

**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

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

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*

*APPROVED on 03/07/2017*

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

**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