

MINUTES  
REGULAR MEETING  
ORDINANCE AND LICENSING COMMITTEE  
Tuesday, July 11<sup>th</sup>, 6:00 PM

(Kindly note: tape recorder did not properly operate for this meeting. Minutes are based on notes provided by Interim City Administrator Frank Koehler)

1. Call to Order:

The meeting was called to order at 6:00 PM by Chairman Kirby Hall.

Attendance: Members present included Alderman Kirby Hall, Co-Chair Alderman Lisa Butler, Alderman Larry Hall, Alderman Kevin Kirwin, Alderman Steve Evans, Mayor Roy Strong, Frank Koehler-Interim City Administrator, Pam Monson-Free Press Advocate, and Resident Sherry Michaels

2. Approval of Minutes: Alderman Kevin Kirwin noted that on page 1 of the minutes of the Ordinance and License Committee meeting of March 14<sup>th</sup>, under New Business, the word “march” should be changed to read “match”. There being no other corrections, it was moved by Alderman Kirwin and seconded by Alderman Evans to approve the minutes as corrected. All voted yes.

3. New Business

a. Ordinance Amending Title III of the City of Wilmington Code of Ordinances providing for Cost Recovery Provisions.

Interim City Administrator Koehler noted that this is a clarification of present provisions in the City Municipal Code, and replicates programs in place in other communities. It requires developers to post an escrow to cover the cost of City review of proposals. What is different from current regulations is that it codifies the type of agreement that would be used, and provides dollar amounts developers are required to post, deepening on the size of the project.

In response to a question, it was noted that negotiations are underway with RidgePort to ensure full coverage of plan review by the City and reimbursement of those costs, and that by virtue of an amended annexation agreement, RidgePort would be exempt from the proposed ordinance.

Following a discussion, it was moved by Alderman L. Hall and seconded by Alderman Kirwin to recommend this be placed on the Council agenda for 1<sup>st</sup> reading at their meeting of Tuesday, July 18<sup>th</sup>. All voted yes.

b. An Ordinance Amending Section 150.19 of the Wilmington Zoning Ordinance, providing for Planning Commission Review of Multifamily Residential, Commercial and Industrial Developments.

Koehler noted that current ordinance provisions call for staff review and City Council approval, but no review by the Planning commission. The ordinance would require Planning Commission review and establish a recommendation process.

Koehler noted that as this is an amendment to the zoning ordinance, this would require a public hearing at the Planning Commission level.

It was the consensus of the Committee to send this to the Planning Commission for formal consideration.

c. An Ordinance establishing Overweight Vehicle Regulations for the City of Wilmington

Koehler noted that he and Police Chief Arnold had worked on the proposed ordinance, in consultation with the City Attorney. It mirrors provisions in place in other communities. It would allow for coordination with the firm of Oxcart to administer the permits. Oxcart has been recommended by the Metropolitan Mayor's Caucus, and presently works with over 50 communities. The City would receive 100% of the permit fees with no administrative fee charged to the City. Rather, Oxcart charges an administrative fee which is paid for by the recipients of the permits.

Following a discussion, it was moved by Alderman Evans and Seconded by Alderman Kirwin to place this on the Council Agenda for 1<sup>st</sup> reading at their meeting of July 18<sup>th</sup>. All voted yes.

d. A proposal to create a No Parking Area along County Road, east of Baltimore Street.

As described by Koehler, this portion of County Road has a pronounced curve, and that adjoining driveways are often partially blocked by parked vehicles. This would allow for a creation of a no parking area to facilitate access to the adjoining properties.

Following a discussion, it was moved by Alderman L. Hall and seconded by Alderman Butler to draft an ordinance creating a no parking area as described, with the ordinance to be placed on the Council agenda of 7/18 for First Reading. All voted yes.

e. An Ordinance proposing a Filming Permit application procedure for the City of Wilmington

Koehler noted that a movie production company has approached the City as to using Wilmington as a backdrop for a new movie. Production could begin this fall. The proposed regulations, based on similar procedures in place in Lockport, Deerfield, Lake Forest, and elsewhere are not intended to create revenue for the City but rather to cover any costs that may be incurred by the City, and to provide for notification of property owners in the areas where filming may take place.

Following a brief discussion, it was moved by Alderman L. Hall and seconded by Alderman Evans to place this on the City agenda of 7/18 for first reading. All voted yes.

f. Clarification of Wilmington water billing procedures

Koehler noted that current City regulations resulted in a new resident being held responsible for an unpaid water bill generated by a prior resident. Under current procedures, the city liens properties where the unpaid water bill exceeds \$300.00. In this case, the unpaid water bill amounted to \$140.00. The new resident indicated that he had acquired the property as a result of a federal

foreclosure and had had no prior involvement with this property or with the prior owners of the property.

Alderman Evans asked for a clarification as to current City procedures for the shutting off of water service to customers who have overdue water bills. Koehler noted he would follow up on this.

Following a discussion, it was the consensus of Committee members to not hold the new applicant responsible for the outstanding water bill. In the future, in the case of foreclosures, it was recommended that the City ask for a copy of the foreclosure proceedings. If the new resident has had no prior connection with the property or with the prior owners of the property, or had not been responsible for an unpaid water bill elsewhere in the City, they would not be held responsible for the outstanding water bill associated with the property in question.

4. Public Comments:

Alderman L. Hall noted that a resident had contacted him as to the size of a company vehicle he, the resident, would be parking at his residence, inquiring if this would be a conflict with other City regulations. It was the consensus of the Committee members that the vehicle in question was identical in size as to other vehicles parked in residential sections of the City, and that this would not create an ordinance conflict.

5. Adjournment: there being no other business, it was moved by Alderman Butler and seconded by Alderman Evans to adjourn the meeting. All voted Yes.

Meeting was adjourned at 7:10 PM

Respectively submitted

Frank Koehler  
Interim City Administrator