

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of January 14, A.D. 2008***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, January 14, 2008 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR PRO-TEM SUSIE A. BARBER and DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: MAYOR ARTHUR SCHULTZ, DISTRICT 5 COUNCILMAN WARREN C. DORRIS and COUNCILMAN AT LARGE THOMAS C. GIARRANTE.

ALSO PRESENT: CITY MANAGER JOHN M. MEZERA and CORPORATION COUNSEL JEFFREY S. PLYMAN.

The City Manager asked the Mayor and Council's indulgence in moving several items up on the agenda due to the presence of interested individuals.

The City Manager first explained Council Memo #41-08 dealing with the Annexation of 1450 S. Brandon Road which is being requested by the petitioner to be tabled until the February 20, 2008 City Council meeting as additional time is needed to review the annexation agreement.

Attorney Mike Martin Jr. was present on behalf of the petition.

The City Manager then explained Council Memo #44-08 dealing with the Final Planned Unit Development of Our Lady of Angels Village Subdivision Phase 2 and the Recording Plat of Phase 2A. He said Phase 2 will consist of 15 duplex buildings and one naturalized stormwater retention pond, which will include an aerator, and Phase 2A will include one lot that will contain a duplex building. This lot was intentionally left out of Phase 1 due to an old floodplain zone that was recently removed.

Mr. Mike Rogina of Rogina and Associates and Sister Maria Pesavento of the Sisters of St. Francis were present on behalf of the petition.

COUNCILMAN SHETINA asked the City Manager about the process of drawing the floodplain out and whose responsibility it is.

The City Manager said basically the engineer does the certifications and then submits those to FEMA and then they have to get a Letter of Map Amendment. He said it takes quite a while and that's why that particular lot which was shown under the old floodplain was not previously included in that unit.

COUNCILMAN SHETINA asked Mr. Rogina if he is satisfied that there is no floodplain in there, and Mr. Rogina said yes.

COUNCILWOMAN QUILLMAN said even though everything has been done, what if down the road one of the future homeowners does have a flooding problem. She asked whose responsibility that would be.

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The City Manager said they will not have a flooding problem. He said most of the flooding issues that we run into are the ones where the homeowners have changed the grades in the back. He said we generally don't have a 100 year floodplain coming up into somebody's house. He said we have minor drainage problems in rear yards but not flooding, and that's the situation that Mr. Rogina was working on here.

Mr. Rogina said originally the site had this floodplain through it. He said the property has been raised on the Plainfield Road side about 15 feet since the property was originally mapped by FEMA in the 1980's. He said they have gone through the mapping changes and have gotten the revised letters. He said these units have slab foundations and not basements, so the only flooding source would be over land or rear yard drainage. He said there was a storm sewer that came off the JCA athletic fields and was maintained through our project. He said in Phase 2 they rerouted this pipe through the project around the new units so the flow that was coming off the athletic field has been maintained through our property to Plainfield Road so that drainage does not impact their property either. He said currently the project consists of all slab construction, and there are no basements or sub pumps or pits or sub pump discharges.

COUNCILWOMAN QUILLMAN asked since this once was a floodplain at one time will the homeowners be required to get flood insurance.

The City Manager said no, the map has been amended and it is no longer in the floodplain. He said the area has been raised about 15 feet from where it used to be and it is not going to be possible for these homes to get flooded.

COUNCILWOMAN QUILLMAN said but if it does happen what is the recourse for these seniors on fixed income.

The City Manager said they would have to get 15 feet of water in back of them and that would be over the first floor of the houses on Plainfield Road and it's just not possible.

COUNCILMAN UREMOVIC said anything's possible but certainly it's not probable. He asked if all of this runs into the Rock Run through Crest Hill.

Mr. Rogina said correct, it goes along the west side of Willow Falls in the Rock Run Creek Tributary. He said a lot of this flow has been intercepted by City projects along Wyoming Street. He said there is a large diameter 72" storm sewer that will intercept a lot of the storm water that originally ran to this floodplain area.

COUNCILWOMAN QUILLMAN said it is a beautiful project but she is just concerned for the future.

COUNCILMAN BROPHY said COUNCILWOMAN QUILLMAN does have a good point in the case of storm damage. He asked Sister Pesavento to explain who would be responsible for any damage, say tornado or whatever. He said the membership concept is new to us.

Sister Pesavento said the Sisters of St. Francis will continue to own the property and the people that will be moving in there will own the right to live there for as long as they desire, but they are not really owning the building and the property. She said it will still be owned by the Sisters of St. Francis and it will be Our Lady

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of Angels Village who will be responsible for holding insurance on these properties and for taking care of the property.

COUNCILMAN BROPHY said for as long as they have been underway here he has not gotten a single phone call with a complaint from a neighbor. He said so far they have been a great construction neighbor, and we are very pleased with the progress.

The City Manager said the only complaint we had was from the laundromat across Plainfield Road about dust, and that was addressed early on in the construction.

It was requested that these items be voted on today.

1. AN ORDINANCE Approving the Final Planned Unit Development of Our Lady of Angels Village Subdivision Phase 2 as recommended by the Plan Commission was presented and read. (#PUD-8-07/Dist. #2)
(Council Memo #44-08)
(ORDINANCE NO. 16010)
2. AN ORDINANCE Approving the Recording Plat of Our Lady of Angels Village Subdivision Phase 2A as recommended by the Administration was presented and read. (#RP-2-08/Dist. #2)
(Council Memo #44-08)
(ORDINANCE NO. 16011)

COUNCILWOMAN QUILLMAN moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

AYES: COUNCILMAN BROPHY, COUNCILWOMAN QUILLMAN,
COUNCILMEN SHETINA, TURK, UREMOVIC and MAYOR PRO-TEM
BARBER.

NAYS: NONE.

3. Citizens to be Heard
 - a. Charles Martin re: Dollar Tree Warehouse

Mr. Charles Martin of 714 Oneida Street said he is concerned about the new warehouses that are coming into this area and it has come to his attention that some of these employers are unjustly terminating people after they reach their 90 days or 120 days. He said they are employing people for a temporary period of time with the notion that they are being employed full time, but when they reach the 120 days and their benefits are going to start taking place, they are terminated for no reason or bogus reasons. He said his dollars as a taxpayer in Joliet are helping to finance these companies and he is not getting any return on them because when these companies come to Joliet or Will County they say they are going to bring so many jobs to your community and lower your unemployment, and then they turn around and are creating a throw away work force. He said people can't get a good recommendation from these companies when they apply for another job.

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COUNCILMAN DORRIS arrived at the meeting at this point.

COUNCILMAN BROPHY asked if there is any way we can get a verification of the wrongful firings and can it be documented.

Mr. Martin said he has quite a few individuals who would be willing to come forward to testify.

COUNCILMAN BROPHY asked where would be the proper avenue to voice those concerns.

The Corporation Counsel said the Department of Labor really has State-wide jurisdiction.

Mr. Martin said he's talking about a taxing body; we're giving these incentives to people to provide employment here. He asked the Council to do a little research on these warehouses and companies. He said these companies are supposed to keep records of how often they terminate people or lay people off.

COUNCILMAN BROPHY asked the Corporation Counsel if it would be a violation to avoid paying benefits.

The Corporation Counsel said the City currently does not have legal jurisdiction over that type of issue. He said we don't have a fair employment ordinance or organization ordinance. He said in some cases the City could acquire that jurisdiction where we enter into a project agreement with a large development where there were tax incentives provided to that development. He said we don't currently have TIF districts for warehouses in Joliet.

COUNCILMAN BROPHY said we gave Dollar Tree some sort of incentive did we not.

The Corporation Counsel said the schools, the County and the City provided a five-year, 50% real estate tax abatement.

COUNCILMAN UREMOVIC said there is an incentive that has been offered. He said this definitely warrants some type of research and investigation. He said he would entertain that it come before the Finance Committee. He said let's talk to Jean Hansen of the Illinois Department of Employment Security and find out if they have statistics of how many people have been laid off the last two years there.

Mr. Martin said there are other warehouses in the area that have the same practices.

COUNCILMAN DORRIS said when he was President of Rainbow PUSH they had a lot of complaints not only from this warehouse but others where people would come in for 90 days as a temp employee and then supposed to be full-time, and many were terminated on the 88th and 89th day. He said they won some and they lost some when they challenged them. He said they do need to be checked out.

COUNCILWOMAN QUILLMAN asked if their 5 year tax break is about to run out.

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The Corporation Counsel said it should be soon. He said he believes this particular facility went operational in 2004. He said he doesn't know when their tax abatement started but probably right around there.

Mr. Jack Johnson, General Manager of the Dollar Tree Distribution Center, said he is here along with their Human Resource Manager, Mr. Bruce Paolini. He said he has been at this facility a few months and he is committed to making sure they are treating people fairly. He said they have three full-time human resource managers in the facility to make sure they are doing these things. He said he respectfully disagrees with Mr. Martin and although he doesn't think this is the time or the place to discuss their employment practices, he would like to make a few things clear. He said their associates get a fully funded medical plan and a 401k profit sharing. He said absolutely they have a high turnover and it's unfortunate, but he thinks it's part of the environment and the things that they do, but it's certainly not something they try to make worse by some of the things Mr. Martin described. He said they have 212 associates in their building right now and 64 have been with the company longer than a year, 92 of them have been with the company one to three years, and 21 associates have been with the company over seven years that transferred from the Woodridge facility. He said of the associates that are turned over before their training period is over, 97% of them turn over voluntarily. He said it is not anything that we're doing and we don't make a practice of that. He said 97% turn over voluntarily where they just quit coming to work or it is just too hard for them to do.

COUNCILMAN BROPHY asked how many do you train every year.

Mr. Johnson said it's at least 100.

COUNCILMAN DORRIS said you have fully funded medical, a profit sharing plan and you pay a living wage which is pretty good in today's economic situation, so why the turnover. He said it also costs you money when you invest money and bring an employee in and do all the screening and training.

Mr. Johnson said as the general manager the last thing he wants is turnover. He said he doesn't want to have to recruit and train people and then turn them over; that's the last thing he wants. He said the huge majority of turnover in other facilities is because of attendance and that's probably the same here; people just don't come to work. He said they come in late or they quit coming to work altogether.

COUNCILWOMAN QUILLMAN asked Mr. Johnson what is the percentage of people who were terminated.

Mr. Johnson said he doesn't have that exact number but he could get it.

COUNCILWOMAN QUILLMAN said she would like to see the ratio turnover time as far as employees quitting as opposed to being terminated and the reasons why. She asked him if they do exit interviews when they quit voluntarily and what is the usual reason.

Mr. Johnson said of the ones they can get a hold of, they absolutely do. He said most of the reasons are just attendance; they have issues getting to work or they just decide to quit coming to work.

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COUNCILMAN SHETINA asked what the beginning wage is and after you are there 90 – 120 days, what that wage is.

Mr. Johnson said the starting wage is \$10.25. He said he doesn't have the additional wages after that.

COUNCILWOMAN QUILLMAN asked if the benefits kick in after 90 days.

Mr. Johnson said after 120 days.

Mr. Paolini said he wanted to try to answer the question about the ratio. He said 97% voluntarily either quit on their own or there is job abandonment, and the other 3% are terminated.

COUNCILWOMAN QUILLMAN said so you are saying today that you only terminate 3% of your employees.

Mr. Paolini said during the first 120 days, that's absolutely correct.

The City Manager asked if they know how many people they have currently employed that have been there less than 120 days right now.

Mr. Paolini said it is a substantial number but he doesn't know that right off the top of his head.

The City Manager said if there are only 34 people out of 212 that have been there for less than a year, then the ones that have been there for less than 120 days would be less than 34.

Mr. Paolini said that's correct; it's still distressing to them because they would like not to have that churning.

The City Manager asked if he thinks there are 15 or 20 that have been there less than 120 days.

Mr. Paolini said he thinks it would be closer to 25.

COUNCILWOMAN QUILLMAN asked when they opened the facility.

Mr. Paolini said 2004. He said at that time they hired about 130 associates and they slowly increased the size of the workforce.

COUNCILWOMAN QUILLMAN said of that original 130, how many still work there.

Mr. Paolini said 64 are still there.

COUNCILMAN UREMOVIC said they definitely need these statistics brought before the Finance Committee and we can also see if Jean Hansen can verify some of that data.

The City Manager asked the Director of Community and Economic Development if he could coordinate with these folks and Jean Hansen. He said it's an interesting subject and he doesn't know what information is going to be available, but we may find there is a statistic for this area and for each company.

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COUNCILMAN BROPHY stated that we're not going to put Dollar Tree on trial here, but because of the claims made we may ask for your help in studying the general employee population of all distribution centers in the City to see if there is a symptom here that we can help treat. He said we want you to know we are glad you are here and that you are a corporate constituent. He said if you wouldn't mind helping us ferret out the truth here, we would appreciate it.

COUNCILWOMAN QUILLMAN said if transportation is an issue maybe there is something we can do about it.

COUNCILMAN DORRIS said we are glad you are here but when we gave you these abatements we did that because we wanted to create jobs for Joliet. He said last week this City Council sat here talking about precedence for people in Joliet to work at the City of Joliet, and yet we are creating jobs and giving breaks and 64 or more of the people that have been there for 7 years are not from Joliet because they came from another facility; maybe they moved here. He said he would like to know how many of their employees are from Will County. He said we're giving these abatements to try to create jobs for our local economy and he would like to see that information when it comes forth.

Mr. Paolini said 21 associates came from Woodridge to Joliet.

The City Manager said about 10% of their workforce originally came in from Woodridge.

COUNCILWOMAN BARBER asked if this is the first time they have gotten a complaint against them.

Mr. Johnson said it's the first time in 25 years that he's been in this business that he's had to do something like this.

COUNCILWOMAN BARBER said so no one has ever brought it to your attention about the turnover being so great.

Mr. Johnson said he agrees that the turnover is bad, and he certainly wishes there were things they could do to keep the associates.

COUNCILMAN DORRIS said this may be the first time you were asked this by the City, but he has several incidences where Rainbow PUSH and the NAACP has made contact with Dollar Tree on certain cases. He said he has three cases that he will forward to Mr. Johnson. He said they have been settled but they are three that he was personally involved in.

b. Marcus Grubbs re: Police Department

Mr. Grubbs commented on what he felt was police harassment and the filing of false police reports.

The Corporation Counsel stated he would speak with him after the meeting about his concerns.

The City Manager then went to the beginning of the agenda to explain the remaining items.

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The City Manager explained Council Memo #45-08 dealing with the Preliminary Plat of Mihelich Subdivision. He noted that although the Plan Commission has recommended approval with a waiver of the permanent street light, it is staff's policy to have permanent street lights installed for small subdivisions, and they are recommending approval without granting the waiver request for a permanent Com Ed streetlight.

COUNCILMAN BROPHY asked how big is the total parcel.

The City Manager said the parcel is about 16,000 sq. ft., roughly a third of an acre.

COUNCILMAN BROPHY said the street light would be a developer's obligation in a subdivision and usually under an acre we've waived most subdivision requirements. He asked how do we apply some and not others.

The City Manager said he thinks with the small ones it has been staff's policy to recommend them to you. He said we had another one a couple months ago that came to you.

COUNCILMAN BROPHY said lighting poles we've done but we've waived the roadway and things like that.

The Director of Public Works said the roadways have previously been done on this project with the NIP program and all that's left is the street lighting.

COUNCILMAN SHETINA asked what is the general cost of the light.

The Director of Public Works said probably about \$4,200.00.

The City Manager explained the remaining items on the agenda.

The City Manager advised that there was a need to go into closed session to discuss pending litigation.

COUNCILMAN DORRIS moved that the Council recess to closed session at 4:30 p.m. to discuss pending litigation after which the meeting will be adjourned.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

AYES: COUNCILMAN DORRIS, COUNCILWOMAN QUILLMAN,
COUNCILMEN SHETINA, TURK, UREMOVIC, BROPHY and MAYOR
PRO-TEM BARBER.

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk