



REGULAR CITY COUNCIL MEETING AGENDA

Tuesday, May 7, 2024
7:00 P.M. (CST)

Wilmington City Hall
1165 S. Water Street (Council Chambers)

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
Mayor Ben Dietz
Alderspersons: Kevin Kirwin, Ryan Jeffries, Dennis Vice, Ryan Knight
Leslie Allred, Jonathan Mietzner, Thomas Smith, Todd Holmes

B. CITIZENS COMMENT *(State your full name clearly; limit 3 minutes each)*

C. CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine by the City Council and will be acted upon with one motion. There will be no separate discussion of these items unless a Council member requests, in which event, the items will be removed from the consent agenda and discussed separately.

1. Approval of the Regular Meeting Minutes from April 16, 2024
2. Approval of the Accounts Payable Report

D. MAYOR'S REPORT

1. Proclamation – May 2024 Motorcycle Awareness Month

E. ORDER OF BUSINESS

1. Consideration to Approve the Recommendation and Award the 2024-2025 MFT Maintenance Project to Austin Tyler Construction, Inc. for \$571,860.65
2. Consideration to Approve the Invoices Related to the State of Emergency at a Total of \$11,648.83
3. Consideration to Approve Ordinance No. 24-05-07-01, An Ordinance Amending Section 74.02 of the City of Wilmington Code of Ordinances Regarding the Operation of Golf Carts Within the City of Wilmington

F. REPORTS AND COMMUNICATION FROM CITY OFFICIALS

City Attorney – Bryan Wellner
City Administrator – Jeannine Smith
Finance Director – Nancy Gross
Public Works Director – James Gretencord
Police Department – Chief Zink

G. ALDERMEN COMMENTS

Aldersperson Kirwin	Aldersperson Vice	Aldersperson Allred	Aldersperson Holmes
Aldersperson Jeffries	Aldersperson Knight	Aldersperson Mietzner	Aldersperson Smith

H. EXECUTIVE SESSION

1. Review of Executive Session Minutes [5 ILCS 120/2.06(d)]
2. Appointment, Employment, Dismissal, Compensation, Discipline, and Performance of an Employee of the City of Wilmington [5 ILCS 120/2(c)(1)]
3. Collective negotiating matters between the City of Wilmington (public body) and its employees [5 ILCS 120/2(c)(2)]
4. Matters of Land Acquisition [5 ILCS 2(c)(5) and 2(c)(6)]
5. Probable or Imminent Litigation and Pending Litigation [5 ILCS 2(c)(11)]

I. POSSIBLE ACTION OF EXECUTIVE SESSION ITEMS

1. Report on Closed Session Minutes
2. Consideration and Approval of Proposed Compensation of Non-Bargaining Employees

J. ADJOURNMENT

This public body may adjourn to a closed session to discuss matters so permitted and may act upon such matters returning to the open session.

So that all may concentrate on the proceedings, please silence cell phones during City Council meetings.

The next regularly scheduled City Council meeting is Tuesday, May 21, 2024.

**MINUTES OF THE REGULAR MEETING OF THE WILMINGTON CITY COUNCIL
APRIL 16, 2024**

MAYOR BEN DIETZ CALLED TO ORDER THE REGULAR MEETING OF THE WILMINGTON CITY COUNCIL AT 7:00 P.M.

ROLL CALL

After the pledge of allegiance, the following answered to Roll Call: Alderpersons Kevin Kirwin, Ryan Jeffries, Dennis Vice, Ryan Knight, Leslie Allred, Jonathan Mietzner, Thomas Smith. Alderperson Todd Holmes was absent. The number present constitutes a quorum.

Also present: City Administrator Jeannine Smith, Finance Director Nancy Gross, Public Works Director James Gretencord, Chief of Police Adam Zink, City Attorney Bryan Wellner, and Deputy City Clerk Joie Ziller.

CITIZENS COMMENT

No comments were made

CONSENT AGENDA

1. Approval of the Regular Meeting Minutes from April 2, 2024
2. Approval of the Accounts Payable Report
3. Approval of the Sound and Light Contract Agreement with Rock Productions
4. Approval of the Fireworks Productions Agreement with Mad Bomber for the Let Freedom Rock Celebration on June 28, 2024
5. Approval of the Fireworks Productions Agreement with Mad Bomber for the Catfish Days Festival
6. Approval of the Hire Two (2) Additional Police Officers
7. Approval of Ordinance No. 24-04-16-01, An Ordinance Adopting and Incorporating the Will County Stormwater Management Ordinance by Reference and Amending Certain Sections of Chapter 152 as it Pertains to Flood Maps and Studies
8. Approval of Ordinance No. 24-04-16-02, An Ordinance Reducing the Number of Class D Liquor Licenses
9. Approval of the Estimate and Award the Bid to Ace Sign Co. for the Welcome to Wilmington Sign
10. Approval of the Wesley 4-H Hustlers Request to Host a Micro-Pantry at City Hall
11. Approval of the Landscape Proposal by The Flower Faery for \$2,800
12. Approval of the Invoices Relating to the State of Emergency
13. Approval of the IGA with Wilmington School District 209U and Southern Will County Cooperative for Special Education
14. Approval of the Contracts Related to the 2024 Catfish Days Festival
 - Abstractionz for \$500.00
 - Laser Encore for \$6,500.00
 - ~~Rodney Emling for \$1,400.00~~
 - ~~Rick Lindy and the Wild Ones Band for \$1,200.00~~
 - ~~Cowboy Co The Country Music Show for \$2,000.00~~
 - Any Given Weekend for \$1,000.00
 - Fearless: A Tribute to Taylor for \$3,500.00
15. Approval to Adjust the Director of Public Works Salary to include \$125,000 annually and permission to use a company vehicle for travel to and from work

Alderperson Kirwin made a motion and Alderperson Knight seconded to approve the Consent Agenda for April 16, 2024 except for labeling the following agreements under #14: Rodney Emling for \$1,400.00, Rick Lindy and the Wild Ones Band for \$1,200.00, Cowboy Co The Country Music Show for \$2,000.00, and Fearless: A Tribute to Taylor for \$3,500.00

Upon roll call, the vote was:

AYES: 7 Kirwin, Knight, Vice, Allred, Mietzner, Jeffries, Smith

NAYS: 0

ABSENT: 1 Holmes

The motion carried.

MAYOR'S REPORT

Mayor Dietz recognized and presented certificates to the Wilmington Mighty Cats Wrestling Club.

ORDER OF BUSINESS

Aldersperson Mietzner made a motion and Aldersperson Knight seconded to approve the hire of Susan McDavid as the Building Permit Technician at the hourly rate of \$27.38 per hour with an effective start date of April 22, 2024

Upon roll call, the vote was:

AYES: 7 Mietzner, Knight, Jeffries, Kirwin, Vice, Allred, Smith

NAYS: 0

ABSENT: 1 Holmes

The motion carried.

Aldersperson Knight made a motion and Aldersperson Kirwin seconded to approve Ordinance No. 24-04-16-03, An Ordinance Amending the Compensation of Certain Officers and Officials

Upon roll call, the vote was:

AYES: 7 Knight, Kirwin, Vice, Jeffries, Allred, Mietzner, Smith

NAYS: 0

ABSENT: 1 Holmes

The motion carried.

REPORTS AND COMMUNICATION FROM CITY OFFICIALS

City Attorney – Bryan Wellner – No Report

City Administrator – No Report

Finance Director – Nancy Gross – No Report

Public Works Director – No Report

Chief of Police – Adam Zink – No Report

ALDERPERSON COMMENTS

Aldersperson Kirwin – No Comment

Aldersperson Vice – No Comment

Aldersperson Allred – No Comment

Aldersperson Holmes – No Comment

Aldersperson Jeffries – No Comment

Aldersperson Knight – No Comment

Aldersperson Mietzner – No Comment

Aldersperson Smith – No Comment

EXECUTIVE SESSION

Aldersperson Allred made a motion and Aldersperson Knight seconded to go into Executive Session at 7:17 PM to discuss the Review of Executive Session Minutes [5 ILCS 120/2.06(d)] and Appointment, Employment, Dismissal, Compensation, Discipline, and Performance of an Employee of the City of Wilmington [ILCS 120/2(c)(1)]

Upon roll call, the vote was:

AYES: 7 Allred, Knight, Mietzner, Kirwin, Vice, Smith, Jeffries

NAYS: 0

ABSENT: 1 Holmes

The motion carried.

Aldersperson Allred made a motion and Aldersperson Knight seconded to close Executive Session at 8:00 PM

Upon roll call, the vote was:

AYES: 7 Allred, Knight, Mietzner, Kirwin, Vice, Smith, Jeffries

NAYS: 0

ABSENT: 1 Holmes

The motion carried.

ACTION OF EXECUTIVE SESSION ITEMS

No action taken

ADJOURNMENT

The motion to adjourn the meeting was made by Aldersperson Knight and seconded by Aldersperson Kirwin. Upon the voice vote, the motion carried. The City of Wilmington City Council's regular meeting on April 16, 2024, adjourned at 8:01 p.m.

Respectfully submitted,



Joie Ziller, Deputy City Clerk



**THE CITY OF WILMINGTON, ILLINOIS
PROCLAMATION BY THE MAYOR**

WHEREAS, safety is the highest priority for the highways and streets of our City and State; and

WHEREAS, the great State of Illinois is proud to be a national leader in motorcycle safety, education, and awareness; and

WHEREAS, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and

WHEREAS, it is especially meaningful that the citizens of our City and State be aware of motorcycles on the roadways and recognize the importance of motorcycle safety; and

WHEREAS, the members of A.B.A.T.E. of Illinois, Inc., (A Brotherhood Aimed Toward Education), continually promote motorcycle safety, education, and awareness in high school drivers' education programs and to the general public in our City and State, presenting motorcycle awareness programs to over 120,000 participants in Illinois over the past nine years; and

WHEREAS, all motorcyclists should join A.B.A.T.E. of Illinois, Inc. in actively promoting the safe operation of motorcycles as well as promoting motorcycle safety, education, awareness, and respect of the citizens of our City and State; and

WHEREAS, the motorcyclists of Illinois have contributed extensive volunteerism and money to national and community charitable organizations for the enhancement and support of these organizations; and

WHEREAS, during the month of May, all roadway users should unite in the safe sharing of roadways within the City of Wilmington and throughout the great State of Illinois;

THEREFORE, I, Ben Dietz, Mayor of the City of Wilmington, in the great State of Illinois, in recognition of the 37 years of A.B.A.T.E. of Illinois, Inc., and the over 352,318 registered motorcyclists statewide, and in recognition of the continued role Illinois serves as a leader in motorcycle safety, education, and awareness,

**DO HEREBY PROCLAIM THE MONTH OF MAY, THIS YEAR 2024, AS
MOTORCYCLE AWARENESS MONTH**

in the City of Wilmington, and urge all motorists to join in an effort to improve safety and awareness on our roadways.

Given under my signature and the seal of
at the City of Wilmington,
this 7th day of May 2024.



Ben Dietz, Mayor
City of Wilmington
Will County, Illinois

MEMORANDUM

DATE: May 1, 2024

TO: Mayor Ben Dietz
City of Wilmington
1165 South Water Street
Wilmington, IL 60481

FROM: Casey J. McCollom

SUBJECT: City of Wilmington
2024-2025 MFT Maintenance

Bids were received and were publicly opened and read today for the 2024-2025 MFT Maintenance. All bids received met the intent of the proposal documents and were in order; the bid results are as follows:

BIDDER	AMOUNT
Austin Tyler Construction, Inc.	\$571,860.65
PT Ferro Construction Co.	\$592,762.29
Gallagher Asphalt Co.	\$599,075.95

Based on the proposals received, we recommend the project be awarded to the low, responsive, responsible bidder, Austin Tyler Construction, Inc. in the amount of \$571,860.65 .

Enclosure

CJM/am

Project # 66473.00

**CITY OF WILMINGTON
2024-2025 MFT MAINTENANCE**

Project No. 66473.00

10:00AM, Friday, April 26, 2024

BID TABULATION

Bidder & Address	Total Bid	Bid Security	Comments
Austin Tyler construction, Inc. 23343 S. Ridge Road Elwood, IL 60421	\$571,860.65	Bid Bond	
PT Ferro Construction 700 South Rowell Avenue Joliet, IL 60433	\$592,762.29	Bid Bond	
Gallagher Asphalt Corp. 18100 South Indiana Ave. Thornton, IL 60476	\$599,075.95	Bid Bond	
D Construction Inc. 1488 South Broadway Coal City, IL 60450		No Bid	

BID LETTING: City of Wilmington
2024-2025 MFT Maintenance

10:00AM, Friday, April 26, 2024

BIDDER & ADDRESS				PT Ferro Construction 700 South Rowell Avenue Joliet, IL 60433		Austin Tyler construction, Inc. 23343 S. Ridge Road		Gallagher Asphalt Corp. 18100 South Indiana Ave. Thornton, IL 60476	
BID DEPOSIT				Bid Bond		Bid Bond		Bid Bond	
NO.	QTY	UNIT	ITEM	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	18200	SY	Micro-Surfacing, Single Pass	\$5.00	\$91,000.00	\$4.52	\$82,264.00	\$5.10	\$92,820.00
2	14900	SY	HMA Surface Removal	\$3.10	\$46,190.00	\$3.50	\$52,150.00	\$2.95	\$43,955.00
3	6705	LB	Prime Coat (SS-1)	\$0.01	\$67.05	\$0.01	\$67.05	\$0.01	\$67.05
4	918	TON	HMA Binder Course, IL-4.75	\$120.00	\$110,160.00	\$110.00	\$100,980.00	\$135.00	\$123,930.00
5	1377	TON	HMA Surface Course, Mix "D", N50	\$98.00	\$134,946.00	\$88.00	\$121,176.00	\$113.00	\$155,601.00
6	1600	SY	Class D Patching	\$55.00	\$88,000.00	\$45.00	\$72,000.00	\$20.00	\$32,000.00
7	18	EA	Structure to be Adjusted	\$450.00	\$8,100.00	\$750.00	\$13,500.00	\$630.00	\$11,340.00
8	39500	FT	Fiber-modified Asphalt Crack Sealing	\$0.80	\$31,600.00	\$0.68	\$26,860.00	\$0.80	\$31,600.00
9	40800	SY	Pavement Rejuvenation	\$1.15	\$46,920.00	\$1.50	\$61,200.00	\$1.40	\$57,120.00
11	2878	FT	Thermoplastic Pavement Marking, Line 6"	\$1.23	\$3,539.94	\$2.15	\$6,187.70	\$2.60	\$7,482.80
12	868	FT	Thermoplastic Pavement Marking, Line 12"	\$2.45	\$2,126.60	\$4.30	\$3,732.40	\$5.20	\$4,513.60
13	362	FT	Thermoplastic Pavement Marking, Line 24"	\$5.90	\$2,135.80	\$8.50	\$3,077.00	\$10.50	\$3,801.00
14	191	SF	Thermoplastic Pavement Marking, L&S	\$5.90	\$1,126.90	\$6.50	\$1,241.50	\$8.00	\$1,528.00
15	650	SF	Pavement Marking Removal	\$2.00	\$1,300.00	\$3.00	\$1,950.00	\$3.00	\$1,950.00
16	4000	GAL	Bituminous Materials (HFE 150)	\$5.25	\$21,000.00	\$5.25	\$21,000.00	\$6.45	\$25,800.00
17	85	TON	Cover Coat Aggregate	\$50.00	\$4,250.00	\$50.00	\$4,250.00	\$62.50	\$5,312.50
TOTAL					\$592,762.29		\$571,860.65		\$599,075.95



MEMO

Date: May 7th, 2024

To: Honorable Mayor Dietz and City Council Members

From: James Gretencord, Director of Public Works

Cc: Jeannine Smith, City Administrator
Nancy Gross, Finance Director

Re: State of Emergency Invoices

Budget Impact: \$11,648.83 ESDA Line Item 07-00-7500

Request: Approve the invoices relating to the State of Emergency.

Discussion: The following items are invoices received due to the flooding. I am requesting approval to pay the invoices totaling \$11,648.83 bringing the total of emergency invoices paid to date to \$110,065.26.

Invoices Paid To Date:		
Company	Cost	Reason
Inman Electric Motors	\$ 11,363.10	Three new Motors 2-50HP 1-30HP
On Site Repair Services	\$ 11,737.22	Three new motor installs and one motor realignment
Grainger	\$ 922.18	4 clearwell transducers + coupling grease
Whitmore Ace	\$ 1,112.80	Yard Hydrant, Pancake Aircompressor, Misc Electrical Parts
Dunkin Donuts	\$ 59.78	Coffee for First Responders 1/26/2024
Wilmington Pizzeria	\$ 182.00	Lunch for all P.W. Employees and Contractors 1/27/2024
Clennon Electric	\$ 41,771.28	Pumphouse Electrical Work
Xylem	\$ 12,840.85	Rental 2 diesel powered trash pumps for WTP
VCNA Prairie LLC	\$ 9,438.68	819 Tons of material of stone
Servpro	\$ 750.00	Dehumidifier rental for pump house
Menards	\$ 1,040.79	Pumphouse light fixture replacement
Automatic Control	\$ 301.40	Diagnos pumphouse PLC
Allied Nursery	\$ 1,622.00	26 yards pulverized black dirt 100 lbs. grass seed
Homewood Disposal	\$ 440.00	Roll off Dumpster for Residents impacted by flooding
Waste Management	\$ 312.00	Remove debris insulation around pumphouse
Faulk's Brothers Const	\$ 4,522.35	66.31 Tons Infield Dirt North Island Baseball Diamond
	\$ 98,416.43	
Invoices being voted on 5/7/2024		
Company	Cost	Reason
Heritage FS	\$ 1,388.83	436 Gallons Em. Generator Diesel Fuel
LAI LLC	\$ 10,260.00	Dezurick Eccentric Plug Valve Pneumatically Actuated
	\$ 11,648.83	
Total to date:	\$ 110,065.26	

Motion: Approve the invoices relating to the State of Emergency at a total of \$11,648.83
Thank you in advance for your consideration of this request.



LAI, LLC

5400 Newport Drive, Suite 10
Rolling Meadows, IL 60008
Tel: 847.392.0990 Fax: 847.392.1095

Since 1958

accounting@lai-ltd.com

Invoice

Date	Invoice #
4/19/2024	24-60723

Bill To

City of Wilmington
City Hall
1165 S. Water Street
Wilmington, IL 60481

Ship To

City of Wilmington
Water Treatment Plant
Attn: Ryan Foster
745 Widows Rd
Wilmington, IL 60481

PO Number	Terms
Vbl/James Gretencord	Net 30

Shipped	Via	F.O.B.	LAI SO #
4/16/2024	Best Way	Factory	24-4112

Quantity	Item Code	Description	Price Each	Amount
1	Valve	P/N 9738131 - PEC,12,F1,CI,NBR,CR*GS-12-PC8,EPP 12" Flanged DeZurik Eccentric Plug Valve w/ EPP Pump Check Accessory Package	10,260.00	10,260.00

P4

Total \$10,260.00

ACH/Wire Payments:

Wells Fargo Bank NA
Account #4941124067
ACH ABA Routing #121000248
Wire Routing #121000248

3% Processing Fee for any Credit Card Charge over \$1,000.00

Heritage FS, Inc - Wet Hosing
30230 S Rt 50
Peotone IL 60468
708-258-3311 Fax: 708-258-9321

Invoice

88010524

Bill To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Invoice Date 02/05/2024
Due Date 03/25/2024 REGULAR

Customer ID 0552320

Salesperson 0088
Shipping Loc. 088

Ship To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Comments: Delivered 1.29.24 Water Treatment

Quantity	Description	Unit Price	Total \$
115.000	GL 80/20 WTR BL DX DYED	3.13 /GL	359.95
115.000	Tax COUNTY MOTOR FUEL TAX	.047 /Tax	5.41
115.000	Tax FEDL MOTOR FUEL LUST TAX	.001 /Tax	.12
115.000	Tax ENVIRONMENTAL IMPACT FEE	.008 /Tax	.92
115.000	Tax UNDERGROUND STGE TAX DIST	.003 /Tax	.35

P14

Sub Total 366.75

Amount Due 366.75

Remit To: Heritage FS, Inc
30230 S Rt 50
Peotone IL 60468

CITY OF WILMINGTON

Invoice

88010524

cc: JG

Heritage FS, Inc - Wet Hosing
30230 S Rt 50
Peotone IL 60468
708-258-3311 Fax: 708-258-9321

Invoice

88010526

Bill To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Invoice Date 02/05/2024
Due Date 03/25/2024 REGULAR

Customer ID 0552320

Salesperson 0088
Shipping Loc. 088

Ship To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Comments: Delivered 1.31.24 Water Treatment

Quantity	Description	Unit Price	Total \$
53.000	GL 90/10 WTR BL DX DYED	3.10 /GL	164.30
53.000	Tax COUNTY MOTOR FUEL TAX	.047 /Tax	2.49
53.000	Tax FEDL MOTOR FUEL LUST TAX	.001 /Tax	.05
53.000	Tax ENVIRONMENTAL IMPACT FEE	.008 /Tax	.42
53.000	Tax UNDERGROUND STGE TAX DIST	.003 /Tax	.16

P14

Sub Total 167.42

Amount Due 167.42

Remit To: Heritage FS, Inc
30230 S Rt 50
Peotone IL 60468

CITY OF WILMINGTON

Invoice

88010526

cc: JG

Heritage FS, Inc - Wet Hosing

30230 S Rt 50

Peotone IL 60468

708-258-3311 Fax: 708-258-9321

Invoice

88010525

Bill To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Invoice Date 02/05/2024
Due Date 03/25/2024 REGULAR

Customer ID 0552320

Salesperson 0088
Shipping Loc. 088

Ship To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Comments: Delivered 1.30.24 Water Treatment

Quantity	Description	Unit Price	Total \$
111.000	GL 80/20 WTR BL DX DYED	3.13 /GL	347.43
111.000	Tax COUNTY MOTOR FUEL TAX	.047 /Tax	5.22
111.000	Tax FEDL MOTOR FUEL LUST TAX	.001 /Tax	.11
111.000	Tax ENVIRONMENTAL IMPACT FEE	.008 /Tax	.89
111.000	Tax UNDERGROUND STGE TAX DIST	.003 /Tax	.33

P14

Sub Total 353.98

Amount Due 353.98

Remit To: Heritage FS, Inc
30230 S Rt 50
Peotone IL 60468

CITY OF WILMINGTON

Invoice

88010525

cc: JG

Heritage FS, Inc - Wet Hosing

30230 S Rt 50

Peotone IL 60468

708-258-3311 Fax: 708-258-9321

Invoice

88010523

Bill To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Invoice Date 02/05/2024
Due Date 03/25/2024 REGULAR

Customer ID 0552320

Salesperson 0088
Shipping Loc. 088

Ship To: CITY OF WILMINGTON
1165 SOUTH WATER
WILMINGTON, IL 60481

Comments: Delivered 1.28.24 Water Treatment

Quantity	Description	Unit Price	Total \$
157.000	GL 80/20 WTR BL DX DYED	3.13 /GL	491.41
157.000	Tax COUNTY MOTOR FUEL TAX	.047 /Tax	7.38
157.000	Tax FEDL MOTOR FUEL LUST TAX	.001 /Tax	.16
157.000	Tax ENVIRONMENTAL IMPACT FEE	.008 /Tax	1.26
157.000	Tax UNDERGROUND STGE TAX DIST	.003 /Tax	.47

PI4

Sub Total 500.68

Amount Due 500.68

Remit To: Heritage FS, Inc
30230 S Rt 50
Peotone IL 60468

CITY OF WILMINGTON

Invoice

88010523

cc: JG Flooding?

ORDINANCE NO. 24-05-07-01

AN ORDINANCE AMENDING SECTION 74.02 OF THE CITY OF WILMINGTON CODE OF ORDINANCES REGARDING THE OPERATION OF GOLF CARTS WITHIN THE CITY OF WILMINGTON, WILL COUNTY, ILLINOIS

WHEREAS, the Illinois Vehicle Code authorizes the City of Wilmington to permit golf carts vehicles upon certain streets, highways, or roadways under its jurisdiction; and

WHEREAS, the City of Wilmington hereby determines that public safety will not be jeopardized if golf carts are permitted upon the streets, highways, and roadways under its jurisdiction in accordance with the provisions set forth below; and

WHEREAS, in determining that permitting golf carts on the streets, highways, and roadways under its jurisdiction will not jeopardize public safety the City has considered (i) the volume and speed of traffic; (ii) the character of traffic on such streets, highways and roadways; and (iii) whether golf carts can safely travel on and cross such streets, highways and roadways.

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

SECTION 1: ORDINANCE AMENDMENT

That Section 74.02 of Title VII Traffic Code of the Wilmington Code of Ordinances is hereby amended to state as follows:

74.02 Operating requirements.

Except as otherwise provided in this chapter, it shall be lawful for a person to drive or operate a golf cart or non-highway vehicle upon city streets in the city of Wilmington.

- a. A person shall not drive or operate a golf cart or non-highway vehicle upon any roadway in the city of Wilmington without a valid driver's license.
- b. It is unlawful to drive or operate a golf cart upon or non-highway vehicle on any roadway in the city of Wilmington with a speed limit greater than thirty-five (35) miles per hour. Provided, however, a golf cart or non-highway vehicle may cross a roadway at an intersection where the roadway to be crossed has a posted speed limit of more than thirty-five (35) miles per hour.
- c. Any person driving or operating a golf cart or non-highway vehicle shall not cross any state, county or township road, toll road, interstate highway, or controlled access highway unless at an intersection controlled by a traffic light or a four-way stop sign and the speed limit of the highway to be crossed is thirty-five (35) miles per hour or less at the place of crossing. **Notwithstanding the foregoing, golf carts or non-highway vehicles may cross at the intersection of E. Baltimore and Joliet Street, W. Baltimore and S. Park Street, and W. Baltimore and Bridge Street.**
- d. A golf cart or non-highway vehicle shall only be driven or operated on roadways under the exclusive jurisdiction of the city of Wilmington unless the city has concurrent jurisdiction with another unit of government controlling the roadway and authorizes the same.
- e. A person who drives or is in actual physical control of a golf cart or non-highway vehicle while under the influence is subject Sections 11-500 through 11-502 of the Illinois Vehicle Code, including but not limited to Driving Under the Influence (625 ILCS 5/11-501) and Illegal Transportation or Possession of Alcoholic Liquor in a Motor Vehicle (625 ILCS 5/11-502), and applicable local ordinances.

- f. Golf carts and non-highway vehicles shall not be operated on sidewalks or other public property not accessible to or authorized for vehicular traffic.
- g. A person who drives or operates a golf cart or non-highway vehicle shall obey all traffic laws of the State of Illinois and the city of Wilmington with regard to the movement and operation of vehicles on the streets and roadways.
- h. It is unlawful to operate or drive any non-highway vehicle, as defined by Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1), besides a golf cart or non-highway vehicle, on any roadway in the city of Wilmington.

SECTION 2: REPEALER

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance shall be and the same are hereby repealed.

SECTION 3: 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 word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision, or section of this Ordinance is void or unconstitutional, the remaining words, phrases, clauses, sentences, paragraphs, provisions and sections and parts of phrases, clauses, sentences, paragraph, provisions, and section not ruled void or unconstitutional shall continue in full force and effect.

SECTION 4: EFFECTIVE DATE

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

PASSED this 7th day of May 2024 with ___ members voting aye, 0 members voting nay, the Mayor voting N/A, with 0 members abstaining or passing and said vote being:

Kevin Kirwin	_____	Ryan Jeffries	_____
Dennis Vice	_____	Ryan Knight	_____
Leslie Allred	_____	Jonathan Mietzner	_____
Todd Holmes	_____	Thomas Smith	_____

Approved this 7th day of May 2024

Ben Dietz, Mayor

Attest:

Deputy City Clerk