

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

Agenda
Regular City Council Meeting
Wilmington City Hall
Council Chambers
December 3, 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 19, 2019 Regular City Council Meeting Minutes and November 25, 2019 Special City Council Meeting Minutes
- V. Mayor's Report
- VI. Public Comment

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

- VII. Planning & Zoning Commission
  - 1. 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.

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# 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. 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

- 1. Approve the Accounts Payable Report as Prepared by the Accountant
- 2. Approve Ordinance No. 12-03-01-01 Ordinance Vacating an Alley in the West Side Subdivision (Affected PINs: 03-17-35-203-006-0000 and 03-17-35-203-007-0000)
- 3. 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

# XII. Adjournment

The next City Council meeting is Tuesday, December 17, 2019 at 7:00 p.m.

# Minutes of the Regular Meeting of the

Wilmington City Council
Wilmington City Hall
1165 South Water Street
November 19, 2019

# Call to Order

The Regular Meeting of the Wilmington City Council on November 19, 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":

<u>Aldermen Present</u> Persic, Kirwin, Combes, Vice, Dietz, Studer, Tenn, 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, Chief of Police Phil Arnold and City Attorney Brian Wellner

## **Approval of Minutes**

Alderman Dietz made a motion and Alderman Combes seconded to approve the November 5, 2019 Regular City Council meeting minutes and have them placed on file

Upon roll call, the vote was:

**AYES:** 8 Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS: <u>0</u>
The motion carried.

### Mayor's Report

Mayor Strong recognized and presented certificates of achievement to the Bobcat Lightweight Football Super Bowl Champs, Superlight Cheerleaders 1<sup>st</sup> Place in Conference Cheer Competition and Lightweight Cheerleaders 1<sup>st</sup> Place in Conference Cheer Competition.

Mayor Strong made the following announcements:

- The Offices at City Hall will be closed November 28 & 29 in observance of the Thanksgiving Holiday
- The last Waste Management yard waste pickup is Friday, November 29, 2019. The program will resume on April 2, 2020.
- One Hour Extension for Liquor Licensees (bar establishments) on Wednesday, November 27 and Tuesday, December 31

Alderman Vice made a motion and Alderman Combes seconded to 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

Upon roll call, the vote was:

AYES: <u>8</u> Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$  The motion carried.

### **Public Comment**

Mark V. would like the City to repair the storm drain and sidewalk so the barricade can be removed.

# **Planning & Zoning Commission**

Alderman Tenn made a motion and Alderman Combes seconded to 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

Upon roll call, the vote was:

**AYES:** <u>8</u> Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$  The motion carried.

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

# **Committee Reports**

#### **Police & ESDA Committee**

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

#### **Ordinance & License Committee**

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

#### Buildings, Grounds, Parks, Health & Safety Committee

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

#### Water, Sewer, Streets and Alleys Committee

Alderman Kirwin made a motion and Alderman Tenn seconded to 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 – specifically No Parking on North Joliet Street on the east side from Baltimore Street to Jackson Street

Upon roll call, the vote was:

**AYES:** 8 Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS: <u>0</u>
The motion carried.

The next scheduled meeting is Wednesday, December 11, 2019 at 6:00 p.m.

# Finance, Administration & Land Acquisition Committee

Alderman Dietz made a motion and Alderman Combes seconded to approve the Employee Health and Dental Insurance Benefits Renewal with Infinity Benefits LLC

Upon roll call, the vote was:

**AYES:** <u>8</u> Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$ 

The motion carried.

Alderman Studer made a motion and Alderman Kirwin seconded to 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

Upon roll call, the vote was:

AYES: <u>8</u> Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$ 

The motion carried.

The next scheduled meeting is Tuesday, December 17, 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 7:26 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:** 8 Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$ 

The motion carried.

Alderman Persic made a motion and Alderman Kirwin seconded to close Executive Session at 7:53 p.m.

Upon roll call, the vote was:

**AYES:** <u>8</u> Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$  The motion carried.

# **Action Taken Following Executive Session**

Alderman Persic made a motion and Alderman Butler seconded to approve the professional service agreement for accounting and consulting services with Slahor Associates, Inc. pending legal review by City Attorney

Upon roll call, the vote was:

**AYES:** 8 Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\underline{\mathbf{0}}$ 

The motion carried.

Alderman Persic made a motion and Alderman Vice seconded to approve the temporary hire of Hayley Henke as Utility Billing Clerk at the hourly rate of \$21.03 retroactive November 11, 2019

Upon roll call, the vote was:

AYES: 8 Dietz, Combes, Vice, Kirwin, Persic, Butler, Tenn, Studer

NAYS:  $\overline{0}$ 

The motion carried.

# **Adjournment**

Motion to adjourn the meeting made by Alderman Butler and seconded by Alderman Tenn. Upon voice vote, the motion carried. The Regular Meeting of the City of Wilmington City Council held on November 19, 2019 adjourned at 7:54 p.m.

Respectfully submitted,

Joie Ziller, Deputy City Clerk

# Minutes of the Special Meeting of the

**Wilmington City Council Wilmington City Hall** 1165 South Water Street November 25, 2019

# Call to Order

The Special Meeting of the Wilmington City Council on November 25, 2019 was called to order at 6:00 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, 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

Alderman Butler made a motion and Alderman Persic seconded to approve Resolution No. 2019-08-A Resolution Approving the Illinois Funds Account Change Information of the City of Wilmington

Upon roll call, the vote was:

**AYES:** 8 Butler, Persic, Dietz, Combes, Vice, Kirwin, Tenn, Studer

NAYS:

The motion carried.

#### Adjournment

Motion to adjourn the meeting made by Alderman Butler and seconded by Alderman Tenn. Upon voice vote, the motion carried. The Special Meeting of the City of Wilmington City Council held on November 25, 2019 adjourned at 6:02 p.m.

Respectfully submitted,

ORDINANCE NO.	

# AN ORDINANCE VACATING AN ALLEY IN THE WEST SIDE SUBDIVISION (Affected PINs: 03-17-35-203-006-0000 and 03-17-35-203-007-0000)

WHEREAS, the City of Wilmington is authorized by Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1) to vacate a street or alley by ordinance when it is determined that the public interest will be subserved; and

WHEREAS, Michael and Michele Desrochers (hereinafter referred to as the "Owners") own property located at 770 Meadowood Lane, Wilmington, Illinois 60481 petitioned the City of Wilmington to vacate an alley located within the City of Wilmington described in the Plat of Vacation attached hereto as Exhibit A and has the following legal descriptions:

#### PARCEL 1

THE WEST ½ OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 14 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS.

#### PARCEL 2

THE WEST ½ OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 15 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS.

which are collectively referred to as the "Alley"; and

WHEREAS, the Owners' letter petitioning that the Alley be vacated is attached hereto as Exhibit B; and

WHEREAS, the Alley is not a though street or alley and is entirely unimproved property; and

WHEREAS, Pursuant to Document No. R73-15663 recorded with the Will County Recorder's Office and attached hereto as Exhibit C, the eastern half of the alleyway was previously vacated and conveyed to the eastern adjacent parcel that is now assigned the PIN 03-17-35-203-038-0000 and presently owned by Owners;

WHEREAS, after Document No. R73-15663 vacated the east half of the alley, only the western half of the alleyway remained and herein referred to as the Alley; and

WHEREAS, the Owners are now requesting that the remaining portion of the Alley be vacted;

WHEREAS, the Corporate Authorities for the City of Wilmington find that the public interest would be subserved and it is in the best interest of the City by vacating said alley.

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

#### **SECTION 1: RECITALS INCORPORATED**

The aforementioned recitals are hereby incorporated as if set forth in its entirety.

### **SECTION 2: ALLEY VACATED**

The Alley is hereby vacated as described in the Plat of Vacation attached hereto as Exhibit A and with the legal descriptions as follows:

#### PARCEL 1

THE WEST ½ OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 14 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS.

#### PARCEL 2

THE WEST ½ OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 15 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS.

# SECTION 3: PLAT OF VACATION AND ORDINANCE TO BE RECORDED, PINS COMBINED, AND PROPERTY CONVEYED TO ADJACENT OWNERS

After this Ordinance is fully signed and executed by the City of Wilmington, the Owners shall record the Plat of Vacation and this Ordinance in the Office of the Recorder of Deeds for Will County, Illinois. The portions of said alley depicted in the attached Plat of Vacation shall become part of the properties owned by the Owners to the west. Specifically Parcel 1 shall become a part of the properties owned by the Owners to the West with PIN: 03-17-35-203-006-0000 and Parcel 2 shall become a part of the properties owned by the Owners to the West with PIN 03-17-35-203-007-0000.

#### **SECTION 4: RESERVATION OF EASEMENTS**

The City of Wilmington reserves within the vacated alley any an all easements for public utility, as the case may be, public facilities, such property, rights of way and any other easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof.

# **SECTION 5: REPLEALER**

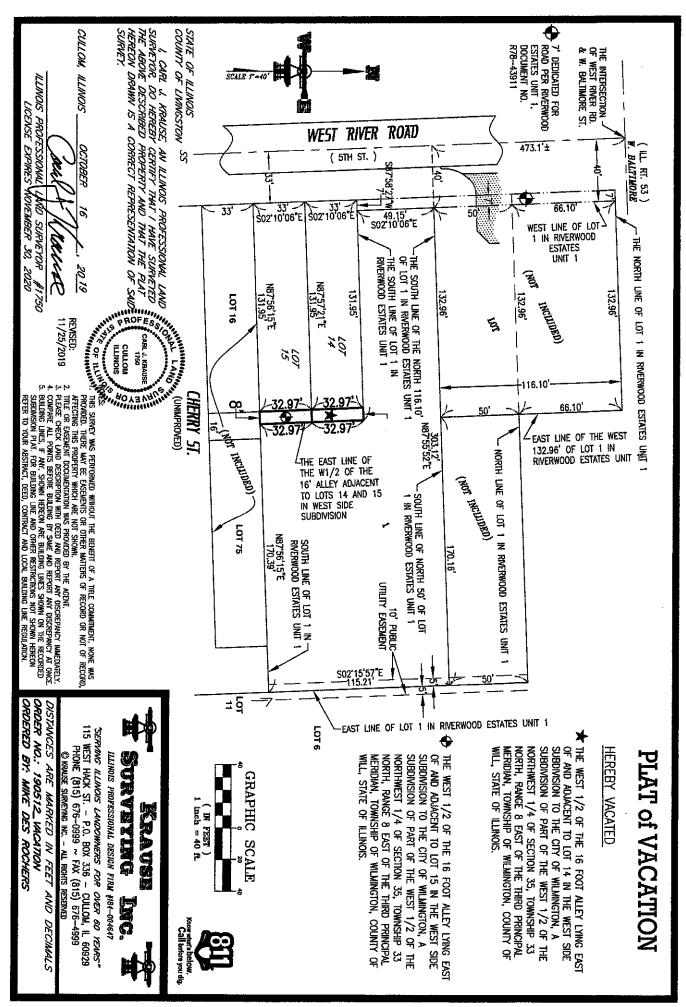
All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed.

# **SECTION 6: SEVERABILITY**

This Ordinance and every provision thereof shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision or section of this Ordinance is void or unconstitutional, the remaining words, phrases, clauses, sentences, paragraphs, provisions and sections and parts of words, phrases, clauses, sentences, paragraphs, provisions and sections not rules void or unconstitutional shall continue in full force and effect.

# **SECTION 7: EFFECTIVE DATE**

	This Ordinance shall be ed by law.	in full force and efforce	ect from and after its	passage, approval and publication	
	PASSED this $\frac{3^{rd}}{N}$ day of voting $\frac{N}{A}$ , with $\frac{0}{N}$			voting aye, $\underline{0}$ members voting nay ote being:	
I I	Kevin Kirwin Dennis Vice Ben Dietz Take Tenn		John Persic, Jr. Floyd Combes Lisa Butler Frank Studer		
Approved	d this <u>3<sup>rd</sup></u> day of <u>Decem</u>	ber, 2019			
			Roy Strong, Mayor		
Attest:					
Ioie Zi	ller Denuty City Clerk	·	-		



# COWGILL AND CERNUGEL LAW OFFICES, LTD.

# ATTORNEYS AT LAW

1000 Essington ROAD . JOLIET, ILLINOIS 60435

THOMASE, COWGIEL JOSEPHM, GERNUGEL

October 22, 2019

TELEPHONE: 8157729-2223

FACSIMILE: 815/744-1681

Ms. Joie Ziller, City Administrator City of Wilmington 1165 South Water Street Wilmington, Illinois 60481

RE:

Vacation of Alley

Dear Ms. Ziller:

As you know, I represent Michael and Michele DesRochers who are petitioning the City of Wilmington to vacate a portion of the alley which is identified on the Plat of Vacation which is enclosed. As you also know, the property immediately to the west and east of this parcel is currently owned by Mr. and Mrs. DesRochers.

In connection with this Petition, we are submitting the following documents for your review and consideration by the appropriate authorities of the City of Wilmington:

Completed Land Use Petition
Legal Description of the Property Sought to be Vacated
Plat of Survey
Plat of Vacation
List of Adjoining Property Owners
Application fee of \$150.00 payable to the City of Wilmington
Check in the amount of \$900.00 payable to the City of Wilmington as the security deposit
which I understand to be required in a case such as this.

I have also prepared a draft of an Ordinance which may be required in this matter.

I would appreciate it if you would take the steps necessary to put this matter before the appropriate authorities of the City. Of course, if there are any further questions or documents necessary from the Petitioners at this time, please let me know and we shall attempt to promptly respond. Thank you for your courtesy in this matter.

Very truly yours,

COWGILL AND CERNUGEL LAW OFFICES, LTD.

Joseph M. Cermigel

JMC/jlc Enclosures

Cc: Michael and Michele DesRochers (Letter Only)

EXHIBIT B

R73-15663

FILED-RECORDERS OFFICE WILL COUNTY, ILL.

'73 JUN-1 PM 1: 18

RECORDER MICROFILMED

# KNOW ALL MEN BY THESE PRESENTS:

We, THOMAS J. O'BRIEN and AMBER LEE SPANGLER, both of the City of Wilmington, County of Will, and State of Illinois, are owners of the following described real estate:

Lots 9, 10, 11, 12 and 13, and 76, 77, 78, 79, and 80 in the West Side Subdivision, Wilmington, in Will County, and State of Illinois, according to a plat recorded as Document No. 158945 on September 13, 1890, in Map Book 4 Pages 62 and 63 of the Records of Will County, Illinois, and also the owners of any Reversionary Interest in all the Streets and Alleys.

No other persons other than ourselves have any right or privilege as proprietor or otherwise in any of the above described lots, Streets or Alleys, and that none of the Streets or Alleys within the boundaries above designated have been laid out and accepted as public highways according to law. And being the sole owners of said premises aforesaid and in pursuance to the power in us vested by Chapter 109, of Illinois Revised Statutes, Section 6 as amended 1967, August 31, laws of 1967, and Section 7, 1874, Page 771, Section 7 and any amendments thereto, we do hereby, by these Presents vacate so much of said Plat as is heretobefore referred to as Lot 9 through 13, and Lots 76 through 80, given under our hands and seals this day of February, 1973, and further state that said vacation does not abridge or destroy any rights or privileges of other proprietors or the public in such past.

AMBER LEE SPANGLER

State of Illinois )
SS.
County of Will )

THOMAS J. O'BRIEN, being first duly sworn on oath, deposes and

states that he has read the above and foregoing proceeding to vacate, knows the contents thereof, and states the same to be true and correct to the best of his knowledge.

Thomas J. O Brien

Subscribed and sworn to before me this 6 th day of

telmany, 1973.

Notary Public

STATE OF ILLINOIS )
COUNTY OF WILL )

AMBER LEE SPANGLER, being first duly sworn on oath, deposes and states that she has read the above and foregoing proceeding to vacate, knows the contents thereof, and states the same to be true and correct to the best of her knowledge.

AMBER LEN SPANGLER

Subscribed and sworn to before me this 6 th day of Tebruary, 1973

Votary Public

STATE OF ILLINOIS )
) SS.
COUNTY OF WILL )

Vacation of Lots 9, 10, 11, 12, 13, 76, 77, 78, 79, and 80 in West Side Subdivision, Wilmington, in Will County, Illinois according to plat recorded as Document No. 158945, approved by the City Council of the City of Wilmington, Will County, Illinois, this  $2\mathcal{O}^{\frac{73}{2}}$  day of Fegivary, 1973.

Signed: Dweaph E. Wilt
Mayor, City of Wilmington

STATE OF ILLINOIS )

COUNTY OF WILL )

I, James C. Johnston, City Clerk of the City of Wilmington, do hereby certify that on this 20th day of FeBruary, 1973, this Vacation of Lots 9, 10, 11, 12, 13, 76, 77, 78, 79, and 80 in West Side Subdivision, Wilmington in Will County, Illinois according to plat recorded as Document No. 158945 was duly approved by the City Council of the City of Wilmington, Illinois.

Sealed:

STATE OF ILLINOIS ) SS. COUNTY OF WILL )

I, JOSEPH B. FITZPATRICK, Township Highway Commissioner, Wilmington Township, do hereby approve of vacation of Lots 9, 10, 11, 12, 13, 76, 77, 78, 79, and 80 in West Side Subdivision, Wilmington, in Will County, Illinois, according to plat recorded as Document No. 158945.

JOSEPH B. FITZPATRICK, Township Highway Commissioner

STATE OF ILLINOIS )
SS.
COUNTY OF WILL )

I, ROY S. COUSINS, County Superintendent of Highways of Will County, Illinois, do hereby approve of vacation of Lots 9, 10, 11, 12, 13, 76, 77, 78, 79, and 80 in West Side Subdivision, Wilmington, in Will County, Illinois, according to plat recorded as Document no. 158945.

ROY S. COUSINS, Will County Superintendent of Highways STATE OF ILLINOIS )
) SS.
COUNTY OF KANE )

I, SIGMUND C. ZIEJEWSKI, District Engineer of the Department of Public Works and Buildings of the State of Illinois, do hereby approve of the vacation of Lots 9, 10, 11, 12, 13, 76, 77, 78, 79, and 80 in West Side Subdivision, Wilmington, in Will County, Illinois according to plat recorded as Document No. 158945.

SIGMUND C. ZIEVEVSKI, District Engineer of the Department of Public Works and Buildings of the State of Illinois.

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