



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

**Agenda
Regular City Council Meeting
Wilmington City Hall
Council Chambers
March 7, 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 March 7, 2017 is now in session at _____ p.m.

IV. Approval of Minutes of the February 21, 2017 Regular City Council Meeting

V. Mayor's Report

VI. Citizens Comments

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

VII. Planning & Zoning Commission

1. The next scheduled meeting is Thursday, April 6, 2017 at 5:00 p.m.

VIII. 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.

*Posting Date:
3/3/2017 10:50 AM jjz*

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. 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. Second Reading ó Revisions to Chapter 118-Peddlers, Solicitors and Street Vendors
2. 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

IX. City Administrator's Report

X. Attorney's Report

XI. Adjournment

The next regular City Council meeting is Tuesday, March 21, 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 21, 2017**

Call to Order

The Regular Meeting of the Wilmington City Council on February 21, 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 Engineer Colby Zemaitis, City Account Kim Doglio and Attorney John Urban

Approval of Minutes

Alderman Studer made a motion and Alderman Tutor seconded to approve the February 7, 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.

Public Hearing

Alderman L. Hall made a motion and Alderman Studer seconded to open the public hearing at 7:01 p.m. for discussion on the Annexation and Rezoning R2 County to I2 City-Location: West of RT 53 on south side of Stripmine Road, Petitioner: Barney Castillo, PIN: 03-17-35-100-003-0000.

Upon roll call, the vote was:

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

NAYS: 0

ABSENT: 1 Van Duyne

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The motion carried.

Steve Flynn stated that he attend the meeting this evening in support of small businesses and hopes that the City Council will as well. Mr. Flynn also stated that he felt some of the restrictions the Planning & Zoning Commissioners recommended were out of line.

Interim City Administrator Frank Koehler deferred to Ken Kulpa, a Planning and Zoning Commissioner to brief the Council on their (Planning & Zoning Commission) decision. Commissioner Kulpa stated that Mr. Castillo began this process several months ago and although the Planning & Zoning Commission agreed that this property be annexed into the City and based that decision along with a few restrictions that they felt were in the best interest of the City which are as follows:

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

Barney Castillo, the Petitioner stated that back in May 2016 he submitted his request to be annexed into the City of Wilmington with I-2 Light Industrial zoning. Currently the property is goverened by Will County with R-2 Residential Single Family zoning. When he initially purchased the property he was informed with the incorrect information and is now being told by Will County that he will no longer be allowed to operate his business from that property. Will County suggested that he contact the City of Wilmington to see if they would annex and rezone this property. Mr. Castillo stated that he currently uses the property to park his landscape equipment and trucks on and has two cargo containers for tool storage.

Alderman L. Hall made a motion and Alderman Studer seconded to close the public hearing at 7:17 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.

Mayor's Report

Mayor Orr read the Proclamation declaring February 28, 2017 Gary W. Van Duyne Day. Mayor Orr also presented Gary Van Duyne with an award commending his 29 years with the City of Wilmington and congratulating him on his retirement on February 28, 2017. There will be an Open House on Mr. Van Duyne's behalf on February 28, 2017, 1PM to 3PM at Wilmington City

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Hall. Cake and light refreshments will be made available.

Mayor Orr announced the Forum on "Heroin-a beautiful life down a vein" being held on March 2, 2017, 6PM to 8:30PM at the Wilmington Middle School.

Citizen Comments

No comments were made.

Planning & Zoning Commission

Alderman Evans made a motion and Alderman Kirwin seconded to approve Ordinance No. 17-02-21-01 - An Ordinance Rezoning Certain Property (PIN: 03-17-16-300-005-0000, Owner Adar Ridgeport Industrial Partners, LLC)

Discussion: Interim City Administrator Koehler informed the Council that this is a housekeeping issue, the public hearing and ordinance to annex this property occurred back in November 2016 but an ordinance rezoning to I-5 for this property was not passed.

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 Kirwin made a motion and Alderman Persic seconded to approve 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.

Discussion: City Attorney Urban informed the Council that an annexation agreement needs to be drafted and approved by Council before an ordinance to annex and rezone can be passed. Mayor Orr recommended that a motion be made to table until the next City Council meeting. Alderman L. Hall made a motion and Alderman Studer seconded to table until the next City Council meeting.

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

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

Water, Sewer, Streets and Alleys Committee

Co-Chairs – Frank Studer & Kevin Kirwin

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

Police & ESDA Committee

Co-Chairs – Frank Studer & Fran Tutor

The next scheduled meeting is Tuesday, March 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 21, 2017 in the amount of \$230,355.38 and the January 31, 2017 Collector's Report in the amount of \$400,346.97 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.

Alderman Studer made a motion and Alderman Kirwin seconded to approve Resolution No. 2017-03 ó A Resolution for a Temporary Loan Between Funds

Upon roll call, the vote was:

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

NAYS: 2 Aldermen L. Hall, K. Hall

ABSENT: 1 Van Duyne

The motion carried.

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

Ordinance & Licensing Committee

Co-Chairs – Kirby Hall & Steve Evans

Alderman Evans made a motion and Alderman K. Hall seconded to 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

Upon roll call, the vote was:

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

NAYS: 0

DRAFT

ABSENT: 1 Van Duyne
The motion carried.

Alderman K. Hall made a motion and Alderman Evans seconded to 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

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 14, 2017 at 6:00 p.m.

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

Nothing at this time.

City Engineer's Report

City Engineer Zemaitis reviewed his report with the Council. The report will be attached to the approved meeting minutes for future reference.

Interim City Administrator's Report

Interim City Administrator Koehler briefed the Council on the meetings he has held attended for the last two weeks. Attached is his summary for reference.

Attorney's Report

Attorney Urban informed the Council that since the last meeting he has researched and prepared the resolution and ordinances discussed at this evenings meeting. In addition Attorney Urban has been working on the closing documents with Openlands.

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 21, 2017 adjourned at 7:53 p.m.

Respectfully submitted,



Joie Ziller, Deputy City Clerk

City of Wilmington

Check Register Meeting Date: March 7, 2017



Check#	Date	Vendor/Employee	Amount
Fund	1	General Corporate Fund	
0	2/28/2017	IMRF	13,305.39
0	2/28/2017	Illinois Funds US Bank	8.63
0	2/28/2017	Paycor	145.30
0	3/7/2017	Payroll Sweep	125,181.85
18699	3/7/2017	AT&T Mobility	38.81
18700	3/7/2017	Berkot Foods	149.00
18701	3/7/2017	Blue Cross Blue Shield of Florida, Inc.	203.40
18702	3/7/2017	Blue Cross Blue Shield of Illinois	1,162.00
18703	3/7/2017	Blue Cross Medicare RX (PDP)	135.00
18704	3/7/2017	Blue Cross Medicare Rx (PDP)	163.70
18705	3/7/2017	Blue Cross Medicare Rx (PDP)	163.70
18706	3/7/2017	Blue Cross Medicare Rx (PDP)	163.70
18707	3/7/2017	Blue Cross MedicareRx (PDP)	163.70
18708	3/7/2017	Brite	909.21
18709	3/7/2017	Brown's Building Maintenance, Inc.	2,154.00
18710	3/7/2017	Camz Communications, Inc.	535.00
18711	3/7/2017	Comcast	417.63
18712	3/7/2017	ComEd	935.02
18713	3/7/2017	Jeremy DeVivo	549.00
18714	3/7/2017	DTW Inc	463.73
18715	3/7/2017	Fastenal Company	181.66
18716	3/7/2017	Florida Blue	172.00
18717	3/7/2017	Fort Dearborn Life Insurance	403.02
18718	3/7/2017	Francis Machine, Inc.	60.00
18719	3/7/2017	GovTemps USA, LLC	5,355.00
18720	3/7/2017	Healthcare Service Corp	33,078.14
18721	3/7/2017	Illinois Public Risk Fund	12,724.00
18722	3/7/2017	Jcm Uniforms	25.90
18723	3/7/2017	Klein Thorpe & Jenkins, LTD	2,492.00
18724	3/7/2017	Konica Minolta	86.60
18725	3/7/2017	Konica Minolta	310.35
18726	3/7/2017	Jeri LeGrand	25.00
18727	3/7/2017	Stephanie Little	303.05
18728	3/7/2017	Office Depot	114.43
18729	3/7/2017	Petty Cash Fund	120.23
18730	3/7/2017	Prairie Material Sales Inc	1,236.26
18731	3/7/2017	REM Management Services, Inc.	360.00
18732	3/7/2017	Rush Truck Centers, Inc.	4,987.80
18733	3/7/2017	Schoppe Design Associates, Inc.	1,662.50

Check#	Date	Vendor/Employee	Amount
18734	3/7/2017	Service Industrial Supply Inc	60.71
18735	3/7/2017	Shallow Creek Kennels, Inc.	11,000.00
18736	3/7/2017	TA Operating, LLC	567.06
18737	3/7/2017	The Flower Loft, Inc.	65.64
18738	3/7/2017	Robert Thomas	0.20
18739	3/7/2017	TransUnionsRisk&Alternative Data Solutions, Inc.	25.00
18740	3/7/2017	Trust 741	1,100.00
18741	3/7/2017	US Postal Service (Neopost Postage on Call)	539.42
18742	3/7/2017	WESCOM	14,703.16
18743	3/7/2017	Will County Clerk	10.00
TOTAL:			<u>238,716.90</u>

Fund	2	Water Operating M & R Fund	
0	2/28/2017	JPMorgan Chase Bank, N.A.	125.63
0	2/28/2017	Illinois Funds US Bank	502.43
0	2/28/2017	INB Bank	7.52
0	2/28/2017	US Post Office	499.10
0	2/28/2017	IMRF	3,149.98
0	3/7/2017	Payroll Sweep	23,344.30
9677	3/7/2017	Accela, Inc. #774375	725.00
9680	3/7/2017	AT&T Mobility	31.81
9681	3/7/2017	ComEd	993.79
9682	3/7/2017	Constellation New Energy, Inc	3,714.34
9683	3/7/2017	Dixon Engineering, Inc.	2,853.00
9684	3/7/2017	Docs Discount Drugs Ltd	10.98
9685	3/7/2017	DTW Inc	495.61
9686	3/7/2017	Fort Dearborn Life Insurance	74.06
9687	3/7/2017	Hach Company	1,662.22
9688	3/7/2017	Healthcare Service Corp	6,982.65
9689	3/7/2017	HF Scientific, Inc.	271.19
9690	3/7/2017	Illinois Public Risk Fund	2,450.00
9691	3/7/2017	Illinois Section AWWA	182.00
9692	3/7/2017	Konica Minolta	109.00
9694	3/7/2017	Nicor	2,427.77
9695	3/7/2017	PDC Labs Inc	929.75
9696	3/7/2017	Petty Cash Fund	19.28
9700	3/7/2017	US Postal Service (Neopost Postage on Call)	230.29
9701	3/7/2017	USA Blue Book	289.89
9702	3/7/2017	Viking Chemical Company	1,355.25
9703	3/7/2017	Waste Management Of Il SW	505.00
TOTAL:			<u>53,941.84</u>

Fund	3	Sewer Capital Project Fund	
0	3/7/2017	Payroll Sweep	453.20
9699	3/7/2017	Strand Associates Inc	3,540.00
TOTAL:			<u>3,993.20</u>

Check#	Date	Vendor/Employee	Amount
Fund	4	Sewer Operating M & R Fund	
0	2/28/2017	JPMorgan Chase Bank, N.A.	125.64
0	2/28/2017	Illinois Funds US Bank	502.42
0	2/28/2017	INB Bank	7.51
0	2/28/2017	US Post Office	499.10
0	2/28/2017	IMRF	2,203.95
0	3/7/2017	Payroll Sweep	16,608.18
9677	3/7/2017	Accela, Inc. #774375	725.00
9678	3/7/2017	Alarm Detection Systems, Inc.	123.12
9679	3/7/2017	Arro Laboratories Inc	54.23
9680	3/7/2017	AT&T Mobility	31.81
9681	3/7/2017	ComEd	548.97
9682	3/7/2017	Constellation New Energy, Inc	8,173.12
9685	3/7/2017	DTW Inc	495.62
9686	3/7/2017	Fort Dearborn Life Insurance	89.10
9687	3/7/2017	Hach Company	989.39
9688	3/7/2017	Healthcare Service Corp	5,529.77
9690	3/7/2017	Illinois Public Risk Fund	1,770.00
9691	3/7/2017	Illinois Section AWWA	230.00
9692	3/7/2017	Konica Minolta	109.00
9697	3/7/2017	Polydyne Inc	2,160.00
9698	3/7/2017	Staples Advantage	75.98
9700	3/7/2017	US Postal Service (Neopost Postage on Call)	230.29
9701	3/7/2017	USA Blue Book	370.54
9703	3/7/2017	Waste Management Of Il SW	4,136.63
TOTAL:			<u>45,789.37</u>
Fund	5	DFC Federal Grant Fund	
0	2/22/2017	Better Business Planning Inc.	2,496.72
1341	2/24/2017	Cardmember Service	3,556.71
1342	2/24/2017	John Coyle	75.00
1343	2/24/2017	G W Communications	129.00
1344	2/24/2017	Konica Minolta	208.11
TOTAL:			<u>6,465.54</u>
Fund	7	ESDA Fund	
18742	3/7/2017	WESCOM	36.36
TOTAL:			<u>36.36</u>
Fund	17	Water Capital Project Fund	
0	3/7/2017	Payroll Sweep	1,359.60
9693	3/7/2017	Midwest Meter Inc	13,167.81
TOTAL:			<u>14,527.41</u>

Check#	Date	Vendor/Employee	Amount
Fund	24	Capital Project Fund	
0	2/22/2017	Openlands	282,142.75
		TOTAL:	<u>282,142.75</u>
		GRAND TOTAL:	<u><u>645,613.37</u></u>

Larry Hall

Kirby Hall

Steve Evans

John Persic, Jr.

Kevin Kirwin

Frank Studer

Joe VanDuyne

Fran Tutor

Approved: March 7, 2017

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.



MEMORANDUM

TO: Marty Orr, Mayor
Members
WILMINGTON CITY COUNCIL

FR: Frank Koehler, Interim City Administrator

DT: Thursday, March 2nd, 2017

RE: **ADMINISTRATOR'S REPORT**

During the past week I have been involved with the following:

- Meeting with City Planner and City Engineer to discuss land use items relative to Ridgeport Industrial Park.
- Attendance at monthly meeting of Northern Illinois Commercial Association of Realtors (NICAR) and discussion with broker concern marketing of property at Peotone and Route 53.
- Discussions with Wilmington Women's Garden Club concerning Riley's Garden and Claire's Corner.
- Attendance at monthly meeting of Will County Municipal Managers Group.
- Meeting with representatives from Nelson Furniture.
- Meeting with Burlington Northern Railroad.
- Reception for retiring Public Works Director Gary Van Duyne.
- Meeting in Springfield with representative from Dept of Commerce and Economic Opportunity regarding potential programs for Wilmington.
- Attendance at meeting of Will County Historic Preservation Commission regarding landmark designation of Old Wilmington City Hall.
- Meeting with representatives from Batory Foods.
- Attendance at monthly meeting Wilmington Planning and Zoning Commission.

I welcome any questions you may have.

FJK/

City of Wilmington...where recreation & commerce meet

The Kankakee River runs through the heart of the city of Wilmington, providing clean, clear drinking water for its residents as well as innumerable recreational opportunities for locals and visitors.

Two state highways, Route 53 and Route 102, meet at its downtown intersection, and create two corridors for commerce. Interstate 55 flanks the city's west side, giving residents fast access to Joliet and Chicago, and providing opportunities for industrial growth.

Established — 1854
 Total area — 4.5 square miles
 Zip code — 60481
 Population (2014 estimate) — 5,712, up 11.3 percent since 2000
 Households — 1,991
 Males — 48.6 percent
 Females — 51.4 percent
 Median resident age — 37.4
 Estimated median household income — \$55,927
 Estimated median house or condo value — \$173,771
 Median gross rent — \$778

*information provided by www.City-Data.com



3.3 mgpd

City Government

Wilmington operates on a mayor-council form of government.

Mayor — J. Marty Orr
 Clerk — Vacant
 First Ward Aldermen — John Persic Jr. and Kevin Kirwin
 Second Ward Aldermen — Larry Hall and Kirby Hall
 Third Ward Aldermen — Fran Tutor and Joe Van Duyn
 Fourth Ward Aldermen — Frank Studer and Steve Evans
 Executive Secretary — Joie Ziller
 Police Chief — Phil Arnold
 City Attorney — John Urban
 Superintendent of Public Works (interim) — Ken Enweson
 Superintendent of Water and Sewer — Darin Fowler
 Accountant — Kim Doglio

City Hall — 1165 S. Water St. (wilmington-il.com)
 815-476-2175 (Monday-Friday, 8:30 a.m. to 4:30 p.m.)

Police station — 129 Robert P. Weidling Drive (wilmington-police.com)
 815-476-2811 (non-emergency line)
 For emergencies, dial 911

Water/Wastewater Treatment

Water source — surface water from the Kankakee River; peak capacity 2 mgpd
 Water towers — three, including the newest, a 1 million gallon structure at the RidgePort Logistics Center
 Deep wells — one, maintained for emergency purposes
 WWTW plant — orbital, peak capacity

Education

Schools — Wilmington Community Unit School District 209-U has four buildings on two campuses (www.wilmington.will.k12.il.us). Bruning School (pre-k through grade 1) is located in the Lakewood Shores Subdivision. Lester J. Stevens Intermediate School (grades 2-5), Wilmington Middle School (grades 6-8), and Wilmington High School (grades 9-12) share a campus in the city limits.

Recreation Areas

Parks — There are six parks in Wilmington, all are owned by the municipality: South Island Park and North Island Park are waterfront parks bordered by the Kankakee River and millrace. Also, Claire's Corner Park, the Brookside Park, the Children's Memorial Park in Northcrest and the Veterans Memorial Park at the corner of Vine and Williams, in Alden's Addition to the original town. The Wilmington Island Park District operates a fitness center at 315 S. Water St. (islandparkdistrict.com)

Forest Preserves — The Forest Preserve District of Will County (reconnectwithnature.org) has several local properties; The 790-acre linear Forked Creek Preserve with accesses at Butcher Lane (sledding hill), Forsythe Woods (hiking trails) and Ballou Road (dog park); the 414-acre Donohue Grove Preserve (no improved access). It also owns and manages the 22-mile long Wauponsee Glacial Trail, with local accesses at the Rivals Lookout Park, Ballou Road, and the Midewin National Tallgrass Prairie.

State parks — Illinois Department of Natural Resources operates the Des Plaines Conservation Area and Kankakee River State

Park

National Parks — Wilmington is home to the 18,500-acre U.S. Forest Service Midewin National Tallgrass Prairie (fs.usda.gov/midewin)

Commerce and Industry

Industrial Parks — South Arsenal Road/ProLogis, Davy Industrial Park, RidgePort Logistics Center
 Gas stations — Mobil (2), Shell (3), Phillips 66 (2), BP
 Fast food chains — Burger King, McDonald's, Charley's
 Pizzerias — City Pizza & Subs, Pizza 4-You, Fox's Pizza, Wilmington Pizzeria, Pizza Hut
 Sit-down restaurants: — Big Fish Grille, Chick-a-Dee, Wilmington House, Nellie's, Hayden's Crossing, Mikki's Diner, The Iron Skillet
 Grocery stores: — Belletini Foods and Berkot's Super Foods
 Car lots: Community GMC, D'Orazio Ford, Lombardi Chevy-Buick, Island City Auto Brokers, B&B Auto Sales
 Coffee shop — Jaszy's Java
 Bars (establishments that have a full service bar but may also feature a food menu) — Tuffy's Lounge and Patio, PT's on Route 66, The Rustic, The Corner Tap, The Blind Mule, Snooker's
 Liquor — Midtown Mart, Wee-Sip Liquors, Angelo's Liquor's, Berkot's Super Foods
 Bait shop — Angelo's Outdoor Sports Center
 Banks — Grundy Bank, US Bank and First Midwest Bank
 Auto parts stores — Bumper to Bumper, Fisher Auto Parts
 Tire shops — G&D Tire and Alignment,

Tire Tracks

Medical Centers — Riverside Healthcare, Primary Care Joliet,

Organizations

Veterans — Malcolm J. Mayo Post 5422 Veterans of Foreign Wars, VFW Auxiliary, American Legion Post, American Legion Auxilliary, Sons of the American Legion and American Legion Riders
 Fraternal — Wilmington Masonic Lodge 208 AF&AM, Loyal Order of the Moose, Women of the Moose
 Service — Wilmington Chamber of Commerce and Industry, Wilmington Lions Club, Island City Rotary Club, Wilmington Community Theatre, Wilmington Coalition for a Healthy Community, Wilmington Area Historical Society, PEO Sisterhood
 Religious — Knights of Columbus, Council of Catholic Women, Our Caring Closet, Kuzma Care Cottage, Christian Help Association
 Youth — Boy Scouts, Girl Scouts, Bobcat Junior Football League, Wilmington Baseball and Softball Association, Wilmington Soccer League, Wilmington Wrestling Club
 Motorcycle — Fugarwe Tribe, Scorpions

Religion

Churches — St. Rose of Lima Catholic Church, First Presbyterian Church, First United Methodist Church, Church of the Nazarene, Island City Baptist Church, Grace Lutheran Church, Christian Faith Center, First Christian Church, Church of Christ, Church of God, Wilmington Pentecostal Church, Kingdom Hall of Jehovah's Witnesses, Ritchie United Methodist Church, Phelan Acres Bible Church

Local Attractions

Museums — Wilmington Area Historical Society Museum, 114 N. Main St.
 Route 66 — Abraham Lincoln National Cemetery, Midewin National Tallgrass Prairie, Gemini Giant, the Sinclair Dinosaur, the Mar Theatre, Claire's Corner Park, the Eagle Hotel, Route 66 Experience Hub

Other Taxing Districts

Fire — Wilmington Fire Protection District
 Library — Wilmington Public Library District
 Park — Wilmington Island Park District
 Townships — Wilmington, Florence, Wesley