

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, December 19, 2006 at 6:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

An Invocation was delivered by Father Raymond Lescher, Sacred Heart Church, 337 S. Ottawa Street, Joliet.

Father Lescher then led the pledge to the flag.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, DISTRICT 4 COUNCILMAN ALEX LEDESMA, 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 JOHN M. MEZERA and CORPORATION COUNSEL JEFFREY S. PLYMAN.

APPROVAL OF MINUTES

COUNCILMAN BROPHY moved that the minutes of the Pre-Council Meeting of the Council of the City of Joliet, Illinois held on Monday, December 4, 2006 at 3:30 p.m. and of the Regular Meeting held on Tuesday, December 5, 2006 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, LEDESMA, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, UREMOVIC and MAYOR SCHULTZ.

NAYS: NONE.

APPOINTMENT OF MAYOR PRO-TEM

COUNCILMAN LEDESMA moved that COUNCILWOMAN QUILLMAN be appointed Mayor Pro-Tem for the period January 1 thru March 31, 2007.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

COUNCIL COMMITTEE REPORTS

A. Finance

COUNCILMAN UREMOVIC reported the Finance Committee met on December 15, 2006 and reviewed the usual items on the agenda, including a funding request from the Joliet Police Department in the amount of \$5,000 for the Law Enforcement Torch Run for Special Olympics.

COUNCILMAN GIARRANTE moved that a \$5,000 donation to the Special Olympics from the General Corporate Contingency Fund be approved.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC stated the Committee also received a funding request of \$2,500 from the Old Timers Baseball Association of Will County.

COUNCILMAN TURK moved that a \$2,500 donation to the Old Timers Baseball Association of Will County from the General Corporate Contingency Fund be approved.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC stated they also had a request of \$1,000 from the People to People Student Ambassador Program which the Committee tabled because additional information is required.

B. Land Use

COUNCILMAN SHETINA said the Land Use Committee had a meeting which included a lot of little clean up items and they had nothing further to report.

C. Public Service

COUNCILMAN TURK said the 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 them for approval with the exception of Council Memo #1438-06 which was the Installation of a Fence at 315 Second Avenue. He asked if that item was pulled from the agenda because they didn't receive the memo in their Public Service packets.

The City Manager asked the Director of Community & Economic Development and he stated he didn't know what happened with the memo but it was distributed.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

COUNCILMAN TURK said we can discuss it when we get to Award of Contracts this evening.

D. Water Park

COUNCILMAN GIARRANTE said the Committee met on December 6, 2006 at the new Provena St. Joseph Inwood Athletic Club. He said Park District Director Dominic Egizio gave a 2006 year end report and it looks like their projected loss for 2006 is going to be \$142,000. He said Mr. Egizio is proposing some changes that will save roughly \$75,000 next year. He said currently the park is open from 11 a.m. to 8 p.m. and for the 2007 season the park will be open from 11 a.m. to 6 p.m. He said this should save about \$41,000. He said they are also going to close earlier in the year because it is not utilized, and that will save another \$25,000. He said with these proposed savings and depending on the weather they could finish in the black.

There were no other Committee reports.

CONSENT AGENDA

A. Treasurer's Report – October, 2006

It was recommended that the report be received and placed on file.

B. Position Vacancy
(Council Memo #1407-06)

A communication from the City Manager contained his recommendation that he be authorized to fill a Wastewater Plant Operator II position and any subsequent vacancies directly related to this position.

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

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

PUBLIC HEARINGS

A. Public Hearing re: Annexation of 5.32 Acres Located North of Spencer Road and East of Rickey Drive

1. Resolution re: Approving an Annexation Agreement for 5.32 Acres Located North of Spencer Road and East of Rickey Drive (#A-63-06/Dist. #5)
(Council Memo #1410-06)
2. Ordinance re: Approving the Annexation of 5.32 Acres Located North of Spencer Road and East of Rickey Drive (#A-63-06/Dist. #5)
(Council Memo #1410-06)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

3. Ordinance re: Approving the Classification of 5.32 Acres Located North of Spencer Road and East of Rickey Drive to R-1B Zoning (#A-63-06/Dist. #5)
(Council Memo #1410-06)
- B. Public Hearing re: Annexation of 10.179 Acres Located East of Rickey Drive and North of Spencer Road
1. Resolution re: Approving an Annexation Agreement for 10.179 Acres Located East of Rickey Drive and North of Spencer Road (#A-64-06/Dist. #5)
(Council Memo #1410-06)
 2. Ordinance re: Approving the Annexation of 10.179 Acres Located East of Rickey Drive and North of Spencer Road (#A-64-06/Dist. #5)
(Council Memo #1410-06)
 3. Ordinance re: Approving the Classification of 10.179 Acres Located East of Rickey Drive and North of Spencer Road to R-1B Zoning (#A-64-06/Dist. #5)
(Council Memo #1410-06)
- C. Public Hearing re: Annexation of 1506 Rickey Drive
1. Resolution re: Approving an Annexation Agreement for 1506 Rickey Drive (#A-68-06/Dist. #5)
(Council Memo #1410-06)
 2. Ordinance re: Approving the Annexation of 1506 Rickey Drive (#A-68-06/Dist. #5)
(Council Memo #1410-06)
 3. Ordinance re: Approving the Classification of 1506 Rickey Drive to R-2 Zoning (#A-68-06/Dist. #5)
(Council Memo #1410-06)
 4. Ordinance re: Approving the Preliminary Plat of Tallgrass Point Subdivision (#P-30-06/Dist. #5)
(Council Memo #1410-06)

A communication from the City Manager contained a request by the petitioner and staff that these items be tabled to the City Council meeting of February 21, 2007.

COUNCILMAN DORRIS moved that said items be tabled to the February 21, 2007 City Council meeting.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

Prior to her vote, COUNCILWOMAN QUILLMAN asked why these items were being tabled again.

The City Manager said they met with the developer today and they still have some items they are working on including the house plans and a few other things.

D. Public Hearing re: Annexation of 1217 New Lenox Road

1. A RESOLUTION Approving the Annexation Agreement for 1217 New Lenox Road as recommended by the Plan Commission was presented and read. (#A-70-06/Dist. #5)
(Council Memo #1411-06)
(RESOLUTION NO. 5862)
2. AN ORDINANCE Approving the Annexation of 1217 New Lenox Road as recommended by the Plan Commission was presented and read. (#A-70-06/Dist. #5)
(Council Memo #1411-06)
(ORDINANCE NO. 15735)
3. AN ORDINANCE Approving the Classification of 1217 New Lenox Road to R-3 Zoning as recommended by the Plan Commission was presented and read. (#A-70-06/Dist. #5)
(Council Memo #1411-06)
(ORDINANCE NO. 15736)

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

Mrs. Kristina Sturdy, the petitioner, said she had the Plat of Annexation and she was told to give the plat to the Director of Community & Economic Development.

MAYOR SCHULTZ asked if there were any further comments, and being none, he closed the public hearing.

COUNCILMAN DORRIS moved that said Resolution and Ordinances be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

E. Public Hearing re: Extension of the Joliet City Center Special Service Area

1. AN ORDINANCE Approving the Extension of the Joliet City Center Special Service Area was presented and read.
(Council Memo #1412-06)

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

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

MAYOR SCHULTZ asked if there were any comments, and being none, he closed the public hearing.

COUNCILMAN LEDESMA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15737)

APPROVAL OF REGULAR CURRENT BILLS

A. Treasurer's Disbursements – November, 2006 - \$45,385,377.92

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

B. Regular Claims – November, 2006 - \$7,114,196.41

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

C. Regular Payroll – November 18 – December 1, 2006 -
\$2,796,801.28
(Council Memo #1413-06)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period November 18, 2006 through December 1, 2006 and additions to regular salaries for the period November 10, 2006 through November 23, 2006 including a 2006 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.

Prior to her vote, COUNCILWOMAN QUILLMAN asked for an explanation on the Expenditure Approval List as to why the City pays into the Joliet Public Library Fund.

The Finance Director explained that when we receive real estate taxes from the County of Will, the County of Will sends the Joliet Public Library their taxes directly. He said when we receive taxes from Kendall County, they send the library taxes to us and then we forward those taxes to the library.

Prior to his vote, COUNCILMAN BROPHY asked the City Manager about the overtime, as it is into 7 digits again. He asked if there is a special line item in the current budget that covers this.

The City Manager said yes there is. He said we have about another \$500,000 that is in another line item that covers overages on overtime.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

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

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

AYES: COUNCILMEN BROPHY, DORRIS, GIARRANTE, LEDESMA, 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 For the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2006 and Ending December 31, 2006 for the Joliet City Center Special Service Area was presented and read.
(Council Memo #1414-06)

COUNCILMAN BROPHY moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN LEDESMA.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15738)

2. Final and Recording Plats

- a. AN ORDINANCE Approving the Final Plat of Spencer Road Industrial Park Subdivision as recommended by the Plan Commission was presented and read. (#FP-27-06/Dist. #5)
(Council Memo #1415-06)

COUNCILMAN BROPHY moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN asked for an explanation as she just received this memo tonight and hasn't had a chance to read it.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

The City Manager stated this is a fairly routine industrial project. He said it involves 17 lots, 2 of which are storm detention. He said this is located at the corner of Spencer Road and Briggs Street. He said it is light industrial so each lot will be around an acre. He said they may sell 1, 2 or 3 lots together depending on the size of the building that someone might want to propose, and in general they are mainly for small shops or storage buildings and things like that for developers. He said they are providing all of the public improvements, pavement, curb and gutter, streetlights, sidewalks, parkway trees and landscaping. He said the internal streets will also include parkway trees, streetlights and all of the other things. He said they will use masonry on the exterior facades of the buildings.

COUNCILMAN SHETINA asked if there was sewer and water.

The City Manager said yes, it will be picked up down Spencer Road.

COUNCILMAN SHETINA asked about the 7 lots that were included in the Preliminary Plat that are in a floodplain. He asked how that is handled from an engineering standpoint.

The City Manager said that part of the project is not included in this Final Plat. He said they will be working with the Corp of Engineers on a Letter of Map Revision to have the elevations certified to find out whether they are really a floodplain or not. He said until they get that LOMAR back we will not let them include that as a part of the Final Plat.

COUNCILMAN SHETINA said so they can't develop the floodplain.

The City Manager said no they can't.

COUNCILMAN SHETINA asked what the name of the creek is that runs through the property.

The City Manager said it is Sugar Run.

COUNCILMAN SHETINA said he wants to make sure there is no exacerbation of the infiltration of water into Sugar Creek.

The City Manager said they have to provide storm detention.

COUNCILMAN SHETINA asked if we would be notified if there is an approval by the Corp of Engineers.

The City Manager said yes and then it will come back to the Council. He said this is the Final Plat and they still have to come back with the Recording Plat. He said if they decide that they can do any of those other lots they all have to come back to the Council with a Final and a Recording Plat.

COUNCILMAN UREMOVIC asked the City Manager if all the buildings are going to be brick or masonry.

The City Manager said they are all going to be masonry.
(ORDINANCE NO. 15739)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

- b. AN ORDINANCE Approving the Recording Plat of Hooters Joliet Subdivision as recommended by the Administration subject to the receipt of the following fees and documentation within 60 days of approval was presented and read: 1) A Performance Bond or Letter of Credit for public improvements in the amount of \$35,776.00; 2) A 1 ¼% Inspection Fee for public improvements in the amount of \$447.20; and 3) An Irrevocable Offer of Dedication for public improvements. (#RP-41-06/Dist. #1)
(Council Memo #1416-06)

COUNCILMAN LEDESMA moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN GIARRANTE asked the City Manager if he had any idea of what's going in here.

The City Manager said no he doesn't.

(ORDINANCE NO. 15740)

- c. Ordinance re: Approving the Final PUD of Campus Center Phase 4 Subdivision (#PUD-10-06/Dist. #3)
(Council Memo #1417-06)

COUNCILMAN BROPHY said for this day in age these buildings don't seem quite up to our standards. He said he thought we were asking for a little bit of a variation in the facades; something a little more interesting than these squares and rectangles. He asked if there was any way to change these a little bit and if they met our guidelines.

The City Manager said it does meet our guidelines. He said when we talked with the developer it was his feeling that once he gets an actual purchaser of the lots, they're probably going to want to add their own particular style to the buildings. He said he feels they will be back in later with a request to modify the building styles. He said these are probably better than some of the normal buildings that we've seen. He said he thinks that we will see another submittal sometime in the future when they sell the lots.

COUNCILMAN BROPHY asked if this came to us as a Preliminary Plat.

The City Manager said yes, you would have seen it as a Preliminary Plat.

COUNCILMAN BROPHY asked about the setbacks. He said it is not far from one that he was critical about that had very little room around it with basically no front yard and no back yard next to the pond. He said it was the one on Infantry Drive. He asked if these will be moved off the property lines sufficiently.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

The City Manager said yes they will. He said we had them as a part of this because they are going to own the retention pond that's going to go all the way out to Infantry Drive. He said we had them add some additional landscaping. He said there are about another 8 or 10 trees that they are going to put over against the other building that is kind of steep with the stairways coming off the back of that building.

COUNCILMAN SHETINA said they were told a month or two ago that the building that COUNCILMAN BROPHY was talking about off of Infantry Drive had no responsibility for the retention pond. He said he is assuming the building we're talking about today has 100% responsibility for that pond.

The City Manager said yes they do. He said the owners of these buildings will share in that maintenance.

COUNCILWOMAN QUILLMAN asked what if they don't change these designs and they want to go with these.

The City Manager said these would be approvable.

COUNCILWOMAN QUILLMAN said she doesn't like them.

COUNCILMAN BROPHY asked if the builder or a representative was present tonight, and there was not. He said he thinks we are easy to work with but for important developments like this, he thinks there needs to be a representative here to talk to us. He said in some cases it's just to answer questions but in others it's just a show of respect. He said we have a working relationship and we need to be able to look them in the eye if they are going to tell us something or promise us something. He said he knows we have certain things that we are going to hold them to but whatever is in writing is the minimal.

COUNCILWOMAN QUILLMAN suggested that this item be tabled and she made that motion.

COUNCILMAN BROPHY said he doesn't have a problem with that, but it's only a Final Plat; it's not a Recording Plat and we'll see it once more. He said if we approve it here we still see it one more time, but if we table it that holds them up from progress so he said he doesn't like the idea of a table because it simply stops the progress. He said we want to be able to maybe contribute to what comes out the last time we see the plat.

COUNCILWOMAN QUILLMAN said that's correct, but the developer's not even here.

COUNCILMAN BROPHY said that's true, but he's been in the office working with staff.

COUNCILMAN SHETINA seconded the tabling motion. He asked if we are going to get him in to talk with him.

The City Manager said yes. He asked if he wanted to have a Land Use Committee meeting and bring it to them.

COUNCILMAN SHETINA said let's do that.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

The City Manager said if the Council wanted to approve this, they still have to come back with a Recording Plat and we could still schedule a Land Use Committee to discuss whatever comments you have about his buildings.

COUNCILMAN GIARRANTE said he'd like to see that rather than table it.

COUNCILMAN SHETINA asked to vote on the table.

COUNCILWOMAN QUILLMAN moved that this item be tabled to the City Council meeting of January 17, 2007.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

AYES: COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, UREMOVIC, DORRIS and MAYOR SCHULTZ.

NAYS: COUNCILMEN TURK, BROPHY, GIARRANTE and LEDESMA.

3. Variations of Use and Special Use Permits

- a. AN ORDINANCE Approving a Variation of Use to Allow the Continuation of a Two-Unit Residence in an R-2 District Located at 523 Francis Street as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That off street paved parking for 2 cars remain in the future; 2) That the owner participate in the City's Landlord Training Program and tenant screening program; 3) That the owner install consistent siding on the building within 6 months; 4) That if the above conditions are not completed within the specified time period or adhered to, this matter shall be scheduled for an administrative hearing; and 5) Should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use. (#2006-116/Dist. #4)
(Council Memo #1419-06)

COUNCILMAN BROPHY moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN SHETINA asked if the floodplain had been checked on this particular building.

The Director of Community and Economic Development said usually what happens is we check floodplains when they come in for a building permit. He said his guess is that this is probably in a very shallow floodplain. He said if they do more than 50% of an improvement to the property it triggers them to flood proof the structure, which means all the mechanicals and electricals have to

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

come out of any space that is below flood elevation. He said just a continuation of a Variation of Use doesn't necessarily trigger that.

COUNCILMAN SHETINA said the reason he asked was that it costs \$800 or more a year on a house for flood insurance. He said he has asked before that if anyone comes in to us for any action on a property, that we check the floodplains to the best of our ability. He said if someone sells this and all of a sudden they have a \$800 bill, the bank isn't going to finance it without them providing flood insurance, and if you have an \$800 bill for the next 20 years for flood insurance it has a direct effect on value and the sale at some point in time. He said he just wants to make sure that we do our due diligence and tell them whether or not it is in a floodplain from our perspective.

The Director of Community & Economic Development said yes we do that. He said the other thing that we are going to do is investigate the possibility of doing a change to the analysis of the floodplain based upon the work that's been done already by the State of Illinois. He said as you remember they were not going to do any reconsideration until the entire flood program was totally finished. He said through the District 4 Neighborhood Improvement Program we are contemplating looking into doing an early study and that might help the situation sooner. He said we do apprise the owners and buyers of it any time they ask.

Prior to his vote, COUNCILMAN LEDESMA said this is a two-unit and it has only two parking spaces which he doesn't think is sufficient. He said Francis Street is already congested with parking on the street. He said most people end up having 4-6 cars. He asked if there is any way that more space can be added to the back.

The Director of Community and Economic Development said it looks like there may be three spaces. He said they urge them to increase the amount of parking spaces but sometimes not at the detriment of taking the yard space away. He said he'll have staff go back and look at this and see if there is a creative way to make more parking spaces.

Prior to his vote, COUNCILMAN BROPHY stated from the pictures in the Council Memo it looks like the downspout is going into a foundation drain.

The City Manager said it looks like it is going into something and he will have staff check it out.

(ORDINANCE NO. 15741)

MAYOR SCHULTZ at this time moved up on the agenda the introduction of newly promoted firefighters.

A. Introduction of Newly Promoted Firefighters

The Fire Chief introduced newly promoted Fire Captain Pat Futterer who has been with the Fire Department for 17 years and Fire Lieutenant John Miller who has been with the Fire Department for 10 years. He said we are extremely proud of these men and wish them the best of luck.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

- b. AN ORDINANCE Approving a Variation of Use to Allow the Continuation of a Two-Unit Residence in an R-2 District Located at 326 Pleasant Street as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the property not be expanded in the future; 2) That the gravel driveway be paved with asphalt or concrete within 6 months of approval; 3) That the violations noted on the rental inspection report be corrected within 30 days of approval; 4) That if the above conditions are not completed within the specified time period this matter shall be scheduled for an administrative hearing; and 5) Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Variation of Use. (#2006-119/Dist. #5)
(Council Memo #1420-06)

COUNCILMAN TURK moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15742)

- c. AN ORDINANCE Approving a Special Use Permit to Allow a Knight Transportation Trucking Facility at 3301 Mound Road as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the building elevation be revised to contain all brick materials per the City's requirements; 2) That a revised landscaping plan be submitted and approved; 3) That the developer enter into an agreement with the City of Joliet for an annual supplemental payment in addition to real estate taxes; 4) That if the above conditions are not completed within the specified time period this matter shall be scheduled for an administrative hearing; and 5) Should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Special Use. (#2006-124/Dist. #3)
(Council Memo #1425-06)
(ORDINANCE NO. 15743)

- d. AN ORDINANCE Approving and Authorizing the Execution of a Development Agreement with Knight Transportation was presented and read.
(Council Memo #1425-06)
(ORDINANCE NO. 15744)

COUNCILMAN UREMOVIC asked for a brief explanation.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

The City Manager said this project is near the southeast corner of I-80 and Houbolt Road and one lot east of the corner. He said Knight Transportation will have 3 different businesses that will operate at this location -- Knight Transportation, Knight Refrigerated and Knight Brokerage. He said they are going to construct an office/maintenance building that contains 18,000 sq. ft. with an 1,800 sq. ft. fueling canopy area with 155 parking spaces for cars, 122 parking spaces for trailers and 22 spaces for trucks.

The City Manager said they are doing extensive berming so that they are not visible to adjacent properties. He said whenever we had someone that wanted to do a project that involved trucking we indicated to you that we were going to ask them to work with us on a payment in lieu of construction. He said what that means is if they are going to have a few more parking spots and a little less building, that we would take a look at the property and try to determine what size building could be put on that property and ask them to pay an additional tax payment that would be equal to the larger building instead of the smaller building that they are building. He said we did that with the IDI property. He said in this particular case it looks like the maximum size building that could go in there is about 80,000 sq. ft. because it is an odd shaped piece of property. He said their payment would be based on the difference of an 80,000 sq. ft. building compared to the 18,000 sq. ft. building. He said we've reviewed that concept with them and they have no problem doing that. He said we would take that payment and keep the 14% that applies to the City of Joliet taxes, and then forward the remainder to the rest of the taxing bodies in lieu of the taxes that they would have received from a larger building.

COUNCILMAN SHETINA asked for an explanation of the basis of that.

The City Manager said the basis for that is that we have the right to either accept or reject trucking operations or operations that have an extensive amount of parking.

COUNCILMAN SHETINA said that is based on a Special Use Permit.

The City Manager said yes. He said we can either choose to let people use up the space that we have left with parking which is to the detriment of the taxing bodies, or we could not let them build and we could wait for someone to build a building on the property which would make tax payments to the other taxing bodies. He said we think this is a good project that has a lot of merit with a lot of employment that goes along with it. He said they have a relatively nice looking building and have done a real good job with their land plan. He said we feel that it is appropriate for them to be offered the opportunity to develop this project and pay the difference in the taxes.

COUNCILMAN SHETINA said if we didn't have a Special Use Permit or the process in place, would that have any effect on this.

The City Manager said we would still have to review their plans.

COUNCILMAN SHETINA asked if that gives us leverage.

The City Manager said yes, it definitely makes a difference.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

COUNCILMAN SHETINA said his only concern is with the excess land. He said he wants to make sure that there is not going to be any kind of parking of carcasses (empty cargo containers) on the property.

The City Manager said he thinks the development agreement prohibits that kind of thing. He said they cannot park things that are not operational there.

COUNCILMAN SHETINA asked the company's representative if he has any intention of parking carcasses since he has the excess land, or will he be utilizing all that land.

Mr. Tim Kohl, President of Knight Transportation, stated they will be utilizing the land. He said they are a publicly traded carrier listed on the New York Stock Exchange and have been listed the last 12 years consecutively as one of the 200 Best Small Companies in America by Forbes, so we do have a good reputation. He said we appreciate the City Manager and the staff for working with us and he said we are amenable to all of the recommendations of the staff.

COUNCILMAN SHETINA said there was an area near here and they were parking carcasses in the empty space. He said we made them stop the parking and pave the area.

The City Manager said this actually is the same piece of property. He said they are improving it and paving it and doing all the things that the previous owner didn't do.

COUNCILMAN UREMOVIC asked about the traffic impact.

Mr. Kohl said the traffic will all be to the south; it will definitely not go north. He said it is south of the I-80 access.

The City Manager said they don't have a distribution facility here so it's not like trucks are coming in and loading and then going back out. He said their trucks will be out doing service delivery work and once in a while they'll come back in maybe to get maintenance or to change a driver and then they go right back out.

COUNCILMAN UREMOVIC asked if this still has the I-2 zoning.

The City Manager said yes.

COUNCILMAN SHETINA welcomed them to Joliet.

COUNCILMAN LEDESMA moved that said Ordinances be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

4. AN ORDINANCE Designating 1010 Glenwood Avenue as a Local Landmark as recommended by the Historic Preservation Commission was presented and read.
(Council Memo #1426-06)
(ORDINANCE NO. 15745)

5. AN ORDINANCE Designating 506 N. Prairie Avenue as an Addition to the Classic Bungalow Thematic District as recommended by the Historic Preservation Commission was presented and read.
(Council Memo #1427-06)
(ORDINANCE NO. 15746)

COUNCILMAN LEDESMA moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

B. RESOLUTIONS

1. A RESOLUTION Authorizing the Conveyance of Properties on Melchoir Place to MorningStar Mission subject to the following conditions was presented and read: 1) Building permits be obtained for any construction on the lots; 2) The lots will be used in conformance with the requirements of the Zoning Ordinance; 3) The lots will be maintained in an orderly fashion; and 4) If the above conditions are not met or are violated, then the property shall revert to the City of Joliet.
(Council Memo #1432-06)

COUNCILMAN SHETINA moved that said Resolution be adopted as recommended.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5863)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

BIDS AND CONTRACTS

A. Award of Contracts

1. Authorization to Purchase an Automated Fingerprint Identification System
(Council Memo #1436-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council approve the purchase of the AFIS Global Fingerprint Workstation – Latent from NEC Corporation of America in the amount of \$17,687.00 and approve the subsequent maintenance contract in the amount of \$525.00 per month.

2. Authorization to Renew Maintenance Agreement for the 800 MHz Radio System
(Council Memo #1437-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council approve the renewal of the maintenance agreement with Motorola at a cost of \$19,478.60 per month for the period January 1 through December 31, 2007.

3. Award of Contract for the Installation of Aluminum Fence at Local Homestead Property Located at 315 Second Avenue
(Council Memo #1438-06)

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 Northwest Cedar Products in the amount of \$3,944.00.

The City Manager stated we have a home at 315 Second Avenue which is at the corner of Second Avenue and Union Street. He said we did a rehab on the house more than two years ago and have had difficulty selling it. He said a lot of people have looked at it and have commented that it has a very small backyard and it's close to the neighboring house with no privacy and no place for kids to play. He said it was decided that we need to provide fencing around the property which will cost \$3,944.00, and we think it will make the house a lot more desirable and a lot more livable and will help us sell it.

COUNCILWOMAN QUILLMAN asked how big the lot was.

The City Manager said it is only about 45' wide on Second Avenue and 75' deep along Union Street. He said it has a small back yard with no garage. He said the fence is going to be in the back and up the side between the two houses all the way up to the front.

4. Award of Contract for the Purchase of Motor Fuels – 2007-2010
(Council Memo #1439-06)

A report on three bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council take the following actions: 1) Approve the purchase of approximately 470,000 gallons per year for four years of mid-grade unleaded from Texor Petroleum in the amount of approximately \$3,772,596.00; and 2) Approve the purchase of approximately

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

150,000 gallons per year for four years of Ultra Low Sulfur Diesel fuel from Altom Transport in the amount of approximately \$1,374,790.00.

5. Award of Contract for HVAC Maintenance – 2007-2009
(Council Memo #1440-06)

A report on seven bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract for eight City of Joliet buildings to Johnson Controls in the amount of \$202,296.00.

6. Authorization to Approve the Renewal of Uniform Rental and Maintenance Contract
(Council Memo #1441-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council approve the six-month extension of the uniform contract with Ajax Uniforms for a 3% increase over the current unit prices for 2007.

7. Authorization to Purchase Services, Hardware, Software and Miscellaneous Items for Server Consolidation and SAN Implementation
(Council Memo #1442-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council take the following actions: 1) Award a contract to Sentinel Technologies for services and hardware for the implementation of the upgrade without servers in the amount of \$77,636.00; and 2) Award a contract to Dell to provide the physical server hardware required for this project in the amount of \$10,539.82.

8. Award of a Professional Services Contract for Surveying/Drafting – Joliet Junior College South Loop Roadway Extension
(Council Memo #1443-06)

A report on three proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Geotech, Inc. in the amount of \$11,878.00.

9. Award of Contract for the 2007 Sodium Hypochlorite Solution Purchase
(Council Memo #1444-06)

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 Hawkins Water Treatment Group in the amount of \$1.06 per gallon of solution.

10. Authorization to Rebuild No. 3 Raw Pump – East Side Treatment Plant
(Council Memo #1445-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council take the following actions: 1) Approve the increase to

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

Purchase Order No. 85275 by \$13,650.00 to General Machine & Tool Co.; and 2) Approve Payment No. 1 and Final to General Machine & Tool Co. in the amount of \$14,640.00.

11. Award of a Price Agreement for the 2007 Electrical Maintenance Assistance Contract
(Council Memo #1446-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council award a price agreement to Van Mack Electric in a time and material format with an upper limit of \$70,000.00.

12. Authorization to Purchase a Maintenance Agreement for Engineering Software for the Public Works Department
(Council Memo #1447-06)

A communication from the City Manager contained his recommendation that the Mayor and City Council take the following actions: 1) Authorize the Administration to enter into a one-year maintenance agreement with Eagle Point Software in the amount of \$7,830.00; and 2) Authorize the payment of \$7,830.00 to Eagle Point Software after January 1, 2007.

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

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

B. Amendments, Change Orders and Payouts:

1. Approve Change Order No. 3 for the 2005 Hazardous Tree Trim and Removal Contract
(Council Memo #1452-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$15,000.00 on behalf of Homer Tree Service.

2. Approve Amendment No. 1 and Payment No. 6 for the Professional Services Agreement for the Southside Comprehensive Plan
(Council Memo #1453-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Amendment No. 1 in the amount of \$7,476.39 and Payment No. 6 in the amount of \$20,891.89 on behalf of Ruettiger, Tonelli & Associates.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

3. Payment of Snow Removal (Storm on November 30 - December 1, 2006)
(Council Memo #1454-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve payments totaling \$42,619.70 to the various contractors as listed in the Council Memo.

4. Approve Pay Request No. 1 and Final for the Pheasant Landing Subdivision Storm Water Detention Basin Erosion Improvement Reimbursement
(Council Memo #1456-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Request No. 1 and Final in the amount of \$12,691.32 on behalf of the Pheasant Landing Homeowners Association.

5. Approve Change Order No. 5 for the Cofiltration HMO Water Treatment Equipment – Procurement Project
(Council Memo #1458-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 5, a no-cost change, on behalf of Layne-Western.

6. Approve Change Order No. 2 and Payout No. 5 and Final for the Center/Hickory/Marion Roadway Improvements
(Council Memo #1459-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$39,990.97 and Payout No. 5 and Final in the amount of \$71,962.58 on behalf of P.T. Ferro Construction Co.

7. Approve Change Order No. 1 and Payout No. 4 and Final for the Ardith/Commonwealth Roadway Improvements – 2006 Neighborhood Improvement Program
(Council Memo #1460-06)

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 \$39,767.95 and Payout No. 4 and Final in the amount of \$86,567.39 on behalf of P.T. Ferro Construction Co.

8. Approve Change Order No. 2 and Payment Estimate No. 3 for the Comstock (Center-Marion) Roadway Improvements Project – 2006 Neighborhood Improvement Program
(Council Memo #1461-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$16,148.94 and Payment Estimate No. 3 in the amount of \$57,774.28 on behalf of Austin Tyler Construction Company.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

9. Approve Change Order No. 1 and Payment Estimate No. 4 and Final for the Gougar Road/Golf Road Watermain Project - 2005
(Council Memo #1462-06)

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 \$96,181.70 and Payment Estimate No. 4 and Final in the amount of \$8,391.91 on behalf of P.T. Ferro Construction Company.

10. Approve Change Order No. 2 and Payment Estimate No. 5 and Final for the Dixon/Jersey Roadway Improvements Project – 2006 Neighborhood Improvement Program
(Council Memo #1463-06)

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 \$12,541.44 and Payment Estimate No. 5 and Final in the amount of \$21,820.59 on behalf of P.T. Ferro Construction Company.

11. Approve Change Order No. 5 and Payment Estimate No. 10 and Final for the Catalpa/Harwood/Parks Roadway Project – 2005 Neighborhood Improvement Program
(Council Memo #1464-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 5, a deduction in the amount of \$7,868.22 and Payment Estimate No. 10 and Final in the amount of \$18,483.26 on behalf of Len Cox & Sons Excavating, Inc.

12. Approve Change Order No. 1 and Payment Request No. 6 for the Caton Farm Road (Cryder-Essington) Streetlighting Project – 2005 Neighborhood Improvement Program
(Council Memo #1465-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$30,032.30 and Payment Request No. 6 in the amount of \$48,612.92 on behalf of Van Mack Electric Company.

13. Approve Payment No. 1 and Final for the Theodore Street Pumping Station Landscape Improvement Project
(Council Memo #1466-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 1 and Final in the amount of \$12,300.00 on behalf of Trotter Landscaping Company.

14. Approve Payment for the Black Road Water Treatment Plant Electric Service Installation
(Council Memo #1467-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment in the amount of \$21,350.24 to Commonwealth Edison Company.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

15. Approve Change Order No. 2 and Pay Estimate No. 5 and Final for the Aux Sable Creek Basin Conveyance Project – Phase I
(Council Memo #1468-06)

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 \$12,542.24 and Payment Estimate No. 5 and Final in the amount of \$222,636.90 on behalf of “D” Construction Company, Inc.

16. Approve Change Order No. 3 and Pay Estimate No. 6 for the Aux Sable Creek Basin Conveyance Project – Phase IV
(Council Memo #1469-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$24,739.50 and Payment Estimate No. 6 in the amount of \$24,739.50 on behalf of Len Cox & Sons Excavating.

17. Approve Payments for the Radium Compliance and Water Supply Improvements Engineering Services Agreement
(Council Memo #1470-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of invoices totaling \$208,579.00 in favor of Strand Associates.

18. Approve Payments for the Aux Sable Creek Basin Wastewater Treatment Plant Engineering Services Agreement
(Council Memo #1471-06 was never prepared)

19. Approve Amendment No. 3 for the Water and Wastewater SCADA Engineering Services Agreement
(Council Memo #1473-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Amendment No. 3 in the amount of \$13,500.00 on behalf of Strand Associates.

20. Approve Payment for Survey Services Related to the West Side Maintenance Facility Subdivision Project
(Council Memo #1474-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment in the amount of \$11,893.75 to Ruettiger, Tonelli & Associates.

21. Approve Amendment No. 2 for the Westside Wastewater Plant Blower Upgrade Engineering Service Agreement
(Council Memo #1475-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Amendment No. 2 in the amount of \$28,000.00 on behalf of Clark Dietz, Inc.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

22. Approve Reimbursement for Public Sanitary Sewer Improvements at 1700 Ivy Street
(Council Memo #1476-06)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the reimbursement of \$8,597.00 to Raphael and Lisa Guzman.

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

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she has a question on Council Memo #1456-06 regarding the Pheasant Landing detention pond. She said she talked to one of the homeowners this evening and there was still some concern about the trees around the detention pond. She said there were new trees planted and they died and then it was too late to replace them again in the fall. She asked if those trees will be replaced in the spring.

The Director of Public Utilities said those trees are guaranteed and will be replaced in the spring.

The City Manager said the trees dying didn't have anything to do with this particular erosion control but they will be replaced.

COUNCILWOMAN QUILLMAN asked how long the developers are held responsible for the detention ponds.

The City Manager said when they are building them they have to put up a bond. He said once the construction is done and they meet the City's standards then the bond is reduced and we keep 5% as a maintenance bond for 2 years. He said if there is any maintenance work that needs to be done during that 2 year period, we can use the 5% maintenance bond or we can have the developer do it. He said at the end of the 2 years we release the 5% maintenance bond and then it's the homeowners responsibility for maintenance.

COUNCILWOMAN QUILLMAN said her understanding was that the erosion was due to the development that's going on around there now with the roadway on Theodore Street, and she asked if that was correct or if she was misinformed.

The City Manager said the erosion is natural and is around the entire pond. He said when the water level goes up and down it erodes and it will keep doing that, so you get the erosion.

COUNCILWOMAN QUILLMAN asked if there were any other detention ponds in the new subdivisions that are also having this problem as well.

The City Manager said with time all of the ponds that are 5 years old or older will require work.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

COUNCILWOMAN QUILLMAN said the question she is leading up to is will we be allowing this for future subdivisions if they come to us with the same problem. She asked if we have done this in the past or are we setting a precedent in reimbursing the homeowners. She said it is not a bad precedent and she thinks it is good that we should do that. She said she just wants to know that if this happens in the future in other subdivisions, are we going to honor that as well.

The City Manager said it's a request that would go to the Councilman for the various districts and if they would like to do it, it is something that is reimbursable. He said the City does not have any policy that would prohibit the Councilman from doing improvements to a detention pond. He said we have done a lot of work in detention ponds over the years because some of them were built years ago and they didn't have aerators or roof wrap around them. He said a lot of the new ones are holding up pretty good but from time to time there is a little bit of work that needs to be done. He said he suspects we will get requests in the future, but probably not a lot.

MAYOR

A. Introduction of Newly Appointed Firefighters.

This was done earlier in the meeting.

MAYOR AND COUNCIL COMMENTS:

COUNCILMAN UREMOVIC asked if he could get an update on Silverleaf Subdivision. He said he would like to know who the new owners are and get a punch list in regards to any improvements that have to be made.

The City Manager said there are two owners now and he said he would get him a separate list for each owner.

COUNCILMAN UREMOVIC wished the Mayor, Council, staff and all of the citizens of Joliet a very Merry Christmas and a Happy New Year.

COUNCILMAN TURK said he too would like to wish everyone a Merry Christmas and he also thanked the City Manager and entire staff for the help that he and the rest of the Council have been given during the year. He said he appreciates that. He said for 2007 we all have a lot of hopes and dreams where we'd like to see things happen and he hasn't had a chance to prioritize them yet, but one of them is to see an "Open for Business" sign on Stefanich's restaurant. He said that has to be the slowest project he has ever seen and he asked the City Manager if he had any idea what is going on with it.

The City Manager said he really doesn't know. He said he thinks it is a retired fireman or policeman out of Chicago and that he's just taking his time doing it himself.

COUNCILMAN SHETINA echoed the sentiments of COUNCILMAN TURK and thanked the City Manager and staff for doing an excellent job this year. He said sometimes we forget the vast number of people who work at the Rialto, Bicentennial Park, Library and all the volunteers, including all of the people who serve on the various commissions and boards. He said he thinks it's great that we have these kinds of volunteers and he thinks the Rialto has over 300 people

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

volunteering, some of them for many years. He said he went to the Rialto on Friday night to see the radio production of "It's a Wonderful Life" and everyone did a great job.

COUNCILMAN SHETINA said he is very happy with the past year and the good things that have been done. He said the City has grown properly and effectively. He said the commercial development is now beginning to catch up with the rooftops and that's a phenomenon that takes about 2 or 3 years. He said we should have a lot of permits coming in with respect to commercial and industrial projects. He said the City is operating in the black and he thanked everyone who has been effective in doing that.

COUNCILWOMAN QUILLMAN said "Merry Christmas to All and to All a Good Night" and she wished everyone a Happy New Year.

COUNCILMAN BROPHY asked for the status of a pond in the Stonegate Subdivision. He said he thinks some folks were inquiring on what help we may provide.

COUNCILMAN BROPHY said he had a suggestion from Attorney Bob Wisniewski that we consider removing the stamp requirement on exempt deeds. He asked the Corporation Counsel if we can separate that requirement. He said they have to go through the process to get a zero stamp, but we collect no tax on that.

COUNCILMAN SHETINA said he would like to see them put the amount of consideration on it because he thinks we have the right to know what the transaction amount was.

COUNCILMAN BROPHY said it depends on the type of the exempt deed. He said there are several types and some of them are just transfers between family members without any transaction amount.

The Corporation Counsel said on a normal market base transaction you can calculate the approximate consideration by the amount of the tax that's stamped on the deed. He said our rate is \$3 per thousand and the County and the State have a different rate. He said there are three different methods to back into the consideration just by looking at the recorded deed. He said there is also a tax form that's filed with the City at the time that the tax stamps are obtained and the actual consideration is there and they are examined to make sure the declaration is proper and that it's been filled out properly and the tax has been calculated properly. He said regarding Mr. Wisniewski's request on exempt stamps, there have been many occasions where there is a request for an exempt stamp and the deed is not exempt and so there probably needs to be some role with City oversight because transfer taxes do deal with a significant amount of money. He said it is a significant revenue source for the City and there needs to be some control on who says a transaction is exempt from taxation. He said that really should be a City function. He said he knows that the Recorder's office looks to and relies on the presence of a City stamp. He said if a stamp is not on it they do not accept the deed.

COUNCILMAN BROPHY asked if they are reviewed by anybody with any legal training.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

The Corporation Counsel said it's being done by a person who has been trained by the Legal Department in how to review those forms. He said if there is a question it comes to the Legal Department.

COUNCILMAN BROPHY asked the Council's courtesy to find time at a Pre-Council meeting in January to hear a presentation of the design of the Houbolt Exhibit at the Joliet Historical Museum. He said it is a very exciting project and the City Council needs to be brought up to date on this. He said the Houbolt family has made a very generous donation of over half of what the proposed cost of the exhibit would be and they would like the City Council to see this and know the details and get involved in it. He said it would take about 10 or 12 minutes.

The City Manager said it would have to be the January 16th Pre-Council meeting because the January 2nd Pre-Council meeting has been cancelled.

COUNCILMAN DORRIS thanked the Mayor, City Council and staff for another tremendous year and he wished everyone a Merry Christmas. He said he wanted to start early and he asked the Police Chief if he could start planning and make sure the overtime is in the budget to control the crowds when the Cubs win the World Series.

The Police Chief said being a Sox fan he's hoping this year the Cubs have a chance, but he's thinking the Sox have a better chance again and we'll be ready.

COUNCILMAN GIARRANTE said he would like to wish everyone a Merry Christmas and a Happy New Year.

COUNCILMAN LEDESMA wished the Mayor, City Council and staff a Feliz Navidad and a nice and safe Christmas. He asked the Police Chief what are the rules for New Year's Eve regarding fireworks and guns being fired.

The Police Chief said we will have additional patrols out on New Year's Eve and he reminded all residents to be safe and not to engage in the use of fireworks and more importantly not to engage in the use of firearms during the New Year's celebration. He said for those who don't get that message though, we will be out in force and will look to arrest anyone who engages in that kind of activity.

MAYOR SCHULTZ thanked the City Council and staff for a good year and said we'll have a better year next year. He said he was looking at the paper today and he saw that Harrah's Casino was sold, and the City is part of that \$16 billion sale. He said we are here because of the staff we have and the City Council that did a good job throughout the last few years. He said God Bless to all and he wished everyone a Merry Christmas.

ADJOURNMENT

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

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of December, A.D. 2006***

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape