

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, November 20, 2006 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR PRO-TEM ALEX LEDESMA and COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: MAYOR ARTHUR SCHULTZ and DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY and DISTRICT 5 COUNCILMAN WARREN C. DORRIS.

ALSO PRESENT: CITY MANAGER JOHN M. MEZERA and CORPORATION COUNSEL JEFFREY S. PLYMAN.

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

The City Manager explained Council Memo #1294-06 dealing with the Annexation of 414 Timberline Drive.

Mrs. Filomena Egizio, the petitioner, was present to respond to questions.

COUNCILMEN BROPHY and DORRIS arrived at the meeting during the explanation.

The City Manager then explained Council Memo #1296-06 dealing with the Preliminary/Final Plat of Hooters Joliet Subdivision.

Mr. Steve Baldacci, representing the owner, was present on behalf of the petition.

COUNCILMAN SHETINA asked that the lights on the building not shine into the subdivision across the street.

The Director of Community and Economic Development stated that the Director of Inspections went out there last week and they found out the lights were slightly above the maximum requirement. He said that the street lights had a higher intensity than Hooter's Restaurant did and even the lights at the Westfield Mall had a higher intensity. He said he told them they do need to follow the rules and regulations of the City so they have to tone the lights down a little bit, and they said that they would do that.

It was requested that this item be voted on today.

1. AN ORDINANCE Approving the Preliminary/Final Plat of Hooters Joliet Subdivision as recommended by the Plan Commission was presented and read. (#P-12-06/Dist. #1) (Council Memo #1296-06)

MAYOR PRO-TEM LEDESMA moved that said Ordinance be adopted.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15709)

The City Manager then explained Council Memo #1297-06 dealing with the Preliminary/Final and Recording Plats of Joliet Crossings Subdivision.

Mr. Chris Coleman of TCB Development was present on behalf of the petition.

The City Manager then explained Council Memo #1298-06 dealing with the Final Plat of The Reserve at Cedar Creek Subdivision.

Attorney Mike Martin was present on behalf of the petition.

The City Manager then explained Council Memo #1299-06 dealing with the Vacation of a Portion of the North/South Alley East of 1020 Oneida Street. He advised that both the Administration and the Plan Commission are recommending denial of this petition because of an objection by a neighbor who lives adjacent to the south portion of the alley.

Ms. Sally Pasteris of 1020 Oneida Street was present on behalf of the petition.

The Director of Community and Economic Development explained that the objector's house is the house to the south and west of the alley. He said that is where the main objection is.

COUNCILMAN GIARRANTE asked how much distance is between the house and the garage. He said it looks like there is quite a bit of distance where they could back out and turn around.

The Director of Community and Economic Development said there is around 40 feet between the house and the garage and he didn't know if it was all paved or not.

COUNCILMAN TURK said in the Council Memo it states Public Works and Utilities has reviewed the requested vacation and has no objections. He said but the recommendation is to recommend denial, and he asked if that is just because of the recommendation of the Plan Commission.

The City Manager said he thinks it is because of the recommendation of the Plan Commission and also because of the objection. He said there are only three property owners affected and one of the three objects to it, so we normally would recommend against that. He said we usually require the property owners to have unanimous support when they come in with these kinds of things because we don't want to recommend something that is going to cause some disharmony in the neighborhood. He said parties usually get together and work things out. He said in this case if there is a solution that would accommodate all the parties, we are not aware of it.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

COUNCILMAN TURK said Council Liaison Willie Jaeger passed out a memo stating she had received a call from Mr. William Grasty who is on the Plan Commission. He said Mr. Grasty looked at the situation and got some more information after the fact and said he would have liked to change his vote. He stated Mr. Grasty said he would not have supported the denial because he felt there was not enough information in the packet he had at the Plan Commission meeting.

COUNCILMAN BROPHY asked if this has been appraised.

The City Manager said we did not get an appraisal because there was a recommendation to deny and in most cases those recommendations are upheld by the Council so we would have wasted the money. He said if you decide to approve it you could do it subject to the receipt of the appraised value.

COUNCILMAN TURK asked if the required easements for utilities have been agreed to also.

The City Manager said yes, the petitioner has agreed to grant those easements.

Ms. Michelle Martorelli of 1003 Richmond Street appeared in opposition and stated the problem they have with this is the safety of the children in the area. She said they would have to park at an angle and the only way out then would be to back up approximately 80 feet onto Richmond where children are constantly playing. She said there are also cars parked in the street and they would have to go around them. She said in regards to the question about turning around, there is a fence that the neighbors have and she said they would hit it because there is not much room. She said now she pulls in and backs out and goes through the alley. She said she doesn't feel comfortable backing up 80 feet.

COUNCILMAN GIARRANTE said with the children playing in the alley, wouldn't vacating the alley help so it's not a through alley. He said then they wouldn't have to worry about cars going in and out of the alley.

Ms. Martorelli said they don't play in the alley, they play out front on Richmond Street.

COUNCILMAN GIARRANTE asked how wide the alley is.

The City Manager said about 14 ft. paved.

COUNCILMAN BROPHY asked if the minutes were correct from October 18th when staff recommended that the Plan Commission approve the vacation.

The City Manager said yes, but then some more information came in after that which changed the recommendation. He said they originally thought everybody was in agreement and then at the meeting Ms. Martorelli showed up and spoke against it and that's why we changed the staff recommendation.

Mr. Nick Orlando of 1020 Oneida Street said they have wanted to vacate this for some time. He said their cars have been broken into 3 times in the past three years. He said a juvenile was arrested in the alley a couple of years ago trying to set fire to their garbage cans. He said the alley is nothing more than a cut through. He said out of four possible garbage pickups on the alley only two on Richmond Street utilize the alley for this. He said the garbage trucks use the

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

corner of their driveway to pull through onto Richmond Street and it has damaged that section of the driveway. He said about five weeks ago an electrical wire was downed because of the garbage truck. He said vacating the alley would have no effect on maneuvering their vehicles other than they would not be able to use it as a cut through anymore. He said the vacation would not only provide security for the surrounding homes but it would also beautify the neighborhood. He said with this in mind, he would strongly urge and hope for the vacation of the alley.

COUNCILMAN LEDESMA asked if the adjoining neighbor was approached to split the alley.

The Corporation Counsel said that is the usual rule and in this case the property owner on the east has agreed that the entire alley go to the petitioner. He said so the property owner that would normally get half said he doesn't want it.

COUNCILMAN BROPHY asked Mr. Orlando if his intention was to build a garage to put their cars in so they don't get vandalized.

Mr. Orlando said that is something they would like to address in the future if this does happen for them. He said right now it is just to secure and beautify the area.

COUNCILMAN GIARRANTE asked the Director of Community and Economic Development if he heard anything from the people that are going to be affected by this on Richmond Street.

The Director of Community and Economic Development stated they have not heard from them. He said they have heard some conflicting reports that they are kind of neutral and they could go either way. He said then they heard from the objectors that they are not in favor of the vacation, so he has gotten conflicting stories.

COUNCILWOMAN QUILLMAN asked what their plans are for the area if it is vacated. She asked if they were going to make it a driveway or grass it over.

Mr. Orlando said half of it is going to be grass and the front would be paved. He said they would continue the existing blacktop driveway and fence it all around.

Ms. Martorelli said the garbage issue would be an inconvenience for her, but the safety of the children is the number one issue.

Mr. Kevin Tucker of 1003 Richmond Street stated he opposes the vacation of the alley for the reason of convenience. He said it is not easy for him to pull into the alley from the south and be able to leave from the south. He said it's a lot more convenient to haul trash out to the alley. He said services for cable and the telephone also are in the alley on a pole.

Mr. Emmet Ashley of 1015 Oneida Street said he was the person who stopped the young child from setting the garage and garbage on fire and chased them out of the neighborhood. He said if this is a safety issue with the children, this would cut the safety issues in half. He said people go through the alley at a greater speed than they should.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

Ms. Martorelli said she has never had any problems in the alley with the children. She said they play out front. She said this is the first time she's heard of the children trying to set her garbage on fire and there were never any reports taken by the police. She said she never has any problems pulling out onto the street. She said if she pulls in, the only way she could get out would be to back out if the alley were vacated.

COUNCILMAN LEDESMA asked if Ms. Martorelli would be willing to buy a portion of that alley.

Ms. Martorelli said they can't because the people to the east of their driveway also park off the alley, and they wouldn't be able to get into their driveway.

COUNCILMAN TURK said that portion would be available next to your garage if you wanted to purchase that for a parking area.

Ms. Martorelli said she would still have the same problem with backing out.

COUNCILMAN GIARRANTE said looking at the pictures he doesn't see any problem in pulling forward out of the alley and then backing into the front of the garage and pulling out forward.

Ms. Martorelli said they have a big truck and also when you pull in your car would be at an angle and that's the problem.

COUNCILMAN GIARRANTE said you've also got your neighbor's driveway right across the way and you could back into that.

Ms. Martorelli said they have 3 cars.

COUNCILMAN GIARRANTE said as far as the children he doesn't see any major problem on Richmond Street because it is not a busy street.

Mr. Paul Boley of 1016 Oneida Street said he is in support of the vacation of the alley and he believes the benefits would far outweigh that of not vacating the alley. He said he would like to see it vacated because it is used as a thruway and there is a lot of unnecessary traffic.

COUNCILMAN TURK said he attended the Plan Commission meeting and safety was an issue on the alley and he can't see how that would help the safety issue. He said he commends Mr. Grasty for taking the initiative to contact the Council when he had revisited and had more information and wanted to make a change in the way he voted. He said at this time he moves that this vacation be approved.

COUNCILMAN GIARRANTE said the motion is to go against the recommendation of the Plan Commission and approve it contingent on the appraisal.

The Corporation Counsel said yes and the reservations of the public utilities; he believes there is a pole on a portion of it.

2. AN ORDINANCE Approving the Vacation of a Portion of the North/South Alley East of Oneida Street subject to the receipt of a Plat of Vacation and the appraised value

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

within 60 days of approval and the reservation of the public utility easement was presented and read. (#V-14-06/Dist. #2)
(Council Memo #1299-06)

COUNCILMAN TURK moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN said majority rules here and the majority of the neighbors want this. She said it is an inconvenience to a couple of people and she is sure they are wonderful neighbors and she hopes the good relationship continues with the neighbors. She said she backs out of her driveway every day which is a long driveway and she lives on Western Avenue where you have to be very careful when you back out.

(ORDINANCE NO. 15710)

The City Manager then explained Council Memo #1300-06 dealing with a Variation of Use to Allow an Existing Two-Unit in an R-2 District Located at 807 Elizabeth Street.

Attorney Andy Dystrup was present on behalf of the petition.

It was requested that this item be voted on today.

3. AN ORDINANCE Approving A Variation of Use to Allow an Existing Two-Unit in an R-2 District Located at 807 Elizabeth Street as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That off street paved parking for 5 cars remain in the future; 2) That the owner participate in the City's Landlord Training Program and tenant screening program; 3) That if the above conditions are not adhered to, this matter shall be scheduled for an administrative hearing; and 4) Should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use. (#2006-112/Dist. #4)
(Council Memo #1300-06)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15711)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

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

The City Manager explained Council Memo #1301-06 dealing with Repealing a Variation of Use to Allow the Conversion of an Existing Four-Unit Residence into a Three-Unit Residence in an R-3 District Located at 212 S. Eastern Avenue.

COUNCILMAN SHETINA asked if this is a new owner.

Property Maintenance Coordinator Joyce Toso stated yes, it is a new owner from the owner that was granted the Variation in 2000.

The City Manager asked how long he has owned it.

Ms. Toso stated he has owned it since March of 2001.

COUNCILMAN BROPHY asked if we declared this a public nuisance recently.

Ms. Toso said it was declared a public nuisance in September.

COUNCILMAN SHETINA asked if they think this owner is going to comply with what we have asked him to do.

The City Manager said no, he hasn't done it in 5 years.

Ms. Toso said we have problems with this owner on other properties also.

The City Manager said what we'd like to do is go back to the original zoning on the property and then if the property owner would like to do something, he needs to come back and show us a plan of what he's going to do and try to justify it.

COUNCILMAN DORRIS said this is a wonderful structure and he asked if we could make it part of our homestead program.

The City Manager said we'd be glad to talk with him about that.

COUNCILMAN DORRIS asked if we could pursue that because it is just going to fall further and further in disrepair and this would be a wonderful home to restore.

The City Manager stated also on the agenda is Council Memo #1323-06 dealing with awarding a contract for the purchase of electricity for next year. He said most all of the cities in Illinois are contracting with agencies to purchase electricity because they are able to do it at a price that is going to be cheaper than purchasing it from Commonwealth Edison. He said we have entered into a contract with Mark Pruitt from the University of Illinois to give us some advice and he has been working on this with Ken Mihelich of Management and Budget over the last month. He said they've done a great job of getting their arms around all of our accounts and getting all the information from Com Ed. He said we've gone out with an RFP and the bids are due back tomorrow. He said the bids are only good for 24 hours so we'll be coming to the Council tomorrow night with a request to award a contract for our electrical purchases for about the next 17 months. He said we just have a short window to accept or reject those proposals. He said we are not sure how much of a savings we're going to achieve by doing this, probably somewhere between \$250,000 and \$500,000 or

***Proceedings of the Council of the City of Joliet, Illinois
held on the 20th day of November, A.D. 2006***

a little more but not much less than that. He said Mr. Mihelich will have a summary sheet tomorrow and will be able to answer any detailed questions.

The City Manager said there is one issue that is unresolved and it's an issue that all the cities have to decide on. He said we have to either commit to a company or we get stuck with Com Ed's fees. He said Com Ed's fees have already basically gone up as of January 1st. He said there is one option that is still outstanding that COUNCILMAN UREMOVIC wanted us to look at, and that is whether it's likely that the legislature will freeze Com Ed's rates between now and January 1st. He said we've talked to all the other cities that have gone through this and we've talked with the legislators and the consensus of opinion is that there will not be a freeze. He said it is possible, but it is highly unlikely that there will be a freeze. He said if there is a freeze they think it will be on residential rates and not on the commercial rates and the block of rates that we're involved in, so we think we should go ahead and award a contract. He said we wanted to bring that to your attention because there is the potential that something like that could happen.

4. Citizens to be Heard

- a. Lena Harston re: Graffiti Problems in Cumberland Subdivision
- b. George Rydman re: Parking Problems in Downtown Joliet

Ms. Harston and Mr. Rydman did not appear at the meeting.

The City Manager advised there was a need to go into closed session to discuss pending litigation and personnel.

COUNCILMAN GIARRANTE moved that the Council recess to closed session to discuss pending litigation and personnel after which the meeting will be adjourned.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape