



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

**Agenda
Regular City Council Meeting
Wilmington City Hall
Council Chambers
November 19, 2019
7:00 p.m.**

I. Call to Order

II. Pledge of Allegiance

III. Roll Call by City Clerk

John Persic, Jr.	Kevin Kirwin
Floyd Combes	Dennis Vice
Lisa Butler	Ben Dietz
Frank Studer	Jake Tenn

IV. Approval of the November 5, 2019 Regular City Council Meeting Minutes

V. Mayor's Report

1. Mayor's Recognition of Bobcat Lightweight Football Super Bowl Champs, Superlight Cheerleaders 1st Place in Conference Cheer Competition and Lightweight Cheerleaders 1st Place in Conference Cheer Competition
2. The Offices at City Hall will be closed November 28 & 29 in observance of the Thanksgiving Holiday
3. The last Waste Management yard waste pickup is Friday, November 29, 2019. The program will resume on April 2, 2020.
4. One Hour Extension for Liquor Licenses on Wednesday, November 27 and Tuesday, December 31

**Posting Date:
11/15/2019 3:28 PM jjz**

5. Approve Resolution No. 2019-07 – Resolution Designating Meeting Dates and Times and Holiday Observances in 2020 for the Corporate Authorities and Commissions of the City of Wilmington

VI. Public Comment

(State your full name clearly; limit 3 minutes each per Ordinance 19-06-18-01)

VII. Planning & Zoning Commission

1. Approve Ordinance No. 19-11-19-01 – An Ordinance Approving A Map Amendment as Pertains to the Properties at North First Street [PIN 03-17-26-404-020-0000 & PIN 03-17-26-404-007-0000] to I2, Light Industrial
2. The next regular scheduled meeting is Thursday, December 5, 2019 at 5:00 p.m.

VIII. Committee Reports

A. Police & ESDA Committee

Co-Chairs – Frank Studer & Lisa Butler

1. The next scheduled meeting is Tuesday, December 10, 2019 at 5:30 p.m.

B. Ordinance & License Committee

Co-Chairs – Floyd Combes & Jake Tenn

1. The next scheduled meeting is Tuesday, December 10, 2019 at 6:00 p.m.

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

Co-Chairs – John Persic, Jr. & Floyd Combes

1. The next scheduled meeting is Wednesday, December 11, 2019 at 5:30 p.m.

D. Water, Sewer, Streets & Alleys Committee

Co-Chairs – Frank Studer & Kevin Kirwin

1. Approve Ordinance No. 19-11-19-02 – An Ordinance Amending Provisions of Chapter 76.02 of the Wilmington Code of Ordinances Related to No Parking Places
2. The next scheduled meeting is Wednesday, December 11, 2019 at 6:00 p.m.

E. Finance, Administration & Land Acquisition Committee

Co-Chairs – Frank Studer & Ben Dietz

*Posting Date:
11/15/2019 3:28 PM jjz*

1. Approve the Accounts Payable Report
2. Approve the Employee Health and Dental Insurance Benefits Renewal with Infinity Benefits LLC
3. Approve Ordinance No. 19-11-19-03 – An Ordinance providing for the issuance of not to exceed \$130,000 General Obligation Limited Tax Bonds, Series 2019 of the City of Wilmington, Will County, Illinois, and for the levy of a direct annual tax to pay the principal and interest on said bonds
4. The next scheduled meeting is Tuesday, December 17, 2019 at 6:00 p.m.

F. Personnel & Collective Bargaining Committee
Co-Chairs – John Persic, Jr. & Dennis Vice

IX. Attorney & Staff Reports

X. Executive Session

1. Matters of Land Acquisition [2(c)(5) and 2(c)(6)]
2. Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees [5 ILCS 120/2(c)(1)]

XI. Action Needed Following Executive Session

1. Approve the Proposal for Professional Accounting and Consulting Services
2. Mayoral Appointment of Temporary Treasurer
3. Approve the Temporary Hire of Utility Billing Clerk

XII. Adjournment

The next City Council meeting is Tuesday, December 3, 2019 at 7:00 p.m.

Posting Date:
11/15/2019 3:28 PM jjz

**Minutes of the Regular Meeting of the
Wilmington City Council
Wilmington City Hall
1165 South Water Street
November 5, 2019**

Call to Order

The Regular Meeting of the Wilmington City Council on November 5, 2019 was called to order at 7:00 p.m. by Mayor Roy Strong 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, Kirwin, Combes, Vice, Dietz, Studer, Tenn

Alderman Absent Butler

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 Administrator/Deputy City Clerk Joie Ziller, Accountant Kim Doglio and, City Attorney Brian Wellner

Approval of Minutes

The minutes from the October 15, 2019 were not made available by the City Clerk. These will be reviewed at the next meeting.

Open Public Hearing

Alderman Persic made a motion and Alderman Kirwin seconded to open the Public Hearing pursuant to the requirements of Sections 10 and 20 of the Bond Issuance Notification Act of the State of Illinois, as amended on the plans to issue General Obligation Limited Tax Bonds, Series 2019 in the amount not to exceed \$130,000 at 7:03 p.m.

Upon roll call, the vote was:

AYES: 7 Studer, Dietz, Persic, Kirwin, Vice, Combes, Tenn

NAYES: 0

ABSENT: 1 Butler

The motion carried.

Roy Strong, Mayor, as Hearing Officer read the following statement:

Good evening, ladies and gentlemen. This hearing will come to order. Let the record reflect that this is a public hearing being held pursuant to the requirements of Sections 10 and 20 of the Bond Issue Notification Act of the State of Illinois, as

amended. Notice of this hearing was published on October 25, 2019, in The Herald-News, a newspaper of general circulation in the City. This is a hearing regarding a plan to issue not to exceed \$130,000 in aggregate principal amount of the City's General Obligation Limited Tax Bonds, Series 2019 (the "Bonds"). The proceeds of the Bonds will be used to (i) pay debt service on the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2015 that were used to current refund a portion of the City's outstanding General Obligation Bonds (Alternate Revenue Source), Series 2006A and (ii) pay certain costs of issuance of the Bonds.

The Bonds will be issued by the City in accordance with the provisions of Section 15 of the Local Government Debt Reform Act of the State of Illinois, as amended, and shall constitute a general obligation of the City, payable from (i) non-referendum bond proceeds in accordance with provisions of Section 8-5-16 of the Municipal Code, which will not exceed one-half of one percent of the assessed value of all taxable property located within the City and (ii) such other funds of the City lawfully available and annually appropriated for such purpose.

This public hearing is required by Sections 10 and 20 of the Bond Issue Notification Act of the State of Illinois, as amended. At the time and place set for the public hearing, residents, taxpayers and other interested persons will be given the opportunity to express their views for or against the proposed plan of financing, the issuance of the Bonds and the purpose of the issuance of the Bonds.

No further public comments were made.

Close Public Hearing

Alderman Persic made a motion and Alderman Combes seconded to close the public hearing at 7:05 p.m.

Upon roll call, the vote was:

AYES: 7 Studer, Dietz, Persic, Kirwin, Vice, Combes, Tenn

NAYES: 0

ABSENT: 1 Butler

The motion carried

Mayor's Report

Mayor Strong announced *The Estimated Annual Tax Levy of the Year 2019* will be placed on file for public viewing – more discussion on this at the November 19, 2019 Finance, Administration & Land Acquisition Meeting. *Wilmington Chamber of Commerce Parade and Tree Lighting* will take place Downtown Wilmington on Saturday, November 30th at 5:00 p.m. *Lions Club North Island Christmas Display* begins the evening of November 30th until December 31st. The *American Legion* will be passing out Poppies on the corner of Water and Baltimore Streets on Monday, November 11th from 11AM to 12PM.

Public Comment

No public comments were made.

Planning & Zoning Commission

The next meeting is scheduled for Thursday, November 7, 2019 at 5:00 p.m.

Committee Reports

Police & ESDA Committee

The next scheduled meeting is Tuesday, November 12, 2019 at 5:30 p.m.

Ordinance & License Committee

The next scheduled meeting is Tuesday, November 12, 2019, 2019 at 6:00 p.m.

Buildings, Grounds, Parks, Health & Safety Committee

The next scheduled meeting is Wednesday, November 13, 2019 at 5:30 p.m.

Water, Sewer, Streets and Alleys Committee

The next scheduled meeting is Wednesday, November 13, 2019 at 6:00 p.m.

Finance, Administration & Land Acquisition Committee

Alderman Studer made a motion and Alderman Combes seconded to Approve the Accounts Payable Report in the amount of \$1,003,772.04 as Presented by the City Accountant.

Upon roll call, the vote was:

AYES: 7 Studer, Dietz, Persic, Kirwin, Vice, Combes, Tenn

NAYES: 0

ABSENT: 1 Butler

The motion carried

The next scheduled meeting is Tuesday, November 19, 2019 at 6:00 p.m.

Personnel & Collective Bargaining Committee

Nothing at this time.

Attorney’s Report

No Report

Executive Session

Alderman Persic made a motion and Alderman Tenn seconded to go into Execution Session at 7:14 p.m. to discuss Matters of Land Acquisition [2(c)(5) and 2(c)(6)] and Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees [5 ILCS 120/2(c)(1)]

Upon roll call, the vote was:

AYES: 7 Studer, Dietz, Persic, Kirwin, Vice, Combes, Tenn

NAYES: 0
ABSENT: 1 Butler
The motion carried

Alderman Persic made a motion and Alderman Kirwin seconded to close Executive Session at 7:51 p.m.

Upon roll call, the vote was:

AYES: 7 Studer, Dietz, Persic, Kirwin, Vice, Combes, Tenn
NAYES: 0
ABSENT: 1 Butler
The motion carried

Alderman Persic announced that no action will be taken following executive session.

Adjournment

Motion to adjourn the meeting made by Alderman Studer and seconded by Alderman Kirwin. Upon voice vote, the motion carried. The Regular Meeting of the City of Wilmington City Council held on November 5, 2019 adjourned at 7:52 p.m.

Respectfully submitted,

Joie Ziller, Deputy City Clerk

Resolution No. 2019-07

**Resolution Designating Meeting Dates and Times and Holiday Observances in 2020
for the Corporate Authorities and Commissions of the City of Wilmington**

Whereas, Section 42.03 of Chapter 102 of the Illinois Revised Statues (1989) requires the City of Wilmington to prepare and make available a schedule of all regular meetings for the coming calendar year listing the times and places of such meetings; and

Whereas, it is therefore necessary for the Mayor and the City Council to set dates and times of the regular meetings of the Corporate Authorities in 2020.

Now therefore, be it resolved by the Mayor and the City Council of the City of Wilmington:

1. That the dates of the regular meeting of the Mayor and the City Council of the City of Wilmington in 2020 shall be on the first and third Tuesday of the month at 7:00 pm unless otherwise noted.
2. That the dates of the Planning and Zoning Commission of the City of Wilmington in 2020 shall be on the first Thursday of the month at 5:00 pm unless otherwise noted.
3. That the dates of the Finance Administration and Land Acquisition Committee of the City of Wilmington in 2020 shall be on the third Tuesday of the month at 6:00 pm unless otherwise noted.
4. That the dates of the Police and ESDA Committee of the City of Wilmington in 2020 shall be on the second Tuesday of the month at 5:30 pm unless otherwise noted.
5. That the dates of the Ordinance and License Committee of the City of Wilmington in 2020 shall be on the second Tuesday of the month at 6:00 pm unless otherwise noted.
6. That the dates of the Buildings, Grounds, Health, Safety and Parks Committee of the City of Wilmington in 2020 shall be on the second Wednesday of the month at 5:30 pm unless otherwise noted.
7. That the dates of the Water, Sewer, Streets and Alleys Committee of the City of Wilmington in 2020 shall be on the second Wednesday of the month at 6:00 pm unless otherwise noted.

8. That the schedule of the Holiday Observances of the City of Wilmington in 2020 shall be as follows:

New Year's Day	Wednesday, January 1
Good Friday	Friday, April 10
Memorial Day	Monday, May 25
Independence Day	Saturday, July 4 (observed Friday, July 3)
Labor Day	Monday, September 7
Thanksgiving Day	Thursday, November 26
Day After Thanksgiving	Friday, November 27
Christmas Eve	Thursday, December 24
Christmas Day	Friday, December 25

9. That all regular meetings for the Mayor and the City Council and Commissions and Committees of the City of Wilmington shall be held at Wilmington City Hall, 1165 S. Water Street, Wilmington, unless a notice designating a different place is posted at the Wilmington City Hall.
10. That all Commissions and Committees will meet at the time and on the date depicted on the attached lists. That the City Clerk is hereby directed to post a copy of this Resolution on the bulletin board at the Wilmington City Hall immediately upon the passage of the said resolution.
11. That the City Clerk is hereby directed to supply a copy of this Resolution to any news medium that have filed an annual request for such notices.

PASSED this 5th day of November, 2019 with _____ members voting aye, 0 members voting nay, the Mayor voting N/A, with 0 members abstaining or passing and said vote being:

John Persic, Jr.	_____	Kevin Kirwin	_____
Dennis Vice	_____	Floyd Combes	_____
Fran Tutor	_____	Lisa Butler	_____
Steve Evans	_____	Frank Studer	_____

Approved this 5th day of November, 2019

Roy Strong, Mayor

Attest:

James W. Studer, City Clerk

City of Wilmington Regular City Council Meetings 2020

The City of Wilmington City Council has set the first and third Tuesday of each month, unless otherwise noted for the 2020 regular meeting dates. All meetings begin at 7:00 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

First Tuesday

January 7

February 4

March 3

April 7

May 5

June 2

July 7

August 4

September 1

October 6

November 4
(meeting moved due to election)

December 1

Third Tuesday

January 21

February 18

March 18
(meeting moved due to election)

April 21

May 19

June 16

July 21

August 18

September 15

October 20

November 17

December 15

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

City of Wilmington
Planning and Zoning Commission Meetings 2020

The City of Wilmington City Council has set the first Thursday of each month, unless otherwise noted for the 2020 Planning and Zoning Commission meeting dates. All meetings begin at 5:00 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 9 - (moved to the second Thursday per Commission's request)

February 6

March 5

April 2

May 7

June 4

July 12 (moved to the second Thursday per Commission's request)

August 6

September 3

October 1

November 5

December 3

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

City of Wilmington
Finance Administration and Land Acquisition Committee
Meetings 2020

The City of Wilmington City Council has set the third Tuesday of each month, unless otherwise noted for the 2020 Finance Administration and Land Acquisition Committee meeting dates. All meetings begin at 6:00 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 21

February 18

March 18

(meeting moved to Wednesday due election)

April 21

May 19

June 16

July 21

August 18

September 15

October 20

November 17

December 15

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

City of Wilmington
Police and ESDA Committee Meetings 2020

The City of Wilmington City Council has set the second Tuesday of each month, unless otherwise noted for the 2020 Police and ESDA Committee meeting dates. All meetings begin at 5:30 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 14

February 11

March 10

April 14

May 12

June 9

July 14

August 11

September 8

October 13

November 10

December 8

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

City of Wilmington
Ordinance and Licensing Committee Meetings 2020

The City of Wilmington City Council has set the second Tuesday of each month, unless otherwise noted for the 2020 Ordinance and Licensing Committee meeting dates. All meetings begin at 6:00 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 14

February 11

March 10

April 14

May 12

June 9

July 14

August 11

September 8

October 13

November 10

December 8

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

City of Wilmington
Buildings, Grounds, Parks, Health and Safety Committee
Meetings 2020

The City of Wilmington City Council has set the second Wednesday of each month, unless otherwise noted for the 2020 Buildings, Grounds, Parks, Health and Safety Committee meeting dates. All meetings begin at 5:30 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 15
(meeting moved to third Wednesday)

February 12

March 11

April 15
(meeting moved to third Wednesday)

May 13

June 10

July 15
(meeting moved to third Wednesday)

August 12

September 9

October 14

November 11

December 9

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

City of Wilmington
Water, Sewer, Streets, and Alleys Committee Meetings 2020

The City of Wilmington City Council has set the second Wednesday of each month, unless otherwise noted for the 2020 Water, Sewer, Streets, and Alleys Committee meeting dates. All meetings begin at 6:00 p.m. and are held in the Council Chambers of City Hall, 1165 South Water Street, Wilmington, Illinois:

January 15
(meeting moved to third Wednesday)

February 12

March 11

April 15
(meeting moved to third Wednesday)

May 13

June 10

July 15
(meeting moved to third Wednesday)

August 12

September 9

October 14

November 11

December 9

These times and dates are subject to change. If any changes are made, the new date and time will be posted. The public is invited to attend any and all meetings.

ORDINANCE NO. 19-11-19-01

**AN ORDINANCE APPROVING A MAP AMENDMENT AS PERTAINS TO
PROPERTIES LOCATED ON NORTH FIRST STREET
(PINS 03-17-26-404-020-0000 & 03-17-26-404-007-0000)
TO I2-LIGHT INDUSTRIAL**

WHEREAS, the City of Wilmington, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-13-1, has established zoning standards and controls within the City of Wilmington, Will County, Illinois; and

WHEREAS, Jeffrey Hubrich has filed a petition requesting a map amendment for the parcels located on North First Street as legally described in Exhibit A; and

WHEREAS, the appropriate notices were given and a public hearing was held upon said petition for a map amendment by the Planning and Zoning Commission of the City of Wilmington, Illinois on Thursday, October 7, 2019; and

WHEREAS, the Planning and Zoning Commission voted to recommend approval of the petition with regard to the aforesaid property, at its regular meeting of Thursday, December 7, 2019; and

WHEREAS, the Planning and Zoning Commission issued its recommendation of approval of the petition for a map amendment to the City Council of the City of Wilmington which is incorporated herein by reference; and

WHEREAS, the City Council has reviewed the petition and has given weight to the following considerations for the requested map amendment:

Approval of the Map Amendment for property the at 330 North First Street (PIN 03-17-26-404-020-0000) from I1-Office, Research, Light Industrial to I2-Light Industrial and for property parcel on North First Street (PIN 03-17-404-007-0000 from B3-General Commercial District to I2-Light Industrial

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wilmington, Will County, Illinois, as follows:

SECTION 1: That the Zoning Ordinance of the City, as amended, be further amended so that the zoning classification of the Subject Properties be established as I2-Light Industrial, and that the Zoning Map of the City be amended to show said classification.

SECTION 2: That this Ordinance shall be in full force and effect after its adoption and approval, as provided by law.

PASSED this 19th day of November, 2019 with _____ members voting aye, _____ members voting nay, the Mayor voting N/A, with 0 members abstaining or passing and said vote being:

Kevin Kirwin	_____	John Persic, Jr.	_____
Dennis Vice	_____	Floyd Combes	_____
Ben Dietz	_____	Lisa Butler	_____
Jake Tenn	_____	Frank Studer	_____

Approved this 19th day of November, 2019



Roy Strong, Mayor

Joie Ziller, Deputy City Clerk

Exhibit A

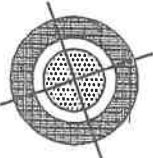
Legal Description of the Subject Property

PIN No.: 03-17-26-404-020-0000

LOT 6, IN GOODINGS SUB OF BLK 11 OF THOMPSONS SUB, A SUB OF PRT OF THE E1/2 SE1/4 SEC 26 T33N-R9E WHICH LIES ON THE SE SIDE OF THE CHICAGO & ALTON RAILROAD (EX THE S 34 FT PER PET 379)

PIN No.: 03-17-26-404-007-0000

THAT PRT OF E1/2 OF SE FRAC'L, 1/4 OF SEC 26, T33N-R9E, DAF: COMM AT INT OF N LN OF LOT 6 WITH S'LY LN OF ROW OF THE C&A RR & RUN THC E ON N LN OF SD LOT 6 TO NE COR OF SD LOT 6, THE N'LY IN PROLNGTN OF E LN OF SD LOT 6 TO THE S'LY LN OF SD RR ROW, THC IN S'LY DIRECTION TO POB



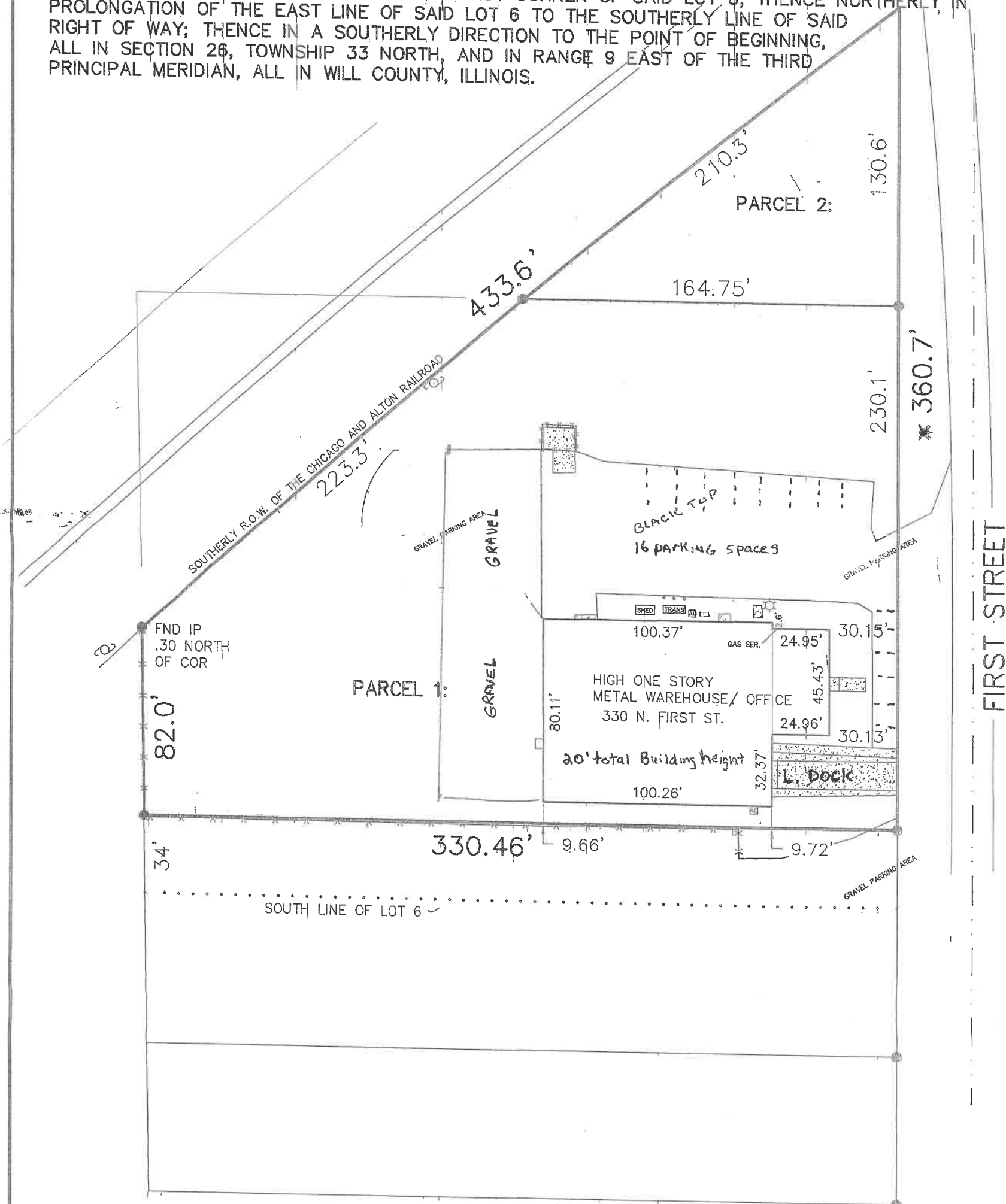
PLAT OF SURVEY

MORRISON SURVEYING CO., INC.
620 Michael Drive, Morris, Illinois 60450-3000
Phone (815) 942-2620 of FAX (815) 941-2620



PARCEL 1:
LOT 6, EXCEPT THE SOUTHERLY 34.0 FEET THEREOF, WHICH LIES ON THE SOUTHEAST SIDE OF THE CHICAGO AND ALTON RAILROAD, IN THE SUBDIVISION OF THE EAST PART OF THE SOUTH 1/2 OF THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 26, IN TOWNSHIP 33 NORTH, AND IN RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 25, 1866, IN BOOK 97, PAGE 360-1/2 AS DOCUMENT NUMBER 53691

PARCEL 2:
THAT PART OF THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 26 DESCRIBED AS FOLLOWS; BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF LOT 6 WITH THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND ALTON RAILROAD AND RUNNING THENCE EAST ON THE NORTH LINE OF SAID LOT 6 TO THE NORTHEAST CORNER OF SAID LOT 6, THENCE NORTHERLY IN PROLONGATION OF THE EAST LINE OF SAID LOT 6 TO THE SOUTHERLY LINE OF SAID RIGHT OF WAY; THENCE IN A SOUTHERLY DIRECTION TO THE POINT OF BEGINNING, ALL IN SECTION 26, TOWNSHIP 33 NORTH, AND IN RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN WILL COUNTY, ILLINOIS.



State of Illinois }
County of Grundy } s.s.

We, MORRISON SURVEYING CO INC., do hereby certify that a land survey has been made under our supervision of the above described property and that the plat hereon drawn is a correct representation of said survey. Distances are given in feet and decimal parts thereof.
Given under my hand and seal at Morris, Illinois.

J.P. Morrison

Date: 11/20/01

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2317

Compare All Dimensions Before Building And Report Any Discrepancies At Once. For Building lines, Easements and other restrictions not shown hereon. Refer to your Deed, Title Policy, Zoning ordinance, ETC...



LEGEND

--- EASEMENT LINE
● IRON PIPE

UPDATE: _____

IMPROVEMENTS LOCATED: _____

ORDERED BY: GRETECORD REAL ESTATE

SCALE: 1 = 50 ORDER NO. 1438

Minutes to the City of Wilmington
Planning and Zoning Commission Meeting
Wilmington City Hall
1165 South Water Street
Thursday, November 7, 2019 at 5:00 PM

Call to Order

The November 7, 2019 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:36 p.m. by Chairman Bryan Humphries 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 Humphries, Jones, Kulpa, Wysocki

Commissioner’s Absent

Clennon, Tryner and Smith

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 was the Deputy City Clerk/City Administrator Joie Ziller and Building Inspector Rick Smith

Approval of Minutes

Commissioner Jones made a motion and Commissioner Kulpa seconded to approve the August 15, 2019 Planning & Zoning meeting minutes as written and have them placed on file after amendment is made

Upon roll call, the vote was:

AYES: 4 Jones, Kulpa, Wysocki, Humphries
NAYS: 0
ABSENT: 3 Clennon, Smith, Tryner

Motion passed.

Public Hearing

Petitioner: Mill Street Investments, LLC
Location: Northeast Corner of Mill and Main
 [PIN 03-17-25-330-003-0000]
Request: Planned Unit Development “PUD” along with Variances for a PUD

Commissioner Humphries announced that a quorum was not present and the public hearing for the proposed new construction of Fox’s Pizza could not be held this evening as he has an interest in a business that may submit a bid to construct the proposed building; therefore, he has to recuse himself from the discussion and recuse himself from the vote. This public hearing will be rescheduled to a later date and the City will be responsible for the costs associated with the public hearing notices and publications.

Public Hearing

Petitioner: Jeffrey Hubrich
Location: 330 North First Street
[PIN 03-17-26-404-020-0000]
[PIN 03-17-26-404-007-0000]
Request: MAP Amendment

Commissioner Kulpa made a motion and Commissioner Wysocki seconded to open the public hearing at 5:39 p.m.

Upon roll call, the vote was:

AYES: 4 Kulpa, Wysocki, Jones, Humphries
NAYS: 0
ABSENT: 3 Clennon, Smith, Tryner

Motion passed.

Jeffrey Hubrich, petitioner, introduced himself to the Commission and explained why he is making the request to re-zone his properties First Street to I2, Light Industrial. Mr. Hubrich plans to use the property as a classic car dealership.

Commissioner Jones made a motion and Commissioner Wysocki seconded to close the public hearing at 5:56 p.m.

Upon roll call, the vote was:

AYES: 4 Kulpa, Wysocki, Jones, Humphries
NAYS: 0
ABSENT: 3 Clennon, Smith, Tryner

Motion passed.

Commissioners Review/Approval/Recommendation

Commissioner Jones made a motion and Commissioner Wysocki seconded to recommend approval to the City Council of the Map Amendment the properties at 330 N. First Street [PIN 03-17-26-404-020-0000 & PIN 03-17-26-404-007-0000] to I2, Light Industrial

Upon roll call, the vote was:

AYES: 4 Kulpa, Wysocki, Jones, Humphries
NAYS: 0
ABSENT: 3 Clennon, Smith, Tryner

Motion passed.

Gary VanDuyne – variances for proposed new home

Prior to completing the necessary paperwork Gary VanDuyne wanted to discuss the construction of his new home on a corner lot at Oak. Mr. VanDuyne will need variance on setbacks due to the size of the lot, size of the house and position of the house. The Commission recommended that he speak with the property owners surrounding the property to see how they felt about his project since he had not yet purchased the property.

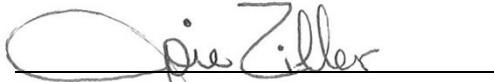
Public Comment

No public comment was made.

Adjournment

Motion to adjourn the meeting made by Commissioner Jones and seconded by Commissioner Kulpa. Upon voice vote, the motion carried. The Wilmington Planning & Zoning meeting held on November 7, 2019 adjourned at 6:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joie Ziller". The signature is written in dark ink and is positioned above a solid horizontal line.

Joie Ziller
Deputy City Clerk

ORDINANCE NO. 19-11-19-02

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 76.02 OF THE
WILMINGTON CODE OF ORDINANCES RELATED TO NO PARKING PLACES**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of
Wilmington as follows:

SECTION 1: That Chapter 76.02 of the Wilmington Code of Ordinances be, and hereby is,
amended to read, as follows:

76.02 - No-parking places.

No person shall park a vehicle, except when necessary to avoid conflict with other traffic
or in compliance with the directions of a police officer or traffic-control device in any of the
following places:

(P) On Grasskamp Blvd., Design Road, and Elion Way located in the Ridgeport Logistics
Center.

(Q) At or proximate to 309 Kankakee River Drive, Wilmington, Illinois, Monday through
Friday between the hours of 7:30 a.m.—8:30 a.m. and 2:30 p.m.—3:30 p.m.;

(R) On the east side of N. Water Street at or proximate to the following addresses between the
hours of 3:00 a.m. and 6:00 a.m.

113 N. Water Street;
119 N. Water Street;
205 N. Water Street;
217 N. Water Street;
301 N. Water Street;
315 N. Water Street;

(S) On the west side of N. Water Street at or proximate to the following addresses between the
hours of 3:00 a.m. and 6:00 a.m.

108 N. Water Street;
120 N. Water Street;
204 N. Water Street;
222 N. Water Street; and

(T) On Ridge Street on the south side from S. Kankakee Street to Wildcat Court.

(U) On Wabash Street on the south side from S. Joliet Street to E. Buchanan Street.

(V) On North Joliet Street on the east side from Baltimore Street to Jackson Street.

SECTION 2: SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

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 19th day of September, 2019 with _____ members voting aye, _____ members voting nay, the Mayor voting _____, with _____ members abstaining or passing and said vote being:

Kevin Kirwin	_____	John Persic, Jr.	_____
Dennis Vice	_____	Floyd Combes	_____
Ben Dietz	_____	Lisa Butler	_____
Jake Tenn	_____	Frank Studer	_____

Approved this 19th day of September, 2019

Roy Strong, Mayor

Attest:

Joie Ziller, Deputy City Clerk

MINUTES of a regular public meeting of the City Council of the City of Wilmington, Will County, Illinois, held in the Council Chambers, 1165 South Water Street, Wilmington, Illinois, in said City, at 7:00 o'clock P.M., on the 19th day of November, 2019.

* * *

The Mayor called the meeting to order and directed the Deputy City Clerk to call the roll.

Upon the roll being called, the following Aldermen answered present:

The following Aldermen were allowed by a majority of the Aldermen of the City Council in accordance with and to the extent allowed by rules adopted by the City Council to attend the meeting by video or audio conference: _____

No Alderman was not permitted to attend the meeting by video or audio conference.

The following Aldermen were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The Mayor announced that the City Council would next consider the adoption of an ordinance providing for the issuance of alternate revenue bonds for refunding and project purposes.

Whereupon Alderman _____ presented and the Deputy City Clerk read by title an ordinance as follows, a copy of which was provided to each Alderman of the City Council prior to said meeting and to everyone in attendance at said meeting who requested a copy:

ORDINANCE NO. 19-11-19-03

AN ORDINANCE providing for the issuance of not to exceed \$130,000 General Obligation Limited Tax Bonds, Series 2019 of the City of Wilmington, Will County, Illinois, and for the levy of a direct annual tax to pay the principal and interest on said bonds.

* * *

WHEREAS, the City of Wilmington, Will County, Illinois (the “City”), is a duly organized and existing municipality and unit of local government of the State of Illinois, and is now operating under and pursuant to the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto (the “*Municipal Code*”), including the Local Government Debt Reform Act of the State of Illinois, as amended (the “*Debt Reform Act*”); and

WHEREAS, the City has issued and now has outstanding and unpaid its General Obligation Refunding Bonds (Alternate Revenue Source), Series 2015 (the “*Outstanding Obligations*”); and

WHEREAS, it is necessary and desirable to refund all or a portion of the principal and interest due on December 1, 2019, with respect to the Outstanding Obligations (the “*Refunding*”); and

WHEREAS, the Outstanding Obligations are presently outstanding and unpaid and are binding and subsisting legal obligations of the City; and

WHEREAS, the City Council of the City (the “*Corporate Authorities*”) finds that it does not have sufficient funds on hand (i) for the Refunding, and (ii) to finance certain capital improvements in and for the City (the “*Project*”), and that the cost thereof, including legal, financial and other expenses, will be not more than \$130,000, and that it is necessary and for the best interests of the City that it borrow a sum of not to exceed \$130,000 and issue bonds of the City to evidence the borrowing; and

WHEREAS, pursuant to and in accordance with the provisions of the Bond Issue Notification Act of the State of Illinois, as amended, the Mayor of the Corporate Authorities, on the 5th day of November, 2019, held a public hearing (the "*Hearing*"), concerning the intent of the Corporate Authorities to sell said bonds; and

WHEREAS, notice of the Hearing was given (i) by publication at least once not less than seven (7) nor more than thirty (30) days before the date of the Hearing in the *Herald News*, the same being a newspaper of general circulation in the City, and (ii) by posting at least 48 hours before the Hearing a copy of said notice at the principal office of the Corporate Authorities; and

WHEREAS, at the Hearing, the Corporate Authorities explained the reasons for the proposed bond issue and permitted persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits; and

WHEREAS, the Hearing was finally adjourned on the 5th day of November, 2019; and

WHEREAS, the Corporate Authorities do hereby find and determine that (a) said bonds shall be issued as limited bonds under the provisions of the Debt Reform Act, and (b) upon the issuance of the not to exceed \$130,000 General Obligation Limited Tax Bonds, Series 2019 (the "*Bonds*"), now proposed to be issued, the aggregate outstanding unpaid bonded indebtedness of the City, including said bonds, is not more than one-half of one percent of the total assessed valuation of all taxable property in the City as last equalized and determined, and pursuant to the provisions of the Debt Reform Act and Section 8-5-16 of the Municipal Code, it is not necessary to submit the proposition of issuing said bonds to the voters of the City for approval:

Now, THEREFORE, Be It Ordained by the Corporate Authorities of the City of Wilmington, Will County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Authorization. It is hereby found and determined that the City has been authorized by law to borrow the sum of not to exceed \$130,000 upon the credit of the City and as evidence of such indebtedness to issue bonds of the City in said amount, the proceeds of said Bonds to be used for the Refunding and to finance the Project, and it is necessary and for the best interests of the City that there be issued at this time not to exceed \$130,000 of the bonds, as defined in Section 3 hereof, so authorized.

Section 3. Bond Details. There be borrowed on the credit of and for and on behalf of the City the not to exceed sum of \$130,000 for the purposes aforesaid. The Bonds shall be dated as set forth in the bond order supplementing this Ordinance (the "*Bond Order*"), and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$5 each and authorized integral multiples thereof, shall be numbered 1, and the Bonds shall become due and payable (without option of prior redemption) on November 16, 2020, and shall bear interest at the rate as set forth in the Bond Order.

The Bonds shall bear interest from their date until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on November 16, 2020. Interest on each Bond shall be paid by check or draft of the bond registrar and paying agent (the "*Bond Registrar*") as set forth and named in the Bond Order, payable upon presentation in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on November 2, 2020. The principal of the

Bonds shall be payable in lawful money of the United States of America at the office of the Bond Registrar.

The Bonds shall be signed by the manual or facsimile signature of the Mayor and attested to by the manual or facsimile signature of the Deputy City Clerk, and the seal of the City shall be affixed thereto or printed thereon, and in case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by the Bond Registrar if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 4. Registration of Bonds; Persons Treated as Owners. The City shall cause books for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the office of the Bond Registrar, which is hereby constituted and appointed the registrar of the City. The City is authorized to prepare, and the Bond Registrar shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds.

Upon surrender for transfer of any Bond at the office of the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by, the registered owner or his attorney duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity of authorized denominations, for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity of other authorized denominations. The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, provided, however, the principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on November 2, 2020 and ending at the opening of business on November 16, 2020.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

Section 5. Form of Bond. The Bonds shall be in substantially the following form:

REGISTERED
No. R-1

REGISTERED
\$_____

UNITED STATES OF AMERICA

STATE OF ILLINOIS

COUNTY OF WILL

CITY OF WILMINGTON

GENERAL OBLIGATION LIMITED TAX BOND, SERIES 2019

Interest
Rate
_____%

Maturity
Date
November 16, 2020

Dated
Date
_____, 2019

Registered Owner:

Principal Amount:

[1] KNOW ALL PERSONS BY THESE PRESENTS, that the City of Wilmington, Will County, Illinois (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the date of this Bond at the Interest Rate per annum set forth above on November 16, 2020, until said Principal Amount is paid. Principal of this Bond is payable in lawful money of the United States of America upon presentation and surrender hereof at the office of the First American Bank, Elk Grove Village, Illinois, as bond registrar and paying agent (the “*Bond Registrar*”). Payment of interest shall be made to the Registered Owner hereof as shown on the registration books of the City maintained by the Bond Registrar at the close of business on November 2, 2020 and shall be paid by check or draft of the Bond Registrar, payable upon presentation in lawful money of the United States of America, mailed to the address of such

Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Bond Registrar.

[2] This Bond is issued by the City for refunding certain outstanding obligations of the City, financing certain capital improvements in and for the City, and for the payment of the expenses incident thereto, pursuant to and in all respects in full compliance with the provisions of the Section 8-5-16 of the Municipal Code of the State of Illinois, Bond Issue Notification Act of the State of Illinois, the Local Government Debt Reform Act of the State of Illinois, and all laws amendatory thereof and supplementary thereto, and is authorized by the Corporate Authorities of the City by an ordinance duly and properly adopted for that purpose, in all respects as provided by law.

[3] This Bond is not subject to optional redemption prior to maturity.

[4] This Bond is transferable by the Registered Owner hereof in person or by his attorney duly authorized in writing at the office of the Bond Registrar in _____, _____, but only in the manner, subject to the limitations and upon payment of the charges provided in the authorizing ordinance, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

[5] The City hereby designates this Bond as a qualified tax-exempt obligation to qualify this Bond for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986, as amended, relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

[6] The Bonds are issued in fully registered form in the denomination of \$5 each or authorized integral multiples thereof. This Bond may be exchanged at the office of the Bond

Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the authorizing ordinance. The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on November 2, 2020 and ending at the opening of business on November 16, 2020.

[7] The City and the Bond Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

[8] It is hereby certified and recited that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this Bond did exist, have happened, been done and performed in regular and due form and time as required by law; that the indebtedness of the City, including the issue of bonds of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the collection of a direct annual tax to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity. Although this Bond constitutes a general obligation of the City and no limit exists on the rate of said direct annual tax, the amount of said tax is limited by the provisions of the Property Tax Extension Limitation Law of the State of Illinois, as amended (the "*Law*"). The Law provides that the annual amount of the taxes to be extended to pay the issue of Bonds of which this Bond is one and all other limited bonds (as defined in the Local Government Debt Reform Act of the State of Illinois, as amended) hereafter issued by the City shall not exceed the debt service extension base (as defined in the Law) of the City (the "*Base*"), as more fully described in the proceedings of the City providing for the issue of this Bond. The City is authorized to issue from time to time additional limited bonds

payable from the Base, as permitted by law, and to determine the lien priority of payments to be made from the Base to pay the City's limited bonds.

[9] This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

[10] IN WITNESS WHEREOF, said City of Wilmington, Will County, Illinois, by its City Council, has caused its corporate seal to be hereunto affixed or printed hereon, and this Bond to be signed by the manual or duly authorized facsimile signature of the Mayor and be attested by the manual or duly authorized facsimile signature of the Deputy City Clerk, all as of the Dated Date identified above.

Mayor

(SEAL)

ATTEST:

Deputy City Clerk

Date of Authentication: _____, 2019

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar and Paying Agent:
_____, Illinois

This Bond is described in the within mentioned ordinance and is the General Obligation Limited Tax Bond, Series 2019 of the City of Wilmington, Will County, Illinois.

_____, as Bond Registrar

(ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 6. Sale of Bonds. The Bonds hereby authorized shall be executed as in this Ordinance provided as soon after the passage hereof as may be, and thereupon be deposited with the Treasurer of the City, and be by said Treasurer delivered to the purchaser thereof (the “*Purchaser*”) as set forth in the Bond Order, upon receipt of the purchase price therefor, the same being par for the Bonds; the contract for the sale of the Bonds heretofore entered into (the “*Purchase Contract*”), as applicable, is in all respects ratified, approved and confirmed, it being hereby found and determined that the Bonds have been sold at such price and bear interest at such rates that neither the true interest cost (yield) nor the net interest rate received upon such sale exceed the maximum rate otherwise authorized by Illinois law and that the Purchase Contract is in the best interests of the City and that no person holding any office of the City, either by election or appointment, is in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract.

If applicable, the use by the Purchaser of any Preliminary Term Sheet and any final Term Sheet relating to the Bonds (the “*Term Sheet*”) is hereby ratified, approved and authorized; the execution and delivery of the Term Sheet is hereby authorized; and the officers of the Corporate Authorities are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Purchase Contract, this Ordinance, said Preliminary Term Sheet, the Term Sheet and the Bonds.

Section 7. Tax Levy. In order to provide for the collection of a direct annual tax to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within the City a direct annual tax for each of the years while the Bonds or any of them are outstanding, and that there be

and there is hereby levied upon all of the taxable property in the City, the direct annual tax as provided in the Bond Order in an annual amount not to exceed \$135,000.

Principal or interest maturing at any time when there are not sufficient funds on hand from the foregoing tax levy to pay the same shall be paid from the general funds of the City, and the fund from which such payment was made shall be reimbursed out of the taxes hereby levied when the same shall be collected.

The City covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy and the City and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the fund established to pay the principal of and interest on the Bonds.

Section 8. Filing of Ordinance. Forthwith upon the passage and effective date of this Ordinance, the Deputy City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of The County of Will, Illinois (the "*County Clerk*"), and it shall be the duty of the County Clerk to annually in and for each of the levy years as provided in the Bond Order, inclusive to ascertain the rate necessary to produce the tax herein levied, and extend the same for collection on the tax books against all of the taxable property within the City in connection with other taxes levied in said year for City purposes, in order to raise the amount aforesaid and in said year such annual tax shall be computed, extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general purposes of the City, and when collected, the taxes hereby levied shall be placed to the credit of a special fund to be designated "Bond and Interest Fund of 2019" (the "*Bond Fund*"), which taxes

are hereby irrevocably, pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds.

Section 9. Limitation on Extension; General Obligation Pledge; Additional Obligations. Notwithstanding any other provision of this Ordinance, the annual amount of the taxes to be extended by the County Clerk to pay the Bonds and all other limited bonds (as defined in the Debt Reform Act) hereafter issued by the City shall not exceed the debt service extension base (as defined in the Property Tax Extension Limitation Law of the State of Illinois, as amended) of the City (the “*Base*”).

No limit, however, exists on the rate of the direct annual tax levied herein, and the Bonds shall constitute a general obligation of the City.

The City is authorized to issue from time to time additional limited bonds payable from the Base, as permitted by law, and to determine the lien priority of payments to be made from the Base to pay the City’s limited bonds.

Section 10. Use of Bond Proceeds. Any accrued interest received on the delivery of the Bonds is hereby appropriated for the purpose of paying first interest due on the Bonds and is hereby ordered deposited into the Bond Fund. Principal proceeds (including premium, if any) of the Bonds in the amount of \$124,000 are hereby appropriated for the purpose of paying the principal of and interest on the Outstanding Obligations on December 1, 2019. The remaining principal proceeds are hereby appropriated to paying the costs of issuance of the Bonds and for the purpose of paying the cost of the Project and shall be deposited into the 2019 Project Fund of the City (the “*Project Fund*”).

Section 11. Not Private Activity Bonds. None of the Bonds is a “private activity bond” as defined in Section 141(a) of the Code. In support of such conclusion, the City certifies,

represents and covenants as follows: The certifications, covenants and representations contained herein and at the time of the closing are made on behalf of the City for the benefit of the owners from time to time of the Bonds.

A. No direct or indirect payments are to be made on any Bond with respect to any private business use by any person other than a state or local governmental unit.

B. None of the proceeds of the Bonds is to be used, directly or indirectly, to make or finance loans to persons other than a state or local governmental unit.

C. No user of the project, as applicable, other than the City or another governmental unit, will use the same on any basis other than the same basis as the general public; and no person other than the City or another governmental unit will be a user of the project as a result of (i) ownership or (ii) actual or beneficial use pursuant to a lease, a management or incentive payment contract, or (iii) any other arrangement.

Section 12. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal tax purposes under Section 103 of the Code and as an inducement to underwriters of the Bonds, the City represents, covenants and agrees that:

A. No more than 10% of the payment of the principal of or interest on the Bonds will be (under the terms of the Bonds, this Ordinance or any underlying arrangement), directly or indirectly, (i) secured by any interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

B. No more than 5% of the Bond proceeds will be loaned to any entity or person other than a state or local governmental unit. No more than 5% of the Bond proceeds will be transferred,

directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

C. The City reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraph (a) above or the private loan test described in paragraph (b) above during the entire term of the Bonds.

D. Neither the City nor the Corporate Authorities will take any action or fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Bonds pursuant to Section 103 of the Code, nor will the City or the Corporate Authorities act in any other manner which would adversely affect such exclusion.

E. It shall not be an event of default under this Ordinance if the interest on any Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

F. These covenants are based solely on current law in effect and in existence of the date of delivery of the Bonds.

Section 13. Bank-Qualified Bonds. Pursuant to Section 265(b)(3) of the Code, the City as applicable at the time of sale and delivery of Bonds shall designate such Bonds as “qualified tax-exempt obligations” as defined in Section 265(b)(3) of the Code. The City by any such designation represents that the reasonably anticipated amount of tax-exempt obligations that will be issued by the City and all subordinate entities (of which there are none) of the City during the calendar year in which the Bonds are issued will not exceed \$10,000,000 within the meaning of or to be taken into account under Section 265(b)(3) of the Code. The City by any such designation covenants that in that connection it will not so designate and issue more than \$10,000,000

aggregate principal amount of tax-exempt obligations in such calendar year. For purposes of this Section, the term “tax-exempt obligations” includes “qualified 501(c)(3) bonds” (as defined in the Section 145 of the Code) but does not include other “private activity bonds” (as defined in Section 141 of the Code).

Section 14. Noncompliance with Tax Covenants. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance (the “*Tax Sections*”) which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law (the “*Tax Exemption*”) need not be complied with if the City receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 15. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 16. Duties of Bond Registrar. If requested by the Bond Registrar, the Mayor and Deputy City Clerk of the Corporate Authorities are authorized to execute the Bond Registrar’s standard form of agreement between the City and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

- (a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;
- (c) to cancel and/or destroy Bonds which have been paid at maturity or submitted for exchange or transfer;
- (d) to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and

(e) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

Section 17. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 18. Repeal. All ordinances, resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Ordinance shall be in full force and effect forthwith upon its adoption.

Adopted November 19, 2019.

Mayor

Attest:

Deputy City Clerk

(SEAL)

Alderman _____ moved and Alderman _____
seconded the motion that said ordinance as presented be adopted.

After a full discussion thereof, the Mayor directed that the roll be called for a vote upon
the motion to adopt said ordinance.

Upon the roll being called, the following Aldermen voted AYE: _____

The following Aldermen voted NAY: _____

Whereupon the Mayor declared the motion carried and said ordinance adopted, approved
and signed the same in open meeting and directed the Deputy City Clerk to record the same in full
in the records of the City Council of the City of Wilmington, Will County, Illinois, which was
done.

Other business not pertinent to the adoption of said ordinance was duly transacted at said
meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Deputy City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF WILL)

CERTIFICATION OF MINUTES AND ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting Deputy City Clerk of the City Council of the City of Wilmington, Will County, Illinois (the “*Council*”), and as such official am the keeper of the records and files of the Corporate Authorities.

I further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Corporate Authorities held on the 19th day of November, 2019, insofar as the same relates to the adoption of Ordinance No. 19-11-19-01 entitled:

AN ORDINANCE providing for the issuance of not to exceed \$130,000 General Obligation Limited Tax Bonds, Series 2019 of the City of Wilmington, Will County, Illinois, and for the levy of a direct annual tax to pay the principal and interest on said bonds.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said Meeting.

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Corporate Authorities at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as Exhibit A, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Municipal Code of the State of Illinois, as amended, and that the Corporate Authorities has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature and seal of said City, this 19th day of November, 2019.

Deputy City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF WILL)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County of Will, Illinois, and as such official I do further certify that on the ____ day of _____, 2019, there was filed in my office a duly certified copy of Ordinance No. 19-11-19-01 entitled:

AN ORDINANCE providing for the issuance of not to exceed \$130,000 General Obligation Limited Tax Bonds, Series 2019 of the City of Wilmington, Will County, Illinois, and for the levy of a direct annual tax to pay the principal and interest on said bonds.

duly adopted by the City Council of the City of Wilmington, Will County, Illinois, on the 19th day of November, 2019, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day of _____, 2019.

County Clerk of the County of Will, Illinois