

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of October, A.D. 2009***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, October 20, 2009 at 6:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

INVOCATION

An Invocation was delivered by Rabbi Charles Rubovits, Joliet Jewish Congregation, 250 N. Midland Avenue, Joliet, Illinois.

Rabbi Rubovits then led the pledge to the flag.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, 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: NONE.

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

APPROVAL OF MINUTES

COUNCILMAN DORRIS moved that the minutes of the Pre-Council Meeting of the Council of the City of Joliet, Illinois held on Monday, October 5, 2009 at 3:30 p.m. and of the Regular Meeting held on Tuesday, October 6, 2009 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Communication, Technology and Information Systems

COUNCILMAN BROPHY said the Committee met on October 14, 2009 and reviewed protocol for public information and dissemination of a unified message with regard to major topics that are going on in the City right now. He said they reviewed some internet and e-mail capabilities between departments that will help with dissemination of information and they also talked about better ways to communicate to customers with regard to water and so on.

COUNCILMAN BROPHY said they also discussed the status of the payroll system and notification to employees on how it would affect their paychecks.

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COUNCILMAN BROPHY said they also received an update on the new Public Works Department web page and the usability and information that will be available for constituents. He asked Director of Public Utilities Jim Eggen when the website will be launched.

Mr. Eggen stated some time this week.

COUNCILMAN BROPHY said once it's up, the main Joliet page will link to the Public Works page and when the site is ready it will be announced.

B. Finance

COUNCILMAN UREMOVIC stated the Finance Committee met yesterday and approved the minutes of the previous meeting held on September 14, 2009.

COUNCILMAN UREMOVIC said there was also a review and discussion of an amended Raffle Ordinance with some questions being raised about the City's liability. He asked the Corporation Counsel for clarification on the City's liability and if there is any at all with this new amendment.

The Corporation Counsel said under Illinois law, cities are authorized to adopt an Ordinance that allows for local charitable organizations to conduct fund raising raffles which we adopted a couple of years ago, but the law requires that the Ordinance contain certain things and one of those things is that a surety bond be posted by the licensee for large raffles. He said the Ordinance that is on the agenda tonight keeps that current requirement in place but upgrades the quality of that bond by requiring a minimum level of financial strength for the insurance company issuing the bond. He said what that means to the City is that we will not have any liability for issuing a raffle license, so if there is fraud or any kind of wrongdoing conducted by the licensee in connection with the operation of the raffle, there would be no liability to the City. He said in terms of protecting the participants in the raffle there would be a bond in place of a large enough size so if there was anything untoward in the raffle, people who participated in it could get their money back or get their awarded prizes.

COUNCILMAN SHETINA asked why would there be a requirement for the City to have any kind of a hold harmless or safe haven from the process itself, or is there any.

The Corporation Counsel said the hold harmless is not currently a requirement because we would get that from the licensee, and there wouldn't be a claimant available at that time, and so if a licensee conducted a major fraud in conducting a raffle, as a condition a hold harmless agreement couldn't hurt but it really wouldn't help us materially, the bond would protect us. He said he's not saying we can't do that, we can add that to the Ordinance but he doesn't know if that would be the mechanism that would be of protection to the City because it is highly unlikely that a company conducting a fraudulent raffle will have the resources to step into court and defend the City of Joliet. He said we'll have to do that but we'll have the bonding company with the financing available to do it. He said under the law, organizations that issue licenses are not responsible for the criminal misconduct by a licensee. He said the liability exposure is essentially zero and what we want to do is protect the claimants, people who put money up to participate in a raffle, and that's what the bond is for although the bond is also there to protect the City of Joliet.

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COUNCILMAN SHETINA said given that the City could potentially get \$1.5 million off of a large win, then the City has some kind of an interest with respect to the dollars that are spent and the dollars that are coming back. He said he just wants to make sure that there is no recourse to the City whatsoever and if in fact there is, that the hold harmless runs from the bonding company or the insurance company to us as a City.

The Corporation Counsel said we can add the hold harmless suggestion to the license, it doesn't hurt. He said what he is saying is it won't be of any real value if there is a major fraud committed by a licensee.

COUNCILMAN SHETINA said so we would not be a party to a suit in the event that they do commit a fraud. He said we have a fiduciary responsibility as a City Council and a City to make sure that that is not a consideration.

The Corporation Counsel said we do have a common sense responsibility to make sure that the applicant for a license is qualified to get the license, that the organization is a bonafide charitable group and that all of the requirements of our Ordinance are met, but we do not act as an insurance company and so we will not assume financial responsibility for misconduct. He said we issue all sorts of business licenses now and if a business committed consumer fraud, the fact that the City licensed that business and allowed it to operate would not subject the City to liability. He said we can add something to the license and the Ordinance about the hold harmless.

COUNCILMAN SHETINA said that's fine.

COUNCILWOMAN QUILLMAN said so everybody that has a raffle from a picnic to a commercial organization or a 50/50 raffle has to have this \$10 permit.

The Corporation Counsel said technically a raffle, even if it's conducted by a charitable group, is a form of gambling and the State of Illinois says that organization should get a license. He said groups can go to City Hall or the County Building for the license. He said for the protection of the organizations that conduct those types of raffles, we needed to adopt an Ordinance which we did a couple of years ago to provide that protection for the charitable groups. He said the purpose of the Ordinance isn't to derive revenue from license fees or to regulate how the raffles are conducted, not for the small ones. He said for instance, Silver Cross Field has a 50/50 raffle for every JackHammers game. He said other service organizations in Joliet have fundraising raffles and that's why our fee is a nominal amount, it's \$10.00.

COUNCILWOMAN QUILLMAN asked if they get a permit every time they run that.

The Corporation Counsel said as far as the garden variety raffles that we've seen at local events for years, yes, they are supposed to get a raffle license.

COUNCILWOMAN QUILLMAN asked what is the penalty if they don't get it.

The Corporation Counsel said the penalty would basically be a letter from City Hall reminding them of their responsibility to get the raffle license. He said any ordinance that we have has a maximum penalty of \$750 although that's not the penalty that would be imposed. He said we have a compliance ticket procedure but we're dealing with charitable groups and it's highly likely that if there is a

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violation of the Raffle License Ordinance it's because the group didn't know about it or some mistake was made, so we would just want to rectify that behavior and educate the group about why the license requirement is there and how it protects them under State law.

COUNCILWOMAN QUILLMAN said so basically it's to protect everybody involved.

The Corporation Counsel said yes it is.

COUNCILMAN UREMOVIC said the amendment was brought to the Council because of the size of this raffle. He said this raffle will not be endorsed by the City, the City's name will not be on this at all and there will be no connection whatsoever with the City.

The Corporation Counsel said that is correct.

COUNCILMAN UREMOVIC continued with the Finance Committee report and said there was a review and update of the towing program collection process and also for scofflaws.

COUNCILMAN UREMOVIC said there was also a review of the 1/1/09 Police and Fire Pension Funds Actuarial draft report and said reports were placed on file.

COUNCILMAN UREMOVIC said there was also a presentation on parking meter fund revenue enhancements. He said there was no action taken but this will be brought up at a future budget session.

COUNCILMAN UREMOVIC said there also was a review and discussion of the Neighborhood Improvement Program for September and the monthly cash flow report and personnel summary. He said there was also a review and discussion of the September Conference, Travel and Seminar Report and an examination of the Treasurer's Disbursements and Regular Claims for the month of September.

C. Public Service

COUNCILMAN TURK said the Public Service Committee met this morning and reviewed the contracts, change orders, pay estimates and final payments and recommended their approval with the exception of Council Memo #940-09 which was a contract for the Demolition of City and Non-City Owned Properties. He said they had some concerns about it and they are asking for a table until November 3, 2009 for that contract.

1. Award of Contract for the Demolition of City and Non-City Owned Properties
(Council Memo #940-09)

COUNCILMAN GIARRANTE moved that said item be tabled to the November 3, 2009 City Council meeting.

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Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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NAYS: NONE.

There were no other Committee reports.

COUNCILWOMAN QUILLMAN said there was supposed to be a Baseball Committee meeting two weeks ago and she asked why that was cancelled.

The City Manager said he believes there is some exchange of information going on between the Corporation Counsel and the JackHammers and he doesn't believe all of that information was provided.

The Corporation Counsel said there was a large list of maintenance items and utility items that were presented at the Committee meeting and the Committee asked staff to look into that. He said there have been two meetings between staff and team staff to go over all of those items and we're hoping to narrow down the items that are appropriate and we have made a lot of progress on that. He said we hope within a week or two we can have a tentative agreement with the team that we could then bring back to the Committee and explain the situation or make a recommendation.

CONSENT AGENDA

A. Treasurer's Report--August, 2009

A communication from the City Manager contained his recommendation that the report be received and placed on file.

B. Position Vacancy
(Council Memo #906-09)

A communication from the City Manager contained his recommendation that he be authorized to fill the position of Commander in the Police Department and any subsequent vacancies directly related to this position until there is an unfilled entry level Police Officer position.

COUNCILMAN SHETINA said with respect to the Council's 1984 edict, what is the rationale for the promotion.

The City Manager said at the last City Council meeting the Police Chief presented a reorganization plan that showed a substantial number of positions that have been left unfilled through the retirement process because of the budget constraints that we have. He said the reorganization plan calls for those positions not to be filled at this time. He said there are four Commander positions in the Police Department and two of the positions are currently vacant. He said the reorganization plan calls for one of those positions to remain vacant and the other one, which was previously held by the Deputy Police Chief, to be filled. He said based on our conversation with the Public Safety Committee about four weeks ago it was determined that it would be appropriate for public safety reasons to fill the position and have three Commander positions filled but

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to keep the fourth position open due to budget constraints.

COUNCILMAN BROPHY moved that the recommendation of the City Manager be concurred in.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

PUBLIC HEARINGS

A. Public Hearing re: Annexation of 69.3 Acres for Bronk's Landing Subdivision

1. Resolution re: Approving an Annexation Agreement for 69.3 Acres for Bronk's Landing Subdivision (#A-111-08/Dist. #1)
(Council Memo #908-09)
2. Ordinance re: Approving the Annexation of 69.3 Acres for Bronk's Landing Subdivision (#A-111-08/Dist. #1)
(Council Memo #908-09)
3. Ordinance re: Approving the Classification of 69.3 Acres for Bronk's Landing Subdivision to B-3 and R-1B Zoning (#A-111-08/Dist. #1)
(Council Memo #908-09)
4. Ordinance re: Approving the Preliminary Plat of Bronk's Landing Subdivision (#P-5-08/Dist. #1)
(Council Memo #908-09)

A communication from the City Manager contained a request by the petitioner that these items be tabled to the City Council meeting to be held on February 17, 2010 in order to finalize outstanding issues with IDOT and the annexation agreement.

COUNCILWOMAN QUILLMAN moved that said items be tabled to the February 17, 2010 City Council meeting.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

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B. Public Hearing re: Annexation of 8.21 Acres at 40 Mills Road

1. Resolution re: Approving an Annexation Agreement for 8.21 Acres at 40 Mills Road (#A-2-09/Dist. #5)
(Council Memo #909-09)
2. Ordinance re: Approving the Annexation of 8.21 Acres at 40 Mills Road (#A-2-09/Dist. #5)
(Council Memo #909-09)
3. Ordinance re: Approving the Classification of 8.21 Acres at 40 Mills Road to I-1 Zoning (#A-2-09/Dist. #5)
(Council Memo #909-09)

C. Public Hearing re: Annexation of 4 Acres at 80 Mills Road

1. Resolution re: Approving an Annexation Agreement for 4 Acres at 80 Mills Road (#A-8-09/Dist. #5)
(Council Memo #910-09)
2. Ordinance re: Approving the Annexation of 4 Acres at 80 Mills Road (#A-8-09/Dist. #5)
(Council Memo #910-09)
3. Ordinance re: Approving the Classification of 4 Acres at 80 Mills Road to I-1 Zoning (#A-8-09/Dist. #5)
(Council Memo #910-09)

A communication from the City Manager contained a request by the petitioners that these items be tabled to the City Council meeting to be held on November 17, 2009 in order to provide time to review the proposed annexation agreements.

COUNCILWOMAN BARBER moved that said items be tabled to the November 17, 2009 City Council meeting.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

APPROVAL OF REGULAR CURRENT BILLS

A. Treasurer's Disbursements—September, 2009 - \$35,992,164.51

A communication from the City Manager contained his recommendation that the report be received and placed on file.

B. Regular Claims—September, 2009 - \$3,645,713.64

A communication from the City Manager contained his recommendation that the report be received and placed on file.

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C. Regular Payroll—September 19—October 2, 2009 - \$2,925,115.22
(Council Memo #911-09)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period September 19, 2009 through October 2, 2009 including a 2009 Overtime Budget Status Report and a Biweekly Summary of Overtime and Temporary Assignments were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

COUNCILMAN GIARRANTE moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE. (COUNCILWOMAN QUILLMAN abstained from voting on any items dealing with Silver Cross Hospital)

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Approving the Vacation of a 15.25' Wide x 103' Long North/South Unimproved Alley Located West of 1223 California Avenue as recommended by the Plan Commission subject to the following conditions was presented and read: 1) A public utility and drainage easement being maintained in the alley; 2) An inclusion of the following note on the Plat of Vacation: "That an exception to the vacation is the north/south chain link fence located at the west edge of the alley. The fence shall be allowed to continue until such time as the fence becomes damaged beyond its fair market value at which time the fence will be removed or relocated to the east edge of 1222 Luther Avenue"; and 3) Receipt of the appraised value of \$960.00 and the appraisal fee of \$350.00 within 60 days of approval.
(#V-7-09/Dist. #4)
(Council Memo #912-09)

COUNCILMAN BROPHY moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16541)

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2. Ordinance re: Approving the Reclassification of a Portion of 692 Theodore Street from R-3 to B-3 Zoning (#Z-2-09/Dist. #2)
(Council Memo #913-09)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

3. Ordinance re: Repealing a Variation of Use to Allow the Continuation of an Existing Two-Unit in an R-2 District Located at 1268 Cora Street (#2006-107/Dist. #4)
(Council Memo #914-09)

The City Manager stated staff is requesting that the repeal of the variation due to the failure of the owner to pave the driveway apron be tabled to the second meeting in November. He said the property owner did pave an area but we think it was the wrong portion that was paved and we need to work that out.

COUNCILMAN GIARRANTE moved that said item be tabled to the November 17, 2009 City Council meeting.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN SHETINA asked if the City told them where to pave or did they do that on their own.

Director of Community and Economic Development Jim Haller stated he believes there was a little bit of a miscommunication. He said when he originally went to the Zoning Board of Appeals the petitioner thought that we asked that their off-street parking remain in the future so he went ahead and established a new parking area in what would normally be the back yard and concreted it over like many of his neighbors have, but he didn't do the one next to the street because he thought that was on-street parking. He said the owner has voluntarily agreed to take that gravel out and put grass in there and have that be part of his yard, but we are going to work the details out with him over the course of the next month.

COUNCILMAN SHETINA said they did a nice job on what they did.

Mr. Haller said he did a very nice job and he thinks it was just a miscommunication.

COUNCILMAN SHETINA asked if we miscommunicated with them.

Mr. Haller said he thinks a little bit of both. He said he is a little bit upset with his staff that they didn't problem solve better than this; it never should have gotten to this point.

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COUNCILMAN BROPHY asked if he said he was going to put sod in front of the garage doors.

Mr. Haller said he has volunteered to do that very quickly because our rule is either it's grassed or it's paved, we don't allow the gravel. He said in the interest of trying to get us off of his back he's willing to put sod there. He said he evidently just uses the garage for storage and accesses it from the other side, but we are going to work all of those details out.

4. AN ORDINANCE Approving a Variation of Use to Allow the Continuation of a Two-Unit Residence in an R-2 District Located at 220 Henderson Avenue as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the property not be expanded in the future; 2) That off-street parking remain in the future; 3) Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Variation of Use; 4) The Neighborhood Services Division shall complete it's re-inspection and all items shall be satisfactorily addressed; and 5) That if these conditions are not complied with, this matter shall be scheduled for an administrative hearing to consider revocation. (#2009-45/Dist. #4)
(Council Memo #915-09)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16542)

5. AN ORDINANCE Approving a Special Use Permit to Allow the Co-Location of Wireless Communication Antennae Located at 2150 Theodore Street as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the petitioner shall post a bond in the amount of \$5,000.00 prior to the issuance of the building permit for the proposed installation to be utilized for dismantling the antenna and associated equipment in the event of future abandonment; and 2) That the petitioner shall submit a wind load structural analysis study for the tower. (#2009-38/Dist. #2)
(Council Memo #916-09)

COUNCILMAN DORRIS moved that said Ordinance be adopted as recommended.

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Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16543)

6. Ordinance re: Approving a Special Use Permit to Allow a
Used Car Sales Lot Located at 501-509 E. Washington Street
(#2009-41/Dist. #5)
(Council Memo #917-09)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

7. Ordinance re: Approving a Special Use Permit to Allow Used
Motor Vehicle Sales at 810 E. Cass Street (#2009-55/Dist.
#4)
(Council Memo #918-09)

The City Clerk noted that this item was tabled at the Pre-Council meeting yesterday.

8. AN ORDINANCE Approving a Special Use Permit to Allow
Limited Truck Sales Located at 22901 W. Mound Road as
recommended by the Zoning Board of Appeals subject to the
following conditions was presented and read: 1) That
landscaping and screening of the sales site meet City of
Joliet regulations and standards; 2) Should the property be
declared a public nuisance, it will be subject to a rehearing
and a possible revocation of the Special Use Permit; and 3)
That if these conditions are not complied with, this matter
may be scheduled for an administrative hearing to consider
revocation. (#2009-56/Dist. #3)
(Council Memo #919-09)

The City Manager stated as a result of the conversation at the Pre-Council meeting yesterday, Mr. Haller and his staff have spoken with Mr. Scott Beckman, the property owner, and he has a report on that meeting.

Mr. Haller stated they looked back at what was approved which was that Mr. Beckman would commence the construction after a year's time frame. He said this November will be two years, but we did leave the caveat that if the ground continued to settle that he would ask for an extension and an extension was granted by the City Manager a year or so ago. He said in discussions with the petitioner today he did indicate that the property continues to settle and he has to continuously add fill to it. He said in addition to that, Mr. Beckman is also suffering a downturn in the economy to the point where he is not ready to go forward with the construction at this point in time. He said we had a discussion about what he could do to soften the look of it based upon COUNCILMAN SHETINA'S concerns that he do something in the short term while he plans for the construction, and he is not yet ready to go to construction because of the settlement but is willing to do something.

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Mr. Haller stated Mr. Beckman is here today if the Council would like to talk to him about what he could do to soften the look in the short term while he plans for the construction.

COUNCILWOMAN QUILLMAN asked Mr. Haller if he wasn't supposed to get the Council a copy of the Council Memo from two years ago.

The Director of Community and Economic Development stated they summarized it.

COUNCILWOMAN QUILLMAN said she really wanted to see the whole thing.

COUNCILMAN UREMOVIC said he also wanted a copy but he certainly wasn't going to wait for one and he certainly didn't want it to be summarized and be spoon fed information. He said he has a copy that the City Clerk e-mailed to him immediately this morning. He said the agreement from two years ago talks about the improvements that were not made on the fill area. He said he would hope that every Council member would go by there because not one thing has been done to that property, zero. He said used semis are parked right up on the curb and it looks like a junk yard. He asked how does this fit with the good neighbors and the good businesses that are there including USF Holland and Sharp Industrial and Kenworth. He said they were supposed to do the landscaping according to this memo dated November 16, 2007 which should have been given to the full Council. He said attached to the memo is the proposed cost of \$202,000 of what they were going to do including landscaping and paving and that's not in the area that's settling, that's up front where there's not supposed to be gravel. He said so none of the things in this Council Memo from two years ago have been done.

COUNCILMAN UREMOVIC said at this point he is going to ask that this be tabled indefinitely until we get some of these things done. He said also if the economy is bad why start up the truck sales, what makes them think they can sell trucks. He said he thinks it's important when people break the rules that staff follows up on it and this has reached a point where he will just not accept this. He said if Mr. Beckman can show that he's going to make the progress that he's supposed to and at least do the landscaping, okay, otherwise he is going to ask that this be tabled.

COUNCILMAN SHETINA said he went out to the property yesterday and he asked Mr. Beckman to explain what he has done.

Mr. Beckman said he put in between \$60,000 and \$70,000 worth of asphalt shavings on the property.

COUNCILMAN UREMOVIC asked where he put the rock at.

Mr. Beckman said he put it in where the fill is and asphalt shavings have also been put down on the entrance ramps. He said the \$202,000 figure was for asphalt in the back parking area and it wasn't for the existing area.

COUNCILMAN UREMOVIC said he is supposed to pave up front.

Mr. Beckman said absolutely, he's not denying that but that's not what the memo says needed to be done.

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COUNCILMAN UREMOVIC said it says that the subdivision ordinances are to be followed and he thinks staff is supposed to be following this but obviously they haven't.

Mr. Beckman said upon completion of construction, that's true. He said he is willing to do landscaping in the front and is willing to come to some kind of terms in regards to that. He said in reference to why start a trucking business right now when the economy is so bad, the reason he is here for this is the State is telling him he needs it. He said if someone sells more than 4 vehicles in a year he needs to have a license and that's what was stated yesterday and that's what was stated in the memo as well.

COUNCILMAN SHETINA said when he talked to Mr. Beckman here yesterday his concern was the landscaping and he looked at the property and it looks like he has done something. He said he's not expecting Mr. Beckman to go to the extreme of USF Holland's beautiful landscaping and berms but he would like to get something in hand that says Mr. Beckman is going to do something that makes it look reasonable. He asked Mr. Haller if he agrees that he did do \$75,000 worth of work.

Mr. Haller stated they believe that he did and their understanding from day one was that once all the settlement took place then he would come in with his plan to go to construction and do all of these improvements.

COUNCILMAN SHETINA asked how do you determine whether it is settled or not settled.

Mr. Haller said he knows D Construction compacted it in layers and he guesses you wait for a year or two to see what kind of rains you have because that's what settles all of this, and just the nature of the trucks driving over the top of it is going to help settle it as well. He said what Mr. Beckman told staff today was that it continues to settle and he continues to accept more fill to get it up to level.

COUNCILMAN SHETINA said when the previous owner had it, there was a burned out building in the back and tires and those things are all gone, all the junk is gone. He asked about the former apartment building and the metal building.

Mr. Beckman said it's been his intention to tear those down all along. He said obviously he's one guy that started with one truck so he's doing what he can afford to do. He said he lost the DHL account last year and that was \$3 million and he's a victim of the economy right now like everyone else.

COUNCILMAN GIARRANTE asked if he's completed filling it in or is there still more fill to be put in.

Mr. Beckman said at this point in time he would say there is not going to be more fill, there has to be more base and that's what he's been putting in there. He said he has \$60,000 worth of stuff on there and he is not putting fill on top of it, it has an extreme value to him. He said he doesn't know the compaction rate. He said he knows when a semi goes over it and the ground pumps up and you get ruts in there this is what he's left with. He said he's not in the business to keep buying material to put on this property and keep continuing doing it, he would like it to stop as well. He said there has been a retention pond put in. He said D

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Construction did come forth initially and said they were going to asphalt the whole thing, that was one of the conditions when they came and told him they wanted to fill the land, and they pulled out on him. He said that's why he ended up putting that kind of money into it himself to get it to the point where it's at.

COUNCILWOMAN QUILLMAN asked COUNCILMAN UREMOVIC if he had a time frame rather than tabling this indefinitely. She said Mr. Beckman seems to be trying, but with the economy and all, could this be amended.

COUNCILMAN UREMOVIC said again, are we going to be back here another year from now.

COUNCILWOMAN QUILLMAN said she is trying to figure out if we can work with Mr. Beckman and get a guarantee that it's going to be done in this time frame.

COUNCILMAN UREMOVIC said none of this in front has been done. He said he would encourage the Council members to drive by and look at the operation. He said he would table it for 2 weeks and everyone can get a good picture of this operation and see just exactly what's going on and he would be satisfied with that, but the Council should take a look at this and see if it's the kind of business they want to continue and not have a commitment that he's going to be doing what he's supposed to do and follow the rules like his neighbors up and down the street. He said he would like to see that and he would like to see staff be more involved in this and take a look at this and see if it's acceptable. He said he would go for a two week tabling.

COUNCILMAN GIARRANTE asked if he expects him to put a building on that before it settles.

COUNCILMAN UREMOVIC said he wants the Council members to take a look at it.

COUNCILMAN GIARRANTE said he's asking a question because Mr. Beckman said it isn't settled yet, do you expect him to put a building on there if it hasn't finished settling.

COUNCILMAN UREMOVIC said no, look where the fill is going, the fill is going in the back and not up front and that is where the improvements are supposed to be made. He said he's not asking that the improvements be made to the back yet, but up front he should do the landscaping and make sure that it's acceptable and meets our ordinances and follows the subdivision regulations like it says in the November 16, 2007 Ordinance.

COUNCILMAN UREMOVIC moved that said item be tabled until the November 3, 2009 City Council meeting.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion failed by the following vote:

AYES: COUNCILMAN DORRIS, COUNCILWOMAN QUILLMAN and COUNCILMAN UREMOVIC.

NAYS: COUNCILMEN GIARRANTE, SHETINA, TURK, COUNCILWOMAN BARBER, COUNCILMAN BROPHY and MAYOR SCHULTZ.

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COUNCILMAN SHETINA stated he would move that we approve the recommendation of the staff and that we get the landscaping in place with a proviso that COUNCILMAN UREMOVIC'S concerns are at least given consideration. He said he drove on the property too and he understands the Councilman's concern because the property across the street looks real nice and he's trying to protect his district. He said at the same time we have to recognize what Mr. Beckman has done and the kind of money he's spent and what was there before he got there. He said the burnt building and the burnt tires and all of the junk are gone, the floodplain has been remediated and we have to look at that too.

COUNCILMAN SHETINA moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN and COUNCILMAN UREMOVIC.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she just wants Mr. Beckman to understand that she didn't want it tabled indefinitely, she wanted to give him time so we could work with him but she also wanted to defer to the District Councilman because it is his district and he has these concerns about landscaping. She said she will have to vote no on this but her concern is to work with him in getting this done.

Prior to his vote, COUNCILMAN UREMOVIC asked if the Special Use Permit is pulled if these conditions aren't met.

The City Manager said we would bring that back to the Mayor and Council with a recommendation to repeal the Special Use Permit.

COUNCILMAN UREMOVIC said OK and he is still voting no.
(ORDINANCE NO. 16544)

9. AN ORDINANCE Amending the Charitable Raffle Ordinance was presented and read.
(Council Memo #920-09)

COUNCILMAN TURK moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she is going to vote aye and she asked if we are going to be notifying the organizations again of this new ordinance.

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The City Manager stated actually this amendment will more than likely not affect any of the raffles that have been conducted over the last couple of years nor will any of them ever come close to this kind of a limit. He said we could probably send out a reminder notice to the various organizations but this is something that's been in place for a couple of years. He said we have some organizations that follow the rules and some that don't and when they come to our attention we do send a letter asking them to comply, and we'll continue doing that.

(ORDINANCE NO. 16545)

B. RESOLUTIONS

1. Resolution re: Authorizing the Execution of an Agreement Between the City of Joliet and Cornerstone Services, Inc. for the Conveyance of Neighborhood Stabilization Program (NSP) Property at 326 Margaret Street
(Council Memo #924-09)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

2. A RESOLUTION Authorizing the Acceptance of 128 Linden Avenue was presented and read.
(Council Memo #925-09)

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6308)

3. Resolution re: Authorizing the Conveyance of Property Located at 1400 Bronk Road to the Will County Forest Preserve District
(Council Memo #926-09)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

4. A RESOLUTION Authorizing the Conveyance of Gutierrez Park to the Joliet Park District was presented and read.
(Council Memo #927-09)

COUNCILMAN BROPHY moved that said Resolution be adopted.

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Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6309)

5. A RESOLUTION Accepting a Grant of Easement for Public Utilities at 507 Morgan Street was presented and read.
(Council Memo #928-09)

COUNCILMAN TURK moved that said Resolution be adopted.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN SHETINA asked if this will cost us anything or is it just a matter of betterment for the property.

The City Manager said \$500.00 will be paid to the property owner in consideration of granting of the easement.

(RESOLUTION NO. 6310)

6. A RESOLUTION Appropriating Motor Fuel Tax Funds in the amount of \$309,809.00 for the Phase III Engineering for the Essington and Hennepin Intersection Improvements Project was presented and read. (Section No. 06-00130-00-CH)
(Council Memo #929-09)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6311)

BIDS AND CONTRACTS

A. Award of Contracts

1. Authorization to Obtain a Preventative Maintenance Agreement for Seven (7) Emergency Generators
(Council Memo #934-09)

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A report on three quotes received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Steiner Electric in the amount of \$7,845.00.

2. Award of Contract for Emergency Repair to the Essington Road Lift Station
(Council Memo #935-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the increase to Purchase Order No. 102874 in the amount of \$12,980.94; and 2) Approve Payment No. 1 and Final in the amount of \$13,970.94 on behalf of Cryer and Olsen Mechanical, Inc.

3. Authorization to Purchase Anti-Icing/Deicing Fluids for Snow Removal Operations—Roadways Division
(Council Memo #936-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the purchase of Geomelt from SNI Solutions, Inc. in the amount of \$23,400.00 to treat the existing supply of 1,800 tons of salt in the Gael Drive salt dome; and 2) Approve the purchase of 9,500 gallons of Geomelt S 30/70 from SNI Solutions, Inc. in the amount of \$5,462.50 to replace the existing supply of calcium chloride in the Arbeiter Road and Cass Street facilities.

4. Award of Contract for the 2009 Traffic Signal Materials Purchase Order
(Council Memo #937-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Traffic Control Corporation in the amount of \$45,637.00.

5. Award of Contract for the Removal and Storage of Abandoned Vehicles
(Council Memo #938-09)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to A-Affordable Auto Parts at no cost to the City of Joliet.

6. Authorization to Purchase Warranty Extensions for Dell Servers
(Council Memo #939-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the purchase of extended warranties for 7 servers from Dell in the amount of \$10,814.61.

7. Award of Contract for the Demolition of City and Non-City Owned Properties
(Council Memo #940-09)

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The City Clerk noted that this item was tabled for two weeks earlier in the meeting.

8. Authorization for Payment of Emergency Demolition at Tire Grinders Located at 175 S. DesPlaines Street
(Council Memo #941-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$19,339.54 to Alessio & Sons for the emergency demolition and clean up of Tire Grinders located at 175 S. DesPlaines Street resulting from a fire that occurred on August 30, 2009 and that staff be authorized to collect reimbursement from the insurance carrier.

9. Award of Professional Services Contract for the Phase III Engineering Services for the Essington and Hennepin Intersection Improvements Project
(Council Memo #942-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Civiltech Engineering Inc. in an amount not to exceed \$309,809.00.

10. Authorization to Approve Payments for Electrical Repairs at the Joliet Historical Museum
(Council Memo #943-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the increase to Purchase Order No. 103092 in the amount of \$115.00; and 2) Approve Payment No. 2 and Final in the amount of \$3,037.50 on behalf of North Central Electric.

11. Authorization to Purchase Gloves for the Public Works and Public Utilities Department
(Council Memo #944-09)

A report on four proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Motion Industries Inc. in the amount of \$8,714.88.

12. Authorization to Approve Amendments for the Professional Service Agreements Related to the Disposal of Biosolids Materials
(Council Memo #945-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve Amendment No. 7 to the agreement with Drinker Biddle Gardner Carton in an amount not to exceed \$15,000.00; 2) Approve Amendment No. 7 to the agreement with Rogina & Associates in an amount not to exceed \$10,000.00 and Payment Estimate No. 17 in the amount of \$15,737.54; and 3) Approve Amendment No. 4 to the agreement with R.S.S.I. in an amount not to exceed \$10,000.00 and Payment Estimate No. 12 in the amount of \$15,270.00.

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COUNCILMAN DORRIS moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

B. Amendments, Change Orders and Payments

1. Approve Payment No. 21 for the Cofiltration HMO Water Treatment Equipment–Procurement Project
(Council Memo #950-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 21 in the amount of \$145,303.48 with a reduced retainage of \$30,000.00 on behalf of Layne Western.

2. Approve Change Order No. 1 and Payment Request No. 1 and Final for the 404 Navajo Drive (Thunder Ridge Subdivision) Rear Yard Drainage Improvements – 2009 Neighborhood Improvement Program
(Council Memo #951-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$864.50 and Payment Request No. 1 and Final in the amount of \$7,839.65 on behalf of Superior Excavating.

3. Approve Change Order No. 2 for the Half Theodore Street/Half County Line Road (Neustoneshire Subdivision) Roadway Improvements Project
(Council Memo #952-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$2,893.80 on behalf of P.T. Ferro Construction Co.

4. Approve Change Order No. 2 and Pay Estimate No. 3 for the Carson (U.S. Route 30 – Glenwood/Division) Roadway Improvement Project – 2009 Neighborhood Improvement Program
(Council Memo #953-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2, a deduction in the amount of \$27,193.76 and Pay Estimate No. 3 in the amount of \$9,654.91 on behalf of P.T. Ferro Construction Co.

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5. Approve Change Order No. 1 and Pay Estimate No. 2 for the Clublands 6-1, 6-2, 8-2 and Neustoneshire Phase 1 Public Improvements - 2009
(Council Memo #954-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$62,924.40 and Pay Estimate No. 2 in the amount of \$585,361.22 on behalf of D Construction.

6. Approve Change Order No. 1 and Payment Request No. 1 for the 2009–2010 Landscape Restoration Program
(Council Memo #955-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$897.00 and Payment Request No. 1 in the amount of \$3,518.95 on behalf of K&D Enterprise Landscape Construction Inc.

7. Approve Change Order No. 1 and Payment Estimate No. 1 for the Ottawa Street and Williamson Avenue Well Sealing Project–2009
(Council Memo #956-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$8,763.00 and Payment Estimate No. 1 in the amount of \$33,552.75 on behalf of Layne Christensen Co.

8. Approve Payment Estimate No. 1 for the Well 12D (Joliet Mall) Rehabilitation Project - 2009
(Council Memo #957-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Estimate No. 1 in the amount of \$5,400.00 on behalf of Water Well Solutions Service Group.

9. Approve Change Order No. 1 and Payment Request No. 2 and Final for the 2009 Hickory-Spring Creek Cleaning Project
(Council Memo #958-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$6,474.00 and Payment Request No. 2 and Final in the amount of \$8,292.50 on behalf of G-Three Construction.

10. Approve Change Order No. 1 and Payment No. 1 for the Rehabilitation of Neighborhood Stabilization Program Property at 2118 Dartmoor Drive
(Council Memo #959-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$6,882.02 and Pay Request No. 1 in the amount of \$27,132.83 on behalf of Sharp Homes.

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11. Approve Change Order No. 1 and Payment Request No. 1 and Final for the Joyce Road Conduit Installation for Streetlight Improvements–2009 Neighborhood Improvement Program
(Council Memo #960-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$4.80 and Payment Request No. 1 and Final in the amount of \$5,055.40 on behalf of Construction by Camco.

COUNCILMAN TURK moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

LICENSES AND PERMIT APPLICATIONS

- A. Transfer of a Class “B” Liquor License at 1100 NE Frontage Road
(Council Memo #965-09)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

MAYOR

- A. Proclamation re: Proclaiming October 24, 2009 as “United Nations Day” in the City of Joliet

COUNCILMAN TURK read a Proclamation issued by Mayor Schultz proclaiming October 24, 2009 as “United Nations Day” in the City of Joliet in recognition of the commitment of the United Nations, Zonta International and the Zonta Club of Joliet to the advancement of the status of women internationally, nationally and in the Joliet area.

Ms. Mary Baudino, President of the Zonta Club of Joliet, accepted the Proclamation along with other members present including B.J. Ray, Emmie Ostrem and Councilwoman Susie Barber. She said they have provided over 24 hours of community service along with donations to various groups and organizations to fulfill their mission of advancing the status of women. She thanked the Mayor and Council on behalf of the Zonta organization.

- B. Proclamation re: Congratulating Governors State University on their 40th Anniversary

The City Clerk noted that this Proclamation was presented at the Pre-Council meeting yesterday.

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MAYOR AND COUNCIL COMMENTS

COUNCILMAN SHETINA stated they attended a meeting at Our Savior Lutheran Church and Police Officer Ed Johnson and the other Joliet Police Officers that were there were great. He said they told people how they should comport themselves in their homes, when they go to their cars, how inexpensive it is to turn your porch light on as a matter of deterrent and he said that things are going on in the City right now that are a very strong indication that we have some problems not just in Joliet but all over the country. He said it would behoove us and homeowners associations and our neighborhood watch groups to really get together now and work with one another and watch out for one another. He said they made it very clear that people aren't talking to one another and people need to get to know who their neighbors are and who should not be in the area and who belongs in the neighborhood. He said there were probably 100 people at the meeting and he invited anybody in his District or any neighborhood organization or homeowners association who are interested in having them come out and talk about it to contact the Police Department because it is warranted. He said he would encourage people to call.

COUNCILWOMAN QUILLMAN stated the University of St. Francis was here yesterday and said they had worked out the parking with the neighbors in the area and she asked if the Whitney parking has been taken care of.

The City Manager said he doesn't know if the details on Whitney have been worked out yet but he will follow up on that. He said he believes there was a meeting between the Police Department and the security staff at St. Francis and he will follow up with Chief Hayes and report back to the Council.

COUNCILWOMAN QUILLMAN said since we are a global intermodal port now and we're going to have more and more businesses coming forward wanting to do business here because we are so close to the CenterPoint Intermodal System, she would like to discuss an ordinance that would be put in place so these businesses meet certain criteria so we don't get the wrong kind of business here because we are close to a port. She asked COUNCILMAN GIARRANTE to put that on a Public Safety Committee agenda.

COUNCILWOMAN QUILLMAN said on Saturday at Silver Cross Field from 10 a.m. to 2 p.m. there will be a Muster Call to honor all of our veterans especially our Vietnam veterans. She said there will be entertainment and Mike Carruthers of the Will County Council of the American Legion is putting this on. She invited everyone to attend and be there to honor our veterans because without them we wouldn't have the freedoms that we have today.

COUNCILWOMAN QUILLMAN said Halloween is on Saturday, October 31st and she would ask that everyone be careful and watch out for all of the little ghosts and goblins that will be walking in our neighborhoods. She said they will be blocking off Western Avenue again for the haunted house.

COUNCILWOMAN QUILLMAN then thanked all of the Zonta Club members that were present this evening.

COUNCILWOMAN BARBER also thanked the Zonta Club members for their presence this evening.

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COUNCILWOMAN BARBER said she would reiterate what COUNCILMAN SHETINA said about the community and neighborhoods. She said we have to work very closely together, there are just too many things going on that we've just been turning our backs to and we have to work together and make sure we can help correct some of those problems as a team.

COUNCILMAN BROPHY said November 4th is the Chamber of Commerce dinner and they'll be honoring the Joliet Area Historical Museum as "Business of the Year" and he invited everyone to attend.

COUNCILMAN BROPHY said with regard to Essington Road he has had a lot of inquiries about what's going on at the south end with the water main breaks. He said he doesn't know there is anything really to say other than it's an old pipe and it keeps breaking. He asked if there is any news we can share.

The Director of Public Utilities stated it started about 3 weeks ago. He said when they went to isolate a section of water main near Glenwood which was the first break that occurred out there, the valve broke in an almost closed position and they believe that that created a water hammering situation and they were able to get good flushes on the main and with the pumps being near the facility at Twin Oaks it was causing subsequent breaks. He said this past week they repaired the valve at Glenwood but they're also trying to repair the valve south of Twin Oaks and they expect one more night of maintenance work to repair those valves and hopefully that should calm everything down.

COUNCILMAN BROPHY asked the Corporation Counsel for an update on Evergreen Terrace. He asked if there is a clock ticking on an appeal.

The Corporation Counsel said yes. He said unfortunately the ownership of Evergreen Terrace predictably filed a request with the U.S. Supreme Court to take a look at the decision that was in Joliet's favor allowing us to proceed with the acquisition of Evergreen Terrace. He said what's interesting is that HUD, which was a party in the case, apparently did not file that same request and that's pretty significant because that leaves ownership of the property trying to make a case based on a Federal policy that HUD apparently doesn't choose to support publicly. He said we believe HUD didn't file on time, perhaps there's a glitch in the pipeline somewhere but that's what it looks like today. He said we're predicting a 90 day timetable for the U.S. Supreme Court to make a decision on that. He said they take very few cases of this nature especially if the lead agency in federal housing doesn't want to participate in a case. He said he doesn't want to jinx the City with any more prediction than that but we should probably know something by January or February about what the U.S. Supreme Court is going to do and hopefully it comes back for a trial in Chicago.

COUNCILMAN GIARRANTE wished his wife Rosemary a Happy 48th Anniversary tomorrow.

MAYOR SCHULTZ thanked the Zonta Club for coming and congratulated them on their Proclamation.

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ADJOURNMENT

COUNCILMAN SHETINA moved that the Council recess to closed session at 7:35 p.m. to discuss collective bargaining and personnel after which the meeting will be adjourned.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape