

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of October, A.D. 2010***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, October 18, 2010 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 DISTRICT 4 COUNCILWOMAN SUSIE BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, DISTRICT 3 COUNCILMAN JOHN GERL, 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: NONE.

ALSO PRESENT: CITY MANAGER THOMAS A. THANAS and CORPORATION COUNSEL JEFFREY S. PLYMAN.

The City Manager asked for 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 #799-10 dealing with the Annexation of 1200 Eagle Street and the Preliminary, Final and Recording Plats of Aunt Martha's Youth Services Center. He stated that Aunt Martha's is proposing to develop a fully integrated medical, dental and behavioral health services facility that will be available for about 20,000 users at full capacity

Mr. Bob Richardson, CAO of Aunt Martha's Youth Services Center, Mr. Rod Tonelli of Ruettiger, Tonelli & Associates and Architect David Mikos of Anderson Mikos Architects were present on behalf of the petition.

COUNCILMAN SHETINA stated that Aunt Martha's came before the Land Use Committee and the Committee asked the typical questions as to why the City of Joliet was the beneficiary to this and there were good responses to those questions. He said it would be a brand new building and the funding is in place and the Committee was very satisfied with the answers they received.

COUNCILWOMAN BARBER stated that she was also very pleased with the answers that she had received.

COUNCILWOMAN QUILLMAN stated that the new building design is a replica of the Silver Cross building and she asked if Aunt Martha's is planning on using that one day where the entrance is or if Aunt Martha's would ever be expanding and using that building.

Mr. Richardson stated that he can't see Aunt Martha's growing to the point to where the facilities at the existing hospital would be needed. He said it is nice that the new building does reflect some of the surrounding buildings, but they were just using local stone and glass.

The City Manager then explained Council Memo #815-10 Awarding a Contract for the 2010 LED Traffic Signal Upgrades Project. He said that the Public Service Committee will be reviewing this tomorrow but Mr. Gideon Blustein is present on behalf of Congresswoman Debbie Halvorson and he wanted to address the Council on the project. He said several of the traffic signals in Joliet

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have been converted already which is more efficient and helps minimize the level of staff work that is needed to maintain the lights. He said the City is able to complete this project through grants from the U.S. Department of Energy and IDOT. He said the City went through a competitive bid process and John Burns Construction was the low bidder.

Mr. Blustein stated that Congresswoman Halvorson wanted to congratulate the City on moving this project forward. He said Congresswoman Halvorson made the tough votes such as for the American Recovery and Reinvestment Act, also known as the stimulus, which gave 95% of Americans a tax cut and invested in infrastructure and renewal energy programs such as the LED project and Aunt Martha's. He said today they are here to move forward on two projects that consist of millions of dollars from the stimulus and it took workers to manufacture the LED lights, it will take workers to build Aunt Martha's and it will employ workers to hang the lights once they are manufactured. He said we need to continue moving forward with projects like these which will energize the economy, save Joliet taxpayers money and improve safety and health.

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

The City Manager explained Council Memo #798-10 dealing with the filling of two vacant Police Lieutenant positions due to the three Police Captain promotions made in September 2010. He said that the Public Safety Committee reviewed this matter earlier this afternoon.

It was requested that this item be voted on today.

1. Position Vacancies
(Council Memo #798-10)

A communication from the City Manager contained his recommendation that he be authorized to fill two Police Lieutenant positions and any subsequent vacancies directly related to these positions, until there is an unfilled entry level Police Officer position.

COUNCILWOMAN QUILLMAN moved that the recommendation of the City Manager be concurred in.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

AYES: COUNCILWOMAN BARBER, COUNCILMEN BROPHY, DORRIS, GERL, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK and MAYOR SCHULTZ.

NAYS: NONE.

Prior to his vote, COUNCILMAN SHETINA asked if this had to do with the mandated promotions from the arbitrator.

The City Manager stated that the Council has discretion on these vacancies. He said he has asked Police Chief Hayes for his best opinion on how to staff the Sergeant and Lieutenant positions now that three Lieutenants have moved up. He said that this was not part of the arbitration decision, it is something that staff is recommending through Chief Hayes' recommendation.

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COUNCILWOMAN QUILLMAN stated Chief Hayes explained this at the Public Safety meeting and she asked if he could give an explanation now for those who were not at the Committee meeting.

Chief Hayes stated that as a result of the Captains arbitration ruling, the Police Department currently has five Lieutenant vacancies and one Sergeant vacancy. He said through the restructuring plan they have worked very hard to make sure the department is whole as far as the patrol division, and in order to do that, they need to promote three Lieutenants and fill the subsequent vacancies created from those promotions. He said the Lieutenant positions will go into operations and be the watch commanders of shifts, the individuals that are in charge of the patrol division on a 24/7 basis. He said the Police Department will not fill two vacancies in the Lieutenant rank and will move those down into the Sergeant rank. He said the Sergeants are the first line supervisors and it is essential in the patrol division that there is supervision on the street. He said they are asking to fill the subsequent vacancies at the Sergeant rank and won't be filling the entry level patrol officer positions.

COUNCILMAN GIARRANTE asked if this has been discussed with the FOP.

Chief Hayes stated that they have met with the FOP Supervisors Union and they are in agreement with this plan also.

COUNCILMAN SHETINA asked if this had anything to do with the forced promotions.

Chief Hayes said that it has nothing to do with the arbitration ruling but as a result of the ruling and the resulting promotions, it has left these five vacancies which is an operational concern. He said they are not making these recommendations as a result of the arbitrator's ruling, it is strictly the result of an assessment they have done on the organizational structure and these positions are essential to keep the operation of the department and the patrol division intact.

The City Manager explained Council Memo #808-10 dealing with renewing the Line of Credit for the City's Local Homestead Program with First Community Bank.

It was requested that this item be voted on today.

2. A RESOLUTION Authorizing the Renewal of the Line of Credit for the City of Joliet's Local Homestead Program with First Community Bank in the amount of \$2 million was presented and read.
(Council Memo #808-10)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GERL.

Motion carried by the following vote:

AYES: COUNCILMEN DORRIS, GERL, COUNCILWOMAN QUILLMAN,
COUNCILMEN SHETINA and COUNCILWOMAN BARBER.

NAYS: NONE.

ABSTAIN: COUNCILMEN BROPHY, GIARRANTE, TURK and MAYOR
SCHULTZ.

(RESOLUTION NO. 6438)

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COUNCILMAN SHETINA asked what the intent of the City is in the future with respect to the maintenance of the Route 59 grassy areas. He said that the areas generally are sloped making it difficult to cut and he is assuming it will come back to the Mayor and Council to have that completed by the City since the State has already stated they will not be maintaining these areas. He asked if this has been discussed at a committee.

COUNCILMAN GIARRANTE stated his own homeowner's association has hired a landscaping company to complete the work and Pheasant Landing is considering this also. He said he believes the homeowner's association is being charged \$150.00 extra which is \$37.00 a week during grass season. He said this is the State's idea and he made sure that the City Manager let the homeowners know because the City didn't want to take the heat for this.

The City Manager stated that the State will fully improve the right-of-way including putting in the grassy area but once completed, it is turned over to the adjacent property owners, much like a parkway in front of a house, except this is much more difficult to get to, and once a fence goes up, there will be some issues. He said staff has been working on trying to keep the homeowners informed and COUNCILMAN GIARRANTE has requested that the City meet with the homeowners to explain IDOT's position on it. He said that he knows it is hard to understand and one would think the State would maintain it, but right now that is not the case.

COUNCILMAN SHETINA stated that the homeowner maintains the same property line as before, it is not adding to the land they have. He asked if there was any discussion on adding gates in certain spots along the fence.

The City Manager stated that they will look into that but there may be structural issues because of the fence that is going to be put up as it will be fairly high. He said staff is working on that to see if there is a way to get people in and out to cut the grass.

COUNCILMAN GIARRANTE stated that the Pheasant Landing Homeowner's Association has already hired someone to cut along Country Glen Court due to the same situation and there are not gates on the fences. He said they have hired someone to cut that, which is City property, and now they'll have to extend the contract to go up Route 59 as well.

3. Citizens to be Heard

- a. Trista Brown, 7 N. Raynor Avenue, re: October 23, 2009 Sewage Spill

Ms. Brown commented on her property damage claim for a basement sewage backup in her home on October 23, 2009 and what she felt was the City's unreasonable counter-offer. She said that a meeting was supposed to have been set up with her, her attorney and the City Manager, and that hasn't been held.

The Corporation Counsel said there was no meeting with all of the parties, but her attorney negotiated very effectively on behalf of Ms. Brown and an offer was made that he believes was recommended to be accepted by the attorney. He said that we thought we had the matter solved.

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The City Manager said he had a telephone conversation with Ms. Brown's attorney a week ago about the City's last offer and the attorney was in agreement with him that the City had gone about as far as it could go, and if there was a need for a follow-up meeting, the attorney would contact him and that meeting would be scheduled. He said it was understood that the City had made it's final and best offer and for him to get back to us whether that was going to be accepted or not, and so that's how we left it.

COUNCILMAN DORRIS asked if a meeting could be set up.

The City Manager said that if he thought that there would be some productivity coming out of a meeting like that, he would be the first one there.

b. Phyllis Cage re: Denial of FOIA

Ms. Cage did not attend the meeting.

c. Robert Webb re: (1) "No Stopping, No Standing, No Parking" Signs; (2) Patrol Officers and M.A.N.S. Agents of the Joliet Police Department; and (3) Repealing of Various City Ordinances

Mr. Webb commented on his opinion that people's constitutional rights were being violated by the Police Department and by the unauthorized towing and ticketing of people's cars on streets that had "No stopping, standing or parking" signs posted.

The City Manager advised that there was a need for a closed session to discuss personnel, collective bargaining, land acquisition and pending or threatened litigation.

COUNCILMAN BROPHY moved that the Council recess to closed session at 4:25 p.m. to discuss personnel, collective bargaining, land acquisition and pending or threatened litigation after which the meeting will be adjourned.

Motion seconded by COUNCILWOMAN QUILLMAN.

AYES: COUNCILMEN DORRIS, GERL, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMAN SHETINA, TURK, COUNCILWOMAN BARBER, COUNCILMAN BROPHY and MAYOR SCHULTZ.

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk