

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, October 15, 2007 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR PRO-TEM ANTHONY UREMOVIC and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA and COUNCILMAN AT LARGE MICHAEL F. TURK.

ABSENT: MAYOR ARTHUR SCHULTZ and DISTRICT 5 COUNCILMAN WARREN C. DORRIS.

ALSO PRESENT: DEPUTY CITY MANAGER JAMES P. SHAPARD and CORPORATION COUNSEL JEFFREY S. PLYMAN.

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

Deputy Liquor Commissioner Dan Campus explained Council Memo #1275-07 dealing with the Transfer of a Class "C" Liquor License at 325 S. Larkin Avenue.

It was requested that this item be voted on today.

1. Transfer of a Class "C" Liquor License at 325 S. Larkin Avenue
(Council Memo #1275-07)

A communication from the Liquor Commissioner regarding the application of 7-11, Inc. d/b/a/ 7-Eleven for the transfer of a Class "C" Liquor License at 325 S. Larkin Avenue contained his recommendation that the transfer of this license is in the best interest of the City, and therefore, approval is recommended.

COUNCILMAN BROPHY moved that the recommendation of the Liquor Commissioner be concurred in.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

2. Citizens to be Heard

- a. Lynn Abrant re: Neighborhood Issue

Mrs. Abrant of 7011 Cottie Drive stated they have been harassed for almost 3 years by a Joliet fireman who lives next door to her. She said they have tried to deal with this on a low-level basis with the Fire Department and she thanked the Fire Chief for setting up mediation this morning with the fireman, but

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

unfortunately the fireman refused to speak. She said the fireman has thrown rocks at her dog and home, bullies women and children and has 24/7 surveillance cameras aimed at her home which he says is for security. She said they want to know when all of this is going to stop and why they can't get the Police Department to write up reports. She said the fireman forces the police to write reports for him all of the time but they will not write reports for them. She said not too long ago the man hit her husband with his car when he was standing at the end of the driveway.

COUNCILMAN BROPHY said items like this probably merit the review of a subcommittee of the Council that doesn't exist. He said we have over 1,000 employees now and with an hour plus to discuss what is here on the table this probably is not the forum for such a review of a complaint matter like this. He said we really need a personnel/human resources committee.

COUNCILMAN GIARRANTE said that's what the Fire and Police Board is for and she can bring up charges to them and they will bring that person in and have a hearing. He asked Mrs. Abrant if she has actually filed complaints with them.

Mrs. Abrant said she has been in contact with Fire Chief Marose.

COUNCILMAN GIARRANTE asked the Deputy Police Chief to step up to the podium because there have been accusations made against the Police Department also on not filling out reports and he wants to hear the whole story.

Deputy Chief Pat Kerr said he is aware of this problem and he was also aware of the meeting today but not the results of it. He said they have a handful of properties in the City where we have similar complaints and we try to deal with them through mediation. He said we do have situations where it's basically "he said/she said" and sometimes we take a report based upon witness substantiation and sometimes we don't based upon the circumstances. He said he has talked with Mrs. Abrant on the phone and any time they get a complaint they try to act on it. He said we will at least make a police report and Mrs. Abrant is saying that hasn't happened.

Mrs. Abrant said a report was taken when the fireman hit her husband but it was in his favor.

Deputy Chief Kerr said you can't do a police report for both sides; one report documents the incident.

COUNCILMAN GIARRANTE said the Police and Fire Board's job is to hire, fire and discipline and Mrs. Abrant needs to bring documented charges by sending a letter to them and they will schedule a hearing. He said he thinks this is out of our realm and that Board handles complaints like this.

COUNCILMAN SHETINA asked what rights of intervention do we have as a City because he's a City employee.

The Corporation Counsel said if a person is a City employee, especially a sworn employee of the City, there is a 24/7 responsibility to uphold the standards of the Police and Fire Departments, so if there was what would normally be low level misconduct it could also result in employment charges and it has. He said we have a couple of cases now pending where there is off-duty misconduct that has led to discipline so it can occur. He said the Police and Fire Board does have

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

jurisdiction to receive and adjudicate complaints. He said it sounds like Mrs. Abrant hasn't been there yet and she should take advantage of that resource, but also the Fire Chief would have jurisdiction to investigate and recommend discipline if there has been some misconduct.

Mrs. Abrant said the Fire Chief has gone above and beyond for us and we do appreciate that.

COUNCILMAN SHETINA said he talked to Mrs. Abrant about a year ago about this and he involved the City Manager and somebody else. He asked whatever happened from that.

Mrs. Abrant said they sent a Battalion Chief out the next day and he took a statement but at that time they were looking at it as "he said/she said".

The Corporation Counsel said it was his understanding that there was an ongoing review of the matter. He said he doesn't know that he wants to characterize it as disciplinary because he doesn't know the status of it, but there was a review underway in the Chief's office as of a couple of months ago on this subject. He said to follow-up on COUNCILMAN BROPHY'S point, technically employee discipline involving a Police Officer or Firefighter doesn't ever come before the Council because you've delegated that authority to the Chief and to the Fire and Police Board. He said the Citizens to be Heard portion of the agenda is available for just about anything, but you really can't address a complaint or resolve the matter specifically because you are counting on the Chief and the Police and Fire Board to deal with it.

COUNCILWOMAN QUILLMAN stated that Mrs. Abrant said there were other neighbors involved and SHE asked her if they were willing to come forward with her to back up what she's saying.

Mrs. Abrant said she knows that the neighbor directly across from her in the cul-de-sac would do it.

COUNCILWOMAN QUILLMAN asked if the others are a little afraid of retaliation.

Mrs. Abrant said they are afraid of retaliation.

COUNCILMAN GIARRANTE suggested that if she does have other people to come forward that they go to the Fire and Police Board or Chief.

COUNCILWOMAN QUILLMAN said she just doesn't want to waste her time.

Fire Chief Marose said today was their first mediation meeting and they are going to move forward with what they found today. He said he will keep the City Manager's office posted about what we're going to find out in the near future. He said we have been trying to resolve this issue and he guarantees it will be resolved.

COUNCILWOMAN QUILLMAN said she would like to discuss this further in closed session.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

b. Jerry Thames re: Special Service Area Assessment

Mr. Thames of 124 Richards Street stated that in 1996 he received a Special Service Area assessment of \$7,300 and at the time he told COUNCILMAN DORRIS about it who said he would take the bill and go and check it out and he never heard any more about it. He said now they decided to sell their store and the first thing they saw was that they owe the City of Joliet \$7,300. He said he talked to the Corporation Counsel about it and he said he would reduce the assessment to \$1,500, but there is interest owed of \$1,800 and he asked if the interest could be taken off because he didn't know anything about this.

The Corporation Counsel said he did some digging into the origin of this bill and in 1996 the Council began the process of doing NIP projects through a Special Service bill. He said prior to that time it was all done on a voluntary sign-up basis and the City had gone through all the projects that could be handled that way, and so we switched over to the special tax process where you propose the establishment of a district, hold a public hearing, approve the formation of the district and then do the project and levy a tax. He said Mr. Thames' commercial store at Richards and Second was included in the project and it was properly levied at \$7,300 back in 1997. He said penalties have been accumulating on it since 1998.

The Corporation Counsel said he was aware of a change in the policy that the Council had approved a few years back where it changed the rules for commercial property so he looked at that policy to see if in fairness it could be applied to Jerry's situation. He said he looked at the 1996 Second Avenue Special Service bill and the average bill for the homeowners on the block was around \$1,200 and Jerry's bill was \$7,300, and his was the only one of that magnitude because he had the commercial assessed valuation, so he thought there was an appropriate basis to apply the current policy to his situation since his was the only property that was treated commercially. He said you have to deal with the delay in some way and he thought about the people who paid on time in 1996 and followed the rules. He said Jerry hadn't done anything with the bill to his knowledge; he hadn't paid it and hadn't protested it, so he reduced the principal amount but let the standard penalties run up from that point forward which meant the bill was about \$3,200 or so, and just under half of what the principal would have been if he had paid at closing. He said he thought that was a fair way to resolve it and he made that proposal to Jerry's attorney in an e-mail in late August and he didn't hear anything back so he thought the matter was closed until he saw it on this agenda. He said he is still willing to sit down and talk with Jerry and COUNCILMAN DORRIS but he thought that was a fair way to deal with it.

COUNCILMAN GIARRANTE said he thinks we have to be very careful about applying today's standards here because back then the special assessment was \$7,300 and now it's changed. He said back then people had their streets and curbs done and it cost \$1,300 to \$1,700 and now there is a \$300 cap. He said are we going to have other people come forward and say wait a minute, you lowered his, I have money coming back.

The Corporation Counsel said he knows that's the Council's concern and you have to deal with each one differently and based on the facts. He said he just wanted to explain what his rationale was and why he thought a reduction was justified and he also thought the penalties were appropriate too.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

COUNCILMAN BROPHY asked if we have any proof that we notified this owner of the amount due other than the one time.

The Corporation Counsel said he thinks the billing process back then would have involved just a computer generated billing notice. He said there was a lien filed on the property as well when the Special Service Area was established but there wouldn't have been a collection lawsuit. He said there are now and we are much more aggressive than we were 10 years ago.

COUNCILMAN SHETINA said he thinks the Corporation Counsel handled it properly and he would like them to try to work it out.

The Corporation Counsel said he would meet with Mr. Thames later this week.

The Deputy City Manager then explained Council Memo #1199-07 dealing with the Annexation of 22901 W. Mound Road and Classification to I-1 Zoning. He said the parcel contains a trucking company and a residential unit and the petitioners desire to be annexed to obtain access to City services and public utilities.

Mr. Scott Beckman, the petitioner, was present to respond to questions.

COUNCILMAN BROPHY asked why we don't require a subdivision in this case to separate the residential from the commercial.

The Director of Community and Economic Development said Mr. Beckman's goal is to eliminate the residential at some point in the future. He said what he'd like to do on this property is build a new facility for his trucking company. He said we would ask him to subdivide it if there were multiple primary uses where one thing would be one lot and something would be on the others, especially if we thought it was going to be resold to multiple individuals in the future. He stated Mr. Beckman is probably going to demolish the building and build his facility and parking areas. He said we have had a lengthy discussion with him about institutional quality buildings and paving of the parking areas and all of that stuff and he was OK with all of those things. He said his goal is to have a nice, high quality trucking company facility for himself at that location.

COUNCILMAN UREMOVIC asked Mr. Beckman how long he has owned the property and Mr. Beckman said about 18 months.

COUNCILMAN UREMOVIC asked how does this fit in with our plan. He said sometimes this happens every once in a while where properties are annexed in and all of a sudden they're resold with a much higher use than they have right now. He said just to make sure this is done right, where are the plans for the improvements on this property.

The Director of Community and Economic Development said he hasn't gotten to that level yet. He said he is in the process of having it filled, and he was going to annex in earlier than this and we told him maybe he should get his fill permits through the County and go through that process to make sure all that goes OK before you come into the City limits. He said he did do that and is complete with all the filling. He said that whole south end on Mound Road is all getting filled in.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

COUNCILMAN BROPHY asked how do you justify precedent when you treat one applicant differently than another where your conversations are enough in this case to guarantee all the improvements you're talking about but in another case you tie their hands.

The Director of Community and Economic Development said in this particular case Mr. Beckman is not done with what it is he needs to do. He said we probably could have stalled the annexation even longer until he gets it all filled and knocks down the house.

COUNCILMAN BROPHY said you can make those part of the agreement though.

The Director of Community and Economic Development said we've adopted the industrial and commercial design standards and that's what we're hanging our hat on staff wise. He said we're protected with what's written in that code.

COUNCILMAN SHETINA said with respect to parking, have you got an agreement so there's not 50 trucks stuck in there that are going to be carcasses or anything.

The Director of Community and Economic Development said we've been out to look at his current operation and he has high quality equipment. He said what he will tell you is he makes money when his trucks are on the road and there is nothing lying around there. He said sometimes they are there for a very short period of time and they are all late model tractors and nice looking trailers. He said it has his name on the logo of the trucks so we have great confidence that he is going to do a good job.

COUNCILMAN BROPHY asked if the zoning in the agreement allows for somebody to stack trailers in there.

The Director of Community and Economic Development said no, there is no cargo container storage.

COUNCILMAN UREMOVIC said let's get back to the improvements that are supposed to happen when this is all ready. He asked if there will be curb and gutter, will it all be blacktopped and what would the costs be and what is the timetable.

Mr. Beckman said he has worked out an arrangement with a local construction company that has actually taken part in that in exchange for the fill on the land. He said it is his understanding that it's typically an offset of \$30 a load. He said it's between 5,000 and 6,000 loads of clean fill going in there so when you say how much of an investment will he have to make in order to curb and asphalt, they will be working with him on that and that's his agreement with them. He said that is part of the reason of going forward with all of this.

COUNCILMAN UREMOVIC said traditionally when we do these kinds of things we see some dollar amounts and timetables and there is nothing here that comes with this so I am a little bit reluctant until I see that. He said he doesn't think we should move forward until we see exactly what we're going to get and when it's going to take place. He said he is not really comfortable with it especially since you haven't gotten all the fill in yet, and he doesn't know why we're being rushed to do this.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

The Director of Community and Economic Development said we could probably specify a timeframe on an expected construction schedule if that would be acceptable to Mr. Beckman.

The Corporation Counsel said we could add anything we want to the agreement to tighten it up but he doesn't know if that handles the Councilman's concerns.

The Director of Community and Economic Development said something would have to be done between now and tomorrow.

COUNCILMAN UREMOVIC said he thinks we can table this for a little while to make sure it's done right.

COUNCILMAN GIARRANTE asked what COUNCILMAN UREMOVIC'S problem is with it again.

COUNCILMAN UREMOVIC said if they're promising to do site improvements he would like to know how much it's going to cost this developer and if it's for real. He asked when are they going to do these site improvements because when we do any kind of a major project we ask about on-site and off-site improvements right up front.

COUNCILMAN BROPHY asked if there are benefits that inure to the applicant immediately upon approval, or is there any additional cost or hardship from delay.

Mr. Beckman said one of the immediate benefits is during the filing process and the difference in being in the City adjacent to a wetland. He said the City's requirement is a 25 foot buffer and the County's requirement is a 75 foot buffer, and in order to fill the property properly, you want to fill from the bottom up, and so as we're bringing it over it's just going to make it that much more difficult. He said and the other thing is hooking up to the utilities.

COUNCILMAN BROPHY asked what agency is involved in the wetland portion of the approval.

The Director of Community and Economic Development said he's not building in the wetland. He said our requirements are is that no construction activity happen within 25 feet of the wetland. He said for him to get his fill permit through the County, he'd have to delineate all of that and he has done that.

COUNCLWOMAN QUILLMAN said you just said the County's ordinance is that you have to be 75 feet away from wetlands, so basically the reason you want to annex is so you can be 25 feet away from that wetland, is that correct.

Mr. Beckman said he wants to annex for the sewer and water.

COUNCLWOMAN QUILLMAN said but it would bring you that much closer to the wetland though by annexing so you wouldn't have to go through the County, because apparently their standards are a little higher than ours with the wetlands.

Mr. Beckman said no, he has already gone through the County and has the fill permit through the County. He said he is currently filling.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

COUNCILWOMAN QUILLMAN said but you can go 50 feet closer by coming in the City of Joliet.

Mr. Beckman said yes, the end result would be that.

COUNCILMAN SHETINA asked how many tenants there are in the complex now.

Mr. Beckman said there are three tenants inside the two-story farmhouse and his trucking company is located in the other building.

COUNCILMAN SHETINA said so you have 4 tenants including yourself and Mr. Beckman said that's correct.

COUNCILMAN SHETINA said it would seem to him that it would be best to have him annex into the City rather than having it under a County venue or no venue whatsoever. He said Holland is across the street and we had a problem with the neighbors to the west when we did USF Holland, and Holland turned out to be a real good project.

COUNCILMAN GIARRANTE said by annexing it we have more control over it, but we need to find out from him what he's going to do. He said he has no problem tabling it for two weeks.

COUNCILMAN BROPHY said if Mr. Beckman can put this together by tomorrow, great, but if he needs more time we can table it for two weeks.

Mr. Beckman said he needs to be 100% clear on exactly what you're looking for. He said if you want the plot he can have the plot, and he can have a dollar figure as far as what it's going to cost him to asphalt, but if you're asking him to come up with the size of a building that he's going to put in to replace the farmhouse, he doesn't know that.

COUNCILMAN URMEOVIC said when he sees something like this he wants to see a complete package like other developments that we're bringing into the City. He said bringing this in haphazard like this, he would vote no tomorrow if you put it in front of him. He said if we can table it he can get all his homework done and bring it in here so it's a complete package and he can do it the right way.

The Director of Community and Economic Development said what we always tell property owners is that they have the option to develop in the County and we don't have any control over that, and what we always tell them is we have design standards that we have adopted that call for institutional quality buildings. He said we know that probably with him, we're probably going to get a concrete paneled building and it will be very nice.

COUNCILMAN URMEOVIC said the word you just used was "probably".

The Director of Community and Economic Development said it will be based upon our standards and if it's in the County we don't know what we're going to get.

COUNCILMAN GIARRANTE said we could end up with a metal building there.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

The Director of Community and Economic Development said we could end up with a metal building and we have been pretty proud of a lot of construction that has gone up recently. He said when we sat down with him we had a lengthy discussion about what we are looking for and what design standards are required, and he never had a problem with any of that.

Mr. Beckman said when you referred to “probably a metal building” his understanding was he didn’t have an option and that he did have to put a pre-fab building up.

The Director of Community and Economic Development said it will be done according to specifications and it will be a nice looking facility when he’s finished, that’s his goal and that’s our goal so we have the same mutual goal. He said we have counseled other folks who have inquired about coming into the City and we’ve said we’re going to make you do all these things, and we’ve had many people decide not to annex because they didn’t want to go to that level of construction.

COUNCILMAN GIARRANTE said if you can put this together by tomorrow night that’s fine, and if you can’t then we’ll table it for two weeks until he can put it together, understanding that we can’t expect him to tell us what kind of buildings he’s going to build to replace the farmhouse because he doesn’t know.

COUNCILMAN BROPHY said we’re going to permit it at the time and it’s going to be subject to our standards at the time and any variances will have to go through that process.

The Corporation Counsel said the annexation agreement that would apply here would require that all principal structures be submitted to the City for approval including the image and appearance, plus the industrial and commercial design standards are attached to the property by the annexation agreement. He said the City’s standards will definitely apply.

The Deputy City Manager then explained Council Memo #1200-07 dealing with the Annexation of 1824 Mills Road and Classification to R-1B Zoning.

Attorney George Stuhr was present on behalf of the petitioners.

The Deputy City Manager then explained Council Memo #1204-07 dealing with Re-Approving the Preliminary Plat of The Fields at Cedar Creek Subdivision.

Attorney Michael Martin was present on behalf of the owner/developer, Pasquinelli Development Group.

COUNCILMAN GIARRANTE asked if our present ordinances call for 8:12 roof pitches.

The Director of Community and Economic Development said yes they do. He said we have two comprehensive plan areas and the plans we have to the west and to the south all require the 8:12 roof pitches.

COUNCILMAN GIARRANTE asked if we had an ordinance controlling that.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

The Director of Community and Economic Development said that is not included in the zoning ordinance. He said staff is in the process of working on residential design standards much as we did on commercial and industrial and we hope to have that to the Land Use Committee in another 30-60 days. He said their goal is to have it up for adoption after the first of the year which would require all of those things across the board on every new house constructed in the City limits.

COUNCILMAN GIARRANTE asked if there are any homes being built in the City of Joliet that are less than 8:12.

The Director of Community and Economic Development said yes. He said if somebody came in for an infill permit, and we've been doing a lot of them up on the top of the hill off of Woodruff Road, we wouldn't require them to have an 8:12 roof pitch.

COUNCILMAN GIARRANTE said what about out west.

The Corporation Counsel said in our growth area in the last 4 years everything has had 8:12 at our insistence, but there is not an ordinance that calls for that. He said there are a series of annexation agreements where 8:12 is specified including all the Pasquinelli agreements and then the comprehensive plans for the Southside and the Aux Sable talk about that type of pitch being the earmark of quality construction.

COUNCILMAN GIARRANTE asked if we should have one that governs that to keep it universal.

The Director of Community and Economic Development said we're working on it and we've had this policy for many years.

COUNCILMAN SHETINA said these 8:12 pitches have been directed to you by the Council in terms of policy and while they are not a part of the zoning ordinance it is a policy that was set by the Council and you are following those policies.

The Director of Community and Economic Development said it would be similar to the policy that the Council wants to have at least one window in every side elevation and we've been trying to get every house in these newer subdivisions to do that.

COUNCILMAN GIARRANTE asked how staff has been directed to require 8:12 roof pitches.

The Director of Community and Economic Development said during review of certain items, you have told us repeatedly you're looking for quality subdivisions, that there's enough of the entry level, and to take it up a notch, and we've done that.

COUNCILMAN GIARRANTE said he remembers discussing that but he doesn't ever remember instructing staff to go to 8:12 per se.

COUNCILMAN SHETINA said that is correct. He said tacitly we approved it by virtue of the fact that when they brought these things before us with these requirements, we approved these requirements.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

The Director of Community and Economic Development said and in November 2004 you adopted the Kendall County Comprehensive plan which specified it in that plan and subsequent to that you approved the Southside plan and that was included in that as well.

COUNCILMAN GIARRANTE said and he understands that, but he just doesn't recall staff coming to us and recommending 8:12 pitches, and us saying fine, let's go with that.

The Corporation Counsel said he thinks it did originate at a staff level based on an overall direction from the Council that staff look at quality things in the subdivisions and roof pitch was one indicator of that. He said so it started at a staff level knowing what the Council's general policies were for trying to get quality in these subdivisions and to upgrade the level of the subdivisions and the homes.

COUNCILMAN BROPHY asked if the restricted covenants would be ready by the recording plat time and provided to the buyers in time.

Mr. Martin said yes.

COUNCILMAN SHETINA said this is just a reapproval.

Mr. Martin said yes, it's what you approved two years ago except you have stricter standards for stormwater and the park district contribution increased, but it's exactly what you approved, and 4 years ago we were following the 8:12 roof pitches and the windows and elevations were rejected and substituted back then to accommodate the policy.

COUNCILWOMAN BARBER asked staff the difference between the houses on that end and the houses on Woodruff Road and did we talk about windows then too.

The Director of Community and Economic Development said former Councilman Alex Ledesma had asked that we look at all the infill developments in his district and he wanted to have all of the new houses that are built to have at least brick wainscoting in the front of the house. He said at that time the group collectively said that's a good idea because we're getting these in the newer subdivisions on the far west side and the south side and we should do the same in some of the infill areas. He said now we're realizing that in some of the infill you're trying to hit an affordability target so we never got a sense from you folks that you wanted to go hog wild the way we did on the far west side and the south side, so we have instituted a policy in Districts 4 and 5 and the near West side areas that if somebody came in for a house permit that it would have some brick on every single house that comes through and that we would look for the quality aspect of it the same as we're getting in a lot of these other subdivisions. He said if somebody came in and said he wants to build a bare bones starter home on an infill lot and the neighborhood was really better than that, we would probably deny the permit or work with them to see how they could finance a better looking house that fit better in the neighborhood. He said so far we haven't had that problem even with all the houses being built off of Woodruff Road. He said the majority of those are the nicest housing in that neighborhood and they really are exemplary, so they have set the bar on what's happening up there.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

It was requested that this item be voted on today.

3. AN ORDINANCE Re-Approving the Preliminary Plat of The Fields at Cedar Creek Subdivision as recommended by the Plan Commission was presented and read. (#P-14-07/Dist. #5)
(Council Memo #1204-07)

COUNCILMAN SHETINA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

AYES: COUNCILMEN BROPHY, GIARRANTE, COUNCILMEN SHETINA, TURK and MAYOR PRO-TEM UREMOVIC.

NAYS: NONE.

ABSTAIN: COUNCILWOMEN BARBER and QUILLMAN.

Prior to the vote, COUNCILWOMAN QUILLMAN said she wanted to vote on this tomorrow, so she abstains.

(ORDINANCE NO. 15961)

The Deputy City Manager then explained Council Memo #1205-07 dealing with Re-Approving the Preliminary Plat of Rock Ridge Subdivision.

Attorney Michael Martin was present on behalf of the owner/developer, Pasquinelli Development Group.

It was requested that this item be voted on today.

COUNCILMAN BROPHY moved that said Ordinance be adopted. The motion was seconded by COUNCILMAN GIARRANTE.

COUNCILWOMAN QUILLMAN said she would like to vote on this tomorrow because there are some questions that she has about this and since this is the first time we've had a chance to discuss it, she would like some time to research the Council minutes from February, 2006. She said since there is a motion and a second on the table, again she wanted some time to research this, but apparently fellow Council people want to vote on this today, and she would ask that they rescind their motions until tomorrow, but that's their prerogative.

COUNCILMAN BROPHY said this is a re-approval of an earlier item, and he asked COUNCILWOMAN QUILLMAN what she might want to research.

COUNCILWOMAN QUILLMAN said she wants to research the minutes from February of 2006 for her own satisfaction.

COUNCILMAN BROPHY said he wanted to point out that our average lot size here is near 11,000 sq. ft. and that's fantastic. He said we're finally getting to an average lot size that's a livable elbow room type thing, and he's very happy to see that.

COUNCILWOMAN BARBER said she thinks we want to make sure that all lot sizes are the same size when we're going to build houses like that too.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

Attorney Mike Martin said he can assure the Council that they are trying to put a quality product at this location. He said this is part of Beutel Farm and two meetings ago the Council approved the other half of Beutel Farm north of Theodore on the same re-platting situation. He said he doesn't recall any negative votes on the platting at all on either the project that's already been passed or this project back in 2006. He said the only issue with this parcel was the adjoining landowner had some issues and they settled that with a written agreement that was recorded and already part of the property. He said he'd be happy to answer any questions.

COUNCILWOMAN QUILLMAN said she just wants to read the minutes.

COUNCILMAN GIARRANTE said he doesn't want to rescind the motion, and COUNCILWOMAN QUILLMAN can still read the minutes and if she has a problem with it, we can always bring it back.

4. AN ORDINANCE Re-Approving the Preliminary Plat of Rock Ridge Subdivision as recommended by the Plan Commission was presented and read. (#P-15-07/Dist. #1)
(Council Memo #1205-07)

COUNCILMAN BROPHY moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to his vote, COUNCILMAN SHETINA said he is voting aye because this is merely a recapitulation of something we did before and nothing has changed. He asked if what we approved before we're approving again and nothing has changed on it.

The Corporation Counsel said that's correct; we have a two-year lapsing deadline which they're bumping up against.

COUNCILMAN SHETINA said he has to either do it or the zoning is out the window.

COUNCILWOMAN BARBER voted aye and said she wants to make sure that everybody is treated equally and fairly.

Prior to his vote, COUNCILMAN UREMOVIC said he understands COUNCILWOMAN QUILLMAN'S suggestion that we wait until tomorrow night but this is a standard procedure. He said he would hope in the future that you wouldn't wait until the last minute like this because he doesn't think it's good from the standpoint of everybody really being comfortable that is up here, so from now on make sure that this isn't a last minute item and he thinks that would make everyone more comfortable and happy.

(ORDINANCE NO. 15962)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

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

The Deputy City Manager explained Council Memo #1194-07 dealing with awarding a contract to Andres Billing Services to Administer EMS/Fire Billing at an annual fee not to exceed 5% of collections.

Chief Executive Officer/Owner Patrick Mannix of Andres Billing Services was present to respond to questions.

COUNCILMAN GIARRANTE said we discussed this at the Public Safety Committee meeting this afternoon, and the Fire Department is estimating an increase in annual revenue of about \$575,000. He said they could start tomorrow if we approve this tonight and he would like to do that.

COUNCILMAN GIARRANTE said at the last Council Meeting we had a recommendation from the Public Safety Committee concerning a 1% tax on telephones and with this extra money, he thinks we can utilize the elimination of the quint and go to truck and engines and that tax will not be necessary. He said he would like the Council to consider earmarking this extra \$575,000 for the utilization of trucks and engines and doing away with the quint.

The Deputy City Manager said that money has been anticipated as general revenue in the budget and the staff is in the budgetary process right now. He said he thinks that money is already accounted for.

COUNCILMAN GIARRANTE said well then we can change that.

COUNCILMAN BROPHY said we can but he'd like to do it at budget time and consider everything together.

COUNCILMAN GIARRANTE said the problem we have right now is that the Fire Chief said he needs a new piece of equipment, and he asked the Fire Chief to explain.

Fire Chief Marose said for the last couple of years we have had some money encumbered for either a quint or a ladder truck that was dedicated as a quint back in the 2006 budget. He said right now their 1980 ladder truck failed the splatter test so they have City-wide two 100' aerials on the street. He said we met with the City Manager last week and tried to devise some plans about how to rearrange some equipment but realistically we need some direction from the Mayor and City Council about where you want us to be in the future. He said it wouldn't make any sense to buy a ladder truck if you want us to continue with a quint concept and vice versa. He said this has been sitting on the agenda for the last two years, and we need some thought for our future in the department.

COUNCILMAN BROPHY said the problem is we can't do it in a vacuum because that decision means additional personnel costs, and we need to know the answers to what that is going to entail. He said we can't do this alone; we can't trigger something that is going to have an effect on several other things without understanding the rest of it. He said he'd rather not budget in the vacuum of this one area and he'd like to look at it in the whole.

Chief Marose said he understands and whatever you feel is the best way to address this issue, but we do need to buy something relatively quickly.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

COUNCILMAN GIARRANTE asked if the purchase of a ladder truck constitutes hiring more manpower.

Chief Marose said not at this time it won't.

COUNCILMAN GIARRANTE said the money is in the budget from 2006.

Chief Marose said but looking at the overall plan if we do buy a ladder truck right now it leads to the direction that we are going to a ladder truck concept, and realistically we need a quint if you're going to go with the quint concept. He said we definitely need direction from the City Council and Mayor about what you want us to do.

COUNCILMAN GIARRANTE said we need to make a recommendation one way or the other because you are down to two ladder trucks. He asked how long it would take for a new one if they did order it.

Chief Marose said turnaround time is usually around 8 months.

COUNCILMAN GIARRANTE said so you need some direction now.

COUNCILWOMAN QUILLMAN said since this is just coming before us today and we just received these figures how is that money already earmarked because we haven't even voted on it. She said we haven't voted on going to this private billing service and the revenue that they anticipate is \$575,000, maybe more, so how is that money already earmarked.

The Deputy City Manager said he can't tell you that exactly. He said he knows the City Manager and the Department of Management and Budget has figured that in as general revenue in the budgeting process.

COUNCILWOMAN QUILLMAN said we haven't even voted on it so you're counting on money that we don't even have in the budget.

The Deputy City Manager said don't misunderstand him, it's going to be your budget and the Administration is going to bring it to you and make some recommendations and then you'll do what you want to with it. He said when you're talking about this point in time earmarking that money for something in particular, he is just suggesting that you do that in the budgetary process.

COUNCILMAN SHETINA said with respect to the ladder truck, are the dollars already there to buy it.

Chief Marose said yes they are.

COUNCILMAN SHETINA said if we chose to buy the ladder truck with no other strings attached, no employees attached, the money is there to do that without any other commitments other than buying the ladder truck and getting rid of the quint.

Chief Marose said again now we're looking at a directional issue which is what we really need from this body and probably not at this meeting, but in the very near future. He said our purchases have to be made on the assumption that we're going to go one direction or the other, either ladders and engines or quints.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

COUNCILMAN SHETINA said that shouldn't preclude us from making a judgment now to buy the ladder truck with the money that's there and it shouldn't lock us into anything. He said the quint right now is no good and its not serviceable.

Chief Marose said the quint right now is going to be the next one to go out of service and we just lost our reserve ladder truck.

COUNCILMAN SHETINA said so you would prefer a ladder truck rather than replacing that quint with a quint.

Chief Marose said absolutely.

COUNCILMAN SHETINA asked why would that preclude us from doing that without making any other commitments.

The Corporation Counsel said we're looking at a billing Council item but we're discussing a totally different item which is later on in the agenda having to do with philosophically does the Fire Department proceed with a quint basis or a more traditional truck and engine basis. He said he thinks if you abandon the quint which the Council has already approved in the budget and encumbered money for, you are locking into a personnel decision; it's just not an equipment decision.

COUNCILMAN SHETINA said what he personally intends to do is ask for a 100% hiring freeze. He said if in fact that were to pass, he thinks we're in the position where we can't sell our future for the present and he thinks we need to look at that. He said if they have a situation where they want to get rid of a quint, you're saying that we either do that or put another quint in.

Chief Marose said we have a few options and it's been on the table for a few years. He said it was originally budgeted for a quint with the understanding that quint 8 was going to be put out of service.

COUNCILMAN SHETINA asked if we got rid of that quint and put in a ladder what would that do.

Chief Marose said that dominos down the line with the effect that directionally we are going to look at a ladder/engine concept in the future.

COUNCILMAN SHETINA said they can still do that in the future.

The Corporation Counsel said it means they'll need a second piece of equipment to provide the same function and they will need additional personnel and the upgrades that are outlined in the other council memo. He said that's what it means to give up on the quint.

COUNCILMAN BROPHY said we usually have not given conceptual direction. He said the department usually brings to us a report and options that would give us objective, measurable quantities of things and then recommend a direction. He asked if you really want our conceptual direction here.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

Chief Marose said he thinks with a financial decision like this with what's on the line right now, if we buy a quint as is budgeted for, then we know directionally in the future we're going to quints.

COUNCILMAN BROPHY said if this is an important strategic thing for fire science and protection and going forward, then isn't there a group that's going to tell us we need to change directions and here's why.

COUNCILMAN GIARRANTE said they did that through the Public Safety Committee and the whole department is on board with doing away with the quint aspect and going with the truck and engine aspect, but that means \$800,000 in manpower.

COUNCILMAN BROPHY said the quint is in the budget but if you want to write a different plan then let's write a different plan.

Chief Marose said exactly. He said the plan would be relatively easy but costly, which is what we presented at the last Council meeting. He said understanding that hiring freezes are probably in the future here regardless in 3 to 4 years if we can conceptually go to this idea of ladders and engines, then we should buy a ladder truck now, if not then buy a quint.

COUNCILMAN GIARRANTE said you stated that if you ordered a ladder truck you wouldn't have to hire any more manpower.

Chief Marose said no, not for this ladder truck.

COUNCILMAN GIARRANTE asked if that would trigger an additional cost of buying an engine. He said if the money is there you can buy a ladder truck, would that suffice until this Council decides either at budget time or whatever what direction they want to go and if they decide to stay with the quints then you could go that way, or if they decide to do away with the quints you could go that way. He asked if by buying a ladder truck would you be committed.

Chief Marose said by buying a ladder truck we are going to be committed. He said buying this truck will require buying an engine later. He said the domino effect long term is very, very costly whichever way we go.

COUNCILMAN SHETINA said he just thinks we're tying two things together that we don't need to tie together.

COUNCILMAN BROPHY said he'd like to call the question on Council Memo #1194-07.

COUNCILMAN TURK asked how long this agreement is for.

The Corporation Counsel said he hasn't seen the actual terms of service proposed by this firm.

Mr. Mannix said it's up to 5 years with a 30 day out clause by either party

COUNCILMAN BROPHY asked if the Corporation Counsel or anyone in his department has seen this agreement.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

The Corporation Counsel said he doesn't believe so.

COUNCILMAN BROPHY said he would like his concurrence on it.

The Corporation Counsel said if the Council was inclined you could approve it subject to his approval of the contract document and that would allow you to proceed tonight.

5. Request Authorization to Enter into a Contract to Administer EMS/Fire Billing for the City of Joliet
(Council Memo #1194-07)

A report on three proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Andres Billing Services at an annual fee not to exceed 5% of collections.

COUNCILMAN BROPHY moved that the recommendation of the City Manager be concurred in subject to the Corporation Counsel's approval of the contract documents.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

The Deputy City Manager explained Council Memo #1197-07 dealing with the Annexation of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads and the recommendation that these items be tabled indefinitely.

It was requested that these items be voted on today.

6. Resolution re: Approving an Annexation Agreement for 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads (#A-49-06/Dist. #3)
(Council Memo #1197-07)
7. Ordinance re: Approving the Annexation of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads (#A-49-06/Dist. #3)
(Council Memo #1197-07)
8. Ordinance re: Approving the Classification of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads to R-1B Zoning (#A-49-06/Dist. #3)
(Council Memo #1197-07)

COUNCILMAN SHETINA moved that said items be tabled indefinitely.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

The Deputy City Manager explained Council Memo #1211-07 dealing with the Elimination of Quint Equipment and its Replacement with Engines and Ladder Trucks and Increasing the Telecommunications Tax by 1% to a total of 6%. He said the Council may want to table this until the budget process.

9. Elimination of Quint Equipment and its Replacement with Engines and Ladder Trucks and an Ordinance Increasing the Telecommunications Tax
(Council Memo #1211-07)

COUNCILMAN QUILLMAN moved that said items be tabled indefinitely.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

The Deputy City Manager explained Council Memo #1216-07 dealing with an Intergovernmental Agreement with Will County for the Establishment of a Joint City-County Advisory Committee.

COUNCILMAN GIARRANTE said since there is a meeting scheduled for October 17, are the appointments for this committee on the agenda for tomorrow night.

The Corporation Counsel said he does not know.

COUNCILMAN BROPHY said he would move to approve this agreement subject to the appointments as mentioned in the Council Memo.

The Corporation Counsel said the Council could approve the establishment of the Committee and the appointment process could follow

COUNCILMAN GIARRANTE asked if an alternate is called to attend a meeting does that alternate then carry that person's vote who was absent.

The Corporation Counsel said the alternate idea has not been written into the agreement yet.

COUNCILMAN GIARRANTE said we need to do that.

COUNCILMAN GIARRANTE said so if someone can't make it and COUNCILMAN BROPHY or COUNCILWOMAN BARBER attends, they would assume the voting rights of that person.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

The Corporation Counsel said the agreement does say that it takes two votes from each side which is what we did with the water park. He said he'll just add that to the agreement if that's the consensus of the Council and we'll notify the County of that. He said alternates would have voting power at meetings provided that the regular member was not present.

COUNCILMAN TURK said so the members would be appointed tomorrow night.

The Deputy City Manager said the Mayor's appointments are on the agenda but he hasn't confided in him about who he is going to appoint.

COUNCILMAN SHETINA said the MAYOR had dropped a letter off naming the members and he doesn't know whether or not he needs to be here to do that.

COUNCILMAN BROPHY asked the Corporation Counsel if we can do that ourselves.

The Corporation Counsel said if the Mayor places the appointments on the floor, if someone would do that for him he doesn't have to be personally present but someone has to have his authorization.

COUNCILMAN BROPHY said he just did that as an amendment to the agreement subject to those appointments.

COUNCILMAN SHETINA asked if there is a specific meeting date set yet.

The Deputy City Manager said there is a meeting scheduled for October 17th at 10:30 a.m. at the Sports Hall of Fame.

10. A RESOLUTION Approving an Intergovernmental Agreement with Will County for the Establishment of a Joint City-County Advisory Committee was presented and read.
(Council Memo #1216-07)

COUNCILMAN BROPHY moved that said Resolution be adopted including approval of the following: 1) The appointment of COUNCILMEN DORRIS, GIARRANTE and SHETINA to the Committee; 2) The appointment of COUNCILMAN BROPHY as the first alternate member and COUNCILWOMAN BARBER as the second alternate member; and 3) That said alternate members may attend meetings and vote on matters that come before the Committee when their respective voting members are absent.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5984)

COUNCILWOMAN QUILLMAN said in the conclusion portion of Council Memo #1266-07 dealing with the Asbestos Abatement of the South End of the Municipal Building, it says that during the demolition phase it was determined that additional asbestos removal was needed in the City Council chambers ceiling

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

tiles and mastic and in the exposed fittings in the plumbing pit on the first floor area. She asked if these ceiling tiles were replaced and if so when. She said she had concerns two weeks ago when we had all this dust in the Council chambers.

The Director of Human Resources said the ceiling tiles were not replaced. He said up in between the beams the tiles were taken out and the only thing that had asbestos in there was about 4 or 6 drops of glue that they used to attach the tile to the concrete. He said that had to be abated before they could put the air handling equipment on top of the roof and they cut a hole in it to install it. He said that is the only asbestos we are talking about here. He said most of the floor tile you see that we've taken out is glued down with glue that has asbestos in it. He said that's just the way things were built years and years ago. He said the ceiling tiles themselves are not asbestos, just the glue that attaches them to the concrete was asbestos and that had to be removed.

COUNCILWOMAN QUILLMAN asked how they removed it.

The Director of Human Resources said they came in and sealed off the Council chambers on a Friday evening and cleaned it and bagged it up and took it out.

COUNCILWOMAN QUILLMAN asked if we ever found out what caused the mess that was in here a couple of weeks ago.

The Director of Human Resources said in here it was from them tuckpointing on the outside brick. He said they were cutting through the mortar between the brick and replacing that with the roofing project and the seals on the windows in here are so bad that dust was coming in from the tuckpointing that they were taking out. He said it was not asbestos that was coming in.

COUNCILWOMAN QUILLMAN said she was just concerned with all of the dust that we had from the ceiling tiles.

Mr. Marty Lepacek of 1307 E. Jackson Street said over the weekend he received an unsolicited e-mail from Silver Cross Hospital asking for support of their move to New Lenox. He said he was reading their material and found it to be very misleading. He commented on their certificate of application and their move in general, and he asked what the City is doing to fight this move.

The Deputy City Manager said it is the Council's intention to fight this in any way we can and the Mayor has sent a letter to our elected representatives in Springfield and also to the County Board with reasons to disapprove this. He said there is definitely going to be an effort to fight the Certificate of Need which is really the key to their moving.

COUNCILMAN TURK said when you go on Silver Cross' website there is a link you can click on and it goes directly to comments to County Executive Larry Walsh and the County Board members to write them a letter and they give you sample letters. He asked if we could do something on our website to electronically sign a petition if people were opposed to the move.

The Corporation Counsel said yes we can do that. He said we could structure it as a request for support and information. He said we are getting ready to put on the website a lot of information about the Silver Cross relocation; it's all been prepared and it's just a matter of uploading it to the site. He said legally the City

***Proceedings of the Council of the City of Joliet, Illinois
held on the 15th day of October, A.D. 2007***

is going to take a position in opposition to the relocation. He said we already have a petition that's being circulated at the front desk of City Hall and using an on-line petition doesn't change the facts enough to make it an invalid support of a referendum.

COUNCILMAN GIARRANTE said there is no question they are spending a lot of money and they aren't leaving any bullets in their gun.

COUNCILMAN SHETINA said we have responded to the letters to the County Board as they have. He said we're responding to the County Board with our information packet.

The Deputy City Manager said we have prepared a letter for the Mayor and attached a fact sheet that explains our position in detail and sent that to Senator A.J. Wilhelmi, Rep. Jack McGuire, the County Executive and every member of the County Board.

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

COUNCILMAN BROPHY moved that the Council recess to closed session to discuss personnel after which the meeting will be adjourned.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape