

***Proceedings of the Council of the City of Joliet, Illinois
held on the 6th day of October, A.D. 2009***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, October 6, 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 Pastor Loy Schlote, Our Savior Lutheran Church, 1910 Black Road, Joliet, Illinois.

Pastor Schlote 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 and COUNCILMAN AT LARGE MICHAEL F. TURK.

ABSENT: DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

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

APPROVAL OF MINUTES

COUNCILMAN TURK moved that the minutes of the Pre-Council Meeting of the Council of the City of Joliet, Illinois held on Monday, September 14, 2009 at 3:30 p.m. and of the Regular Meeting held on Tuesday, September 15, 2009 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

MAYOR SCHULTZ moved up the White Cane Safety Day Proclamation on the agenda at this time.

MAYOR

A. Proclamation re: Proclaiming October 15, 2009 as "White Cane Safety Day" in the City of Joliet

COUNCILWOMAN QUILLMAN read a Proclamation issued by Mayor Schultz proclaiming October 15, 2009 as "White Cane Safety Day" in the City of Joliet and asking all citizens to be especially aware and sensitive to persons using a white cane or who are accompanied by a guide dog and recognize the white cane as a symbol of a blind person's ability to function on his/her own.

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Rick and Valerie Parrish thanked the Mayor and City Council for their recognition and also for the support of the City and the support and hard work of the Joliet Police Department.

Mrs. Parrish said also present at the meeting are the Tri-County Area Disability Activists. She said their group is working with legislators to expand this law to include all people with disabilities and they are very excited about that.

B. John Leach

COUNCILMAN SHETINA asked that Mr. John Leach be allowed to make a few comments at this time.

Mr. Leach said the City of Joliet has been absolutely wonderful to work with and the staff has treated him wonderfully. He said they're going forward and have only about 20 houses they are working on now and he thanked the Mayor and City Council for everything they have done.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Baseball

COUNCILMAN GIARRANTE said the Baseball Committee met on September 23rd and a presentation was given by Jamie Toole on the JackHammers business strategies for the 2010 season.

COUNCILMAN GIARRANTE said he gave a brief report to the Committee on his visit to UIC's baseball field with representatives from the JackHammers and said he was very impressed and his only concern was the portable pitcher's mound.

COUNCILMAN GIARRANTE said Pete Ferro gave some information concerning expenses and what they believe are excess costs that the JackHammers have incurred and that was discussed in depth. He said Pete Ferro had asked if they are going to get an extension on their Letter of Default and the Committee said they can not do that, that the full Council has to agree to that and that the Committee can only make recommendations to extend it 30 days so it can go to the full Council for consideration, and that was recommended. He said the next meeting scheduled for October 7th has been cancelled.

B. Public Safety

COUNCILMAN GIARRANTE stated the Public Safety Committee met on September 28th. He said regarding this year's flu shots the Illinois Department of Public Health has decided that Paramedics can no longer administer vaccines. He said the Fire Chief priced different vendors and the least expensive was Fastrac at Essington and Black Roads at \$20.00 per shot and the Committee recommended entering into a contract with Fastrac for the 2009 flu shots.

COUNCILMAN GIARRANTE said two members of the Hazmat team attended a class through the Canadian National Railways Systems for training for a new type of patch kit for when there has been a breach in a railway container. He said approval was given to purchase a reusable patch kit in the amount of \$6,950.00 which funding is available from the special equipment account of the budget.

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COUNCILMAN GIARRANTE said Police Chief Hayes presented a PowerPoint presentation on the Police Department's 2009/2010 Reorganization Plan. He said in 2008 they operated with a staff of 450 members including sworn and non-sworn personnel and at this time they are 31 sworn personnel less which represents about 10% of the department. He said Chief Hayes has moved personnel around to keep appropriate numbers on the street. He said there is a total of 44 current vacancies which is a \$4,700,000 savings in salary. He said overtime through July 2009 was \$1.1 million and \$480,000 was reimbursable which represents about 43%. He said he had asked the Police Chief that once all information has been calculated to provide us with a hard number in reference to actual money saved and received and he said Director of Management and Budget Ken Mihelich has that information at this time.

Mr. Mihelich stated some of the Committee members were concerned that not all of the costs were in there. He said there were questions regarding the incentives and how that would offset the savings and he distributed an estimated salary savings for Police and Fire open positions. He said what they tried to do for Police and Fire was to give an estimate of 2009 and 2010 and what the personnel savings would be. He said our estimates will be a little lower than what the Police Chief had shown earlier because he included benefits such as healthcare and pension and we do not include those because if people are retiring they're still on the healthcare plan, so we don't want to double count or over-anticipate those savings and also with the pension the obligation is still there. He said in theory as time goes on we will start to see those savings, but they won't be in the next 2 to 3 years, they'll be 10 years in the future as we're not replacing those positions or however long the attrition would be.

Mr. Mihelich stated for 2009 on the Police savings we reduced the salaries about \$2.2 million but we did have about \$1 million in severance costs or about a \$1.1 million savings for this year, so it's paying for itself. He said on the Fire side there was about \$480,000 in salary savings offset by about \$160,000 in severance cost or a total of about \$322,000, and that comes out to about \$1.45 million this year saved.

Mr. Mihelich said in 2010 in many of these cases say we lost somebody higher up in the command structure and replaced them by someone moving up, we counted the entry level, so we took the lowest level and those are our true savings because the other positions are being filled. He said on the Police side our net savings are about \$2.7 million and on the Fire side a little less than \$700,000. He said those are the best numbers that we have right now, and we had to make assumptions because one of the contracts on the Police side is still open so that adds to a little of the uncertainty, but these should be pretty good conservative numbers.

Mr. Mihelich said one of the other things that we're working on too is that COUNCILMAN UREMOVIC has asked him to try and do something City-wide, not only on the salary side but other cuts that we've made as well, and we're trying to work on that. He said for instance we've cut vehicles and he doesn't anticipate any in next year's budget, but we're going to try to do a list of some of the things that have been done on the budget side.

COUNCILMAN BROPHY said when preparing those things, maybe in footnotes, while we're not buying vehicles, there's the deferred expectation. He said we need to look at how we're going to finance those vehicles that are going to need

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to be replaced at some point and the same thing with the roadways. He said we've got all this roadway that we haven't been talking about, \$45 million or so yet to construct as far as the NIP goes, but there are hundreds of millions of dollars in roadway mileage out there that we haven't thought about and the repaving of those as they start to deteriorate.

COUNCILMAN GIARRANTE said on the savings the Police Department is short 3 Captains and 1 Lieutenant and those are not going to be filled.

Mr. Mihelich said that's correct; those would be counted at the top end.

COUNCILMAN GIARRANTE asked for the Fire numbers also because they're short the public education officer, etc. so those aren't counted at the entry level, they're counted at the top end.

Mr. Mihelich said if there was a position at the top that's not being filled we counted it at 100%. He said one of the caveats that he will say is there were one or two positions, either a vacancy or we knew about the vacancy when we were doing the 2009 budget, so we may not have counted it twice. He said so we might have known somebody was retiring in 2009 so we didn't want to double count that in our savings.

COUNCILMAN GIARRANTE said he sees a discrepancy in the savings that Chief Formhals pointed out at the Public Safety Committee meeting and this one and evidently it's because he didn't include the severance cost.

Mr. Mihelich said that would probably be it, he doesn't think he had the severance cost in there as well.

COUNCILMAN BROPHY said at budget time he would like to see an annual amount that we would spend on vehicle replacement over time. He said we almost ought to leave that as a negative balance so if and when we right the ship and we do produce surpluses we know what we have to catch up on. He said he thinks these kinds of items need to be itemized in red ink so we don't forget about those things to fund.

COUNCILMAN GIARRANTE asked Mr. Mihelich if the overtime savings are in his numbers.

Mr. Mihelich said no, that's just strictly salary. He said with the overtime we're not changing anything that the Chiefs have shown the Council at this time.

COUNCILWOMAN QUILLMAN said so the actual number that we received at the Public Safety meeting was different because the incentive packages weren't part of that number.

Mr. Mihelich said there were two differences primarily, the incentive package was not in there and also the cost of the benefits on the Police side was included, not the Fire side, so we backed that out, this is just strictly salary.

COUNCILMAN GIARRANTE continued that Chief Formhals explained what he's doing to cut back on the overtime as far as taking equipment out of service since 5/20/09 and he gave the breakdown. He said by doing this Chief Formhals has saved \$700,000 to date in overtime and with the \$322,000 that Mr. Mihelich mentioned, we're looking at over \$1 million in savings for the Fire Department in

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2009. He said the overtime savings in 2010 will be \$946,000 and there will be a salary savings of \$595,000 not including buyouts. He said also no vehicles are in the budget for 2009 and 2010.

COUNCILMAN GIARRANTE said the Police Chief is looking to promote 1 Lieutenant and 3 Sergeants and the cost for the promotions would be about \$7,000.00. He said after the promotions they will not be replaced on the entry level. He said the Committee recommended the filling of those positions.

COUNCILMAN GIARRANTE said authorization to proceed with promotional testing was discussed and a motion was made to bring the item to the next Council Meeting with a recommendation to proceed with promotional testing.

COUNCILMAN GIARRANTE said Chief Hayes explained his recommendation to extend the Police Officers eligibility list an additional year and the Public Safety Committee agreed with the recommendation.

COUNCILMAN GIARRANTE stated the Committee discussed the retirement and replacement process for the Fire Department Mechanic. He said the current structure of the Motor Maintenance Department includes 24 full-time and 2 part-time positions. He said when the head mechanic retires one person will be moved up and be replaced by a person from Local 440.

COUNCILMAN GIARRANTE said the City Manager explained his recommendation of extending the Firefighters list since there have been no original appointments in 2009 and only a few in 2008. He said the Public Safety Committee agreed and a motion was made to recommend that to the Council.

COUNCILMAN GIARRANTE said Chief Hayes made a request to purchase 25 RA Mobile Mapping Software Licenses in addition to the 38 they currently have for on-board computers. He said the total cost comes to around \$23,000 which is budgeted and the funds are available. He said the Committee made a motion to recommend the purchase of the licenses.

COUNCILWOMAN QUILLMAN asked if they're going to credit us if they don't use all of the 400 vaccines that they're going to order.

COUNCILMAN GIARRANTE said yes, they are only going to charge us for what they use.

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 found them all to be in order and recommended their approval.

D. Communications, Technology and Information Systems

COUNCILMAN BROPHY said they have a meeting scheduled for October 14th at 3:30 p.m. and included on the agenda will be the External Communications Protocol Policy which we have never formalized. He said also the Major Projects Unified Message Systems and how we'll handle that protocol with the department heads is also on the agenda. He said we are going to have a Payroll System Implementation status update and review of a Health Insurance Information Action Plan so employees can get information prior to January 1st. He said he

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would also like to do an inventory of our technology to see exactly what our life expectancy is of those things we have with new operating systems coming out and the major business machines and desktop machines and we might want to talk about budgeting for those replacements as well.

E. Joliet Area Historical Museum

COUNCILMAN BROPHY said he distributed copies of the Annual Report and if anybody has any questions to please call. He said this Thursday they have a members opening from 4 p.m. to 6 p.m. of a special exhibit called "Envisioning Joliet – Burnham, Bennett and Beyond". He said the exhibit will then be available for the public to see at any time.

COUNCILMAN BROPHY said their Annual Gala Ball was held on Saturday and he thanked Pastor Warren Dorris who gave a really stirring invocation and he really appreciated him being there. He said the Gala was a success. He said the Houbolt Family was there and were very pleased with the honor that we continue to make of the life of John Houbolt.

There were no other Committee reports.

CONSENT AGENDA

A. Authorization to Proceed with Promotional Testing
(Council Memo #855-09)

A communication from the City Manager contained his recommendation that he and the Fire and Police Board proceed with the promotional testing process for the Fire and Police Departments.

B. Authorization to Fill Position Vacancy in Human Resources
(Council Memo #856-09)

A communication from the City Manager contained his recommendation that he be authorized to fill the position of Payroll/HR Analyst.

C. Position Vacancies
(Council Memo #857-09)

A communication from the City Manager contained his recommendation that he be authorized to fill one Police Lieutenant position, three Police Sergeant positions and one Senior Fire Equipment Mechanic position and any subsequent vacancies directly related to the Mechanic position until there is an unfilled entry level position.

D. Approve 2009 Neighborhood Improvement Program (NIP)
Modification No. 9 – Modification to the 2009 District 3
Neighborhood Improvement Program
(Council Memo #858-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the modification to the District 3 2009 Neighborhood Improvement Program by adding the Eagle Ridge Subdivision/River Road Tree Removal and Replacement Project (\$1,385.00).

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E. Authorization to Disperse 2009 Justice Assistance Grant funds to
Will County
(Council Memo #859-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the dispersing of the 2009 Fiscal Year and 2009 Recovery Act Justice Assistance Grant Funds to Will County for implementation of their own JAG-related activities.

COUNCILWOMAN QUILLMAN commented that when she was at the Public Safety Committee meeting she had several concerns and while she is not opposed to any promotions for the three Police Sergeants and the one Police Lieutenant, she did make it clear that we don't know what the 2010 budget is going to look like and her concern is if we promote these people would they possibly be demoted in 3 or 4 or 6 months because we don't know what the budget outlook is going to be.

The City Manager said we are not anticipating any demotions in the Police Department as a result of these promotions.

COUNCILWOMAN QUILLMAN said she had asked him before if he could guarantee that and he said no.

The City Manager said he can't guarantee personnel items considering our financial picture, but he certainly wouldn't be bringing these four promotions to the Council if he thought there was a chance of having a demotion of these four officers who would be moving up. He said he knows Chief Hayes and Deputy Chief Trafton and retired Deputy Chief Kerr spent a lot of time on the reorganization plan in the early spring of 2009 and he asked them to pare it back as far as they could, and we wanted to make sure we had enough people on the street to equal the amount of coverage that we had a year ago before we started our reduction in force. He said when the Chief presented the plan in April he was satisfied that it was professionally done and it provides coverage and that plan does include these positions being filled so that is why he is bringing it forward tonight.

COUNCILWOMAN QUILLMAN said OK, because it did happen before and she just wants it understood that it could happen.

The City Manager said he can not use the word "guarantee" to anybody including himself right now the way things are going.

COUNCILWOMAN QUILLMAN said we also talked about the promotional testing and she asked for an explanation of why we have to do this and that the State statute for the Fire Department is different than the State statute for the Police Department.

The Corporation Counsel said under Illinois law, promotions in all fire departments throughout the State of Illinois are controlled by a Promotions Act and that Promotions Act requires that a promotion list remain in effect no longer than 3 years, and our list is coming up on 3 years so we do not have the ability to extend the list unilaterally, we need to go ahead and retest. He said a similar situation exists on the Police side of the equation, and there we have a collective bargaining agreement that requires retesting in the absence of a negotiated alternative with the unions and in both cases we do not have the consent of the

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unions to leave the existing list in place, so we're required by a collective bargaining agreement and by State law to go ahead and retest for promotions. He said that's not the case for new hires of either entry level firefighters or entry level patrol officers and there the City is free to extend the list as recommended by the City Manager.

COUNCILWOMAN QUILLMAN said did we ask the bargaining units if they would consent to that.

The City Manager said we had off-the-record conversations and we did not make a formal request.

COUNCILWOMAN QUILLMAN asked why is that.

The City Manager said there was some discussion that took place at the Fire and Police Board meeting where the Fire and Police Board took this issue up and it was clear based on the conversations at that meeting that it was unlikely that we would get the consent of the unions to extend the existing promotional list. He said in a couple of cases, one primarily the Sergeants list on the Police side, with these three promotions he believes we will be down to one person and rather than extending that list for a year and then having to scramble to try to get a new list in place, we thought it would be better to go ahead and start the testing process for that particular position.

COUNCILWOMAN QUILLMAN asked if they are in agreement with that.

The City Manager said everybody is in agreement from the union side and the staff side to proceed with promotional testing. He said as the Corporation Counsel indicated though that's not the case with original appointment. He said we're making a recommendation later on the agenda tonight to extend the existing lists in the Fire Department and the Police Department and none of the four unions have any objections to that recommendation either.

COUNCILWOMAN QUILLMAN said basically the bottom line is we're mandated by the State statute to go ahead with this unless the unions would concede.

The City Manager said he wouldn't use the word "concede". He said on the Police side there is a need to do promotional testing for the Sergeants position and we think it's probably a better practice to keep all three positions on the same track and go ahead and proceed with that. He said the Corporation Counsel explained the situation with the Fire promotional list and we think as long as we're running the Police list we should go ahead and do the Fire list also. He said we could try to bargain an extension but he thinks considering that we have very little to offer right now, we're probably better off proceeding this way.

COUNCILWOMAN QUILLMAN said she just wanted to bring all of this up because of the cost, but then in the long run if we wait another year it could probably cost us more next year and we don't have a crystal ball for next year.

COUNCILMAN TURK said the State statute is a little bit different for Police and Fire, but is he to understand that the promotional list for the Fire, whoever is on that list will have an opportunity for the next five years to be promoted off that list irrelevant to the new list.

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The Corporation Counsel said yes, it gets kind of complicated but the General Assembly has tried to establish one rule for all cities to follow and the rule that now applies to the City of Joliet is that when a vacancy occurs in the Fire Department, for example a Battalion Chief retires and creates a vacancy by that retirement, the list that is in effect when that Battalion Chief retires controls who is eligible to take the place of the retiring Battalion Chief. He said the City is not obligated to fill that position right away, that's a Council decision, and so the General Assembly decided to protect whoever's first on the list for that promotion for a period of five years. He said let's say we had a Battalion Chief resignation today, someone is next on the list and that person would have the right to assume the vacated Battalion Chief's position as soon as the Council decided it needed to be filled, but only for a period of five years. He said if the Council decided not to refill that position for five years then the position could be filled by a successor list.

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

AGENDA ITEMS AND REPORTS

- A. Approval of an Agreement for Health, Dental and Life Insurance Consulting and Brokerage Services and Renewal of the Insurance Program
(Council Memo #860-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Authorize the City Manager to renew the Administrative and Insurance Coverages with Blue Cross Blue Shield at the rates outlined in the Council Memo for the 2009/2010 Plan Year; and 2) Authorize the City Manager to execute a consulting services agreement with ProSource Financial, L.L.C. for the provision of consulting and brokerage services for the City's Health, Dental and Life Insurance programs for the Plan Years 2009/2010, 2010/2011 and 2011/2012 at a cost of \$78,600.00 per year.

COUNCILMAN SHETINA said historically when there was change or a bidding or a professional pro forma solicited, the Finance Committee would hear that and he doesn't think the Finance Committee heard this at all. He said in the past also if there were a group of finalists, the Finance Committee also would listen to those finalists and make recommendations to the Council with respect to who that finalist would be. He said he didn't see that happen here and he's concerned about the fact that we've got a citizen who's getting a scathing publically in the Herald News as to his character and everything else who was brought on many years ago and operated properly and did a good job, he doesn't know about the dollars and cents of it. He said the Finance Committee in that regard would look at that annually and he doesn't know that there was any indication from the Committee that that operation wasn't being done properly. He said we have people in the Human Resources Department that we rely upon to

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tell us if in fact they have gone out and gotten comparables and to see if the dollars and cents of it were correct, if we were being hit too hard on premiums or hit too hard on the actual management of the property. He asked what happened on this one where the Finance Committee had no input.

The City Manager said it was on the agenda for the Finance Committee in September and he believes that we had a lengthy Pre-Council meeting that day but the Finance Committee met briefly and basically just hit bullet points of items that were on the agenda. He said there was no discussion.

COUNCILMAN BROPHY said at that meeting it did generate his interest in the RFP that went out and he did request a copy of it and he went through it thoroughly and called staff with some suggestions. He said he wanted to raise the bar a little bit and make sure that the applicants were qualified as much as possible for a City the size of ours and they made those changes.

COUNCILMAN SHETINA said so they didn't put that in.

COUNCILMAN BROPHY said we did that at an early point in the RFP stage and he met with the City Manager earlier to air some of these concerns and he went over the process they did use which he was very satisfied with. He said there was a multi-person review of all the bids, they honed them down to a few finalists and then had interviews with those people. He said then finally a recommendation was made to the City Manager and then he himself got involved and did his own diligence on these items. He said he is a little happier with it now than he was yesterday because he didn't know all that went on. He said he did have a concern that we didn't get a chance to look at it at the Finance meeting. He said he talked with Ken Mihelich who reminded him that staff has chosen several different consultants in different departments whether it be VOA for the downtown or the ambulance billing consultant; we didn't interview them.

COUNCILMAN SHETINA said but they all went before Committee, he attended those meetings.

COUNCILMAN BROPHY said we did, we vetted the process that they were going to take and we did vet the purpose of the consultant and then we gave them the go ahead to proceed. He said he found it to be much more in order after having those two conversations than he did yesterday and earlier today.

COUNCILMAN SHETINA said he likes the 3 year contract and he certainly likes the \$78,000 that guaranteed for that 3 year period and that's all good, but he would have liked it to go to the Committee structure.

COUNCILWOMAN QUILLMAN said even though she wasn't here she did view yesterday's Council meeting and she had some issues with this as well. She said COUNCILMAN BROPHY said he's all fine with that but he's the only one that knows what the conversation was, we weren't part of that meeting so she herself is not comfortable with this 3 year contract because here we are trying to save money and the main reason was the broker was making "x" amount of dollars and over a period of 3 years this is going to be another quarter of a million dollars and she's not sure why we need to sign a 3 year contract. She said she herself is not comfortable with this at all.

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COUNCILMAN BROPHY said he doesn't mean that his comfort should stop any questions here tonight, he thinks any questions should be aired and it's a good time and the professional is here that's been chosen.

COUNCILWOMAN QUILLMAN said she is just not comfortable with the 3 years. She said she can understand the first year and so we get everything in place because it is a huge switch from what the City's been used to, but then after that she doesn't know why we just can't bring it in-house and do it in-house and then refer to them on a consultant basis when needed.

COUNCILMAN GIARRANTE asked if this price is based on a 3 year contract and would it be different if it was a one year contract.

The City Manager said it would be the same price whether it's a one year or a three year agreement. He said we asked each firm to submit a proposal for a one year agreement and then a second proposal for a three year agreement and this particular company provided us with a flat fee that would remain the same for each of the three years. He said most of the other firms had a sliding scale and some of the firms had a flat fee but it had add-ons that would have caused the flat fee to go up considerably. He said we were impressed with ProSource's directness of quoting a flat fee without add-ons and that it gave us the comfort of having a fixed number unlike what the past contract called for where it was based on a percentage of the claims.

The City Manager said so when we do our budgeting for the next 3 years we'll have that number to put in the budget and know that it's a solid number. He said his proposal for the three years rather than just one year calls into play a lot of things that we're going to be doing over this next 3 year period. He said we will not be able to change everything in a year or six months, it will take us a couple of years to go through a process, get a website going, train our employees and train our employees in the HR Department and get this system to talk to our new payroll system and he thought it would be appropriate for a professional services contract like this to have a full three years. He said with the three year contract we don't marry the broker, if we have a need for a divorce we can get a divorce and he can fire us or we can fire him if it looks like there's cause for us to sever ways but he's very confident in this recommendation. He said he spent a lot of time with ProSource principal Phil Algozino and he feels that we have a good professional who will be able to help us through this transition period and will be very responsive to the employees and he knows that enrollment periods are a complicated process and take some time and we feel that we have a partner who will help us through the process.

COUNCILMAN DORRIS said he thinks we've done due diligence and that the Finance Committee did have opportunity to review this and he thinks it's a step forward.

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

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Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to his vote, COUNCILMAN DORRIS said he believes this is a tremendous step forward, a tremendous cost savings for the City. He said he believes our new provider is going to give us the best service as promised yesterday and he thinks all of the employees are depending on it. He said he thinks staff did a very good job in doing their due diligence and he votes aye.

Prior to his vote, COUNCILMAN GIARRANTE asked Mr. Phil Algozino to stand up and he introduced him to the employees present and said he is the person to talk to and he then voted aye.

Prior to her vote, COUNCILWOMAN QUILLMAN stated that we could get out of this contract at any time and she asked the City Manager at what cost that would be.

The City Manager said we could terminate if there's cause, and we will have a formal contract that will have language in it that would allow us to terminate it for non-performance or something that's not being done to our satisfaction. He said it is a professional services contract much like we would have when hiring a lawyer or a doctor. He said we do not have to continue on if it looks like this company is not living up to our expectations.

COUNCILWOMAN QUILLMAN said so it is \$6,500 a month and \$78,600 a year.

The City Manager said yes.

COUNCILWOMAN QUILLMAN said she is just not getting the three years. She said if it doesn't matter why can't we just do it for a year and see how it goes and then re-up.

The City Manager said he thinks what he'd like to do is make a 3 year commitment so we can build on it because there will be a lot of expense that ProSource will incur in that first year and a lot of time, and we've already spent a lot of time. He said this is Mr. Algozino's third trip here in the last five days and he will be here a lot during this enrollment period that we have coming up. He said this is not something that will fall into place overnight and that's why he thinks we need to make a 3 year commitment so we can lock in that number. He said we do have a substantial risk if we did a one year agreement because he's not sure what the numbers would be if we go through the process again next year. He said we caught the market at a very good time, it's a very competitive atmosphere in this type of business and he thinks people saw us as a very good client to have. He said this company was willing to commit to a solid figure for a 3 year period. He said if we go with a one year contract and open it up again we may see higher numbers much like we see on our road contracts depending upon the economy, and he thinks this is a good time to lock in a good price.

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COUNCILWOMAN QUILLMAN said well again she is not comfortable with this because she didn't have all the other benefits of having talked to Mr. Mihelich and the City Manager, so at this time she is going to have to vote no unless we table it until we can have more conversation on it.

Prior to his vote, COUNCILMAN SHETINA said the \$78,000 a year is a locked in figure and the City Manager said yes. He asked the City Manager what was the final number we had been paying.

The City Manager said we were paying 3.11% of medical claims made on our Blue Cross healthcare plan which last year equaled about \$481,000.00. He said this year we are probably looking at a similar number. He said when he looked at those numbers he thought as a manager that he needed to bring forward a number that he could rely on and not have it dependent upon the amount of claims that are filed by our employees and retirees and their dependants.

COUNCILMAN SHETINA said so it's like five times the cost we would have been paying, 500%.

The City Manager said this isn't one of those renegade type numbers; occasionally on some other contracts we might see somebody being 50% lower than everybody else. He said the four finalists on their bottom line were all within about \$5,000 of each other except one. He said that's why he felt very comfortable with this number that it is a true market rate number, as other reputable companies were bidding very close to that and that's why he didn't think this would be a problem bringing it forward.

COUNCILMAN SHETINA said the gentleman has been in business 25 years and knows what he's getting into.

The City Manager said 29 years. He said Phil worked for Blue Cross Blue Shield on the inside for 15 years and then went to work for ProSource and is now one of the owners of ProSource. He said one of the contracts that ProSource has that Phil handles himself is the Plainfield School District and he thinks that's the fourth largest school district in the State of Illinois and was the fastest growing school district in the State of Illinois. He said he believes in their first year ProSource was able to identify \$1 million in savings for the Plainfield School District on their healthcare plan.

COUNCILMAN SHETINA said he thinks it's a good outcome and he didn't know the Finance Committee hadn't had the opportunity to look at it, maybe they had the opportunity but chose not to at the time for time constraints or whatever, so he votes aye.

Prior to his vote, COUNCILMAN BROPHY said the other thing about the scheduling process, the Finance Committee is only scheduled to meet once a month and they have been moving on a number of large items and to delay it any further for too much review would have been wasteful, so he thinks that's the other reason why it only hit one round of Finance Committee agendas.

COUNCILMAN BROPHY said when we started focusing on expense reductions of course a lot of those expenses were employee based, compensation based and we have been very generous to the entire town including our employees. He said this was one of many ways that we were generous in that we picked a

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broker, John Manner, that had a long term relationship with us here and continued the relationship. He said that broker, upon our request, reduced his commission in half earlier this year simply because we called him and asked him what he could do to help us. He said going out he deserves a bit of thanks for 15 years of good service, not the demonization that some people have done. He said he wants to make sure that in context that the great majority of our employees are good, hard working, decent people that do not practice such methods but he knows very well having been the subject of some of that demonization in the process of the work we're doing it's not fair to this professional who has contributed greatly to this town, him and his family. He said the treatment they got at the hands of a few and the mouths of a few City employees is disgusting. He said that being said, we're moving forward and it appears that staff has chosen a fine professional that will take care of us and he hopes that the level of service is satisfactory to the employees needs, the former service provider was available and provided a lot of hours of hands on and hands holding with a lot of our employees. He said hopefully that is able to continue but at the reduced rate you get what you pay for. He said he will vote aye on the item with regrets about the way that our former carrier went out.

COUNCILWOMAN QUILLMAN said she would add that originally when the Manner Insurance Agency did come to us he was originally brought to us by the Police and Fire unions if her memory serves correctly, so it wasn't something the Council sought out, it was something that the unions brought to us and she would have to agree with that.

COUNCILMAN GIARRANTE said he was President of Local 44 at the time and was the elected spokesperson for that group and we did bring John Manner here and he thinks he's done a good job.

APPROVAL OF REGULAR CURRENT BILLS

- A. Regular Payroll – September 5 – September 18, 2009 - \$3,308,942.58
(Council Memo #861-09)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period September 5, 2009 through September 18, 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 BROPHY said we were doing a good job and he asked if this is a multi-week or long schedule; what happened with this payroll. He said we were at an average payroll of \$3.1 million and \$2.9 million and we jumped back up to \$3.3 million. He asked if we had a lot of separations in this pay date.

The Director of Human Resources said it was the IRL Race overtime.

The City Manager said some of that is reimbursable and some of that isn't. He said we're still on a pretty good track for keeping overtime within budget.

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

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Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Approving a Special Use Permit to Allow an Auto Repair and Car Wash Facility in a Vacant Portion of 405 Ward Avenue as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That a 4' high aluminum wrought-iron fence be installed around the back parking area within 8 months; 2) The owner of the subject property shall repave the existing dilapidated concrete parking lot in its entirety within two years of the effective date of this ordinance, or prior to a conveyance of part or all of the subject property, whichever occurs first; 3) That no inoperable or junk vehicles will be allowed prolonged storage on site; 4) That the business hours will not be expanded from Monday thru Saturday 9 a.m. to 6 p.m.; 5) That if the above conditions are not completed within the specified time period this matter shall be scheduled for an administrative hearing and the hearing officer will determine if an extension of time is warranted or if this matter should be referred to the City Council to consider revocation of the Special Use Permit; 6) That the Special Use granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period; and 7) Should the property be declared a public nuisance it shall be subject to a rehearing and a possible revocation of the Special Use Permit. (#2009-47/Dist. #4)
(Council Memo #863-09)

The City Manager explained the addendum which addresses an issue that was raised at yesterday's Pre-Council meeting regarding one of the conditions that the staff is recommending which is the repaving of the current concrete parking lot that is on the backside of the property. He said there was a question whether it would be the owner of the property's obligation or the two gentlemen who are leasing the property from the owner and the Council preferred to have the owner responsible, Mr. John Calderon and his partner, for the repaving of the lot within two years of tonight. He said Mr. Calderon is present and he concurs with that obligation and will make sure it happens by October of 2011 or sooner.

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COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16535)

2. Ordinance re: Approving a Special Use Permit to Allow Additional Antennae on an Existing 150' Monopole and the Installation of an Equipment Cabinet Located at 150 W. Jefferson Street (#2009-49/Dist. #5)
(Council Memo #864-09)
3. Resolution re: Approving a Communications Site Lease Agreement with Clear Wireless LLC
(Council Memo #864-09)
4. Ordinance re: Approving a Special Use Permit to Allow Additional Antennae and an Equipment Cabinet on an Existing Multi-Story Building Located at 102 S. Stryker Avenue (#2009-50/Dist. #3)
(Council Memo #865-09)
5. Ordinance re: Approving a Special Use Permit to Allow Additional Antennae and an Equipment Cabinet on an Existing 124' Monopole Located at 115 Republic Avenue (#2009-51/Dist. #2)
(Council Memo #866-09)

The City Clerk noted that these items were approved at the Pre-Council meeting yesterday.

6. AN ORDINANCE Declaring the following properties as Public Nuisances and authorizing application to the Circuit Court for demolition, injunction or other relief was presented and read: 117 Fourth Avenue and 115 Linden Avenue.
(Council Memo #867-09)

COUNCILMAN DORRIS moved that said Ordinance be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16536)

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7. AN ORDINANCE Authorizing the Extension of the Police Patrol Officers Eligibility List was presented and read.
(Council Memo #868-09)
(ORDINANCE NO. 16537)

8. AN ORDINANCE Authorizing the Extension of the Firefighters Eligibility List was presented and read.
(Council Memo #869-09)
(ORDINANCE NO. 16538)

COUNCILMAN GIARRANTE moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

B. RESOLUTIONS

1. Resolution re: Urging Governor Pat Quinn to Rescind All Planned Layoffs at Stateville Correctional Center
(Council Memo #874-09)

The City Clerk noted that these items were tabled indefinitely at the Pre-Council meeting yesterday.

2. Resolution re: Approving an Intergovernmental Agreement Between the City of Joliet and PACE for the Provision of a Shuttle Bus
(Council Memo #875-09)

3. Resolution re: Approving an Agreement Between the City of Joliet and the University of St. Francis for the Operation and Use of a Shuttle Bus Between the USF Campus and the City Center
(Council Memo #875-09)

The City Clerk noted that these items were approved at the Pre-Council meeting yesterday.

BIDS AND CONTRACTS

A. Award of Contracts

1. Award of Contract for the Caton Farm (North ½ Road at Autumn Fields) Roadway Improvements
(Council Memo #880-09)

A report on five bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to P.T. Ferro Construction Co. in the amount of \$413,636.43.

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2. Award of Contract for the Repair to the No. 2 Final Effluent Booster Pump at the Westside Wastewater Treatment Plant
(Council Memo #881-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve an increase to Purchase Order No. 103258 in the amount of \$10,724.50; and 2) Approve Payment No. 1 and Final in the amount of \$11,714.50 on behalf of Layne Christensen Co.

3. Award of Contract for the Belmont Avenue Water Main Project - 2009
(Council Memo #882-09)

A report on twelve bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to J.S. Alberico Construction Co. in the amount of \$89,371.00.

4. Award of Contract for the Fence Installation at the Gael Drive Motor Maintenance Facility
(Council Memo #883-09)

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 Fence Masters, Inc. in the amount of \$8,200.00.

5. Award of Contract for the Dewey Avenue (McDonough-Morgan) Roadway Improvement Project – 2009 Neighborhood Improvement Program
(Council Memo #884-09)

A report on seven bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to P.T. Ferro Construction Co. in the amount of \$121,456.05.

6. Authorization to Renew the Contract for Snow removal for Municipal Parking Lots
(Council Memo #885-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Trizzino Construction in the amount of \$28,100.00.

7. Award of Contract for Rehabilitation of 1300 N. May Street
(Council Memo #886-09)

A report on six bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Basic Brothers Construction in the amount of \$93,900.00.

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8. Authorization to Purchase Mobile Mapping Software Licenses and Annual Software Maintenance
(Council Memo #887-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Group 1 Solutions in the amount of \$23,084.00.

9. Authorization to Purchase Laptop Computers, Installation Software and Mobile Radios for Use by the Fire Department
(Council Memo #888-09)

It is recommended that the Mayor and Council approve the purchase of 12 Panasonic Laptop Computers from CDS Office Technologies in the amount of \$50,640.00, Computer Software from Group 1 Solutions in the amount of \$20,746.47 and Motorola Portable Radios from Miner Electronics in the amount of \$20,182.22.

10. Authorization to Purchase Flu Vaccinations for City Employees
(Council Memo #889-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Fastrac Medical in an amount not to exceed \$8,000.00.

11. Authorization to Purchase Equipment for the Fire Department Hazardous Materials Team
(Council Memo #890-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Magrite Mag Patch Systems in the amount of \$6,950.00.

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

NAYS: NONE.

B. Amendments, Change Orders and Payments:

1. Approve Amendments for the Professional Service Agreements Related to the Disposal of Biosolids Materials
(Council Memo #895-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve amendments to the agreements with the following firms in the following amounts: 1) Drinker Biddle Gardner Carton in an amount not to exceed \$45,000.00; 2) Rogina & Associates in an amount not to exceed \$9,500.00; 3) Land Treatment Alternatives in an amount not to exceed

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\$2,500.00; and 4) R.S.S.I. in an amount not to exceed \$7,500.00.

2. Approve Payment for Rental of Golf Carts for Race Events at Chicagoland Speedway
(Council Memo #896-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$7,536.16 to Chicagoland Speedway.

COUNCILWOMAN QUILLMAN asked if this shouldn't be incorporated with the cost of hiring our police officers. She asked why that is our cost because they can't get around there in police cars so the only method of transportation out there is the golf carts which the race track already has or they rent so why don't they provide that as part of our hiring contract.

The City Manager said he thinks this is probably more of a historical process that we were billed separately for the golf cart rentals so the public safety officials would have access to the NASCAR track. He said we can work with Chicagoland Speedway and their new GM to try to get it rolled into one contract next year so we don't have a separate line item.

3. Approve Payment for Repair of Damaged Police Vehicle Unit 0454
(Council Memo #897-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$5,600.74 to Rod Baker Ford.

4. Approve Amendment No. 1 to the Professional Services contract for the Structural Review and Construction Phase Engineering for the CenterPoint Intermodal Center North Bridges/Structures
(Council Memo #898-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Amendment No. 1, a deduction in the amount of \$38,825.50 to the contract with Rempe-Sharpe Consulting Engineers.

5. Approve Change Order No. 2 and Payment No. 4 and Final for Edgecreek Estates Drainage Improvements – 2008 Neighborhood Improvement Program
(Council Memo #899-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$1,917.77 and Payment No. 4 and Final in the amount of \$4,392.84 on behalf of Duke, Inc.

6. Approve Change Order No. 1 for the Half Theodore Street/Half County Line Road (Neustoneshire Subdivision) Roadway Improvements Project
(Council Memo #900-09)

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A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$24,447.50 on behalf of P.T. Ferro Construction Co.

7. Approve Change Order No. 3 and Payment Request No. 6 and Final for the 2008-2009 Landscape Restoration Program
(Council Memo #901-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3, a deduction in the amount of \$27,019.00 and Payment Request No. 6 and Final in the amount of \$1,370.50 on behalf of Allied Landscaping.

8. Approve Change Order No. 1 for the Neufairfield Subdivision Public Improvements - 2009
(Council Memo #902-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$44,009.92 on behalf of P.T. Ferro Construction Co.

9. Approve Change Order No. 2 and Final Payment for the Rehabilitation of Neighborhood Stabilization Program Property at 326 Margaret Street
(Council Memo #903-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$774.00 and Final Payment in the amount of \$16,257.00 on behalf of R.R. Norwood Homes, Inc.

10. Approve Change Order No. 1 and Payout No. 1 and Final for the Westport/Jeffrey Yard Drains – 2009 Neighborhood Improvement Program
(Council Memo #904-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1, a deduction in the amount of \$2,547.50 and Payout No. 1 and Final in the amount of \$23,380.00 on behalf of Len Cox & Sons Excavating.

11. Approve Change Order No. 1 for the 2009 Utilities Restoration Phase II Contract
(Council Memo #905-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$40,336.30 on behalf of P.T. Ferro Construction Co.

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

MAYOR

A. Proclamation re: Recognizing the Joliet Catholic Academy Boys Varsity Baseball Team for Winning the 2009 Class 3A State Baseball Championship

COUNCILMAN GIARRANTE read a Proclamation issued by Mayor Schultz recognizing the JCA Boys Varsity Baseball Team for winning the 2009 Class 3A State Baseball Series Championship on June 13, 2009 at Silver Cross Field, making this their first baseball state championship since 1994 and wishing each member of the baseball team the very best in their future athletic, academic and lifetime endeavors.

Joliet Catholic Academy student John Broderick accepted the Proclamation on behalf of the Baseball Team.

B. Proclamation re: Proclaiming October 15, 2009 as "White Cane Safety Day"

This Proclamation was presented earlier in the evening.

B. Ralph Norberg, President of Local 44 Firefighters

Mr. Noberg stated the City of Joliet is one of the largest cities in the State of Illinois and this City has endured some hardships this year like many others around the country. He said that being said, the fact is that emergency service calls for the Joliet Fire Department have increased from last year and will increase again in 2010. He said last year the Joliet Fire Department responded to over 16,000 calls for emergency medical services alone not counting calls for structure fires, gas leaks, carbon monoxide emergencies and water rescues. He said as of right now the Fire Department is being staffed at levels far below the accepted national standards and any talk of or actual implementation of layoffs would not only be extremely irresponsible, it would put the citizens of Joliet and the Firefighters who protect them at grave risk. He said on a day to day basis an ambulance has been taken out of service and in some cases two ambulances have been removed from service for the day, and this has resulted in longer response time and in a medical emergency it is often seconds, not minutes, that count. He said the firefighting profession is a dangerous one, a job that is not only physically demanding but psychologically demanding as well. He said diminishing the ranks of Joliet Firefighters will make this job even more dangerous and will have a negative impact on the people we work to protect. He said he is respectfully asking the City Council to make keeping every single Firefighter on the job as one of their top priorities.

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MAYOR AND COUNCIL COMMENTS

COUNCILMAN SHETINA said he doesn't know that we've gotten very far in negotiations, we know what the comments have been through PowerPoint presentations we've been provided. He said he doesn't think we've gotten very far. He said the Firefighters are in a unique position to keep all of their men with the resolve on the 4% raise. He said the City Council has maintained its dignity and has not gotten involved in the negotiations on a one on one basis, at least he hasn't, but he thinks at this point this City Council should hold open negotiations from this point forward, we're not getting anywhere, we have not had a report about negotiations.

The City Manager said they had a meeting about four weeks ago and then there was a request that was submitted by Local 44 on September 21st for a substantial amount of financial information and that was provided today to Local 44. He said they asked for legitimate information and it's not a fishing expedition. He said he has an open book right now and that open book doesn't paint a very good picture, it shows we have substantially declining revenues, sales tax, income tax, gaming tax, soon real estate tax and the forecast is not getting any better. He said all he's doing is looking at what other towns are doing and they're looking for concessions from unions and that's what he's asked for. He said he respects their position and we still need to meet and we still need to keep talking.

COUNCILMAN SHETINA said but we're not going anywhere. He said if it needs to be, he thinks negotiations ought to be open, everybody ought to be able to listen to them, how it all started and what the reopeners were and how we got to the point we have. He said we haven't gotten anywhere, we're still sitting and now the holidays are coming and the more that happens the more difficult it is to negotiate. He said so when there is a stalemate like this he thinks the Council owes it to the public, there's 150,000 people in this City that need to be represented along with the 1,000 employees in the City of Joliet who are all well paid. He said we were all part of it, he was part of it with the 4% raises and the merit raises every year or whatever occurred.

COUNCILMAN SHETINA said we're sitting in the dark as a Council and not knowing what's happening on negotiations because there hasn't been any, so he thinks that we ought to talk about negotiating in public, and let the public realize they have the opportunity which is very unique to keep every person on board with the reduction of the 4% raise on the fire side. He said he doesn't know where staff has gotten with Local 440 and he thinks we're talking about some buyouts and things but the buyouts we've done so far are very, very expensive. He said there's over \$100,000 on a lot of those price tags and that's a lot of money but he guesses we'll pay for that over a period of time. He said he thinks this Council owes it to the public to get this resolved or not get it resolved. He said he doesn't see it happening between now and the beginning of 2010.

Mr. Norberg said he appreciates COUNCILMAN SHETINA'S comments, but this is the second time that he has mentioned 150,000 people that he represents. He said they have sworn to protect those 150,000 people and if Firefighters are laid off they are going to be adversely affected and the 4% was part of a collective bargaining agreement that the Council all agreed to less than one year ago.

COUNCILMAN SHETINA said the Firefighters also know the financial position of the City and have not moved one inch, the City has.

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Mr. Norberg said he has to disagree with that and this is not the forum to discuss contracts.

COUNCILMAN SHETINA said he thinks it is, there has to be a forum that everybody can hear, the public has the right to see what's happening. He said the Firefighters have a unique position to keep everybody on, the 16 men that they've talked about, they are in a unique position to keep every single one of them on payroll. He said at some point in time the City Council is going to lose control of it and not have any kind of conditions whatsoever because they won't be able to do it, they won't have the money to do it. He said the Firefighters have the right and the responsibility and the position to keep everybody on and we want to keep everybody on too.

Mr. Norberg said he respects COUNCILMAN SHETINA'S opinion but we have never negotiated a contract at a Council meeting and we're not going to start tonight.

COUNCILMAN SHETINA said but the union has been negotiating with Council people.

Mr. Norberg said that is not true, we have not been negotiating with Council people, we have been showing them some figures that we have come up with and that we have shared with the City staff, but we have not been negotiating.

COUNCILMAN GIARRANTE said he has sat down with several Firefighters who have simply shown him the savings that they have figured that Local 44 is saving the City and he knows one of the savings that they showed him was untrue. He said it was over insurance and there was no negotiations involved, it was simply informational to show the savings and then it was double checked with Chief Formhals to make sure of it, but no negotiations took place.

COUNCILWOMAN QUILLMAN said this Sunday is the big finale fundraiser for Big Brothers and Big Sisters at the Joliet Country Club from 3 p.m. to 5 p.m. She said they are serving all desserts and it is \$50 a ticket. She said Big Brothers and Big Sisters would really appreciate everyone's support and people can get tickets from her or by calling 727-BBBS.

COUNCILMAN BROPHY said in regards to COUNCILMAN SHETINA'S remarks, he thinks if we remember the genesis of the union movement when employers were unfair, the employees had an unfair situation, and then fast forward to today in the United States of America in 2009 no one can say that we have not been fair with our employees. He said the people of Joliet have been generous and in return the employees have given them extraordinary service. He said our employees provide a higher level of public safety, a higher level of street department response times and sewer and water response times and things get done and fixed because the great majority of our employees are excellent people and well trained. He said he thinks we need to move on recognizing that in this situation we are not alone, cities across the country have been faced with the fact that their revenues do not meet their expenses. He said if we don't recognize that someday, a Judge will decide for us what we'll pay our employees, what our water rates will be and so on and so on. He said in that spirit he thinks it behooves us to move along. He said in the delay constituents constantly ask him why when my employer laid me off 1 ½ years ago, my brother got furloughed 18 months ago etc. and my benefits were cut last year and so on, why is it taking us

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so long to do the same or to do what it is we're going to do. He said that is a valid point, those are valid comments. He said we need to make sure that what we are doing is not simply delay tactics but it is gainful informational sharing toward a true negotiation and we are going to have to sit down and renegotiate a contract. He said to be clear, COUNCILMAN SHETINA referred to reduction, he thinks the supposed and proposed or possible solution on the table while we're not negotiating has been one of simply a wage freeze, not a reduction but a freeze or a removal of a planned increase. He said many of our brothers and sisters and fellow citizens across this City and country have dealt with much, much worse. He said by all means we can certainly move forward and this employer and these employees can find a way to fairly meet at a table and discuss the new reality.

COUNCILMAN BROPHY then asked the City Manager about a lot being paved on Plainfield Road. He said we have an item today with a new car wash where we gave them two years to pave the lot because they're just going to get going. He said the fellow in the donut store just west of the CVS was a going concern when he built that lot and it is a going concern, a for-profit company, with rent and business revenues and yet he sees that's still not paved this season. He asked if we have an agreement with him with a deadline. He said there are revenues there against which he can borrow the money and put that lot in.

The City Manager said we'll have staff follow up on that.

COUNCILMAN BROPHY said a citizen by the name of "Frank" called because he had a cause to call 9-1-1 and one of our ambulances came and he was highly complimentary of the services he received from the Joliet Fire Department in transporting him to the hospital but he wasn't real pleased with the bill he got later on. He said he wanted to run through the steps. He said Frank as a resident enjoys a couple things as would any resident. He said first of all residents will receive a total bill of \$300 less than a non-resident so right off the bat non-Joliet residents are being charged \$300 more than Joliet residents for any ambulance service. He said once the total cost of that ambulance ride is calculated in the case of a senior, Medicare immediately lops off 10% and a 10% reduction in the total bill and then Medicare pays 80% of that difference with 20% going to the resident and he asked if that is accurate.

The Fire Chief said he believes that's correct. He said our ambulance fees are \$400, \$500 and \$600 for residents and \$700, \$800 and \$900 for non-residents based on ALS and BLS treatment.

COUNCILMAN BROPHY said in this case he had a \$74 net to him and said Frank as can any citizen can petition us if they need help with some time to pay, but we are collecting from every citizen for every ambulance ride.

The Fire Chief said we are diligent at doing that, our ambulance billing has improved tremendously. He said he just received notification that this month we collected \$345,000 in the month of September through Andres Billing Service.

COUNCILMAN BROPHY said that is one of those things we used to do without charge, but the new reality is that these citizens have to pay a little bit more because they're using the service.

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The Fire Chief said absolutely. He said there are venues and avenues for people that have hardship cases. He said our EMS secretary handles most of those calls and if there is somebody that is down on their luck all they need to do is bring proof that the bills are being waived at the hospital and we will go ahead and work with them also. He said we are providing a service here, we do a fantastic job. He said we have 207 highly trained individuals that are out on the street every day and for this gentleman to get a \$75 bill he thinks is a good deal.

COUNCILMAN TURK asked if at one time we were writing off what wasn't covered for those residents on Medicare.

The Fire Chief said he's not sure.

COUNCILMAN GIARRANTE said he thinks we were taking it case by case.

The Fire Chief said we're trying to be consistent and handle everybody the same across the board. He said we get one or two complaints for ambulance billing and we do about 16,000 ambulance calls a year.

COUNCILMAN BROPHY then mentioned an article regarding Evergreen Terrace that was recently in the Chicago Tribune and the writer on the article did not have accurate information and also did not practice good journalism by securing comments from either our information officer or any of the elected officials in Joliet. He said what they're doing at Evergreen Terrace is a bit of a spit shine because the court case is coming up, it's very obvious that their strategy is they feel threatened and desperate and so they are bumping their residency rates probably by not screening closely enough so we have a high rate of occupancy here that they quote in this article in the 90's when it typically is in the 80's or below. He said we have security referred to that was never there before and he asked the Police Chief if they are armed security and he said no. He said unarmed security at Evergreen Terrace is like having a little yellow duck watch a pack of wolves so that obviously will do no good. He said the good citizens that do live at Evergreen Terrace still live in fear and they should not have to, so he would hope that we revitalize our efforts and our thoughts about this tumor that is a cancer on the City of Joliet and get the proper information out about what it is between spit shines and remind those in the media that there is more information if they wish to get it from the City of Joliet and we'd be glad to give them all of the information, all the data and all the facts to write a complete story.

COUNCILMAN DORRIS said he received a call from Percy Conway who is a Lockport Township Trustee and represents the Fairmont area. He said he had some concern that one of the really disadvantaged areas with seniors should be getting the same benefit that our seniors are getting on the water rate increases and he would like the City Manager to set up a meeting with the three of them to listen to him.

COUNCILMAN DORRIS said he thinks we did get a sneak preview tonight of why negotiating in public doesn't work, it becomes very emotional and it just won't work. He said the bargaining units have elected people to represent them, we have a staff and that's the City Manager and the people he has on his negotiating team. He said during negotiations at Caterpillar we'd lock ourselves in a local hotel and stay there until we got it done and it was a lot of tedious work but we got it done. He said he would encourage the City Manager and Local 44 and 440 to get as close as they can and if they get to an impasse come tell us.

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He said we saw tonight that if this room is filed and we try to negotiate it's going to become an emotional mess and we're not going to get anything done. He said he believes it needs to be done with the committees that have been elected by the unions and by the people we've asked to represent the City and do that and if they get to an impasse they should come to us. He said he also believes that any final decisions made by the Council we should do from up here. He said he thinks that needs to be done in a public forum so they can see where each one of us stands when it comes to voting and whether or not to give the authority to layoff firemen we need to do that from right here. He said he believes the negotiating process needs to happen the way it is, he thinks it needs to be speeded up and he'd like to see it done before the holidays and if everyone is at an impasse tell us that, but we need to get down the road and see what we've got.

COUNCILMAN GIARRANTE said he's always felt as President of Local 44 and as a Councilman that if you want good employees you have to pay them and give them benefits and the City has done that for the last few years. He said it shows because we very, very seldom get a complaint whether it's Fire Department or Police Department, 440 or whatever. He said he would ask that both parties get together and sit down and work out what they can work out and then bring it back to us and let us make a decision on this once and for all. He said we need to do that and we need to expedite it because the holidays are coming.

COUNCILMAN GIARRANTE then congratulated Fire Lieutenant Eric Mattson who was selected as the Exchange Club's Firefighter of the Year for 2009.

ADJOURNMENT

COUNCILMAN GIARRANTE moved that the Council adjourn at 7:52 p.m.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk