, meal, and lodging expenses incurred by its employees and officers up to the following maximum allowable amounts for lodging and meals as listed by the United State General Services Administration (GSA) and for the geographic locality as noted therein.

Alcohol is specifically excluded from reimbursement.

Section 4. No reimbursement of travel, meal or lodging expenses incurred by a City employee or officer shall be authorized unless the "Travel, Meal, and Lodging Expense Reimbursement Request Form", attached hereto and made a part hereof, has been submitted and approved. All documents and information submitted with the form shall be subject to disclosure under the Freedom of Information Act (5 ILCS 140/1 *et seq.*).

Section 5. Expenses for travel, meals, and lodging of: (1) any officer or employee that exceeds the maximum reimbursement allowed under the regulations adopted under Section 3 of this Ordinance or (2) any member of the corporate authorities of the City may only be approved by roll call vote at an open meeting of the corporate authorities of the City. However, in the event of an emergency or other extraordinary circumstances, the corporate authorities may approve more than the maximum allowable expenses set forth above.

Section 6. The City shall not reimburse any elected official, employee, or officer for any activities which would be considered entertainment. Activities which would otherwise be considered entertainment, but which are excluded from the prohibition on reimbursement due to being ancillary to the purpose of the program or event, may be reimbursed in accordance with the provisions of this Ordinance.

Section 7. Any policy, resolution, or ordinance that conflicts with the provisions of this ordinance shall be and is hereby repealed to the extent of such conflict.

Section 8. This ordinance shall be in full force and effect on March 2, 2017.

PASSED this 21st day of February, 2017 with _____ members voting aye, _____ members voting nay, the Mayor not voting, with _____ members abstaining or passing and said vote being:

John Persic, Jr.	_____	Kevin Kirwin	_____
Larry Hall	_____	Kirby Hall	_____
Fran Tutor	_____	Joe VanDuyne	_____
Steve Evans	_____	Frank Studer	_____

Approved this 21st day of February, 2017

J. Marty Orr, Mayor

Attest:

Joie Ziller, Deputy City Clerk

TRAVEL, MEAL AND LODGING EXPENSE REIMBURSEMENT REQUEST FORM

Before an expense for travel, meals, or lodging may be approved under City Ordinance No. 17-02-21-02, the following minimum documentation must first be submitted, in writing, to the corporate authorities of the City:

- (1) The name of the individual who received or is requesting the travel, meal, or lodging expense and the individual's job title or office.

Name of Employee or Officer

Job Title/Office

- (2) The date or dates and nature of the official business in which the travel, meal, or lodging expense was or will be expended. Please attach supporting documentation describing the nature of the official business event or program.

Name of Event or Program

Date(s) of Event or Program

Location of Event or Program

Purpose of Event or Program

An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred. Please attach either (a) a document explaining the basis for your estimate if expenses have not yet been incurred (such as information as listed on the U.S. General Service Administration website <https://www.gsa.gov/portal/category/100120>) or (b) receipts if the expenses have already been incurred.

You may also provide such other documentation as would assist the corporate authorities in considering your request for reimbursement. In the discretion of the corporate authorities, additional documentation relevant to the request for reimbursement may be required prior to action by the corporate authorities with respect to the reimbursement request.

Employee/Officer Signature

Date

ORDINANCE NO. 17-02-21-03

AN ORDINANCE DECLARING AS SURPLUS CERTAIN EQUIPMENT AND AUTHORIZING THE CITY ADMINISTRATOR TO DISPOSE OF SAID EQUIPMENT IN A MANNER IN THE BEST INTEREST OF THE CITY OF WILMINGTON

WHEREAS, The City of Wilmington had heretofore acquired a 2010 Ford Crown Victoria Police Interceptor, with vehicle identification number (VIN) 2FABP7BVXAX116689; a 1995 Chevrolet Pick-up with a VIN 1GCEC14Z5SZ148073, and a 1981 GMC Serra Truck with VIN CDHC34M1CV567569; and

WHEREAS, said vehicles have exceed their useful life with the City as are no longer necessary for the conduct of City business; and

WHEREAS, it is in the best interest of the City to property dispose of said vehicles in a manner consistent with applicable State laws.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILMINGTON, WILL COUNTY, ILLINOIS AS FOLLOWS:

Section One: the following vehicles are hereby declared to be surplus property, and no longer of use to the City of Wilmington:

2010 Ford Crown Victoria Police Interceptor, with VIN 2FABP7BVXAX116689;
1995 Chevrolet Pick-up with a VIN 1GCEC14Z5SZ148073; and
1981 GMC Serra Truck with VIN CDHC34M1CV567569

Section Two: The City Administrator is hereby authorized to dispose of said vehicles in a manner consistent with applicable State laws and in the best interest of the City of Wilmington.

Section Three: Severability: This Ordinance and every provision thereof shall be considered severable. In the event that any court of competent jurisdiction may find and declare any portion invalid or unconstitutional, the remaining portions not ruled invalid or unconstitutional shall continue in full force and effect.

Section Four: Repealer: All Ordinances or parts of Ordinances in conflict with any provision of this Ordinance shall be and the same are hereby repealed.

Section Five: Effective Date: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 21st day of February, 2017 with _____ members voting aye, _____ members voting nay, the Mayor not voting, with _____ members abstaining or passing and said vote being:

John Persic, Jr.	_____	Kevin Kirwin	_____
Larry Hall	_____	Kirby Hall	_____
Fran Tutor	_____	Joe VanDuyne	_____
Steve Evans	_____	Frank Studer	_____

Approved this 21st day of February, 2017

J. Marty Orr, Mayor

Attest:

Joie Ziller, Deputy City Clerk

Chapter 118 - PEDDLERS, SOLICITORS AND STREET VENDORS

Sections:

118.01 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

CONVICTED: Shall mean and include a disposition of court supervision, probation, adjudication, or conditional discharge.

HAWKER: Any person who shall sell or offer for sale, barter, or exchange any goods, wares, merchandise or other commodities and cries his wares or exhibits them for sale.

ITINERANT VENDOR: Any person who transports tangible personal property for retail sale who does not maintain an established office, distribution house, sales house, warehouse, service center or residence from which such business is conducted. However, this does not apply to any person who delivers tangible personal property who is fulfilling an order for such property which was solicited or placed by mail or other means. This does not apply to any person holding a valid license, issued by a county or municipality, to engage in retail sales.

PEDDLER: Any person, other than a representative of a not for profit 501(c)3 organization, who shall sell or offer for sale, barter, or exchange any goods, wares, merchandise, service or other commodities while traveling from residence to residence on, along or upon the streets and sidewalks of the village. The term peddler shall not include the obtaining of subscriptions to books, magazines, periodicals, newspapers or any type of speech.

RESIDENCE: Every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

SOLICITATION OR SOLICITOR: Any person who conducts one or more of the following activities:

A Seeks to obtain orders for the purchase of goods, wares, merchandise, foodstuffs or services of any kind, character or description whatsoever, for any kind of

consideration whatsoever.

- B. Seeks to obtain prospective customers for application for or purchase of insurance of any type, kind or character.
- C. Seeks to obtain subscriptions to books, magazines, periodicals, newspapers or any type of publication.
- D. Seeks to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization, corporation or project.
- E. Seeks to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, whether accepting donations of money or not, or distributing handbills or fliers advertising any event or service.
- F. Seeks to advertise, promote, sell and/or explain any product, service, organization or cause.
- G. Includes hawkers, peddlers, transient merchants, and itinerant vendors.

TRANSIENT MERCHANT: Any person who is engaged temporarily in the retail sale of goods, wares or merchandise and who, for the purpose of conducting such business, occupies any building, room, vehicle, structure of any kind, or vacant lot. However, this does not apply to any person selling vegetables, fruit or perishable farm products at an established city or village market, to any person operating a store or refreshment stand at a resort, to any person operating a stand or booth on or adjacent to property owned by him or upon which he resides, to any person operating a stand or booth at a state city or county city sponsored or authorized fair or market, or to any person operating a stand or booth at a trade show, exposition, convention or similar event. This does not apply to any person holding a valid license, issued by a county or municipality, to engage in retail sales.

(A) "Charitable purpose." Any charitable, benevolent, philanthropic or patriotic purpose.

- (B) ~~"Charitable organization." Any benevolent, philanthropic, patriotic, not for profit, or such organization purporting to be such, which solicits and collects funds for charitable purposes.~~
- (C) ~~"Contribution." The promise or grant of any money or property of any kind of value, including payment for literature in excess of the fair market value of the literature.~~
- (D) ~~"Peddler." Any person who, going from place to place, shall at retail sell, offer for sale, sell and deliver, barter or exchange any goods, wares, merchandise, wood, oil, fish, fruits, vegetables, country produce or any other article or thing whatsoever or any service from a vehicle or otherwise. It shall not include a serviceman who, responding to a prior call, sells replacement merchandise.~~
- (E) ~~"Solicitor." Any person who, going from place to place, without prior appointment or pre-arrangement with the customer, shall take orders for future delivery at retail of any merchandise or other article or thing, or any service or any person who solicits and collects funds for charitable purposes.~~
- (F) ~~"Street vendors." Any person or persons who sell goods and/or services at retail on public or private property in an outside location not affiliated with the current use of the property.~~

118.02 - License required.

No person shall engage in, operate as, or conduct the business of a hawker, peddler, transient merchant or itinerant vendor in the city without first obtaining a license thereof.

~~No person shall engage in the business of a peddler or solicitor within the city without first having obtained a permit; provided, however, that the classes of peddlers engaging in businesses specifically defined and licensed by other provisions of this code shall be exempt from the provisions of this chapter and must be licensed in accordance with those applicable provisions of this code.~~

118.03 - Application.

Applications shall be made in writing to the city clerk administrator or his or her designee. Each applicant shall submit a nonrefundable application processing fee of fifty dollars (\$50.00) and provide the following information under oath:

1. Name, address of the present place of residence, business address if other than the residence address, date of birth, and social security number for each person for whom a license is sought.
2. Address of the place of residence during the preceding three (3) years, if other than the present address for each person for whom a license is sought.

3. Physical description of the applicant for each person for whom a license is sought.
4. Name and address of the person by whom the applicant is employed or whom he represents, and the length of time of such employment or representation for each person for whom a license is sought.
5. Description of the subject matter of the soliciting in which the applicant will engage and a description of the commodities or articles of merchandise in which the applicant intends to deal.
6. Period of time for which the license is requested.
7. The date, or approximate date, of the most recent previous application for a license under this chapter, if any.
8. A list of all licenses or certificates of registration to conduct business as a hawker, peddler, transient merchant or itinerant vendor obtained by the applicant in Illinois in the twelve (12) months preceding the date of filing of the application for each person for whom a license is sought.
9. A statement as to whether a license issued to the applicant under this chapter has been revoked within one year of the date of the application for each person for whom a license is sought.
10. A statement as to whether the applicant has been convicted of a violation of any provision of this chapter or the ordinances of any other municipality regulating soliciting within one year of the date of the application for each person for whom a license is sought.
11. A statement as to whether the applicant has ever been convicted of the commission of: a) a felony, or b) a misdemeanor involving dishonesty or false statements, under the laws of the state of Illinois or any other state, or under the laws of the United States, within five (5) years of the date of the application for each person for whom a license is sought.
12. A statement as to whether the applicant is required to register as a sex offender under the Illinois sex offender registration act for each person for

whom a license is sought.

13. Fingerprinting Live scanning of the fingerprints for each applicant and for each person for whom a license is sought.

~~No one shall peddle or solicit from persons in the city by door-to-door solicitation or the use of public streets and public ways without first obtaining a permit. Application for a permit shall be made to the city administrator or his designee and shall include the following information:~~

- ~~(A) The name of the organization, partnership, corporation or proprietorship for whom the applicant works, and the name under which it intends to solicit.~~
- ~~(B) The name, address, and social security number of the person in charge of solicitation in the city, a telephone number of the parent firm or corporation, and an address within Will County where service of process may be had.~~
- ~~(C) The names, permanent addresses, birth dates and social security numbers of all persons who will solicit in the city.~~
- ~~(D) The dates and times of day such solicitations are to be made and the geographic area within the city where such solicitation shall be conducted at a particular time and day.~~
- ~~(E) The number of vehicles, if any, intended to be operated and the kind of merchandise, if any, to be peddled or offered for order.~~

118.04 - Administrative procedures for application for permit license.

- (A) All applications shall be submitted to the city administrator or his designee.
- (B) If the city administrator or his designee determines that all requirements of this chapter have been met, a permit license shall be issued approving the dates and times stated on the license, at which solicitation may take place. No license shall be issued to any person who has made a false material statement in the application, or:
 - 1. Has been convicted of the commission of: a) a felony, or b) a misdemeanor involving dishonesty or false statements, under the laws of the state of Illinois or any other state, or under the laws of the United States, within five (5) years of the date of the application; or
 - 2. Has been convicted of a violation of any of the provisions of this chapter or the ordinances of any other municipality regulating soliciting within one year of the date of the application; or
 - 3. Has had his license issued under this chapter revoked as provided in this chapter within one year of the date of the application; or
 - 4. Is required to register as a sex offender under the Illinois sex offender registration act, 730 Illinois Compiled Statutes 150/3, under the laws of any other state, or under the laws of the United States.
- (C) The failure of an applicant to fulfill the requirements of this chapter shall be the sole basis for a denial of the license permit by the committee. In the event that any permit license is

denied for failure to comply with the requirements of this chapter, the applicant shall immediately be notified of the reasons for denial. At least seven business days prior to the requested date for a license to be issued to a proposed peddler, hawker, transient merchant, or itinerant vendor solicitor's permit, the ~~vendor~~ applicant shall apply to the city administrator or his designee for a ~~peddler or solicitor's permit~~ license on a form provided by the city and pay a ~~temporary permit~~ license application fee of \$50. In addition to the license application fee, the applicant entity shall also pay a \$50.00 live scan fee for each person for whom a license under this Chapter is sought.

- (D) All such ~~permits~~ license shall conform to all requirements of this chapter and shall conform to all ordinance and regulations of the city.
- (E) The city administrator or his designee may issue an applicant ~~vendor~~ a license ~~permit~~ to ~~peddle or solicit~~ for a maximum of 10 consecutive days with no more than four licenses ~~permits~~ issued each year.

118.05- Solicitation upon the public streets. Appeal of License Denial or Revocation

A. Any person aggrieved by the denial or revocation of a license under the provisions of this chapter shall have the right to appeal to the city council within twenty one (21) days after the date of denial of the application or revocation of the license. The appeal must be in writing, and shall contain a specific request for or waiver of a hearing.

B. If a hearing is requested, the hearing before the city council shall take place within thirty (30) days of the written appeal. At the hearing, the city council shall not be bound by the rules of evidence in the courts of law, but shall, in ascertaining the conditions and practices involved in the decision appealed, take into account all reliable, probative and substantial evidence. The city council shall issue a written decision within fourteen (14) days of the hearing.

C. Where a hearing is waived, the appealing party shall submit all supporting documentation with the written appeal. The city council shall issue a written decision within twenty one (21) days of the filing of the written appeal.

- ~~(A) It shall be unlawful for any person, firm, or corporation to solicit, either in person or by agent, upon the public streets, sidewalks or any other public place in the city without having first secured a permit.~~
- ~~(B) A person, firm, or corporation may be issued a permit to stand upon streets or highways within the city for purposes of soliciting from the occupants of vehicles; provided, that the peddlers, solicitors and street vendors shall comply with the following requirements:
 - ~~(1) Solicitation shall occur only at intersections where all traffic is required to come to a full stop.~~
 - ~~(2) Solicitation shall occur at highway intersections only during hours of daylight: from one half hour after sunrise to one half hour before sunset.~~~~

~~(3) Persons engaged in solicitation upon streets or highways shall be at least 16 years of age and shall wear a high visibility vest.~~

118.06 - Fraud.

It shall be unlawful for any ~~peddler or solicitor~~ licensee to cheat, deceive or fraudulently misrepresent, whether through himself or herself or through an employee, while acting as a peddler, ~~hawker, transient merchant, or itinerant vendor or solicitor~~ in the city, or to barter, sell or peddle any goods, merchandise or wares or to engage in any form of solicitation other than those specified in the application for a ~~license~~ permit.

118.07 - Hours of operation.

No soliciting or peddling shall be permitted before the hour of 9:00 a.m. or after the hour of 7:00 p.m. within the city.

118.08 - ~~Exemptions:~~ Display of License

Each eligible licensee shall be issued a license signed by the city clerk bearing the seal of the City of Wilmington. Each licensee shall at all times while soliciting within the City carry upon his person the license required by this Chapter which shall be worn in such a way as to be conspicuous, and exhibit same to any police officer or other person requesting to see the same.

~~The following organizations shall be exempt from the provisions of this chapter:~~

~~(A) Charitable organizations.~~

~~(B) Farmer's Market.~~

118.09 - Notice regulating peddlers, solicitors and street vendors.

Notice of the determination of the occupant's refusal of invitation to any peddlers, solicitors and street vendors shall be given in the following manner:

A card shall be exhibited upon or near the main entrance door to the residence containing words such as those set forth below:

NO PEDDLERS, SOLICITORS OR STREET VENDORS

The letters shall be at least three inches in height. A card exhibited at a residence shall constitute sufficient notice to any solicitor or peddler of the occupant's refusal to allow peddlers, solicitors and street vendors.

118.10 - Duty of peddlers, solicitors and street vendors.

It shall be the duty of every solicitor or peddler, upon going onto any premises in the city upon which a residence is located, to look for the notice provided for in Section 118.09, and if any is attached, to obey the statement contained on the notice. If the notice contains words such as "No Peddlers, Solicitors and Street Vendors," then the solicitor or peddler, whether registered or not, shall immediately and peacefully depart from the premises. Any solicitor or peddler who

has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

118.11 - Convicted felons as peddlers, solicitors or street vendors.

It shall be unlawful for any organization to utilize as a solicitor any person who has been convicted of a forcible felony within a period of five years prior to the date of solicitation or who, having been convicted of a forcible felony, has been released from a penal institution for a period of less than three years prior to the date of proposed solicitation. For the purposes of this section, a "forcible felony" means treason, murder, voluntary manslaughter, aggravated criminal sexual assault, criminal assault, robbery, burglary, arson, kidnapping, aggravated battery, and any other felony which involves the use or threat of physical force or violence against any individual.

118.12 - Revocation.

Any permit may be revoked by the city administrator or his designee because of any violation of this chapter or any other ordinance of the city, or any state or federal law.

118.99 - Penalty.

Any person, firm or corporation violating any provision of this title, for which another penalty is not provided, shall for a first offense be fined not less than \$50 nor more than \$750, for a second offense within one year thereafter, the person, firm or corporation shall be fined not less than \$100 nor more than \$750 and for a third or subsequent offense within one year after the first offense, the person, firm or corporation shall be fined not less than \$250 nor more than \$750. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.



Engineer's Report

February 2017

Project	Status	Anticipated Date Start / End	Contractor	Est. Cost	Project Limits	Notes
HIGH SPEED RAIL						
Kankakee River Bridge	Project Awarded	Summer, 2017	Illinois Contractors	N/A	East of North Water Street to west side of Kankakee River	No updates.
N. Kankakee Street	Project Awarded	Spring, 2017	Illinois Contractors	N/A	Canal Street to Chicago Street	Revised plans scheduled to be delivered on Monday. LOC or Bond Agreements will be required between Contractor and City before work begins on this
First Street	Project Awarded	Spring, 2017	Illinois Contractors	N/A	South of Davy Lane to south side of private entrance. (270' total). Approximately 215' down Railroad Street	LOC or Bond Agreements will be required between Contractor and City before work begins on this roadway.
N. Water Street	Project Awarded	Spring, 2017	Illinois Contractors	N/A	South of railroad crossing to Rte 53	LOC or Bond Agreements will be required between Contract and City before work begins on this roadway.
Stripmine Road / Route 53	Project Awarded	Fall, 2016	"D" Construction	N/A	West entrance to Berkot's south on Rte 53 approximately 1,100' and west on Stripmine	No updates.
Coal City Road / Route 53	Project Awarded	Fall, 2016	"D" Construction	N/A	1,500' south of Coal City Road intersection and 1,600' north of the intersection.	No updates.
HSR - CITY UTILITY CONFLICTS						
Project Description						
Conflict # 141: Kankakee River Drive	Plans Approved	Spring, 2017	TBD	N/A	Filling abandoned 10" watermain along north side of KRD	Attorney Urban is reviewing and negotiating the license agreement
Conflict # 142 & 145: Kankakee River Drive	Plans Approved	Spring, 2017	TBD	N/A	Filling abandoned 12" watermain along north side of KRD and realign/lower existing 16" watermain that is in conflict with the proposed ditch improvements	Attorney Urban is reviewing and negotiating the license agreement
Conflict # 176C: Forked Creek Watermain	Plans Approved	Spring, 2017	Austin-Tyler	N/A	Realign and bury with concrete in the creekbed a 12" watermain that is in conflict with a proposed bridge pier	Attorney Urban is reviewing and negotiating the license agreement
Conflict # 179 & 180: Kankakee Street	Plans Approved	Spring, 2017	TBD	N/A	Filling an abandoned 4" watermain on the east side of Kankakee Street and extending the 24" casing on the west side	Attorney Urban is reviewing and negotiating the license agreement
Conflict # 188: First Street	Plans Approved	Spring, 2017	TBD	N/A	Extend existing sewer casing or bore new casing and realign new sewer main on east side of First Street	Attorney Urban is reviewing and negotiating the license agreement
Conflict # 193 & 195: First Street	Plans Approved	Spring, 2017	TBD	N/A	Realigning 8" and 12" watermains to east side then across the tracks in a 36" casing	Attorney Urban is reviewing and negotiating the license agreement
CITY						
Rte 53 and S. Arsenal Road	Construction	Spring, 2017	Austin-Tyler	\$2,345,208.66	Intersection of Rte 53 and S. Arsenal Road	ESI and Austin-Tyler working to establish start date for watermain improvements.
Rte 53 and Peotone Road	Bid Award	Spring, 2017	Austin-Tyler	\$2,164,103.30	Intersection of Rte 53 and Wilmington-Peotone Road	Frank and I are scheduling meeting with IDOT to determine funding breakdown from EDP to see if additional funds can be transferred to this project.



Economic Development Report

February 2017

Project	Status	Ant. Start Date	Ant. Completion Date	Project Manager	Estimated Cost	Notes
<u>Ridgeport</u>						
Buck Easement	Plan Review	Spring, 2017	Summer, 2017	Hey & Associates	\$1M	Final plan coordination occurring between Bucks, Elion and the City. Plat of Easements will be prepared upon approved layout.
Building M / Project Hot Dog	Construction	September, 2016	Summer, 2017	Alston Construction	TBD	Wall panels being installed. Contractor relocating water and sewer mains.
Building Charlie	Plan Review	Spring, 2017	TBD	Alston Construction	TBD	Final Plans are approved contingent on storm sewer revisions. Site work expected to begin in Spring.
World Foods	Construction	Winter, 2017	Spring, 2017	N/A	TBD	No updates.
<u>Commercial</u>						
N/A						
<u>Residential</u>						
Deer Creek Estates	Construction	November, 2016	TBD	Pro Builders	TBD	No updates.
Foxtail Commons	Construction	March, 2016	November, 2016	Jeff Fisher	N/A	No updates.