

***Proceedings of the Council of the City of Joliet, Illinois
held on the 2nd day of November, A.D. 2009***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, November 2, 2009 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE 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 DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: COUNCILMAN AT LARGE MICHAEL F. TURK.

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

1. Introduction of New Empress Casino General Manager

The City Manager introduced Mr. Jon Johnson, new General Manager of Empress Casino, who replaced Frank Quigley. He said Mr. Johnson has a lot of great experience in the gaming industry and is up to the challenge he faces in a tough economy to help rebuild one of the great gaming facilities in the United States.

Mr. Johnson stated he has transferred here from Bangor, Maine where he was the General Manager of the first and only racino, a combined racetrack and casino, in Maine. He said he has been in gaming over 30 years and has worked for some of the biggest companies in gaming including Caesar's Palace and MGM. He said he is looking forward to his new assignment here as they raise the Empress from the ashes and he hopes to make it the premier gaming company in Joliet.

COUNCILMAN BROPHY asked about the schedule for the full build out of the hotel. He asked how far along they are and if the plans are drawn yet.

Mr. Johnson said they actually have some preliminary drawings and preliminary costing and it is not finalized yet, but it is very close. He said the parking garage is about half completed and they're looking forward to getting it opened February 1st. He said the garage's capacity is for 1,200 cars.

COUNCILMAN GIARRANTE said Mr. Johnson has some big shoes to fill, his predecessor was quite a guy and he welcomed Mr. Johnson.

MAYOR SCHULTZ welcomed Mr. Johnson to Joliet and wished him good luck.

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

The City Manager explained Council Memo #977-09 dealing with an Agreement with Will County to Provide Water and Sewer Service to the Ridgewood Service Area.

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The City Manager said the Ridgewood area has had multiple challenges with the disposal of its sewage and a water source including raw sewage being discharged in the waterways, wildcat sewers, undersized septic fields and several other challenges. He said the County of Will has committed a substantial amount of its Community Development Block Grant (CDBG) money to the Ridgewood area for the construction of sanitary sewer lines and water mains and also the County has been able to receive a loan from the State for about \$2.5 million for some additional work through the IEPA. He said Congresswoman Debbie Halvorson has also been able to include money in the Appropriations Bill for next year for this project.

The City Manager said our role as the provider of sanitary sewer service and water is a little bit different than our usual process in Ridgewood. He said we've usually waited for individual homeowners to come to us and that would require annexation, and then we would proceed with the connection. He said here the County will be stepping in on a comprehensive basis and addressing the entire area, and our role will be to enter into an agreement to provide the sanitary sewer and water service to the area. He said because of the economics of the issue, it is his recommendation that we not follow our standard policy of requiring annexation. He said in this case, all we are doing is an agreement like we have with East Joliet and South Ridgewood to provide service on an extraterritorial basis and we will be charging out-of-City rates to the residents of Ridgewood that will be receiving service from us.

Will County Community Development Director Ron Pullman and Mr. Howard Hamilton of Robert E. Hamilton Consulting Engineers were present to respond to questions.

COUNCILMAN TURK arrived at the meeting during the discussion.

COUNCILMAN SHETINA said with respect to the no annexation portion of it, if in fact the project is done and somebody wants to annex and they are contiguous and have contiguity for our purposes, can they annex into the City or is that precluded.

The City Manager said this document will not preclude any annexations in the future and we will still have the ability to enter into annexation agreements with the residents of Ridgewood whether it's on a comprehensive basis or a house by house basis.

COUNCILMAN SHETINA said with respect to the streets, curb, gutter, sidewalks and the like, that has always been a problem, those kinds of runoffs ruin the streets and that kind of thing. He asked if we will have any responsibility for that.

The City Manager said we will not.

COUNCILMAN SHETINA asked who is going to be upgrading the streets or is that going to be part of the project.

The City Manager said that's not part of this project, that's something that will happen in the course of time. He said the number one priority is dealing with the sanitary sewer service and water service. He said it would be nice if we could have an entire project that dealt with the roads and sidewalks but unfortunately the Federal and State dollars just don't go that far.

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COUNCILMAN SHETINA asked if there has been a meeting of the residents in the area with respect to this agreement.

Mr. Pullman said not yet.

COUNCILMAN SHETINA said he is worried about what happens to the City in the future. He said generally we're called upon to do a myriad of things just based on an annexation and the residents need to know that we're not doing curbs, gutters and streets. He said he thinks we need to have a meeting of some sort so everybody's role is defined and so our role he hopes is defined beyond just providing sewer and water. He asked will we be billing it and will we be maintaining the sewer and water facility.

The City Manager said yes, we will take over maintenance responsibility for the sewer and the water facilities.

COUNCILMAN SHETINA asked about the effect of erosion on our installation of sewer and water as the result of no curbs, gutters, streets and sidewalks.

The City Manager said most of these facilities will be subsurface but there is some impact through erosion because of the absence of storm sewer and curb and gutter.

Director of Public Utilities Jim Eggen said anything related construction wise will be handled by the County during the construction process. He said long term if there was a water main break in the future and the area is still outside the City, we would do restoration on it like we would do any other areas where we have water main outside the City.

COUNCILMAN SHETINA asked if we have easements for those kinds of things or is there implied easements as a result of our facilities.

Mr. Eggen said it's all dedicated right-of-way and we would have license agreements through Joliet Township to have the joint facilities.

The City Manager said he doesn't think we're talking about going on private property for the installation of any of these. He said it would all be done within public right-of-way that is already there so there won't be an issue of having to pay anybody for an easement or somebody being able to hold up the process of construction.

COUNCILMAN SHETINA asked who owns the right-of-way.

The City Manager said the Township has jurisdiction over the right-of-way.

COUNCILMAN BROPHY said there is a hodgepodge there of some incorporated areas and some unincorporated areas, and now there will be issues where they'll be receiving a City water bill and some of our garbage trucks will be up and down these same streets collecting every other home in some cases. He said at what point does it make sense to do the annexation when there are police, fire and garbage collection issues now and certainly billing issues. He said when we started this we figured we were going to take the easy route, we're not going to force anybody to annex and he understands that, but now the City of Joliet is surrounding them in most ways and at what point does it make more sense to simply annex. He asked if they are going to pay tap-on fees.

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The City Manager said part of the agreement with the County is to deal with the tap-on fee issue separately. He said the agreement with the homeowner will provide that they'll pay no more than \$500 as a tap-on fee, however there will be other adjustments in our agreement with the County that will cover the additional tap-on fee because there are some improvements that will be made as part of this agreement that will benefit the City.

COUNCILMAN BROPHY asked if we are collecting garbage on these streets and those incorporated areas.

Mr. Eggen said in areas where we would have one or two lots that are in the City there would be a City garbage truck going up and down the streets.

COUNCILMAN BROPHY asked about the unincorporated lots.

Mr. Eggen said they're on their own.

COUNCILMAN GIARRANTE asked if we are just voting on this in concept because it sounds like there are a lot of unanswered questions.

The City Manager said the question is when does it make sense to annex Ridgewood and the answer is we probably needed to do it many years ago and addressed all of these issues as far as police, fire, sanitary sewer service, water service and all of the other basic services that go along with it. He said the challenge has always been the dollars and in this case the County has stepped up using its CDBG money and other grants and loans to address one of the key problems, and that's the sanitary sewer service and water problems. He said the money isn't there right now to cover a package. He said this is the first step and we'd like to proceed with this with the County to get that part of this conversation going. He said garbage service, police and fire remains status quo, they'll continue getting their service. He said we agree if there is a garbage truck going down the street it might as well pick up everybody else's and maybe we can work with them on that but that really is a separate issue from the sanitary sewer service and water service. He said some of these grants and loans are very time sensitive and the line is very long to get this money. He said fortunately the County has been very resourceful in using its contacts and being able to get these grants and loans and we don't want to lose the opportunity to use them this year. He said this is a shovel ready project.

COUNCILWOMAN BARBER said she thinks it is long overdue for that area and she thinks it's a very, very good thing and it's going to upgrade the whole community because they have been piecemealing it for a very long time. She said these people need somebody to help them along and we need to make sure we understand what we're doing because they are people like we are and she thinks they deserve it.

COUNCILWOMAN QUILLMAN said back in 2005 there was a Ridgewood Neighborhood Improvement Committee and Mr. Hamilton was on that Committee with the County, the City and Silver Cross Hospital, and she asked if that Committee still exists.

Mr. Hamilton said it does not.

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COUNCILWOMAN QUILLMAN asked when it was dissolved because it was addressing these very issues.

The City Manager said it was not formally dissolved, it sounds like the Committee did not really move forward with its charge. He said this issue was put to a vote before the City Council in 1987 and a policy decision was made then not to pursue the annexation of all of Ridgewood because of the issues that COUNCILMAN SHETINA raised earlier, the incredible cost of trying to provide for the streets and sidewalks and streetlights.

Mr. Hamilton said what was driving that Committee was that Silver Cross had a redevelopment concept at the time and they wanted to make this major investment in that area and see the whole neighborhood improve. He said that was the big driving force plus we had all the attention at that point from a State that had money and was looking to invest in it. He said we had a good package put together but as things started to fall away, one of it being the availability of State funds and the change of focus for Silver Cross, we just kind of stopped meeting.

COUNCILWOMAN QUILLMAN asked the Mayor if he thinks we should have a Committee to oversee this.

MAYOR SCHULTZ said he thinks it would be a good idea.

The City Manager said certainly this is a major challenge that we need to give more attention to. He said this is a breakthrough and he thinks this addresses the major health issue that we've had in our area for many, many years but certainly looking at all of those issues that have been raised today, we need to look long term. He said when he's met with everyone involved, this part of the area is always perceived to be part of Joliet, in the City, and the reality is it's not in the City from a legal sense but it's still part of our area and we need to solve the problems that neighborhood has. He said this is a big step but we still have those other areas.

MAYOR SCHULTZ suggested that this be referred to the Land Use Committee.

COUNCILMAN SHETINA said that's fine. He said he wanted to comment that in the past when we did sewer and water projects, when we looked at the market after that occurred there was a minimum of an 8% increase in the value of the homes in the area and just doing the sewer and water there will be an increase in the value of those properties. He said this will give them more equity in their houses and it will benefit the City of Joliet as not having to deal with that water and sewer problem any more. He said don't forget that we did make the offer about annexation and they resoundingly turned us down when others were pushing it. He said they did not want to annex because of the taxes essentially so there is a two way street here. He said if we're going to do the sewer and water, the benefit arises to each of those homeowners with at least an 8% to 10% increase of their value and we ought to remember that when the time comes to do more of that exterior infrastructure.

The City Manager said we thank the County, they have done a great job. He said he knows that on County Executive Larry Walsh's last trip to Washington, D.C., he met with President Obama and they actually talked about Ridgewood so that project is actually known in the Oval Office. He said we appreciate the County's assistance in moving it forward.

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The City Manager then explained Council Memo #969-09 dealing with a Special Use Permit to Allow Used Motor Vehicle Sales at 810 E. Cass Street. He said this was presented at the last Pre-Council meeting and there have been no changes.

Attorney Alexander Domanskis and the petitioner, Mr. Tomas Stasys, were present on behalf of the petition.

Mr. Domanskis said there were some issues COUNCILMAN BROPHY raised concerning the plans and they have met with City staff and he distributed an updated plan for the Council's approval. He said the owner, Mr. Stasys, has been involved with car sales and in exports to Lithuania and it has been a successful business because unfortunately on our end our dollar has been weaker, and on the other end there are a number of people who want to purchase American cars. He said they also wanted an opportunity to have some used car sales here, and at the last meeting there were some questions in terms of the parking. He said they have updated both the landscaping and the parking and there is an existing loading dock that they're going to enclose so they have room to have 20 automobiles inside as well as on the outside where they have paved areas and marked off spaces for keeping them outside.

COUNCILWOMAN QUILLMAN said she went by there yesterday and Bissell Street seems to be an issue and she asked how that is going to be addressed.

Mr. Domanskis said in terms of their particular part of Bissell they are simply just going to improve it along the side. He said we don't go that far into Bissell and Bissell dead ends down there.

COUNCILWOMAN QUILLMAN said she didn't know if that was going to be used to access the property.

Mr. Domanskis said the only time would be several times a month just to the street and then they would take a left and go right into the parking lot.

COUNCILWOMAN QUILLMAN said she knows some of the neighbors had some concerns about that as well, that's why she was asking.

Mr. Domanskis said at the first hearing the neighbor who owns the property directly to the south and to the east had expressed that he was very in favor of it and he actually has a vacant lot right in back of us.

COUNCILMAN SHETINA said he had asked Director of Community and Economic Director Jim Haller to look into several issues for him and he is satisfied that the questions he had have been answered, and probably going outside the venue of whether or not it's appropriate for the Special Use Permit, he had him check the concept that is involved and the Homeland Security issue and he is satisfied with his answers.

COUNCILWOMAN QUILLMAN said she also had some concerns with Homeland Security and she wanted to know what measures were in place and they did discuss this today at the Public Safety Committee meeting. She said her questions were answered as well but it's a catalyst to something else that we'll be looking into further as a Council. She said with this particular business she is

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satisfied as well. She thanked Mr. Domanskis for allowing us the time to check these other questions out.

Mr. Domanskis said it was fully appropriate and we did use the opportunity to meet with staff and they have been helpful all the way through in terms of improving the plan. He said sometimes it costs more money but it improves it for everybody.

It was requested that this item be voted on today.

1. AN ORDINANCE Approving a Special Use Permit to Allow Used Motor Vehicle Sales at 810 E. Cass Street as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the car showroom hours do not exceed Monday – Friday from 9 a.m. to 5 p.m.; 2) That the vehicle capacity at the site be limited to 20 cars (indoor) and 10 cars (outdoor); 3) That outside storage of disabled vehicles, tires, auto parts and miscellaneous parts not be permitted at the site; 4) Should the property be declared a public nuisance or should the required conditions fail to be adhered to, the Special Use Permit shall be scheduled for administrative review and possible revocation of the special use; and 5) That the Special Use Permit 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. (#2009-55/Dist. #4)
(Council Memo #969-09)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

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.

COUNCILMAN UREMOVIC was out of the room when the vote was taken.

Prior to her vote, COUNCILWOMAN QUILLMAN said they did discuss this at Public Safety today and several questions were brought up and what she would like to bring to the table is some type of Ordinance or guideline for when future businesses come to Joliet, because we're going to be getting a lot of businesses coming here, and we should check them out and do background checks and ask Homeland Security questions. She said those were the questions that were triggered in her mind and that's why she asked for the table a couple of weeks ago. She asked how any guidelines we would put in place later on would affect this business and any future businesses.

The Corporation Counsel said the only question that's being answered today is the zoning question on whether or not this property could be used for the sale of cars, and that's what the vote is. He said in the future if there are other licensing requirements, they would be applicable to everybody in the City, not just this particular property, although there is a great deal of State preemption in that area

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when it comes to car dealers. He said any other law enforcement type of regulations would be applicable throughout the City of Joliet irrespective of what is done with this one Special Use Permit application if they're not preempted by Federal or State law.

(ORDINANCE NO. 16546)

The City Manager then explained Council Memo #969-09 dealing with a Special Use Permit to Allow Construction of a 300' Lattice Tower with Antennae Installation and Equipment Shelter at 2500 Patterson Road.

Mr. Dave Godwin of Union Pacific Railroad was present on behalf of the petition.

COUNCILMAN SHETINA asked what kind of fall zone does this have.

The City Manager said the rail yard itself is being constructed and that is on about 800 acres and this will be located in that footprint. He said the antennae itself is about 300 feet, about 680 feet from Laraway Road and about 1,000 feet from Patterson Road.

Mr. Godwin said if it were to fall it should fall well within the property lines of their property.

COUNCILMAN SHETINA said so the only thing it would hit is your own property, no one else's.

Mr. Godwin said that's right.

COUNCILMAN SHETINA asked if there is a bond in the event they abandon it.

The City Manager said actually we did not recommend a bond in this particular case, this is a little bit different than most of the cell towers we encounter and the reason for that is that this is self-contained and has no impact on any adjacent property. He said certainly Union Pacific has had a major impact on Joliet and reviewing it with the Finance Department this afternoon, Union Pacific paid a building permit fee of \$618,000 this year for its project, a \$200,000 impact fee and about a \$300,000 real estate transfer tax, so they have made some substantial financial contributions to the City.

It was requested that this item be voted on today.

2. AN ORDINANCE Approving a Special Use Permit to Allow the Construction of a 300' Lattice Tower with Antennae Installation and an Equipment Shelter at 2500 Patterson Road (Southeast Corner of Laraway and Patterson Roads) as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: That the City be granted the ability to place public safety equipment on said tower, if feasible and desirable. (#2009-60/Dist. #5)
(Council Memo #971-09)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

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Motion seconded by COUNCILMAN BROPHY.

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. 16547)

The City Manager then explained Council Memo #970-09 dealing with a Special Use Permit to Allow Additional Antennae and an Equipment Cabinet on an Existing 150' Monopole at 804 E. Cass Street. He said this does require a \$5,000 bond in case of abandonment.

Mr. Steve Hedges of Cricket Communications was present on behalf of the petition.

COUNCILMAN SHETINA asked what will this do for Cricket functionally.

Mr. Hedges said the co-location of antennae and the tower will significantly improve Cricket's service in that area.

COUNCILWOMAN QUILLMAN said the \$5,000 bond has been that amount for years and years and years and do we know if that amount is still adequate if we ever have to take this down.

Mr. Haller said what we normally do is require a \$30,000 bond from the company that built the tower and \$5,000 for the companies that co-locate there. He said this would be the fourth company on the tower.

COUNCILWOMAN QUILLMAN said so for every new one there is a \$30,000 bond requirement.

Mr. Haller said yes, and we've been fortunate in most of the last 3 or 4 years because the majority of the cell tower applications are co-locates because we're real stingy with new locations. He said if there is a tower close by we make the provider go talk to his competitor to put it on an existing tower and that's what these folks did in this case.

It was requested that this item be voted on today.

3. AN ORDINANCE Approving a Special Use Permit to Allow Additional Antennae and an Equipment Cabinet on an Existing 150' Monopole at 804 E. Cass Street as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: The applicant shall post a bond in the amount of \$5,000 prior to the issuance of the building permit for the proposed work. The bond will be utilized for the removal of the antennae and equipment associated with this applicant in the event of future abandonment. (#2009-59/Dist. #4)
(Council Memo #970-09)

COUNCILWOMAN QUILLMAN moved that said Ordinance be adopted as recommended.

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Motion seconded by COUNCILMAN BROPHY.

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.

(ORDINANCE NO. 16548)

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

The City Manager explained Council Memo #975-09 dealing with Determining the Amount of Money to be Levied for Tax Year 2009 (General Tax Levy) and Special Service Area No. 1996-14 (Joliet City Center) and setting a Public Hearing Date.

The City Manager said what's before the Council is our request to set what is basically an upper limit on what the real estate tax levy would be. He said our request is to start the process; this is not an actual vote on the tax levy and it merely authorizes us to publish notice, set the public hearing and inform the public what the upper limit of the City Administration's request is, but the final levy amount will be something we'll discuss as part of the budget process which begins on November 16th. He said we will have a public hearing on December 1st with the goal of having approval of the levy and the budget at the December 15th City Council meeting. He said his request is to proceed with public notice setting this percentage as what we would advertise and then having this deliberated by the City Council as we go through the budget review process.

COUNCILMAN SHETINA said the decrease in 2010 and 2011 is a result of the decrease in value of residential properties in that period of time and will be reflected in the assessor's total AV (assessed valuation) in 2010 and 2011. He said so we'll have a kick of 1% now and then a reduction of 6% in 2010 and 6% in 2011 so that would be a \$180 million decrease in AV each year. He said in two years there would be a \$360 million cumulative decrease and that's based on AV, not market.

The City Manager said he thinks it's important too while the numbers sound big, it was calculated what the impact would be on a home with a market value of \$250,000, and if the maximum amount is approved by the Mayor and Council as proposed in the Council Memo, that impact would be \$200 additional in real estate tax with a 24% increase. He said that's not the EAV (Equalized Assessed Valuation), that's the market value of the home. He said what we'll try to do is break this down to what it will actually cost the taxpayer at the end of the day if this is approved, much like we did with the water rate increase. He said again, this is the upper limit of what our suggestion would be but if that were the case it would be \$200 for a property owner who has a \$250,000 home.

COUNCILMAN SHETINA asked what will that put the City's rate at then.

The City Manager said our rate would roughly be \$133 vs. the \$111 it is now.

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COUNCILMAN BROPHY asked what is the difference in cash.

The City Manager said the cash would be about \$7.5 million. He said there is a second component to this and that's the General Obligation Bond issue that was done in the early 2000's to supplement the NIP program. He said we've been using gaming tax in the past to retire that debt and as the gaming tax revenue will not be there in 2010, we're asking that be added to the levy and not be abated as we've done in the past.

Director of Management and Budget Ken Mihelich said we borrowed about \$15 million in 2002 to energize the NIP and do a lot of good projects. He said we're paying that back over about 15 years and we still have 8 or 9 years left at \$1.1 million a year, so when you take that plus the \$7.56 million it's about \$8.6 million in real dollars.

COUNCILMAN SHETINA asked if the \$200 includes the \$1.1 million debt reduction.

Mr. Mihelich said it does, it's probably a little closer to \$205 or \$207.

COUNCILMAN UREMOVIC said we were contacted by New Lenox Township Assessor Bonnie Hernandez in regards to tax abatements and taxes that should be collected because businesses, specifically the Andrew Corporation, haven't met their obligation. He said she has been in contact with Jim Haller's office and he asked what the status of that is.

Mr. Haller said his response to the tax assessor was that a lot of times the City pledges in the interest of economic development to give up our portion of the taxes, to abate that portion of the taxes, and we usually do whatever John Grueling of the CED recommends. He said Mr. Grueling does an analysis of every business that comes in. He said what Andrew was projecting was 900 jobs which was a little bit optimistic and those jobs were all going to be in the \$25 to \$36 an hour range, high quality manufacturing jobs. He said we didn't put any conditions on them when we pledged a tax abatement.

COUNCILMAN UREMOVIC asked Mr. Haller to repeat what he said that we didn't put anything in that ordinance for that.

Mr. Haller said he doesn't believe that we did.

COUNCILMAN UREMOVIC asked for a copy so every Council person could see this and what we agreed to and what we're actually going to take.

Mr. Haller said what was in there was a statement of jobs created, about square footage, about assessed value and all of those things were in there but he doesn't think that it was tied to that. He said they never hit the 900 jobs and that's where the problem arises and from what Mrs. Hernandez told him they were going to protest their taxes. He said he told her that Mr. Grueling takes all of these people through that whole process and two thirds of the tax bill comes from the school districts and he said the schools may have tied it to an actual number of jobs created and an actual assessed value, but early in our discussion we were one of the first ones to commit and we didn't tie it to anything the way the school districts may have.

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COUNCILMAN UREMOVIC asked why wouldn't we tie it to anything.

Mr. Haller said in terms of economic development and trying to get a manufacturer here in the community, we've never done that.

COUNCILMAN UREMOVIC said why give them a tax abatement if we don't expect something in return.

Mr. Haller said they're occupying a building and employing people and specifically did they hire 900 people, that was optimistic and they said they hoped to get to that level. He said at the time that was good enough for us that they were coming to Joliet and we were OK with that. He said after the fact if you wanted to tie it to a number we were never that specific. He said if you'd like us to be that specific on future developments we'd be happy to do that.

COUNCILMAN UREMOVIC said he thinks that's what the process is all about, it's about being specific and what we really get in return for the risks taken. He said if we are going to be giving tax abatements and then all of a sudden we don't get any real jobs that they say they're going to provide and they're going to do this, this and this, again it goes to the same thing we talked about two weeks ago. He said if a developer says they're going to do something and you don't hold them accountable then what are we doing here.

The City Manager said let's find out what the actual economic impact has been for the City as far as what real estate taxes are being generated, the amount of our abatement, the number of actual jobs and those kind of things and we'll bring that back so we can have a full discussion of it. He said we could put it on a Finance Committee agenda.

COUNCILMAN UREMOVIC said he would like a copy of the complete ordinance to review it.

The City Manager said he doesn't know the details but he thinks he would rather have Andrew Corporation in our city rather than in another city that may have been competing for them at that time. He said let's say if they promised 900 jobs and they only brought 500 jobs, he'd still consider that a pretty good return on our investment. He said we'll dig into it and as we go forward if we have requests for tax abatements we can start tying it to certain performance standards as far as job creation and a few other key indicators.

COUNCILMAN SHETINA said it's real easy to go back now and make these kinds of comments but this was a policy decision made by this Council and in addition to that he doesn't know how many jobs there are, whether it's 300 or 400 or 600, but any way in the world you look at it, Indiana and some other cities or states were involved in this and we made that decision as a Council and he stands by it to this day and he's proud of the fact that we got them here. He said we get 14% of their tax bill so we're not going to get a lot of taxes out of it but the schools will get a whole lot of money and what we want to generate are buildings and businesses with no students that bring a big benefit to the schools because we don't get much off the tax bill. He said that is a policy decision we made.

COUNCILMAN UREMOVIC said he thinks one thing that is important though even if we only get 15% of that tax bill, every nickel counts now when we're talking about employees and cutbacks and possibly raising taxes, so we shouldn't let one nickel slip by.

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COUNCILMAN GIARRANTE said he thinks everybody agrees but we all voted on this, why bring up the past. He said we need to see how much taxes it cost us and how many jobs we received out of this. He said maybe this should have been brought up when they came to us and we were vying with two other cities to get this business here so we had to make some commitments. He said probably 100% of this Council voted for it.

The City Manager explained Council Memo #990-09 dealing with Awarding a Contract to Gregg Dobczyk Excavating for the Demolition of City and Non-City Owned Properties.

The City Manager said there was a question regarding Mr. Dobczyk's eligibility to receive a City contract because of a union issue dealing with an apprentice program. He said Mr. Dobczyk is a sole proprietor and does all of the work himself. He said he reviewed the facts with Tom White and his affiliates of Local 150 and other unions and they indicated that there would be no formal objection filed to the City moving forward with an award of contract to Mr. Dobczyk. He said there may be some subsequent discussions regarding the Responsible Bidder Ordinance and he told them that we would be more than willing to have that conversation. He said it would probably start at the Public Service Committee level and work its way up to the Council at some point.

4. Citizens to be Heard

a. Melissa Webb re: Sexual Predator Law

The City Manager advised that Ms. Webb delayed her request to speak until the next Pre-Council meeting.

b. Trista Brown re: Sanitary Sewer Service Complaint
and Paramedic Service Complaint

Ms. Brown commented on what she felt was the lack of a quick response by the City to sewage backup in her basement which occurred on October 23, 2009. She also commented on a complaint she had made to the Fire Chief regarding a paramedic call on September 14, 2009.

COUNCILMAN SHETINA left the meeting during Ms. Brown's comments.

c. Loren Mills re: City Inspectors Complaint

Mr. Mills did not appear at the meeting.

The City Manager advised there was a need for a closed session to discuss personnel and collective bargaining.

COUNCILWOMAN BARBER moved that the Mayor and Council recess to closed session at 4:40 p.m. to discuss personnel and collective bargaining after which the meeting will be adjourned.

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Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape