

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, December 15, 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 Herb Brooks, Jr., St. John's Missionary Baptist Church, 104 E. Zarley Boulevard, Joliet, Illinois.

Pastor Brooks then led the pledge to the flag.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: NONE.

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

1. A RESOLUTION Approving an Honorary Designation of Ottawa Street Between McDonough Street and Wallace Street as Bang Long Street was presented and read.  
(Council Memo #1112-09)

The City Manager stated for many years Mr. Bang Long dedicated himself to serving the community, Sacred Heart Church and people with disabilities and had distinguished himself as truly a very important member of our community and we were asked if we would consider an Honorary Street designation by Sacred Heart Church in memory of Mr. Long. He said he believes there are many parishioners of Sacred Heart Church present along with Father Raymond Lescher and he then presented Father Lescher with the street sign that will be posted on Ottawa Street to show the City's appreciation for Mr. Long's many years of service to the Joliet community and Sacred Heart Church.

Father Lescher stated he had asked Pam Heavens, Director of the Will County Center for Independent Living and President of JACOB where Bang was a lifelong member to be here with him today for this great honor. He then thanked the Mayor and City Council, the City Manager and members of the City staff for their efforts in honoring a remarkable citizen, Bang Long Jr. He said Mr. Long was a passionate and prophetic voice for the rights of people with disabilities who was well known and respected from the government offices in Springfield to the government offices in Chicago as well as Joliet for his untiring work on behalf of people with disabilities. He said it is indeed a well deserved honor to name the 300 Block of South Ottawa where their church stands in honor of this remarkable man.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILWOMAN QUILLMAN said she was fortunate to know Bang Long and not only was he an advocate for the disabled but being disabled himself, he was advocating for everyone everywhere and she is honored to have known him.

COUNCILMAN DORRIS moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6325)

APPROVAL OF MINUTES

COUNCILMAN SHETINA moved that the minutes of the Special Meeting of the Council of the City of Joliet, Illinois held on Monday, November 23, 2009 at 4:00 p.m., of the Pre-Council Meeting held on Monday, November 30, 2009 at 3:30 p.m. and of the Regular Meeting held on Tuesday, December 1, 2009 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

APPOINTMENT OF MAYOR PRO-TEM

COUNCILWOMAN QUILLMAN moved that COUNCILWOMAN BARBER be appointed Mayor Pro-Tem for the period January 1 thru March 31, 2010.

Motion seconded by COUNCILMAN TURK.

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.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Finance

COUNCILMAN UREMOVIC stated the Finance Committee met yesterday following the budget meeting and the minutes of the previous meeting held on November 17<sup>th</sup> were approved. He said there was also a review and discussion of the Neighborhood Improvement Program for November and the monthly cash flow report and personnel summary. He said there also was a review and discussion of the November Conference, Travel and Seminar Report and an examination of the Treasurer's Disbursements and Regular Claims for the month of November.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

B. 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.

COUNCILMAN TURK said they also discussed briefly the proposed 2010 roadway reconstruction and said staff will be bringing us those projects right after the first of the year.

COUNCILMAN TURK said COUNCILMAN BROPHY asked us to review an item which was not on our agenda which was Council Memo #1134-09.

1. Award of Contract for HVAC Maintenance – 2010-2012  
(Council Memo #1134-09)

COUNCILMAN TURK stated the memo was explained to them and he talked to COUNCILMAN BROPHY after the meeting and he would like us to table this for two weeks.

COUNCILMAN SHETINA moved that said item be tabled to the January 5, 2010 City Council meeting.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN asked why this was being tabled.

COUNCILMAN BROPHY said the local contractors had contacted him and asked him if the specifications for the current contract were written too narrowly and in such a way that they restricted some of the local firms that have been working on our HVAC equipment over the years, and in fact that was the case. He said there is some benefit to putting together the services of these pieces of equipment from various locations throughout the City, but we may have gone too far in writing the specs so narrowly that only the largest companies from out of town would qualify to bid. He said it's worth a couple of weeks or a month to look at it and sit down with local contractors and ask the questions as far as to what the unfairness may have been, what suggestions there could be and then create a level playing field for all companies to bid. He said we've got firms here that employ local people and who pay local taxes with local buildings that could qualify for this work and were possibly restricted from doing so. He said he thinks it's worth the short delay so we can look at it.

COUNCILMAN GIARRANTE said they also reviewed Council Memo #1127-09 dealing with the Purchase of Asset Management and Work Order Software for the Public Utilities Department.

COUNCILMAN GIARRANTE said that Director of Public Utilities Jim Eggen and the City Manager gave a report and the Committee was pleased with the report and the savings.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILMAN TURK said the cost savings will be realized within a year of what this will cost and he asked if that is correct.

Mr. Eggen said yes, with the cost that we've invested to date plus this next phase of the deployment of the software.

COUNCILMAN GIARRANTE said that doesn't include the man hours, right now everything is done by hand and with this software they'll be able to go on the computer and get it done a lot faster and it will be a lot less man hours.

Mr. Eggen said we've phased in a current portion of this already and we've seen some dramatic decreases in the time and some great efficiencies with our workforce and we're looking to expand on that.

COUNCILMAN GIARRANTE said it is the Committee's recommendation to go ahead with this.

COUNCILMAN UREMOVIC said the Committee is comfortable with this recommendation and he asked if this has also been reviewed with the unions at the same time so they're familiar with it.

Mr. Eggen said the people that are working with the software have been exposed to this and have had training on this.

COUNCILMAN UREMOVIC said so they all agree that there will be increased productivity and a payback within a year.

Mr. Eggen said they don't have input on the financial basis of the utility system, they have input on the operations and they see a benefit and have an access to the information.

COUNCILMAN UREMOVIC said the City Manager is going along with this also.

The City Manager stated he is and it is his recommendation that the contract be awarded to Trimble Navigation.

COUNCILMAN GIARRANTE said Roadways Engineer Mike Eulitz gave a report on the new product we're using for the salt and it's working very well. He said they're using less salt with more coverage and the streets do not refreeze when it drops below what they used to refreeze at before, so it is working out fine.

**C. Baseball**

COUNCILWOMAN QUILLMAN said she would like to know what's going on with the baseball deal with the JackHammers.

The City Manager said the Corporation Counsel has been working with management at the JackHammers and he believes they've reached a tentative agreement. He said there were some minor details that were being worked out and he thinks we'll be in need of a Baseball Committee meeting fairly soon to review the agreement and then take it to Council.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILWOMAN QUILLMAN said there is a lot of controversy with the billboard. She said she went past there today and she really thinks it's in very poor taste because it doesn't explain what it's for. She said for those who are not aware, the JackHammers just put up a billboard at Chicago and I-80 that says "Buy JackHammers Tickets Today – God" and to visit [www.jackhammers.com](http://www.jackhammers.com). She said she's sure they thought it was a nice marketing ploy however she thinks it's in very poor taste. She said they're writing a retraction in the newspaper tomorrow but not everyone that goes through our town reads the Joliet Herald News so they look at that and they form their own assumptions. She said she would like to request that they change that, she thinks it's in very poor taste and since we own the ballpark it just reflects badly on our City. She asked how do we handle that.

The City Manager said if that's the consensus of the Council he'll certainly communicate that to the General Manager tomorrow morning and see what kind of reaction we get.

COUNCILMAN TURK said there was a press release that went out today explaining it and he knows it was different than what it appears; he believes it's about donations to local churches in Joliet.

The City Manager said it is. He said it drives the viewers of the billboard to the JackHammers website that explains how churches and other places of worship can get involved with the JackHammers for charitable activities and he thinks there were also social service organizations that were included in that. He said so he thinks the intent was to help the community, the social service agencies and the churches with fundraising but also obviously to bring some attention to the JackHammers. He said he knows they've been very active and it's clear they've turned up their marketing efforts, but we've not really been involved as far as helping them with any kind of plan, that's really outside of our field of expertise.

COUNCILWOMAN QUILLMAN said she knows it was for a good cause so if they want to explain that on the billboard she would reconsider that, but the way it stands now it doesn't explain anything and people driving through our town are just going to see that and she thinks it's in poor taste because people don't know what's behind it. She asked if she stands alone on this.

COUNCILMAN SHETINA said he thinks the JackHammers ought to run their business and he thinks the General Manager is doing a great job with it. He said he assumes people are going to the website and are getting some help to the social agencies who we are having a hard time funding, it's probably appropriate. He said he thinks that's a matter of personal choice, personal taste, if people don't like it they'll call the JackHammers and let them know. He said he thinks the Joliet City Council has no business within that realm.

COUNCILWOMAN QUILLMAN says she disagrees because we own the ballpark and it has our name on it.

COUNCILMAN SHETINA said he doesn't think we all have the same opinion of the sign.

There were no other Committee reports.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

CONSENT AGENDA

A. Award of Certificate of Achievement for Excellence in Financial Reporting  
(Council Memo #1097-09)

A communication from the City Manager contained his recommendation that the Certificate of Achievement awarded by the Government Finance Officers Association to the City of Joliet for the tenth consecutive year be received and placed on file.

COUNCILMAN TURK presented the Certificate of Achievement to Director of Management and Budget Ken Mihelich and thanked Mr. Mihelich, the City Manager and the whole staff for putting all the budget documents together and helping us with our questions and getting us through the whole process, it's been a long, long process. He said this is a great achievement for the City.

COUNCILMAN TURK said he ran into a friend of his tonight and she'd been reading everything about the budget and she asked why the City won't tell anyone what they did with the riverboat gaming money. He said he told her it's all out there on our website and she said she's really not versed with that and he told her to call the Information Desk at City Hall and they'll be happy to mail her a hard copy, so if anyone wants to see where every dime of riverboat gaming money went, we have that report available on our website at [www.cityofjoliet.info](http://www.cityofjoliet.info) or call City Hall and we'll mail out a copy.

COUNCILMAN TURK then thanked Mr. Mihelich and his staff for a job well done.

Mr. Mihelich thanked the Mayor and City Council and especially the Finance Committee for the recognition and stated it really is a group effort and he mentioned Finance Director Hugh Brennan, Accounting Manager Paul Pluth and Accountant Christine Skole who worked very hard on this document and are the key people who put it together and allows him to stand up here and accept this award. He also recognized the City's auditors at Wermer, Rogers, Doran and Ruzon who are represented by Ed Marso and Greg Miller.

COUNCILMAN SHETINA said he thinks we'd be remiss if we didn't mention that we're carrying on a great tradition that was set by retired Director of Management and Budget Bob Fraser.

Mr. Mihelich said he's sure Bob and retired Finance Director Rich Yucius would be very happy to hear that and it is the 10<sup>th</sup> year for this award so it's a commitment that we made as a staff starting with Bob and Rich and carried on by himself and Hugh and hopefully for many more years to come.

B. Treasurer's Report – October, 2009

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

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

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

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

PUBLIC HEARINGS

A. Public Hearing re: Annexation of 39.51 Acres South of Route 6 and East of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 39.51 Acres South of Route 6 and East of Terry Drive (#A-90-08/Dist. #3)  
(Council Memo #1100-09)
2. Ordinance re: Approving the Annexation of 39.51 Acres South of Route 6 and East of Terry Drive (#A-90-08/Dist. #3)  
(Council Memo #1100-09)
3. Ordinance re: Approving the Classification of 39.51 Acres South of Route 6 and East of Terry Drive to I-2 Zoning (#A-90-08/Dist. #3)  
(Council Memo #1100-09)

B. Public Hearing re: Annexation of 13.9 Acres South of Route 6 and East of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 13.9 Acres South of Route 6 and East of Terry Drive (#A-91-08/Dist. #3)  
(Council Memo #1100-09)
2. Ordinance re: Approving the Annexation of 13.9 Acres South of Route 6 and East of Terry Drive (#A-91-08/Dist. #3)  
(Council Memo #1100-09)
3. Ordinance re: Approving the Classification of 13.9 Acres South of Route 6 and East of Terry Drive to I-2 Zoning (#A-91-08/Dist. #3)  
(Council Memo #1100-09)

C. Public Hearing re: Annexation of 11.88 Acres South of Route 6 and East of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 11.88 Acres South of Route 6 and East of Terry Drive (#A-92-08/Dist. #3)  
(Council Memo #1100-09)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

2. Ordinance re: Approving the Annexation of 11.88 Acres South of Route 6 and East of Terry Drive (#A-92-08/Dist. #3)  
(Council Memo #1100-09)

3. Ordinance re: Approving the Classification of 11.88 Acres South of Route 6 and East of Terry Drive to I-2 Zoning (#A-92-08/Dist. #3)  
(Council Memo #1100-09)

D. Public Hearing re: Annexation of 36.58 Acres South of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 36.58 Acres South of Terry Drive (#A-93-08/Dist. #3)  
(Council Memo #1100-09)

2. Ordinance re: Approving the Annexation of 36.58 Acres South of Terry Drive (#A-93-08/Dist. #3)  
(Council Memo #1100-09)

3. Ordinance re: Approving the Classification of 36.58 Acres South of Terry Drive to I-2 Zoning (#A-93-08/Dist. #3)  
(Council Memo #1100-09)

E. Public Hearing re: Annexation of 14.38 Acres South of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 14.38 Acres South of Terry Drive (#A-94-08/Dist. #3)  
(Council Memo #1100-09)

2. Ordinance re: Approving the Annexation of 14.38 Acres South of Terry Drive (#A-94-08/Dist. #3)  
(Council Memo #1100-09)

3. Ordinance re: Approving the Classification of 14.38 Acres South of Terry Drive to I-2 Zoning (#A-94-08/Dist. #3)  
(Council Memo #1100-09)

F. Public Hearing re: Annexation of 23.02 Acres South of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 23.02 Acres South of Terry Drive (#A-95-08/Dist. #3)  
(Council Memo #1100-09)

2. Ordinance re: Approving the Annexation of 23.02 Acres South of Terry Drive (#A-95-08/Dist. #3)  
(Council Memo #1100-09)

3. Ordinance re: Approving the Classification of 23.02 Acres South of Terry Drive to I-2 Zoning (#A-95-08/Dist. #3)  
(Council Memo #1100-09)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

G. Public Hearing re: Annexation of 11.43 Acres South of Terry Drive

1. Resolution re: Approving an Annexation Agreement for 11.43 Acres South of Terry Drive (#A-96-08/Dist. #3)  
(Council Memo #1100-09)
2. Ordinance re: Approving the Annexation of 11.43 Acres South of Terry Drive (#A-96-08/Dist. #3)  
(Council Memo #1100-09)
3. Ordinance re: Approving the Classification of 11.43 Acres South of Terry Drive to I-2 Zoning (#A-96-08/Dist. #3)  
(Council Memo #1100-09)

H. Public Hearing re: Annexation of 22.31 Acres South of Route 6

1. Resolution re: Approving an Annexation Agreement for 22.31 Acres South of Route 6 (#A-97-08/Dist. #3)  
(Council Memo #1100-09)
2. Ordinance re: Approving the Annexation of 22.31 Acres South of Route 6 (#A-97-08/Dist. #3)  
(Council Memo #1100-09)
3. Ordinance re: Approving the Classification of 22.31 Acres South of Route 6 to I-2 Zoning (#A-97-08/Dist. #3)  
(Council Memo #1100-09)

A communication from the City Manager contained a request by the petitioner, CenterPoint Joliet LLC, that said items be tabled to the City Council meeting of March 16, 2010 to allow further negotiations with the Rockdale Fire Protection District on the detachment fee.

COUNCILMAN TURK moved that said items be tabled to the March 16, 2010 City Council meeting.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

I. Public Hearing re: Amendment to the Annexation Agreement for a 38-Acre Site Located near the Northeast Corner of Brandon and Laraway Roads

1. A RESOLUTION Approving an Amendment to the Annexation Agreement for a 38-Acre Site Located near the Northeast Corner of Brandon and Laraway Roads to Allow I-2 Zoning and Mining as recommended by the Plan Commission was presented and read. (#A-9-09/Dist. #3)  
(Council Memo #1101-09)  
(RESOLUTION NO. 6326)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

2. AN ORDINANCE Approving the Reclassification of a 38-Acre Site Located near the Northeast Corner of Brandon and Laraway Roads from I-T to I-2 Zoning as recommended by the Plan Commission was presented and read. (#Z-3-09/Dist. #3)  
(Council Memo #1101-09)  
(ORDINANCE NO. 16561)

The City Clerk noted that this is a public hearing so any comments would be in order at this time.

Ms. Mary Baskerville, President of the Will County Environmental Network and residing at 26955 S. Gougar Road in Manhattan said their network follows developments in the southwest part of Joliet and Joliet Township because several factors combine to create particular environmental risk in the area. She said they are urging governments and businesses to look at the activities in this area with particular attention to the collective effects on groundwater flows. She said they argue that any project that may affect groundwater flow such as quarry pumping should receive enhanced scrutiny to understand its possible effects throughout the area. She said they are concerned specifically about two risks, one being a draw of contaminants from nearby sites and the other being the depletion of private wells. She said to address these concerns we are asking Vulcan to provide a cone of depression study for the proposed quarry expansion. She asked the Mayor and Council to make such a study a condition of approving the zoning request. She said their concerns are neither about the Vulcan Company nor even about the quarry expansion itself, rather their concerns are how this project will interact with the other conditions in an area full of environmental hazards and an area where many people still live. She said their aim is not to stop the quarry expansion but to get additional data for the proper scientific management of the risks in this area.

COUNCILWOMAN QUILLMAN said there was a representative from Congresswoman Debbie Halvorson's office present, Greg Bales, and she asked him a question about their earlier conversation on water studies in the area.

Mr. Bales stated they have been in communication with the Will County Environmental Network and with the USGS (U.S. Geological Survey) and the ISGS (Illinois State Geological Survey) regarding performing some water studies in the County. He said that's still in consideration and deliberation but we're reviewing consideration of projects such as this in the County.

COUNCILWOMAN QUILLMAN said everybody will be working together on that.

Mr. Bales said yes.

COUNCILMAN TURK asked if the Will County Environmental Network is an extension of Will County government.

The City Manager said it is an independent agency not affiliated with Will County government. He said it is comprised of several citizens and they did conduct a round table meeting about 3 months ago and invited members of the public, governmental officials and a lot of the developers in the area to review their mission and some of the concerns that they have. He said we've been working with them and we've exchanged information and will continue to do so.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Ms. Sandy Burcenski of 711 Daviess Avenue, Lockport stated she is one of the directors of CARE (Citizens Against Ruining the Environment) and said she would like to echo Mary Baskerville. She said they have been working with the Environmental Network for the past couple of years and CARE has worked diligently as far as that whole area and all of the people that are on private wells. She said a few years ago many of the residents suffered wells going dry because of the drawdown effect of Vulcan. She said there is a sludge landfill by Midwest Generation that is a perfect environmental storm. She said she would ask the Council to truly consider this with all due diligence because this is just a major problem that is going to happen out there, especially with all of the people and especially the elderly people out there.

COUNCILMAN BROPHY asked what Vulcan did in those cases where the wells went dry because of the drawdown.

Ms. Baskerville said going back to the original annexation of Vulcan Quarry she thinks it was because of the Council's participation in the annexation agreement that the agreement was made that if the wells went dry Vulcan would deepen them and in fact that had happened and it happened to her mother.

COUNCILMAN BROPHY said so the supply of water to those homes was restored.

Ms. Baskerville said yes, either new wells were dug deeper or the existing pumps were put deeper.

COUNCILMAN BROPHY said at Vulcan's cost.

Ms. Baskerville said correct and that was directly due to this Council's actions requiring that through the annexation agreement.

COUNCILMAN BROPHY asked if she knows why the studies she wishes to have done are not part of law, statute or regulatory rule now.

Ms. Baskerville said that's a very good question and is one of the things that was brought out in the round table discussion that included IEPA and the USEPA. She said part of that is the law as it stands where they only look at individual projects. She said there is a great need to look beyond that to the regional effect and the situation that we're concerned with is how far the Vulcan Quarry cone of depression would pull water.

COUNCILMAN BROPHY asked if that regional look was done in any other state or area by any other EPA, state or municipal government.

Ms. Baskerville said Illinois State is moving in that direction now.

COUNCILMAN BROPHY said but they haven't moved yet.

Ms. Baskerville said actually they have in terms of the DB Quarry proposal that was before the Council last year. She said the Will County Environmental Network asked the EPA to look at the regional effects and they are looking at those and that's what has held up the permit.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILMAN BROPHY asked if she could grade Vulcan on their operations so far. He said this addition is a small portion.

Ms. Baskerville said this addition will increase the parameter about  $\frac{1}{4}$  mile to the west which puts that cone of depression within probably  $\frac{1}{4}$  mile of the old toxic waste dump and that is the concern. She said they toured the quarry and they do operate a good quarry. She said they were impressed with what they saw in terms of safety for the people but our argument is not against the quarry, our argument is that we want to know what will happen to the groundwater in the area before the expansion because of the particular problems with the environment in that it's already contaminated there.

COUNCILMAN BROPHY said so it's not just the guarantee of supply but concerns with the possible contamination.

Ms. Baskerville said right, her concern is more with contamination.

COUNCILMAN BROPHY asked if something is built into the agreement about not only the return of supply but if the supply that they then draw is contaminated in some way.

The Corporation Counsel said there is a provision that prevents Vulcan's operations from unlawfully or unreasonably contaminating the groundwater of any other property owner in the vicinity. He said that's also a protection in common law as well. He said any impacts that might be expected probably would have been seen from the much larger quarry that exists immediately east of this site.

Ms. Baskerville said there are several things wrong with that. She said one is the proposal with Vulcan requiring that they don't pollute and it would not necessarily be Vulcan's pollution that would be the problem, the problem would be that it would be coming from other sources and that's a loophole and a lawyer would be very correct in probably saying that Vulcan's not responsible for that. She said she thinks if we look towards the next generation and what this community ought to be doing to protect its groundwater, we have to say it doesn't matter where the legality of it lies, we have to make sure that we're not contaminating it.

COUNCILMAN BROPHY asked if that is a scientific certainty, a guess or a fear.

Ms. Baskerville said it's based on all of those things. She said it is a scientific fact that they are going to draw down the groundwater. She said it's a scientific fact that that area that they are going to draw down from is going to extend beyond their boundaries and it's a scientific fact that within miles of that location there is an old toxic waste dump and there are old chemical plants such as the Olin Chemical Company there and there's a variety of landfills, and to go forward without knowing what's going to happen would be wrong and that's what we're asking for, we're asking for the study that will show how far will that cone of depression extend. She said their own studies back in 1990 put it very close to the old dump. She said this expansion is important because it moves it a  $\frac{1}{4}$  mile to the west which is  $\frac{1}{4}$  mile closer to the contamination.

COUNCILMAN BROPHY asked how far she is with success either with the EPA in rule making or State government in getting these changes made part of law or rules.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Ms. Baskerville said hopefully very close. She said the first steps have been taken which is the recognition of the problem and she asked the City of Joliet to help us recognize that problem.

COUNCILMAN BROPHY asked if we have any case examples of such problems with other operations in other parts of the State or other parts of the Midwest.

Ms. Baskerville said you don't have to go very far to see an example, there was the example of water being pulled off the Midwest Generation quarry on Brandon Road because of a change in groundwater.

Ms. Patti Nugent said her mother has one of the wells that was replaced to the depth of around 900 feet. She said the boron contamination was pulled off of Midwest Generation by Vulcan, the cone of depression. She said Midwest has replaced 17 wells in that area because of the contamination that was pulled off of Midwest Generation's landfill.

COUNCILMAN BROPHY said they replaced the wells and then they find a suitable source, suitable water.

Ms. Nugent said it's at the same water depth as Joliet is pulling and it's pretty phenomenal for a private well to have a depth of 900 feet in this area. She said she was at the Plan Commission meeting and asked to see the studies done by Vulcan and there is no written study. She said their geologist said the groundwater would not be impacted. She said Vulcan is saying there's no paperwork or trail and she can't see what they studied and she can't take it to the Illinois State Geological Survey and ask them to look at this drawdown map that they produced, they haven't done that. She said all she heard as a citizen was it's OK, they looked at it and it's not going to impact anything.

COUNCILMAN BROPHY asked the Corporation Counsel if the IEPA could stop this if they wanted to before it got to our approval.

The Corporation Counsel said the agency could not stop the annexation or the rezoning. He said the agency would have jurisdiction if there's contamination that is newly discovered on a piece of property and of course they would have jurisdiction if contamination migrates across property lines. He said in this particular case he doesn't think there's been any fear by the neighboring property owners that anything Vulcan's going to do would render their property vulnerable to contamination.

Ms. Nugent said she would disagree for her mother, she's truly fearful of having contamination pulled from other parts in the area simply because she has experienced it herself. She said she had to live with drilling a well down to 900 feet and she had to live without a water supply during that drilling. She said there is a very direct impact to the people who are living there.

COUNCILMAN GIARRANTE asked where her mother lives.

Ms. Nugent said 1815 Brandon Road; the proposed site would be across the road from her.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILWOMAN QUILLMAN asked the attorney for Vulcan. Tom Carey, what would be the problem of getting a report to work with these folks and to satisfy their fears.

Mr. Carey said the report that they would like to have done is probably about a quarter of a million dollar report and would probably take years to accomplish. He said keep in mind that as was discussed yesterday, there are multiple wells that are being monitored on a constant basis. He said there are wells on the school property that are monitored real time for contamination and they have had no contamination, and he believes that the well of this lady's mother contained no contamination. He said he doesn't believe any of the wells that were replaced by Midwest Generation contained any contamination, it was a drawdown effect.

COUNCILWOMAN QUILLMAN asked if she didn't just say she had a report from the EPA saying it was contaminated.

Mr. Carey said no she did not, none of the wells were ever determined to have any contamination. He said they went dry and were replaced and the amendments require us to live up to any kind of potential problem that comes up and we will be there.

COUNCILWOMAN QUILLMAN asked if there is anything Vulcan can do. She said this is nothing against Vulcan, it's a very clean operation and she took the whole tour. She said she did a little more research on this today and they've been proactive, she just wishes there was something we could do to satisfy these fears with the water. She asked if the hydrologist has sat down with these folks and talked to them.

Mr. Carey said yes, he's given the answers but they don't like his answers.

COUNCILMAN GIARRANTE said he knew a couple of people who lived on Brandon Road and he had a cousin who lived there and her well went dry. He said those people never complained about contamination, they just complained that the well went dry. He said Vulcan went out and dug it deeper and they were perfectly happy until CenterPoint eventually bought them out and then they had to cap the wells. He said this is the first he's heard of any well being contaminated because of Vulcan.

Ms. Baskerville said the wells that Vulcan made deeper on Brandon Road was not because of contamination, it was because of the drawdown. She said we aren't saying that the wells Vulcan replaced were contaminated.

Ms. Nugent said it's important to have that study done. She said the last time they were in front of the Council they produced some maps and showed them what the groundwater drawdown would be. She said they're saying it would cost a half million dollars. She said her mother's well for replacement was \$125,000 and they put 17 wells in at that price so they should not be saying it's too much money. She said to replace wells at \$125,000 a well is an incredible amount of money especially when there are over 800 families who use the groundwater very close to this Vulcan facility. She said Midwest was very generous in supplying those wells to those people and she's not quite sure Vulcan would be doing that. She said her mother's well was contaminated and it was contaminated because of drawdown. She said it's something that she thinks this Council should request of them at least to give us some data.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILWOMAN QUILLMAN asked if it is true that it would take many years to do this water study.

Ms. Nugent said there are a couple of different water studies and what they're asking Vulcan to do is a simple drawdown, show us the data that they're using to say how far is that drawdown going to be, that's one study.

COUNCILWOMAN QUILLMAN asked how long would that study take.

Mr. Mark Krumenacher, a geologist with GZA Geo Environmental, said a couple of months.

Ms. Nugent said there's the study they asked Congresswoman Halvorson to do, the USGS Water Quality Study. She said talking to USGS it could be phased in and would probably be a 3 year study but they could certainly do different phases. She said she doesn't think for a drawdown study a couple of months is too much to ask this Council to give the people in the area and to give us some data and scientific evidence that the drawdown is not going to be affecting the groundwater.

COUNCILWOMAN QUILLMAN asked if she knew how much that study would cost.

Mr. Carey stated \$250,000.00.

COUNCILWOMAN QUILLMAN asked which study they are referring to and to satisfy these folks would it be feasible to consider doing a two month drawdown study to satisfy everyone.

Mr. Carey said what he would respond to is in 1994 this Council chambers was as full or fuller than tonight and they were all here for this reason. He said he thinks the only folks that are here tonight are these folks in opposition to it. He said the Council heard our geologist yesterday about what really is going to be caused by this expansion. He said the question of studies is also speculative.

COUNCILWOMAN QUILLMAN asked if he's looked at the drawdown.

Mr. Carey said of course, he's looked at every aspect of the operation. He said they know what this rock is, it doesn't contain the karst features that are feared here and the contamination is not something that we're involved in. He said there is going to be drawdown and we will be responsible for it. He said no amount of studies is going to allay their fears.

COUNCILWOMAN QUILLMAN said she was looking for a compromise here, the one little study just to satisfy everybody.

Ms. Nugent said she would love a drawdown study and an open meeting with the geologist.

COUNCILWOMAN QUILLMAN said Vulcan's geologist did the drawdown study.

Mr. Carey said their geologist has compiled lots of information and he is here tonight.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILWOMAN QUILLMAN asked if he can report on that right now.

Mr. Carey said what he's probably going to say is the same thing the Council heard yesterday, but he'll be glad to repeat that.

COUNCILWOMAN QUILLMAN said she would like to hear it again because a lot of these folks weren't here last night and a lot of people at home weren't watching at 3:30 in the afternoon.

Mr. Mark Krumenacher said he has 23 years with GZA and is part owner of the company. He said he is involved in groundwater studies at industrial sites, at greenfield sites and at quarry properties. He said before any quarry development, a groundwater study is undertaken and the drawdown is evaluated. He said one of the reasons it's done is the quarry needs to understand how much water they're going to produce because they have to transfer that water out of the pit and into a surface water body somewhere and that's easy because this quarry has been in operation for 15 years and we know how much water they're pumping, we know how big this proposed expansion is and we can easily estimate how much water that is going to add to how much they have to discharge. He said the other reason a groundwater study is done is to understand the quality of the groundwater that the quarry may pump and if there is a groundwater contamination source in the area of the quarry that is at risk of being drawn into the quarry, that would basically stop that quarry development. He said there is known groundwater contamination at the Midwest Generation property but their extent of well networks is limited to their property itself. He said there really is no data that is available to the public to know whether or not Midwest Generation had identified contaminated residential water supply wells, so there is no study, it's anecdotal evidence that people have heard. He said it's our understanding that Midwest Generation's consultant sent letters to these 17 neighbors and said in that letter that due to Vulcan's drawdown, their well has become contaminated with metals from our ash disposal landfill and as a precaution we are going to replace their wells. He said he doesn't believe there is any data to show that they sampled those wells and detected contamination and therefore that's why they replaced the wells. He said they detected some barium in the groundwater at their property and since these wells were nearby they took that step as a good corporate citizen and replaced the wells.

Mr. Krumenacher said also in the area is the old Olin Company and there is nothing in State records to show they have a big groundwater contamination problem. He said if people have private knowledge of that we are not privy to that information, so it is not a big groundwater contamination problem. He said the solid waste landfill has a very complex groundwater monitoring system around it and there is no information in the IEPA files that says that is a big groundwater contamination problem. He also said the Cytek property, owned by American Cyanamide, had an environmental assessment done by the IEPA to evaluate the risk and they had a little groundwater contamination problem and the owner had those wells replaced with deeper wells. He said this property operated years ago and has been vacant. He then explained where these properties are located and said in this area, quarrying began in the 1930's or earlier so drawdowns started there in the 1930's. He said this 38 acre property located adjacent to the existing quarry may expand the drawdown to the west and south of it but it will have no impact on the drawdown to the north and to the east.

COUNCILMAN SHETINA asked him to identify the parcels to the south and west.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Mr. Krumenacher showed the parcels on a map and said a large portion is CenterPoint. He said other than CenterPoint, there is agricultural land but there is no residential development, there are no houses. He said the only houses are on Brandon Road and they all have wells that are 900' deep.

COUNCILMAN BROPHY asked if the EPA, USEPA and the State will step in and stop such an expansion or such a placement of a quarry based on their rules.

Mr. Krumenacher said he thinks the only instance where we would actually see that is if the quarry is near a sensitive ecosystem like a nature preserve that has springs or wetlands.

COUNCILMAN BROPHY said so there is no such rule, either current or proposed, that would regulate or restrict what we're presented with here today.

Mr. Krumenacher said correct, there is not.

MAYOR SCHULTZ then closed the public hearing.

COUNCILMAN DORRIS moved that said Resolution and Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to his vote, COUNCILMAN DORRIS said we have had 15 years experience with Vulcan and they have been a tremendous neighbor, a tremendous neighbor to the schools and the City of Joliet. He said we put some very strict requirements on Vulcan a few years ago that they would take care of those wells, take care of cracked foundations and they've done that and they've actually received an award from Laraway School for doing everything they promised so we do have some history with them. He said they've been a good neighbor and a good corporate citizen and that's why he is supporting this and he voted aye.

Prior to her vote, COUNCILWOMAN QUILLMAN said she has no qualms with Vulcan and she knows they've been a good neighbor and have been proactive and have done their water studies. She said she had a lot of questions yesterday and she did some research and her reasons yesterday were changed and she was prepared to probably vote yes for this tonight, however, since there is some doubt about the contamination of water, she has to respectfully vote no at this time.

J. Public Hearing re: Annexation of 419 Harwood Street

1. A RESOLUTION Approving an Annexation Agreement for 419 Harwood Street as recommended by the Plan Commission was presented and read. (#A-10-09/Dist. #4)  
(Council Memo #1102-09)  
(RESOLUTION NO. 6327)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

2. AN ORDINANCE Approving the Annexation of 419 Harwood Street as recommended by the Plan Commission was presented and read. (#A-10-09/Dist. #4)  
(Council Memo #1102-09)  
(ORDINANCE NO. 16562)
  
3. AN ORDINANCE Approving the Classification of 419 Harwood Street to R-2 Zoning as recommended by the Plan Commission was presented and read. (#A-10-09/Dist. #4)  
(Council Memo #1102-09)  
(ORDINANCE NO. 16563)

The City Clerk noted that this is a public hearing so any comments would be in order at this time.

Mr. Benjamin Hernandez, the petitioner, stated he would like to hook up to City sewer and that is why he is annexing.

The City Manager said this gentleman has done a great job of taking care of his home and would like to connect to our system and we are recommending approval.

COUNCILMAN GIARRANTE moved that said Resolution and Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

APPROVAL OF REGULAR CURRENT BILLS

A. Treasurer's Disbursements – November, 2009 - \$25,957,416.66

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

B. Regular Claims – November, 2009 - \$1,796,786.53

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

C. Regular Payroll – October 31 – November 13, 2009 - \$2,940,317.52  
(Council Memo #1103-09)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period October 31, 2009 through November 13, 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.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

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

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Approving the Final Plat of Silver Leaf Commercial Subdivision as recommended by the Plan Commission was presented and read. (#FP-10-09/Dist. #3)  
(Council Memo #1104-09)  
(ORDINANCE NO. 16564)
  
2. AN ORDINANCE Approving the Recording Plat of Silver Leaf Commercial Subdivision as recommended by the Administration subject to receipt of the following fees and documentation within 60 days was presented and read: 1) A Letter of Credit or Performance Bond for public improvements in the amount of \$226,896.00; 2) A 1 ¼% Inspection Fee for public improvements in the amount of \$2,836.00; and 3) An Irrevocable Offer of Dedication for public improvements. (#RP-12-09/Dist. #3)  
(Council Memo #1104-09)  
(ORDINANCE NO. 16565)

COUNCILMAN TURK moved that said Ordinances be adopted as recommended.

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

3. AN ORDINANCE Revising Certain Parking Rates and Penalties was presented and read.  
(Council Memo #1105-09)

COUNCILMAN TURK stated he received a couple of calls on this about increasing the monthly rates for the two parking decks, which is covered, from \$25 to \$40 and increasing the monthly rate for surface level parking at Union Station from \$18 to \$40 which is a pretty good jump being that they're currently \$7 a month lower than the decks. He said he would like to throw out for the Council's consideration that the surface lots go to \$30 rather than \$40 and then it wouldn't be quite as large of a jump for those two lots, and the rest of them

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

remain the same.

COUNCILWOMAN QUILLMAN said she would agree to that if the parking meter fines would go up to \$15 instead of \$10. She said we're rewarding people that break the law by the \$10 fine as she stated here yesterday. She said she would go along with that suggestion because that is a \$22 jump and the parking fine for parking at a meter all day would go from \$3 to \$15 which is a \$12 jump.

COUNCILMAN GIARRANTE asked if the City Manager didn't explain yesterday that the reason for the \$18 to \$40 increase is because it's so close to Union Station and it's more convenient for them to park there.

The City Manager said it's a proximity issue and a guaranteed spot issue, those two reasons were the basis for the staff's recommendation to bump those monthly rates to \$40.

COUNCILMAN SHETINA said with respect to the \$3 to \$15 versus the \$3 to \$10 that we had talked about before, aren't those street meters.

The City Manager said yes, that's a separate issue.

COUNCILMAN SHETINA said he understands that but isn't that what we're talking about raising.

COUNCILWOMAN QUILLMAN said yes, but her point is like she said yesterday, the increase from \$25 to \$40 a month for people that work that need a place to park is \$15. She said for people that park in the other lot, from \$18 to \$40 is a \$22 jump. She said people that break the law, instead of a \$3 ticket, she's asking for a \$15 ticket which is a \$12 jump. She said the other people did not break the law, they're going to work every day and need a place to park and those fees are \$22 and \$15, however it was said here that a \$3 to \$15 fine is ridiculous for people. She said why would we reward people that break the law, if they park overtime and they're not there, then they should get a \$15 ticket.

COUNCILMAN SHETINA said he's still saying that's egregious going from \$3 to \$15 but his question is this, those are street meters are they not.

The City Manager said the \$10 fine would apply to a parking meter violation.

COUNCILMAN SHETINA said if a police officer comes and gives someone a ticket and they come around again and they're still parked there they get another ticket and they come along again and get another ticket. He said so they're compounding their fine.

The City Manager said it can happen, yes.

COUNCILMAN SHETINA said it has happened. He said notwithstanding that, he still feels that if someone is a downtown merchant or a person running into a place or downtown for a meeting, going from \$3 to \$15 is too much money. He said he thinks we had a tacit agreement that we talked about \$10 and it seems the Council accepted a \$10 fine which is still a lot of money. He said if you break the law you get fined again, so instead of getting a \$3 ticket you're going to get a \$10 ticket and another \$10 ticket and another \$10 ticket. He said COUNCILWOMAN QUILLMAN talked about parking there all day for \$3 and he doesn't think that's the case, he thinks they get compounded tickets for being

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

there all day. He said he's seen it happen and he's seen cars with tickets on them so he disagrees with the numbers but that's a matter of philosophy and that's what the Council has to decide on.

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN, COUNCILMAN UREMOVIC and COUNCILWOMAN BARBER.

Prior to her vote, COUNCILWOMAN QUILLMAN said she votes no for the reasons she stated earlier.

Prior to his vote, COUNCILMAN SHETINA said he votes aye for the reasons he stated.

Prior to his vote, COUNCILMAN TURK said he just threw his suggestion out as a recommendation to see where it would go from the calls that he received and the City does need the revenue and he then voted aye.

(ORDINANCE NO. 16566)

4. AN ORDINANCE For the Levying and Collection of Taxes for the City of Joliet, Will and Kendall Counties, Illinois for the Year A.D., 2009 was presented and read.  
(Council Memo #1106-09)

COUNCILMAN GIARRANTE asked the City Manager for an explanation.

The City Manager stated this is the much debated Tax Levy proposal that he's brought forward for an increase of the Tax Levy for 2009 by about 24%. He said we've discussed this previously and it's the result of needs that we've shown to the Council and to the public of increasing expenses and decreasing revenues. He said it's our recommendation that we proceed with the 24% increase but he understands that there have been other proposals that have been discussed, either 10%, 12% or possibly 16%, and we stand prepared to respond to the Council's decision. He said this is the Real Estate Tax Levy that will be collected in 2010 and we've discussed what the average increases would be for homes based on those various scenarios. He said this is a time sensitive Ordinance and it must be approved and recorded with the Will County and Kendall County offices by December 29<sup>th</sup>. He said we're asking for formal action on it this evening.

COUNCILMAN DORRIS said he doesn't think there's any appetite for a 24% increase. He said if the recommendation is 12% and then we use the surplus fund to buy it down to 12%, how much would come out of that reserve fund.

The City Manager stated \$4.5 million would be transferred from the reserve fund into operations, but we would also look for other cuts through the year to avoid drawing down on the reserve. He said he can't say that we will not draw down on the reserve but we will continue with our cutting to minimize our reliance on the reserve fund.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILMAN DORRIS said with that being said, his recommendation would be a 12% increase instead of the 24% and take the other necessary funds out of the reserve fund and then continue to look at what we can do to cut the costs and still continue to provide services to the City. He said we did a lot of things with the riverboat money and that information is all on-line. He said we shared with the public schools and we were the only City that he knows of that when the schools were having financial trouble, we shared with them and also with the neighborhood organizations. He said some of those neighborhood organizations that we shared funds with wanted that decorative lighting and we put that decorative lighting in and we got chastised for doing it. He said a lot of people are preparing to run for office in 16 months and none of those folks came in with any type of recommendation other than what we've done. He said he believes this City has done due diligence and there have been many meetings. He said we've spent millions of dollars in curbs, gutters, storm sewer separation and we built the ballpark, the west side library, the water park that may not be doing what we want it to do but one day that's going to be a treasure here in the City. He said he believes that the Peter Claver Center, Warren Sharpe Center, CAPA, and everyone else has really benefited from what we did here.

COUNCILMAN DORRIS said none of us would have dreamed two years ago that this economy would be in the situation it is now, it's not just a Joliet problem, every City in the State of Illinois and even the State of Illinois has the same problem. He said if there is a better way, please come up and tell us. He said to use all of the reserve fund to try to balance this out is not the right thing to do, it's something that people shouldn't do in their own homes and we shouldn't do it for the City. He said we have a fiduciary responsibility to try to keep this City solvent and if we let the City go bankrupt, what it's going to do to the housing prices then is going to far outweigh the additional taxes that we're all going to pay. He said it was difficult to get to this point and he is going through one of the most difficult times of his life, he's here tonight and his father is having surgery and fighting for his life but he's here because he knows he needs to be here. He said we have a responsibility to the City, we have a responsibility to keep the City solvent. He said when we were doing all the giveaways, when we were balancing the budget, using the riverboat money, we were keeping the water rates down and very few people came to say thank you. He said when we cut the tax rate more than any other City in Will County, no one said thank you. He said it's a thankless job but we have the responsibility to stand up now to do what we have to do to keep this City running and to provide services for the citizens and it's going to hurt us all and hopefully the economy will turn around and as the money comes in, he hopes this Council if there is a rainfall that we're ready to give that money back to the citizens of the City as we've done before.

COUNCILMAN DORRIS moved that said Ordinance be adopted with a 12% increase in the Tax Levy with \$4.5 million to be taken out of the reserve fund for operational expenses, if necessary.

Motion seconded by COUNCILMAN GIARRANTE.

The Corporation Counsel asked Director of Management and Budget Ken Mihelich to summarize the exact amount that the Levy Ordinance would be reduced to from how it's stated currently.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Mr. Mihelich said the document before the Council lists a levy of \$43,040,800 and this would be adjusted downward by \$4,352,626.00 and those adjustments would come from three of the funds: General Corporate Fund would go from \$3,602,478 down by \$1,352,626 for an adjusted total of \$2,249,852; the Police Protection Fund would go from \$5,662,655 down by \$1,500,000 to \$4,162,655; and the Fire Protection Fund would go from \$5,147,868 down by \$1,500,000 to \$3,647,868. He said the other items would remain the same.

COUNCILMAN SHETINA said that was with respect to the difference in the levy that would occur as a result of what we're talking about now.

Mr. Mihelich said that would basically make it a 12% increase over the prior year which is what the motion was for.

COUNCILMAN UREMOVIC asked what the rate would go to.

Mr. Mihelich said the rate would roughly go from \$1.111 to \$1.233.

COUNCILMAN GIARRANTE asked if that is per \$10,000 assessed value.

Mr. Mihelich said that would be per \$1,000. He said that's approximate for the Joliet Township rate. He said the City has about 8 or 10 townships so it's based only on the Joliet Township rate.

**PUBLIC COMMENTS**

Mr. Tim Placher of 663 Glenwood Avenue said he is a former attorney for the City of Joliet and now teaches in one of our City's schools. He said he is here to express his opinion about the situation our City finds itself in. He said with the City's cost cutting over the last year, close to 100 people have been let go or taken a retirement package and yet all of the current budget proposals, including tonight's proposal, include tax increases and will still leave the City facing multi-million dollar deficits over the next few years and water rate hikes were already approved. He said pension obligations based on salaries that the Council have established will nearly double in the next few years becoming \$44 million by 2013 which will be more than half of the actual payroll that year. He said the answer isn't more taxes. He said it's time to stop talking about taxes and rate and fee increases and exercise the Council's authority to cut expenses where there is real money to be saved in the payroll, benefits and pensions of employees. He stated if that means telling City unions they have to make a choice between current staffing levels and serious pay concessions, that's the corner that the Council has painted itself into. He said that message was already sent to the street and utility workers, it's time now to send it to the Police and Fire Departments. He said it's not too late to save the City from the mess that we're in, the Council can do it without passing the buck to taxpayers, they have the authority and the means and the community is waiting to see if they have the will.

COUNCILMAN GIARRANTE said he has said repeatedly that the pension benefits for the Police, Fire and IMRF are set in Springfield and we have no say over it. He said the Police and Fire pay 9% into their pension and they put their lives on the line daily for the citizens of Joliet.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Sgt. Lindsey Heavener of the Joliet Police Department said he has been to every one of these meetings and didn't intend to speak until Mr. Placher decided to insult every policeman and fireman in this town. He said let's set the record straight here, look at the tax bill, you'll see that the biggest portion is the school districts where Mr. Placher works and draws a pension which is just as lucrative or more lucrative a pension than a policeman or fireman will draw. He said we did give concessions and we're paying for our health care. He said the school district Mr. Placher works for is still providing free health care.

Ms. Kristine Sargent of 414 Mack Street said she started coming to a lot of these meetings since the Council started talking about raising her water and her taxes. She said if this levy is passed, is she going to be back here in two months screaming about the Council bringing the City sticker back. She asked if utility taxes are going to be raised.

COUNCILMAN BROPHY said we asked the staff for a list of options of places from where revenue comes and the Council deliberated on those items as to which we may, if any, choose to adjust. He said we haven't decided to do any of those at this time. He said some of us have indicated opposition at any time to certain things and the City sticker is one of his, but we can't bind a future Council from those types of changes so we can't say "never". He said the only deadline we're faced with today is the Real Estate Tax Levy. He said those other items including adjustments to the budget, whether they be increases in revenues or decreases in expenses, can still be considered going forward.

Ms. Sargent asked about the money being put aside to buy Evergreen Terrace.

The City Manager said that was in our report as part of the 2010 proposal for the budget. He said that's money that has already been set aside by the Council in previous budget years.

COUNCILMAN GIARRANTE said that's 3 or 4 years old.

The City Manager said it is, we did not set any aside in 2009 and he's not recommending that we set any aside in 2010.

Ms. Sargent asked about the high speed rail that's on the City's website.

The City Manager said high speed rail is a proposal that is coming from Washington D.C. by the President encouraging people to avail themselves of public transportation rather than driving. He said Joliet will be the first stop out of Chicago if high speed rail is funded by the Federal and State governments. He said what is on the website is a proposal for a transportation center for which we have asked for Federal funding to build so we can accommodate the demand that we think will come with high speed rail and other forms of public transportation.

Ms. Sargent said she saw the grant was \$900,000 and said she is sure it will cost more than that.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

The City Manager said the \$900,000 grant is for a commuter parking lot and we've received several grants over the last 15 years for expanding the availability of commuter parking for our residents and neighbors who want to commute to Chicago through Union Station using either the Rock Island Line or the Heritage Corridor Line.

Ms. Sargent asked about the Bridge Street Town Centre and said it was very impressive and she asked how much is that going to cost us and are we looking forward to it in 2010.

The City Manager said that's a project that was approved by the Mayor and City Council in 2008 and unfortunately it has hit the financial challenges that the rest of the retail market has seen. He said right now the developer owns the land and has the plans developed but is trying to wait through the economic downturn that has had a major impact on all retail expansion. He said we don't have any money invested in that other than a lot of staff time. He said we have some incentives that are out there for the developer, but those are dependent upon the project moving forward and being successful. He said no City money has been pledged in the future that would come out of taxpayer pockets.

Ms. Sargent said the \$10 a month increase on top of the water rate increase is a lot of money to her. She said the timing is the problem with economic times being so bad.

Mr. Dan Softcheck of 601 Terry Drive stated the City of Joliet has survived on the riverboats for the last 17 years or so and his comment on that is his friends go to Indiana to gamble because of the smoking ban. He said he knows the City of Joliet cannot control the ban but he thinks we need to go to Senator Wilhelmi and Rep. Tom Cross to liberalize the gambling rules in Illinois so people don't leave and go to Indiana, we need the revenue.

COUNCILWOMAN QUILLMAN said along those lines can we do a Resolution asking for a repeal of the smoking ban in the casinos and send that to Springfield as a Council. She said every other state that has gaming facilities have made those exempt from non-smoking.

The City Manager said most states have, yes. He said some states have gone full boat as Illinois has and obviously there is an economic impact on the state and the eight host communities, but there are other reasons why the legislature passed the smoking ban, and the primary reason is the health concern.

COUNCILWOMAN QUILLMAN said she understands that being a health care worker herself and a non-smoker, and she can see both sides, but why can't they just make part of their facility for smokers and another part for the non-smokers. She said it can be done but she would ask this Council if we can pass a Resolution and send it to Springfield.

The City Manager said this was debated 2 ½ years ago and he knows there have been efforts from the gaming industry and other people interested in the revenue from the industry who've tried to initiate another discussion in Springfield on this and it really hasn't been well received in Springfield. He said he is not discouraging passing a Resolution of support for lifting the smoking ban for the casinos, that's certainly something if that's the Council's wish that we'll transmit to our legislators. He said he is not as optimistic as some people might be as far

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

as getting it reversed though.

COUNCILWOMAN QUILLMAN said couldn't we partner with other cities in the State of Illinois and all get together and go to Springfield. She said it's certainly hurting us, why should every other state benefit and Illinois hurt when unemployment is the way it is. She said if people choose to smoke that's their choice and if they choose to gamble that's their choice too, but if people choose not to smoke they can go to another part of the facility and gamble as well. She said ever since this came into effect we have been losing revenue year after year. She said the first year we lost 20% in revenue.

The City Manager said we're down probably about 37% from where we were in 2007, so in two short years we've seen a drop from about \$37 million in revenue to about \$23 or \$24 million.

COUNCILWOMAN QUILLMAN said Missouri just passed an exempt law and also Pennsylvania and Indiana. She said we're surrounded by states that let people smoke and pretty soon we probably won't even have gambling in Illinois any more because people want to smoke and gamble. She said she's not advocating smoking, she's just trying to look out for our best interest.

COUNCILMAN SHETINA said he thinks we all had the same concerns and we've experienced the loss in revenue but if there is smoking in a casino there are still employees that have to service those people who are smoking in a casino. He said one of the biggest complaints we've had is from employees in casinos who have to go and serve the drinks and serve the food in areas where people smoke and they are very happy that they don't have to walk through smoke anymore. He said he's been told that passive smoke has an effect on people and has as much effect apparently as smoking. He said that was a big concern and he thinks it's a legitimate concern. He said maybe there's a way to do that but he doesn't know how without having that problem.

COUNCILMAN GIARRANTE said the answer would be to have the other states ban smoking too to put everybody on an even playing field.

The City Manager said that's what the casino industry is promoting also. He said the companies aren't saying open up smoking again in the casinos, but they want a level playing field where smoking would be banned across the board on a national level.

COUNCILWOMAN QUILLMAN said maybe that's another avenue we should pursue.

Mr. Dave Malinowski of 1405 Lakewood Drive said he has never been to a Council meeting before but obviously this one is pretty important. He said the consensus from what he hears is most of the citizens don't think the proper procedures or research has been done to look at where we can come up with revenues or cost saving measures and maybe we're just taking the easy way out here and raising taxes. He asked what plans do we have for next year's budget because another tax rate increase is not going to fly. He said he would like the Mayor and Council to really think about this vote because it will have a lasting impression on their future.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILMAN DORRIS said everyone has the right to take out a petition and run for this office. He said Mr. Malinowski has been in Joliet all his life and this is the first meeting he has come to and he talks about this Budget and then talks about who's not going to be here. He said he would rather be known as a Councilman that stood up and kept the City in good financial shape than one that voted the easy way to satisfy people and let the City go broke. He said if we don't have the guts to do that and vote because people come up and try to threaten us and say they're going to run, then we shouldn't be here. He said we know what we have to do, we have looked at everything possible to try to find money and it really insults him especially since this is Mr. Malinowski's first time here to come and say that we have not looked at everything. He said we've turned over every stone that we could possibly turn over. He said line up, he welcomes the debate and if people have other ideas that will help us save money instead of just coming and taking pot shots at us, come tell us what we need to do. He said this Council is willing and ready to listen any way we can to try to keep from raising taxes and passing on additional fees.

Mr. Craig Cady of 1918 Calla Drive stated he's been to about half of the budget meetings. He said as a current unemployed Joliet resident he would like to ask the Council to oppose raising property taxes for two reasons. He said tax hikes would hurt Joliet's hard working families, times are tough and family budgets are tight. He said the budget of Joliet shouldn't be balanced on the backs of Joliet homeowners and businesses. He said secondly, tax hikes would hurt future growth. He said he and his fellow residents are urging the City Council to protect homeowners and the quality of life in our City by opposing property tax increases which are a short term fix that does not offer a long lasting remedy and are a step in the wrong direction.

**MOTION TO APPROVE 2009 TAX LEVY**

COUNCILMAN DORRIS moved that the 2009 Tax Levy Ordinance be adopted with a 12% increase over the amount levied in 2008, and that \$4.5 million be taken out of the reserve fund to meet operational expenses, if necessary.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN and COUNCILMAN UREMOVIC.

Prior to her vote, COUNCILWOMAN QUILLMAN asked if she could make hers a two part vote and vote to approve the \$4.5 million out of the reserve fund and vote no to the tax increase.

The Corporation Counsel said what's on the floor is a motion to approve the proposed Tax Levy with the 12% tax rate embedded and with the substituted funds coming from the reserve so it's a consolidated single motion. He said you would have the right to make a motion to amend it but you cannot split your vote.

COUNCILWOMAN QUILLMAN said from day one she has been opposed to this property tax increase and she's not going to waver now. She said people just simply cannot afford it, people come to her and say they're just now barely hanging on. She said she did agree to the water rate tax because she felt that that was something that people could control, however, unemployment is at 12%

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

and people are just barely holding onto their homes because of other taxes and other increases, people are losing their jobs, seniors aren't getting a raise and the State's going to raise their taxes. She said this affected her personally as well, her husband was a policeman for this department for 35 ½ years and he retired along with several other officers to save other jobs for people that were here less time than he was. She said she does take pride in that because in a sense he lost his job too to save someone else, he wasn't ready to retire, he had a lot more to offer this town but he did it because it was the right thing to do. She said people voted for her to speak for them and that's why she's here and that's why they elected her 4 ½ years ago and re-elected her in April. She said if we can get it down to 12% from the 24% and we're taking \$4.5 million out of the reserve, then we can certainly make up the rest. She said she would like to add that she has the guts to vote no. She said there are still many stones that can be turned over and she's not up here just because someone threatened her not to be re-elected. She said this has been her stance from day one and she is not backing down because people simply cannot afford it and until every stone is turned, and she still has several stones that have not been turned over or have been ignored, she cannot in good conscience vote yes for this 12% increase, so therefore she votes no.

Prior to his vote, COUNCILMAN SHETINA said he is not going to try to change anybody's mind. He said he took the responsibility of attending all the meetings, some of us didn't and didn't hear a lot of the diatribe that went on and didn't hear a lot of the good comments that were made. He said he's talked to a whole lot of people and does that on a regular basis. He said he doesn't make his living as a City Councilman, never have and never wants to. He said he's always tried to deal straight, be transparent. and that's how we should operate. He said we're now engaged in a situation where some Council people have taken an intractable position saying we don't care what you tell us, we're going to vote a certain way. He said others of us have taken positions that we're going to vote a certain way. He said none of that happens in a vacuum. He said people have had an opportunity to come here and he's listened and he's learned.

COUNCILMAN SHETINA said he saw some ideas in the newspaper that we implemented 25 years ago. He said back in the 1980's when Joliet had a 26% unemployment rate and we all had to suffer that and laid off 200 people at the City, the City of Joliet, Will County, the churches, the schools, the Center for Economic Development and the Will County Chamber of Commerce all got together and decided that there's got to be diversification in Joliet, we've go to diversify. He said now we have a situation in the economy that people say is worse than in the 1980's and late 1970's and it may well be true. He said now we have a 12% unemployment rate, not a 26% unemployment rate, and that's the result of diversity. He said a lot of people are working who would not have been working at that time. He said he is not going to try to make you believe the way he believes or make you believe that the City of Joliet should thrive and go on, he has no problem at all finding pride in the City of Joliet, none whatsoever. He said the things that have occurred here, the people that we've helped, the people we've gotten jobs for, we've all benefitted from that. He said we gave money back to the taxpayers and for many, many years we were the lowest and we still have the lowest rate. He said we probably overdid it on water rates because we went down and down and down and kept giving and giving and giving water rates that were ridiculously low and it's difficult to come back and increase those rates. He said it's also difficult to increase taxes. He said a 24% increase was suggested and none of us found that palatable. He said he feels comfortable with what we're doing today, does he like it, no, and does he pay

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

taxes, yes. He said he also pays the higher water rates. He said a lot of people have come up to him and said don't kick it up to 24%, can't you do something in between. He said we've all agreed that's a lot. He said we as a City, as a corporate body have 100 some churches that we house, we have social agencies that we take care of, a lot of people probably from a lot of different jurisdictions but we do that and we do that willingly. He said we're not closing down Daybreak, we're not closing down any of the places that we help. He said Catholic Charities does a great job with that. He said Joliet stands up and supports it's citizenry and it stands up and supports those who are hurting. He said this Budget that we're talking about maintains to some extent the helping of those people who need help. He said he is comfortable that he's listened to everybody, he's comfortable that he's listened to the things that needed to be said and he's comfortable that he entertained the notions that most people had and he supports the recommendation as tendered by Councilman Dorris and he votes aye.

Prior to his vote, COUNCILMAN TURK said he too has received a lot of calls and e-mails over the last couple months on this very issue and as was said earlier, a lot of people when they heard the 24% thought it was too high and a lot of people thought the 24% was on their total bill. He said when we explained that it was just on the City's portion, it didn't make it a whole lot easier, but it made it a little bit easier. He said for example, if someone has a \$5,000 tax bill, 16% now goes to the City which is \$800. He said a 12% increase is \$96 which comes out to \$8 a month and he knows that doesn't make it any easier but it explains how the tax bill works. He said the other thing is if he was going to sit here and vote in the best interest of his political career, it would be no, that's how he'd vote. He said he can't sit here and vote no against the Appropriation Ordinance to fund the City and vote no against the Budget which is our spending document and then vote in 2010 twice a month to approve the payroll and approve the bills. He said this Council has a proven record, taxes were reduced, user fees were reduced and City stickers were eliminated. He said if and when the revenues ever get to near those levels things like that will be looked at although he's sure it will be looked at a lot more conservatively as far as how much do we have in our reserve fund and a lot of people think we didn't have a reserve fund, we did. He said the former City Manager told us two years ago that 2010 was going to be a tough year and we have to put some money away and we did that. He said nobody thought it was going to be to the extent it is. He said he too attended all the meetings and he appreciates the input and appreciates the letters and he then voted aye.

Prior to his vote, COUNCILMAN UREMOVIC stated when we first got the budget document on November 9<sup>th</sup> he went through the document very aggressively and compared it with the previous budget. He said the previous budget for 2009 was \$259 million and the proposed 2010 budget is \$278 million, a \$19 million increase, and his first question at that time was how can you go from cutting NIP, cutting an enormous amount of staff through early retirement, cutting contributions to the social agencies and schools etc. and end up with a budget that's \$278 million. He said a Herald News article from 3 days after that quotes Ken Mihelich as saying "City staff emphasize that the \$19 million increase over last year's budget was aimed at putting away reserve funds for the sake of the City's financial condition, a rainy day fund. That's not additional spending, it's additional savings." He said during the process and even before that, we talked about both revenues and expenses. He said he made two proposals to raise revenues through fees and fines that would add \$4 to \$6 million to the City revenue base but it was not acted on. He said City employees have made recommendations to cut expenses through possibly eliminating certain cars and

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

car allowances which would eliminate insurance in a number of ways. He said he had one e-mail from a woman who indicated she thinks maybe the schools should start paying part of their health cost so that cost savings then could absorb the crossing guards and there would be no tax increase by either body and the crossing guards would be shifted over. He said there's many recommendations out there. He said right now there are many, many households that are struggling to make ends meet and many, many businesses that are struggling to make ends meet. He said they're not putting money in reserves or savings, they're drawing down on reserves and savings. He said with this economy the way it is and it's still stagnating, we've hit bottom but we're not moving. He said right now if we raise property taxes we might put the local economy in more jeopardy than it is now. He said with that said, at this point he votes no.

Prior to her vote, COUNCILWOMAN BARBER said this is her first time voting on something like this and she is the new kid on the block compared to the other Council people. She said she has really thought and struggled for a very long time ever since we started working on the budget. She said to her it's very important because she knows that we have people that are not working or people that can't make it sometimes but we have to make our City run and work for us. She said when she got elected she was elected to represent her people and all people in Joliet to make sure that things are working right. She said she went to Detroit not too long ago and they had the same problem we had here but they didn't listen, they did everything they wanted to do, and Detroit right now is tore down, everything is a mess. She said she loves Joliet and she loves all of the people in Joliet and does not want that to happen to us here in Joliet and she votes yes.

Prior to his vote, COUNCILMAN BROPHY said for full disclosure, between personal and business property, he knows he pays more real estate taxes than any of the nine Council members and so he stands to suffer as much if not more than an average citizen from any kind of tax increase so it certainly isn't palatable or tasteful. He said citizen questions and comments are always welcome, everybody that calls or writes he hopes he gets back to them promptly, but please don't assume that we didn't already ask the same questions or make the same comments or do the same studies. He said he took an oath of office each time he was elected to do this job and he does the job. He said it's easy to sound bite your way through here but services are at stake, we don't take this lightly and so people should assume that some effort and some study has gone into doing what the job is. He said in the past 14 years that he has been on the Council we did generously do a lot of things throughout the City. He said the capital things that we've done are easy to shut off, the road improvements and such are easy to turn off, but the personnel expenses not so much, so having the economic downturn that's so abrupt of course is going to be harder to deal with for those things that are ongoing and much more difficult to curb. He said in 1986 his dad died at the age of 53 and he was a working fireman at the time. He said they didn't really know why he died but the doctor said a lot of firemen do from sucking up smoke all those years and during those times we had cops and squad cars that when called for might hit an accelerator that didn't respond. He said so this community said we need to increase our preparedness, our readiness, we need to decrease crime so through your elected representatives we have hired, we have trained, we have equipped those professionals that stand ready to address your emergencies but you get what you pay for. He said he had a conversation with a constituent today who said we could contract out for water main fixes and so when a water main breaks at 2 a.m. the crew won't be

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

there at 2:30 a.m., that company might be there some time later and that water might run down the street for 2 or 3 days and flood your yards. He said we could employ fewer ambulances but then it only becomes important when it's your mother that we're responding to with a difference of 3 or 4 minutes. He said we could employ fewer police, fewer police cars and so on.

COUNCILMAN BROPHY said he wants to make sure that everyone understands that there is a complex set of priorities and requirements that go into the job and go into the budget and go into these things that we just haven't skipped. He said we're in the business of public service. He said some of you came down and tried to compare us to private enterprise and in a private enterprise to simplify things you make the widgets and sell the widgets and if there is no demand for the widgets you stop making as many and you lay some people off. He said public service is not so easy. He said you ask us to stand ready to make any fire call, any ambulance call, any public service emergency that is necessary and that readiness, that preparedness costs money. He said we can argue that some of the largesse that you've criticized us for spending has been on hiring and training and equipping better people. He said he thinks the caliber of talent in this employee complement is head and shoulders above what it was in the mid 1970's. He said he doesn't want to criticize his father, they did the best they could with what they had at the time, but if that's what this community wants then you'll see that slowly change, it won't happen quickly but if you put people on this Council that say to heck with that preparedness and readiness, to heck with those public services, the snow plowing can wait 12 or 24 hours, the ambulance calls can take 12 minutes instead of 4 and you'll do that slowly over time. He said put your name on a ballot, run for the job and make the decision, but those are very difficult decisions to make. He said as Councilman Shetina has reminded us, nobody owns these seats up here, step up and take your shot if you'd like to. He said in a representative democracy like we have things change by compromise, not edict, and that's what we've been able to do through your contributions and our study. He said with all of his training and all of his preparedness and all of his study and based on the oath that he took, the changes to the water bill for example was the right thing to do, you still pay less for water, sewer and refuse than most towns around you. He said his bill doubled as well and he has a family and kids he's trying to raise too so it isn't any easier on him. He said with those things in mind he would ask you to please have some respect for the fact that your elected representatives may just well have done the job that you put us here to do and he then voted aye on the motion.

Prior to his vote, COUNCILMAN DORRIS said he thinks he's said enough and he voted aye.

**MOTION TO RECONSIDER 2009 TAX LEVY**

COUNCILMAN GIARRANTE stated as one that voted on the majority side, he'd like to bring Council Memo #1106-09 dealing with Adoption of the 2009 Tax Levy up for reconsideration.

COUNCILMAN BROPHY seconded the motion.

The Corporation Counsel explained that under Roberts Rules of Order, anyone who voted on the prevailing side of a motion has a right at the same meeting to move to reconsider. He said we've already had a completed vote on the Tax Levy motion. He said if there is a motion and a second and the motion to

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

reconsider is on the floor, there could then be discussion and then a vote on whether or not we should have another vote on the Tax Levy. He said we don't have too many motions to reconsider and he just wanted to remind everybody that if there is a vote, the vote would be on whether or not we should then have a third vote on the Tax Levy.

COUNCILMAN GIARRANTE said his motion is just to bring Council Memo #1106-09 back up on the floor.

The Corporation Counsel said that's correct.

COUNCILMAN GIARRANTE said that's a vote to reconsider and if that passes Council Memo #1106-09 would then come back on the floor for a vote.

The Corporation Counsel said that's correct.

COUNCILWOMAN QUILLMAN asked what are we reconsidering here.

COUNCILMAN GIARRANTE said he is making a motion to reconsider Council Memo #1106-09 to have another vote on it.

COUNCILWOMAN QUILLMAN asked why do we need another vote.

COUNCILMAN GIARRANTE said that's his motion.

COUNCILWOMAN QUILLMAN said OK, but she wants to understand the motion. She said we just voted on it; why are we going to vote again.

COUNCILMAN SHETINA asked if there's been a second on the motion and COUNCILMAN GIARRANTE said yes.

The Corporation Counsel said at this point what we have on the floor by motion and second is a technique that's permitted under Roberts Rules of Order. He said we occasionally have a motion to reconsider, and not very often at this level, but it is an appropriate motion that can be brought by anyone who voted with the majority on the preceding motion and that's now been done. He said the item of business before the Council is whether or not we should take a second vote on the Levy Ordinance, the one that was just approved.

COUNCILWOMAN QUILLMAN asked for what purpose.

The Corporation Counsel said she should address that question to other members of the Council or perhaps those who made the motion.

COUNCILMAN GIARRANTE said he wants to bring it back on the table and COUNCILMAN BROPHY said the second stands.

COUNCILMAN DORRIS asked if it's the one we just voted on.

COUNCILMAN GIARRANTE said yes.

COUNCILMAN DORRIS asked what was the final count.

COUNCILMAN GIARRANTE said the vote was 7 to 2.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

A roll call vote was taken on the motion to reconsider Council Memo #1106-09 dealing with Adoption of the 2009 Tax Levy.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN and COUNCILMAN UREMOVIC.

Prior to her vote, COUNCILWOMAN QUILLMAN said she doesn't know what there is to reconsider unless there's going to be a majority that's going to vote no which she doubts so she is going to vote no.

Prior to his vote, COUNCILMAN DORRIS said he's in unfamiliar territory and he's been here 24 years. He then voted aye.

COUNCILMAN GIARRANTE said so it's back on the table.

The Corporation Counsel said at this point we're back to where we started and what would be on the floor at this point with an appropriate motion would be the prior order of business which was the Tax Levy and the 12% rate increase with the reserves being used as substitute funding.

**MOTION TO APPROVE 2009 TAX LEVY**

COUNCILMAN GIARRANTE moved that the 2009 Tax Levy Ordinance be adopted with a 12% increase over the amount levied in 2008, and that \$4.5 million be taken out of the reserve fund to meet operational expenses, if necessary.

COUNCILMAN BROPHY seconded the motion.

COUNCILWOMAN QUILLMAN said as long as we're revoting on this why can't we separate taking \$4.5 million out of the reserve and increasing the Tax Levy by 12% into two separate votes.

The Corporation Counsel said what is on the floor is a motion to approve the Tax Levy with a 12% increase and the reserve and a motion to amend that motion would be in order by any member of the Council with the floor.

COUNCILWOMAN QUILLMAN said the amendment would be to split the two votes up, make a motion to approve the \$4.5 million to be taken out of the reserve and then a separate motion for the 12% increase in the Tax Levy like she wanted to do in the first place. She said she still believes if we can take \$4.5 million out of the reserves we can make up the other \$3.9 million with other ideas that have been brought forth here to this Council. She said she would make that motion to amend the motion on the table.

There was no second to COUNCILWOMAN QUILLMAN's motion amending the motion on the table.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

A roll call vote was taken on the motion to adopt the 2009 Tax Levy Ordinance with a 12% increase over the amount levied in 2008, and that \$4.5 million be taken out of the reserve fund to meet operational expenses, if necessary.

Motion failed by the following vote:

AYES: COUNCILMAN DORRIS.

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

Prior to his vote, COUNCILMAN UREMOVIC asked what are we voting on.

The Corporation Counsel said what's on the floor is a motion to approve the Tax Levy as amended to reflect the 12% rate with the \$4.5 million from the reserve so this is the vote on the 2009 Property Tax Levy.

COUNCILMAN UREMOVIC said what we just voted on before.

The Corporation Counsel said yes.

COUNCILMAN UREMOVIC said no wonder people think we're crazy up here and he voted no.

Prior to her vote, COUNCILWOMAN QUILLMAN asked the Corporation Counsel to please advise because she is so confused now she has no idea what's going on, why are all these yes votes now no votes.

The Corporation Counsel said he doesn't know if he could explain all that but in terms of where we're at we had the first motion on the Property Tax Levy and that carried 7 to 2. He said then there was a proper motion for reconsideration.

COUNCILWOMAN QUILLMAN said so people that voted yes could change their mind, is that what we're talking about.

The Corporation Counsel said in a manner of speaking yes, and the reconsideration is a procedure that is available to anybody who voted with the majority on the first motion. He said that motion was brought to the floor and it carried and so what that then puts on the floor is the original motion which the first time carried 7 to 2 and now is up for a vote. He said it's as if you're voting all over again for the Property Tax Levy as if that first vote never happened.

COUNCILWOMAN QUILLMAN said so in other words this is not going to pass here tonight, is that what you're saying, the way the vote stands now without her vote.

The Corporation Counsel said at this point it does not look like the motion will have the votes to carry but until all the votes are in and the City Clerk announces the results, he doesn't know what the outcome will be.

COUNCILWOMAN QUILLMAN said having said all of that and seeing what's taken place here it's obvious that certain members of this Council have gotten together and have decided to do this. She said they voted yes first to make those that voted no look bad and so now they want to change their votes so they can all look good. She said her original vote was no and she's said no from day

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

one and she is going to continue to say no and it's not about looking good to change her vote. She stated she has said no, no, no through the whole thing and that's how she's going to stay, so just remember what was said here, they had the guts to vote yes and she had the guts to vote no from the get go and she votes no.

COUNCILMAN GIARRANTE said this has failed, there is no tax raise, and he asked what the ramifications are.

The City Manager said if there is no Tax Levy Ordinance that's passed by the Council at that point there would not be a Real Estate Tax Levy imposed on Joliet residents. He said so whatever the existing taxes are, those would be erased from the tax bill next year. He said we're in a position now where there is no direction from the Council for any kind of Tax Levy whether it's increased or frozen at last year's amount. He said you're asking what's the result of that and at that point we're looking at a library that relies on about \$5.6 million from the Levy to operate two libraries.

COUNCILMAN GIARRANTE asked if it would have to close.

The City Manager said more than likely, that's probably 80% or more of their revenue so unless there is other funding coming through it would have to close. He said we would be looking at substantial cuts in personnel, we're looking at substantial cuts in the delivery of water and sewer service, snow plowing and some of just the basic core services that we would provide to the City. He said as our \$160 million Budget relies on various sources of revenue to make it balance and one of those key revenue sources is the Real Estate Tax Levy, if there is no vote tonight or in the very near future, we're looking at \$40 million of revenue that's gone.

COUNCILMAN GIARRANTE asked about employee cuts.

The City Manager said this is catching us a little by surprise, but he would project dealing with management staff pretty much getting down to a very minimal operation of probably department directors and maybe one or two more people. He said we'd probably be looking at a few areas like Engineering, Planning, Accounting and Legal where we'd make substantial cuts immediately. He said we'd probably be looking in the Public Works and Utilities Department and cutting back on the crews that are available to service the public and then in law enforcement and the fire department and paramedic services, there would be substantial cuts there.

COUNCILMAN GIARRANTE asked if we're looking at an engine house closing.

The City Manager said more than likely we would have to redeploy how we deliver service and probably look at closing engine houses as we did in 1983 or 1984 when Station 5 was closed.

**MOTION TO RECONSIDER 2009 TAX LEVY**

COUNCILMAN GIARRANTE said in order to offset that he will once again make a motion to reconsider Council Memo #1106-09 dealing with Adoption of the 2009 Tax Levy.

COUNCILMAN SHETINA seconded the motion.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

COUNCILMAN UREMOVIC asked the Corporation Counsel to tell us what we're voting on again.

The Corporation Counsel said it's kind of a three step process. He said there was the first motion on the Levy, then a motion on whether or not that should be reconsidered and that carried and then there was a reconsideration and the Levy was not approved. He said so it's as if we started all over again. He said there has now been a motion and second to reconsider the previous vote where the Levy was not approved. He said the vote right now would be whether or not we should have another vote tonight on the Property Tax Levy so if this motion carries there would then be another vote on the Levy itself.

COUNCILMAN UREMOVIC asked what is the Levy that we're voting on.

The Corporation Counsel said that remains to be seen. He said it was a motion for reconsideration so presumably it would be what carried the first time which would be the 12% rate with the use of reserves. He said so what's on the floor now is just a reconsideration, not a vote on the underlying Levy.

A roll call vote was taken on the motion to reconsider Council Memo #1106-09 dealing with Adoption of the 2009 Tax Levy.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to his vote, COUNCILMAN DORRIS said he left his father having surgery and he came here tonight with a sincere desire to do business. He said the information that the City Manager gave us was good but we could have had it done 15 minutes ago, one time. He said he wants to get this thing done now and as soon as we finish whatever is going to happen with this next vote he's going to be with his family. He said he came here to do business and to do business in a way of integrity, that's the way he does business at his church and his family and that's the way he wants to do business here. He said let's get this thing done one way or the other, let's be up front and vote and get it done. He said he will also vote aye to bring it back on the floor.

Prior to her vote, COUNCILWOMAN QUILLMAN said once again she is going to be consistent and vote no.

**MOTION TO APPROVE 2009 TAX LEVY**

COUNCILMAN GIARRANTE moved that the 2009 Tax Levy Ordinance be adopted with a 12% increase over the amount levied in 2008, and that \$4.5 million be taken out of the reserve fund to meet operational expenses, if necessary.

COUNCILMAN BROPHY said if he could interrupt before there is a second, he would like to implore the minority to promote a suggestion that they think would be proper for the 2010 Tax Levy. He said he thinks it's important that we're unanimous in the Budget that we approve for 2010, we cannot vote on the day to day operations of the City all year long after having voted no on the substantial

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

part that will support the Budget. He said he would implore the minority, if not that number, what would they suggest.

COUNCILWOMAN QUILLMAN said she would implore the majority to work together as a Council and not play these little games behind closed doors and that's exactly what happened here tonight.

COUNCILMAN BROPHY said we've had months of working together on this Budget with these stones that you have not turned over. He said with the number of Budget meetings we've had it would be derelict in the oath we took not to have unturned those stones earlier in the process. He said he is not aware of any such stones that have anything other than a couple of pennies underneath them that would make a substantial difference in the job that is before us.

COUNCILWOMAN QUILLMAN said many pennies make a million dollars, many pennies make two million, three million and four million. She said we've just taken \$4.5 million out of the reserves and she is being told we can't make up the other \$3.9 million that is the deficit we're facing now. She said we voted on this and we reconsidered and reconsidered and reconsidered and we wasted people's time going back and forth. She said she's come up with many ideas. She then asked the City Manager if he's talked to the schools yet about the crossing guards.

The City Manager said yes he did. He said District 86 did not have any money in its Budget to cover the cost in 2010.

COUNCILWOMAN QUILLMAN asked what about 2011.

The City Manager said it's something that they'll engage in a conversation with us but it's likely to be the same answer because they're seeing the same projections we're seeing on the assessed valuation dropping dramatically over the next few years.

COUNCILWOMAN QUILLMAN said and they're going to be raising their taxes too, its been posted that they're going to ask for a tax increase.

The City Manager said he doesn't want to start speaking on behalf of the school district.

COUNCILWOMAN QUILLMAN asked if he's made contact with the Park District yet about the water park.

The City Manager said not since the issue was raised but he's had several conversations with the Executive Director of the Park District informing him that a Council member has asked about the long term commitment that we had made to the water park and if those dollars could be readjusted at some point. He said the answer there was they've got a tax cap and they're running into the same type of problems and it's unlikely that they can assume the \$200,000 obligation that the City took on a few years ago.

COUNCILWOMAN QUILLMAN asked why the City signed a 20 year obligation for that when it was an outside park and we live in the north and we know we're not going to get 12 months of use out of it.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

The City Manager said he doesn't know what the business model was, he can't speak to that and we have to look at the value of the place and whether we're getting our monies worth out of it and again he has raised that issue with the Park District and he thinks many Council members have also and it's an issue that needs to be discussed at some point. He said he wishes it were easier for us just to send them a letter and say we're terminating the commitment we made a few years ago, but he doesn't think he's gotten that kind of direction from the Council to do that nor would we be allowed to do it under the agreement that we reached with the Park District a few years ago.

COUNCILWOMAN QUILLMAN said she never got an amount if we were to raise the liquor tax. She said there are credit card fees that add up, there's money from the Mayor and Council-at-Large NIP funds left over of almost \$350,000. She said the department reduction was \$550,000. She said leaf pick up was \$100,000 that we would have had but that went through without any reconsideration, it was just decided to go ahead and do that. She said we talked about just the City sticker rather than raise taxes to put the burden on everybody. She said there was also talk about an increase in rental inspection fees for some of the absentee landlords to bear some of that cost. She said parking fines are \$500,000 so we're almost up to the \$3.9 million as it is with just that and there are still other things that can be done. She said that is why she's voting no at this time because she doesn't believe that you're going to shut down a fire station, you just can't do it and you're not going to do it. She said she is still going to vote no because people can't afford it, they've come to her and told her they can just barely keep their house now, they are on a pension or a disability and they're not getting a raise and sometimes they forego food just to pay for their medicine. She said she doesn't know how you can do it. She said other counties and cities have talked about raising taxes but they have gone back to the drawing board and have not done so and she is sticking to this one and these people cannot afford it. She said maybe we'll have to do it next year, she would consider that next year but she's hopeful that the economy will turn around and that people will be back to work and so she is not going to go with the majority, she stands alone, like it or not.

COUNCILMAN BROPHY said hearing no plausible suggestion from the minority for any kind of Budget number that would gain a majority, let alone a unanimous vote from the Council, he would second the motion.

COUNCILMAN GIARRANTE said the reason he made the motion to reconsider was to drive home the impact of the results of no tax increase. He said if the citizens are ready to accept that, fine, but he doesn't think they are.

A roll call vote was taken on the motion to adopt the 2009 Tax Levy Ordinance with a 12% increase over the amount levied in 2008, and that \$4.5 million be taken out of the reserve fund to meet operational expenses, if necessary.

Motion carried by the following vote:

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

NAYS: COUNCILMAN UREMOVIC and COUNCILWOMAN QUILLMAN.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Prior to his vote, COUNCILMAN UREMOVIC said nothing has changed no matter how you want to browbeat, no matter how you want to twist and turn it, the numbers are still the same here. He said we're talking about building reserves, that's what you're talking about and you can twist and turn them all day long and it doesn't work, the answer is no, he's voting no and leave taxes right where they're at.

Prior to his vote, COUNCILMAN DORRIS said we're right back where we were a few minutes ago. He said he doesn't like the way it was done; maybe the point was proved. He said he's going to vote for the tax increase but he's going to tell you if he were sitting out there looking at this tonight he would be questioning some things. He then voted aye.

Prior to her vote, COUNCILWOMAN QUILLMAN said once again, she's going to be known as the "No, No Girl". She said again, if we can get it down from 24% to 12% why not 12% to 0%. She said if we're taking \$4.5 million out of the reserve account we can certainly make up the other \$3.9 million and if you add everything together that she just talked about it comes to \$4 million as she suggested last week and so therefore again she is going to vote no.

Prior to his vote, COUNCILMAN SHETINA said he can't let that go by. He said last week when this discussion was occurring he asked staff to take the minutes of the meeting and take the comments that COUNCILWOMAN QUILLMAN made and take that number and quantify it as to the dollar amount, and it came nowhere near that kind of money. He said we also had a comment from COUNCILMAN UREMOVIC about a \$50 million spread, \$41 to \$91 million and he doesn't see that. He said he saw that as a package of dollars that was already allocated and we would have to pay bills on a regular basis and he found that and has also verified that. He said the \$4 million or \$5 million in fines, another situation he finds in no way that's going to happen, can't happen. He said he is going to vote again to support the Levy that we just approved and he hopes that the citizens of the City of Joliet remember who told them the truth during the whole process, please keep that in mind and he then voted aye.

(ORDINANCE NO. 16567)

COUNCILMAN DORRIS left the meeting at this point.

5. AN ORDINANCE Approving the City of Joliet Budget and the Joliet Public Library Budget for the Fiscal Year 2010 was presented and read.

(Council Memo #1107-09)

COUNCILMAN SHETINA moved that said Ordinance be adopted subject to the Tax Levy which was approved as amended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN and COUNCILMAN UREMOVIC.

Prior to her vote, COUNCILWOMAN QUILLMAN said she has been truthful all along and again she is going to vote no.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

Prior to his vote, COUNCILMAN SHETINA said he has as well and he is going to vote aye.

(ORDINANCE NO. 16568)

6. AN ORDINANCE Amending Salary Ranges and Fringe Benefits for Exempt Employees was presented and read.  
(Council Memo #1108-09)

COUNCILMAN TURK moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN GIARRANTE asked if this is just consolidating the departments, with no raises.

The City Manager said that's correct, this is for management employees and also imposes the obligation for pay for health insurance.

Prior to her vote, COUNCILWOMAN QUILLMAN asked about the annual performance evaluation of the City Manager and said the Ordinance states it shall be conducted by the Mayor and City Council. She said she doesn't ever remember doing an annual evaluation.

COUNCILMAN GIARRANTE said absolutely we did with John Mezera.

COUNCILWOMAN QUILLMAN said we haven't done one with Tom and he's been here going on 3 years.

The City Manager said it will be almost 2 years.

COUNCILWOMAN QUILLMAN said we haven't done one yet so when does that come due.

The City Manager said actually it's at the pleasure of the Mayor and City Council and he would be more than happy to review his performance and gain advice on how he could do this job better.

COUNCILWOMAN QUILLMAN said she doesn't ever remember doing one on John Mezera when she was on the Council, she doesn't think we ever did. She then voted aye.

(ORDINANCE NO. 16569)

**B. RESOLUTIONS**

1. Resolution re: Approving an Honorary Designation of Ottawa Street Between McDonough Street and Wallace Street as Bang Long Street  
(Council Memo #1112-09)

The City Clerk noted this item was approved earlier in the meeting.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

2. A RESOLUTION Approving and Authorizing an Addendum to the Lease Agreement for the Operation of a Coffee Shop at Joliet Union Station was presented and read.  
(Council Memo #1113-09)

COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6328)

3. A RESOLUTION Supporting a Multi-Agency Capital Improvement Plan for Heritage Park was presented and read.  
(Council Memo #1114-09)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6329)

4. A RESOLUTION Regarding the Release of Executive Session Minutes was presented and read.  
(Council Memo #1115-09)

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN asked why can't they all be released at this time.

The Corporation Counsel stated under Illinois law closed session minutes are supposed to be confidential because the reason that the closed session was called in the first place deals with a category of discussion topics which are presumably confidential, such as collective bargaining, litigation and things of that nature. He said so twice a year with the City Clerk he reviews the minutes to see whether or not any of those minutes are appropriate for release and he looked at the minutes that are currently impounded and all of them deal with primarily collective bargaining, but also other legal issues on cases that are still pending, so it just wouldn't be in our interest at this time to release them. He said

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

eventually they will be released once the bargaining cycle is completed or once the litigation is completed.

(RESOLUTION NO. 6330)

5. A RESOLUTION Authorizing the Execution of the 2010 Tri-County Auto Theft Unit Agreement was presented and read.  
(Council Memo #1116-09)

COUNCILWOMAN QUILLMAN moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6331)

6. A RESOLUTION Appointing a City of Joliet Authorized Agent to the Illinois Municipal Retirement Fund was presented and read. (Human Resources Manager Theresa Rodriguez)  
(Council Memo #1118-09)

COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6332)

BIDS AND CONTRACTS

A. Award of Contracts

1. Award of Contract for the Blended Phosphate Solution Purchase  
- 2010  
(Council Memo #1122-09)

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 Pristine Water Solutions, Inc. in the amount of \$6.41 per gallon, not to exceed \$76,920.00.

2. Award of Contract for the 2010 Sodium Permanganate Solution Purchase  
(Council Memo #1123-09)

A report on one bid received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Carus Corporation in the amount of \$7.90 per gallon, not to exceed \$295,827.55.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

3. Award of Contract for the 2010 Sodium Hypochlorite Solution Purchase  
(Council Memo #1124-09)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Basic Chemical Solutions in the amount of \$1.08 per gallon, not to exceed \$238,680.00.

4. Award of Contract for the Manganese Sulfate Purchase - 2010  
(Council Memo #1125-09)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Carus Corporation in the amount of \$5.984 per gallon, not to exceed \$248,784.80.

5. Award of Contract for the 2010 Biosolids Disposal Program  
(Council Memo #1126-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Authorize the award of a contract for the 2010 Biosolids Disposal Program to Stewart Spreading, Inc. in the amount of \$780,900.00; 2) Authorize the award of a professional agronomic services contract to Land Treatment Alternatives in an amount not to exceed \$58,240.00; and 3) Approve the continuing policy of providing payments to growers for making land available for the application of sludge.

6. Request Authorization to Approve Purchase of Asset Management and Work Order Software for the Public Utilities Department  
(Council Memo #1127-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Trimble Navigation in the amount of \$178,680.00.

7. Award of Contract for the Repair of the Boiler at 921 East Washington Street  
(Council Memo #1128-09)

A report on four proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Johansen & Anderson, Inc. in the amount of \$5,715.00.

8. Award of Contract for the Emergency Repair to the No. 2 Final Clarifier at the East Side Wastewater Treatment Plant  
(Council Memo #1129-09)

A report on two proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to C&T Construction, Inc. in the amount of \$13,900.00.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

9. Request Authorization to Approve the Purchase of Professional Services for Radiological Sampling - 2010  
(Council Memo #1130-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Environmental Inc – Midwest Lab in the amount of \$27,395.50.

10. Award of Contract for the Purchase of Hydrogen Sulfide Control/Odor Control Solution (VX-456) – East Side Sewage Treatment Plant - 2010  
(Council Memo #1131-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Siemens Water Technologies in the amount of \$102,326.40.

11. Award of Contract for the Purchase of Polymer – East Side Sewage Treatment Plant - 2010  
(Council Memo #1132-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Aqua Ben Corporation in the amount of \$61,710.00.

12. Award of Contract for Woodland Court Sanitary Sewer Replacement - 2009  
(Council Memo #1133-09)

A report on nine proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Len Cox & Sons in the amount of \$27,489.00.

13. Award of Contract for HVAC Maintenance – 2010-2012  
(Council Memo #1134-09)

This item was tabled for two weeks earlier in the meeting.

14. Request for Blanket Purchase Order for Oxygen Supplier for the Fire Department  
(Council Memo #1135-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the purchase of medical oxygen for 2010 from United States Cylinder Gas in an amount not to exceed \$23,500.00.

15. Request for AS400 Upgrade  
(Council Memo #1136-09)

A report on four proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council approve the purchase of the AS400 upgrades from Genisys Group in the amount of \$3,175.00 and installation services from IBM in the amount of \$1,260.00.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

16. Award of Contract for the Rehabilitation of 1013 Cypress Lane for the Neighborhood Stabilization Program  
(Council Memo #1137-09)

A report on ten bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Paul Gabriel Construction in the amount of \$53,450.00.

17. Award of Contract for the Rehabilitation of 837 Mulford Lane for the Neighborhood Stabilization Program  
(Council Memo #1138-09)

A report on ten bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Paul Gabriel Construction in the amount of \$37,500.00.

18. Request to Purchase Network Switches for Two City Facilities  
(Council Memo #1139-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the purchase of two additional switches for City Hall and Fire Station 8 from Sentinel Technologies Inc. in the amount of \$10,820.00 and award a maintenance contract to Sentinel Technologies in the amount of \$164.00 per month.

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

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

B. Amendments, Change Orders and Payments:

1. Approve Payout No. 8 and Final for the 2009 Lawn Mowing Services – Public Utilities  
(Council Memo #1144-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payout No. 8 and Final in the amount of \$3,125.40 on behalf of From the Ground Up Construction.

2. Approve Change Order No. 1 and Payout No. 4 and Final for the Addleman (Fiday-Tyler) Roadway Improvements – 2009 Neighborhood Improvement Program  
(Council Memo #1145-09)

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 \$26,041.48 and Payout No. 4 and Final in the amount of \$17,595.10 on behalf of Len Cox & Sons.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

3. Approve Change Order No. 2 and Payout No. 6 and Final for the Stryker (Ferris-I-80) Roadway Improvements – 2009 Neighborhood Improvement Program  
(Council Memo #1146-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$1,898.18 and Payout No. 6 and Final in the amount of \$19,960.77 on behalf of P.T. Ferro Construction Co.

4. Approve Payment No. 22 and Final for the Cofiltration HMO Water Treatment Equipment – Procurement Project  
(Council Memo #1147-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 22 and Final in the amount of \$30,000.00 on behalf of Layne-Western.

5. Approve Change Order No. 4 and Payment Request No. 9 and Final for the Black Road and Timberline Drive Roadway Widening and Traffic Signal Improvements Project  
(Council Memo #1148-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4, a deduction in the amount of \$59,767.96 and Payment Request No. 9 and Final in the amount of \$67,907.51 on behalf of P.T. Ferro Construction Co.

6. Approve Payment Request No. 3 for the Neufairfield Subdivision Public Improvements – 2009 Neighborhood Improvement Program  
(Council Memo #1149-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Request No. 3 in the amount of \$30,249.97 on behalf of P.T. Ferro Construction Co.

7. Approve Progress Payment Request No. 1 for the 4522 Skylark Lane (Pheasant Landing Subdivision) Rear Yard Drainage Improvements – 2009 Neighborhood Improvement Program  
(Council Memo #1150-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Progress Payment Request No. 1 in the amount of \$6,838.10 on behalf of Len Cox & Sons Excavating.

8. Approve Change Order No. 3 and Pay Estimate No. 7 and Final for the Rowell Avenue (Mills Road – 1300' North) Roadway Improvement Project – 2009 Neighborhood Improvement Program  
(Council Memo #1151-09)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

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 \$16,858.57 and Pay Estimate No. 7 and Final in the amount of \$4,231.71 on behalf of P.T. Ferro Construction Co.

9. Approve Change Order No. 2 and Pay Estimate No. 3 and Final for the Clublands 6-1, 6-2, 8-2 and Neustoneshire Phase 1 Public Improvement – 2009  
(Council Memo #1152-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2, a deduction in the amount of \$11,755.00 and Pay Estimate No. 3 and Final in the amount of \$40,692.00 on behalf of D Construction Inc.

10. Approve Change Order No. 3 and Payment Request No. 3 for the 2009 – 2010 Landscape Restoration Program  
(Council Memo #1153-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$198.00 and Payment Request No. 3 in the amount of \$1,934.28 on behalf of K&D Enterprise Landscape Construction Inc.

11. Approve Change Order No. 3 and Payment Estimate No. 3 for the Half Theodore Street/Half County Line Road (Neustoneshire Subdivision) Roadway Improvements Project  
(Council Memo #1154-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$10,315.20 and Payment Estimate No. 3 in the amount of \$45,312.51 on behalf of P.T. Ferro Construction Co.

12. Approve Change Order No. 1 and Payment Estimate No. 7 and Final for the Granite Street Sewer Outfall Repairs Project  
(Council Memo #1155-09)

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 \$5,399.00 and Payment Estimate No. 7 and Final in the amount of \$21,393.75 on behalf of Lindblad Construction Company of Joliet Inc.

13. Approve Change Order No. 2 and Payment Estimate No. 2 and Final for the Ottawa Street and Williamson Avenue Well Sealing Project - 2009  
(Council Memo #1156-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$11,178.00 and Payment Estimate No. 2 and Final in the amount of \$15,862.75 on behalf of Layne Christensen Company.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

14. Approve Change Order No. 1 and Payment Estimate No. 1 and Final for the Belmont Avenue Water Main Replacement Project - 2009  
(Council Memo #1157-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$17,382.00 and Payment Estimate No. 1 and Final in the amount of \$106,753.00 on behalf of J.S. Alberico Construction Company Inc.

15. Approve Payment Estimate No. 16 for the Parkwood Drive 1 Million Gallon Elevated Tank Project  
(Council Memo #1158-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Estimate No. 16 in the amount of \$152,000.00 on behalf of CB&I Contractors, Inc.

16. Approve Change Order No. 1 and Payment Request No. 4A, 5B and 6C for the 2009 Bituminous Patching Materials Contract  
(Council Memo #1159-09)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve Change Order No. 1 in the amount of \$23,200.00; 2) Approve Payment Request No. 4A in the amount of \$843.64 on behalf of Gallagher Asphalt/Materials; 3) Approve Payment Request No. 5B in the amount of \$1,998.00 on behalf of P.T. Ferro Construction Co.; and 4) Approve Payment Request No. 6C in the amount of \$8,073.00 on behalf of D Construction Inc.

17. Approve Change Order No. 2 and Final Payment for the Rehabilitation of Neighborhood Stabilization Program (NSP) Property at 2118 Dartmoor Drive  
(Council Memo #1160-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$808.62 and Final Payment in the amount of \$13,012.26 on behalf of Sharp Homes.

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

LICENSES AND PERMIT APPLICATIONS

- A. Transfer of a Class "B" Liquor License at 2771 Black Road  
(Council Memo #1164-09)

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

MAYOR AND COUNCIL COMMENTS

COUNCILMAN UREMOVIC wished everyone a very Merry Christmas and a very safe, Happy New Year.

COUNCILMAN TURK wished the citizens of Joliet, Mayor Schultz and fellow Council people and staff a Merry Christmas and a Happy New Year and thanked the staff for their efforts through this tough year and hopefully next year will be better.

COUNCILMAN SHETINA said he would echo the same sentiments and said he appreciates all of the people who attended the meetings and took part including the general public and City Council. He said he thinks it was a good healthy discussion all the way through and he thinks we all learned something from it and he appreciates it.

COUNCILWOMAN QUILLMAN wished everyone a Merry Christmas, Happy Hannukah, Happy Holidays to those that don't celebrate and to a better 2010, Happy New Year.

COUNCILWOMAN BARBER wished Happy Holidays to everyone and many, many more.

COUNCILMAN BROPHY wished everyone a Happy Holiday.

COUNCILMAN GIARRANTE wished everyone a Merry Christmas and thanked staff for all they did to prepare us to vote on this Budget. He said we appreciate it and great job. He said he hopes 2010 is a little better.

MAYOR SCHULTZ wished everyone a Merry Christmas and Happy New Year and thanked everyone for coming.

ADJOURNMENT

COUNCILWOMAN BARBER moved that the Council adjourn at 9:20 p.m..

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15<sup>th</sup> day of December, A.D. 2009***

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape