

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of January, A.D. 2007***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Tuesday, January 16, 2007 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS and DISTRICT 4 COUNCILMAN ALEX LEDESMA.

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

1. Report by the Joliet Area Historical Museum Board

Ms. Susan English, Executive Director of the Joliet Area Historical Museum, introduced the Museum Board members present including Board President J.D. Ross, Ann O'Neill, William Kaplan, and volunteer and past Board member Dr. Robert Sterling, who is also serving as guest curator on the new Dr. John C. Houbolt exhibit.

COUNCILMEN BROPHY and LEDESMA arrived at the meeting at this point.

Dr. Sterling introduced a video showing Dr. Houbolt's Joliet roots and the critical role he played in putting men on the moon.

Mr. Kevin Oehler of Design Craftsmen explained the preliminary designs for the exhibit and where the exhibit will be located. He said it will be a two level exhibit which will cover different aspects of the Apollo 11 story.

Ms. English said the museum has secured \$230,000 for the Houbolt exhibit which includes \$225,000 from Neal and Nancy Houbolt to tell the Houbolt story and an additional \$6,000 from the family. She said we are asking the City for a matching grant from the City so we can tell the Apollo 11 story and how it is more than just a local story; it's a story of how we landed men on the moon. She said they are looking for \$230,000 to complete the exhibit and design fabrication and they also need to do some electrical and plumbing work in the area where the exhibit will be. She said they are planning to purchase a Lunar Landing Simulator and the exhibit will have a lot of interactive elements and hands-on activities. She said they have submitted grant proposals, some of which have been turned down, but they have some that are actively being considered. She said with the time frame in terms of trying to get this done, they felt it was important enough to bring the request to the City Council.

COUNCILMAN BROPHY said he would be remiss if he didn't urge the Council to consider this matching donation. He said he thinks it would be unfortunate if we didn't do this exhibit here and do it now while Dr. Houbolt is still alive and he could join us if we could open this in late 2007. He said it's truly an opportunity to be able to tell the story of one Joliet individual and how this institution tells the

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story of all of Joliet. He said he thinks it will reignite the public's interest in the museum and help us with visitors as well. He said he is here also as a member of the Board to encourage the Council to consider a matching donation.

COUNCILMAN SHETINA asked what our proposed funding source is.

The City Manager said there is a reserve fund of \$250,000 in the Neighborhood Improvement Program budget that is not earmarked for any specific project and is available on a one time basis. He said after this year most of the money that we get from riverboat gaming will have to go into our operational budget, so this is a good time for a project like this.

COUNCILWOMAN QUILLMAN asked what the projected opening date is.

Ms. English said we are hoping for the end of 2007 or early 2008.

COUNCILMAN BROPHY said two grants totaling \$85,000 have been hinted at by unnamed sources but are not finalized. He said as they continue to seek grants from corporate sources, this will reduce the amount of the matching grant that the City would need to provide. He said those two grants are not firm as of this date. He said to be able to get moving on the exhibit, if the Council would commit to the entire amount, we could reduce that amount as we succeed in securing grants.

COUNCILMAN BROPHY moved that the Mayor and City Council match the grant of \$230,000 to the Museum to be taken from the Reserve Fund in the Neighborhood Improvement Program, with the condition that the matching grant will be reduced by whatever amount in grant funds the Museum receives in the future for this project.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

AYES: COUNCILMEN BROPHY, GIARRANTE, LEDESMA, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, UREMOVIC and MAYOR SCHULTZ.

NAYS: NONE.

Dr. J. D. Ross thanked the Council on behalf of the Board for their support. He said he thinks this project along with what the City is doing with the City Center Partnership and Route 66 will be two huge draws for the museum.

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

The City Manager explained Council Memo #35-07 dealing with several Far West Annexations in Kendall County. He said there are 320 acres that are north of Caton Farm Road and west of Arbeiter Road that were included in the Council Memo the last time it came before the Council and they are not being annexed at this time. He said they may not be included in the final plan but the petitioners may wish to have the property annexed to the City anyway. He said those cases are being recommended to be tabled to the Council meeting of February 6th, but staff is recommending that the Council approve the annexation of the nine properties containing about 903 acres south of Caton Farm Road.

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COUNCILMAN UREMOVIC said he went through the Kendall County Comprehensive Plan and he had one question in regards to infrastructure improvements. He said it states that to widen certain infrastructures, bridges and roads will require \$35 million and there is an impact fee of \$2,750 per acre. He said that is what's recommended in the Comprehensive Plan and he wants to know if that is in place right now.

The City Manager said it is not.

COUNCILMAN UREMOVIC said if we approve this can we still come back and make sure that every one of these acres still pays the impact fee.

The Corporation Counsel said the annexation will not prevent future ordinance amendments from affecting this property, especially financial ordinances like impact fees, taxes and special service areas. He said the annexation agreement can provide for new fees in the future. He said the development impact fee paragraph specifically contains a schedule of all the impact fees that currently apply to the property and then there is a paragraph that says those fees can be amended and amended fees would apply to the property. He said that is in our standard agreement.

COUNCILMAN UREMOVIC said so when we do approve this we are not tying our hands in any way to future impact fees or any kind of design either.

The Corporation Counsel said that is correct.

COUNCILMAN GIARRANTE asked if we foresee a fire station in this area.

The City Manager said the area that we are considering for Fire Station No. 11 would be about another mile just to the west of this property.

COUNCILMAN SHETINA asked why we are taking out 4 cases of the project.

The City Manager said we are not taking them out but at this point the property owners on the north side of Caton Farm Road may not continue with Neumann as the buyer of their property. He said some of the property owners have decided that they want to look at this a little more closely as far as whether they are going to go with Neumann or whether they are going to go with somebody else. He said all of the property owners generally south of Caton Farm Road still remain tied contractually to Neumann and they intend to proceed with that. He said the north side is a little questionable as to whom the eventual developer will be.

COUNCILMAN SHETINA asked what the basis is for the 44 acres of commercial.

The City Manager said they determined that as a part of the Comprehensive Plan. He said we had these locations where commercial would be appropriate, and in this particular location exactly where the commercial is approved is where we had a small town center in the Comprehensive Plan. He said the acreage was pretty well determined as a part of that and we've discussed the development in quite a bit of detail with Neumann as to just what would be there. He said there would certainly be a grocery store type facility, some public facilities and little shops and some of the multi-family housing would be around that town center also.

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COUNCILMAN UREMOVIC asked if we could discuss the Comprehensive Plan at a Land Use Committee meeting so we could take a closer look at this. He said he's looked through it and it is a little bit confusing.

The City Manager said we'd be glad to bring the staff and make a presentation to the Land Use Committee and review any of the details.

COUNCILMAN LEDESMA said there was a discussion as far as the Fire Department but he would like to know if there's going to be more police officers.

The City Manager said we have the Municipal Facility that was the old Fire Station No. 9 and we use that for police. He said this project is still a ways out there and it probably won't be under construction for at least another year. He said this is probably an 8 to 10 year project so each year we continue to add staff and if we need to add facilities we would do that.

The City Manager then explained Council Memo #40-07 dealing with the Preliminary and Recording Plats of Cherry Hill Business Park West Unit 2 Subdivision and the Preliminary, Final and Recording Plats of Unit 3 Phase I.

Mrs. Donna Ardaugh of 16338 W. Spencer Road stated she and her husband have a 1 ½ acre home site right in the middle of the Cherry Hill Industrial Park. She said they are concerned about the lighting from the Andrew Corporation. She said there are 129 lights affecting their home and their yard and kitchen which face Andrew are lit up like the 4th of July. She said an engineer was supposed to come out and evaluate the lighting situation but they don't know if that's been done yet. She said another concern is the water retention because all the land around them is built up 3 ft. higher than their property. She said they have never been contacted by Northern Builders as to what's going on around them. She said another complaint is that with all the land owned by Northern Builders they have chosen to park all of their equipment by their property, so each morning they are woken up by all of the diesels starting up and letting them run until it is time to start work. She said they would also like to know what types of barriers are going to be put up dividing them from this development. She asked where they go with further concerns and protection, how do they make sure that all the legal requirements are carried out and where can they find out what these requirements are.

COUNCILWOMAN QUILLMAN asked if there is anything we can do to help them with the lighting and everything.

The City Manager said he knows that the Director of Community and Economic Development addressed this at the Plan Commission meeting. He said we probably need to have somebody from the Public Works Department go out there with somebody from Northern Builders and meet with Mr. and Mrs. Ardaugh and talk with them a little bit about what can be done with the lighting.

COUNCILMAN GIARRANTE said we had a similar situation on Patterson Road with the industrial park and they met with the residents there and they're satisfied with the berm and the fences, etc. He said maybe we could have them do the same thing.

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The City Manager said we can do that. He asked a representative from Northern Builders if they could meet with the Director of Public Works and Mr. and Mrs. Ardaugh and go over the infrastructure, the detention ponds, etc. because we have all of that detailed but he doesn't know if we ever went through it in detail with Mr. and Mrs. Ardaugh. He said they are the only property owners on Spencer Road. He said they will be glad to meet with her and make sure all of the things are satisfactory and none of the water runs off onto their property and that it goes to the detention ponds.

The City Manager then explained Council Memo #42-07 dealing with the Final PUD of Campus Center Phase 4 Subdivision. He said this matter was tabled by the Council in December 2006 for an architectural review by the Land Use Committee. He said revised plans were submitted to the Committee and they have recommended approval.

It was requested that this item be voted on today.

2. AN ORDINANCE Approving the Final PUD of Campus Center Phase 4 Subdivision as recommended by the Plan Commission subject to the following conditions was presented and read: 1) The development be in substantial conformance to the plans as submitted; and 2) That two aerators be installed in the Stormwater detention pond (Lot 1) and be the responsibility of all of the property owners within this subdivision. (#PUD-10-06/Dist. #3)
(Council Memo #42-07)

COUNCILMAN SHETINA moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

AYES: COUNCILMEN GIARRANTE, LEDESMA, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, UREMOVIC, BROPHY and MAYOR SCHULTZ.

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she had pulled the previous drawings and compared to those drawings, this is of much better quality and character and she is very pleased with the revised plans.

Prior to his vote, COUNCILMAN BROPHY thanked Mr. Sharp for proving that they do first class work and for these improvements.

(ORDINANCE NO. 15752)

The City Manager then explained Council Memo #43-07 dealing with the Recording Plat of Spencer Road Industrial Park Subdivision Unit 1, and Council Memo #44-07 dealing with the Revised Preliminary and Final PUD and the Revised Recording Plat of Country Club Villas Subdivision Unit 1.

3. Citizens to be Heard

- a. Bill Harrigan re: Fireworks and Street and Roadway Issues

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Mr. Harrigan commented on the harassment he had experienced over the summer from several youths while cutting grass near Infantry and Fairlane Drive. He also commented on the cleaning up of debris under the viaduct on Collins Street, the condition of Collins Street near the viaduct, and the condition of Ohio Street.

MAYOR SCHULTZ asked the City Manager if he could have the Police Chief talk to Mr. Harrigan about his complaints.

The City Manager said the Police Chief met with him and tried to resolve the situation as best as he could, but it was not something Mr. Harrigan found to be acceptable, so the meeting ended.

The City Manager said regarding the street conditions, he was just on Ohio Street between Chicago Street and Scott Street the other day and the street is fine. He said Collins Street is a State route and we did call the State and brought it to their attention and they said they would go up there and do some patching. He said our street department was also dispatched up there to do some patching and he thinks it has been taken care of. He said all of the debris has also been removed.

The City Manager then explained the remaining items on the agenda.

The City Manager explained Council Memo #50-07 authorizing the Sale of Property Located at 221 Sherman Street for \$75,000 and the Sale of Property Located at 201 Richards Street for \$235,000. He said the property at 221 Sherman Street was purchased by the City in 2004 for \$115,000 and at that time it was a four-unit rental property with tenant and police problems. He said the property at 201 Richards Street was acquired and rehabbed for a total cost of \$220,000.

COUNCILMAN SHETINA said subsequent to the Land Use Committee meeting, he received some criticism about the \$75,000 offer against the \$115,000 investment on Sherman Street. He asked what our underlying principle is for doing that.

The City Manager said whenever we get in one of these situations where we have a piece of property that is, for example, a four-unit and has legal zoning, we generally know we're going to take a loss if we convert that down to single-family depending on the location of the building and how much money we have to pay for it. He said in this case we've taken a four-unit which we had to buy as a four-unit for \$115,000 and we've downzoned it to single-family. He said so it still has all of the fixtures of a four-unit which will require a lot of rehab cost, but we want it developed as single-family because we've taken the zoning away.

COUNCILMAN SHETINA asked why we didn't go to a two-unit instead of going from a four-unit to single-family since it is a big building. He said maybe we could have done better with a two-unit.

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The City Manager said we did that because there is too much rental on Sherman Street. He said we've taken some of the worst properties there and downzoned them generally to single-family, but there is still a lot of rental property there. He said it's a continuous problem for the Police Department, and if they had their way they would prefer that most of those go to single-family unless they're just really too big.

COUNCILMAN GIARRANTE said what assurances we have that half of it is not going to be rented out anyway.

The City Manager said we downzoned it to single-family, so if they do rent it out we can go in there with a zoning violation and take them to court.

COUNCILMAN SHETINA asked if we physically go in and check to see that they ripped out the old kitchens.

The City Manager said yes.

COUNCILMAN GIARRANTE said once it's single-family we don't inspect those. He said unless we get calls, we are not going to know anything.

COUNCILMAN LEDESMA said it would be noticeable if there were more cars than for a single-family.

The City Manager said if they break it down into multi-family units and we get word of it, then we can take care of it in court because of the current zoning.

COUNCILMAN GIARRANTE asked if we could take it back if they were renting it out as more than single-family.

The Corporation Counsel said there would be a deed restriction in addition to the zoning and that would be honored by the courts.

COUNCILMAN GIARRANTE said he assumes that will all be explained to the buyer when we sell it.

The Corporation Counsel said that is not an unusual condition in some of these assisted or subsidized purchases. He said HUD has regulations that require owner occupancy for a period of time and reversion deeds that are signed and kept in a file for 5 years until the occupancy period expires. He said Neighborhood Services explains it all to the owners.

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

COUNCILMAN BROPHY asked that the Council also discuss land acquisition in closed session.

COUNCILMAN SHETINA moved that the Council recess to closed session to discuss pending litigation and land acquisition after which the meeting will be adjourned.

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Motion seconded by COUNCILMAN LEDESMA.

Motion carried by the following vote:

AYES: COUNCILMAN LEDESMA. COUNCILWOMAN QUILLMAN,
COUNCILMEN SHETINA, TURK, UREMOVIC, BROPHY, GIARRANTE
and MAYOR SCHULTZ.

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape