

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 4th day of December, A.D. 2006***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, December 4, 2006 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

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

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

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

The City Manager explained Council Memo #1354-06 dealing with several Far West Annexations in Kendall County. He said it is being recommended that these items be tabled to the January 17, 2007 Council meeting to allow additional time to complete the terms of the annexation agreements.

Mr. Robert Churchill Munson, President of Churchill Development Corporation, said he is not asking the Council to act on anything regarding this annexation. He said his comments really have more to do with the City continuing to annex into Kendall County, and a written statement has previously been passed out to the Council outlining his concerns. He said he is a fifth generation owner of the land that is just south of the annexation that is being proposed on McKanna Road and he also develops real estate in Chicago.

Mr. Munson said with the delays that have been going on with this annexation and the slowdown in new construction, he would ask the Council to view this as an opportunity to look at the ordinance and guidelines in the Kendall County Comprehensive Plan that was passed by the City two years ago. He said he thinks there are three critical issues, the first being water. He said the second one which is more important if in fact the industry does go into a recession has to do with density. He said he urges the Council to be aware that as the industry comes out of a recession it needs to work with the industry a little more. He said you will notice that the trend in the last 5 years is that the industry is increasingly doing more multi-family homes. He said the Comprehensive Plan simply doesn't provide for that on the level that they are doing now. He said it is simply more profitable for them and as you come out of the recession you'll find that single family homes will be increasingly less profitable.

Mr. Munson said the third point is the percentage of single family homes which is close to 80% that is recommended in the Comprehensive Plan. He said that also contributes to another trend that's been discovered in the communities and that is that with a high level of single family homes, it is costing a community more money. He said he assumes one of the reasons the City has for expanding into Kendall County as fast as it has is that creating nice, suburban single family

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homes is a revenue source. He said it simply is not. He said it's turning out that the infrastructure is costing much more and is creating a lot of tension with the developers. He said obviously if you allow more townhomes and duplexes then that problem gets to be solved as well.

COUNCILMAN DORRIS arrived at the meeting at this point.

COUNCILMAN BROPHY said he wants to check a couple of Mr. Munson's assumptions as to whether they are opinion, fact or something else. He asked if he is talking about segments of the market such as boomers that will want more attached housing, or whether you know that younger people's wishes are changing from someone that wants their own yards to someone that wants an attached house.

Mr. Munson said it is a combination. He said the study he refers to was done by Chicago Metropolis 2020. He said they took existing zoning codes and did an analysis and then they did a demographic analysis of who would be purchasing homes over the next 30 years. He said they determined households are getting smaller and need less single family homes. He said the primary thing is the demographics. He said there are more people entering the housing market that do not need single family homes.

COUNCILMAN SHETINA asked what it means to him in the context of Kendall County that more people would be looking for townhomes versus those looking for single family homes.

Mr. Munson said what he thinks it would mean to most homebuilders, and he doesn't consider himself a homebuilder, is that they need more flexibility than the Comprehensive Plan provides. He said the guidelines restrict the negotiations that go on between the Planning Department and the homebuilder. He said also in his opinion it creates more of a hodgepodge. He said when every 300 acre annexation or in this case a 1,200 acre annexation is negotiated, you get a hodgepodge instead of more of a uniform city.

COUNCILMAN SHETINA asked Mr. Munson if he's looked at the Comprehensive Plan.

Mr. Munson said he has. He said he's not saying the plan is hodgepodge, he's saying a lot of where that came from has created hodgepodge. He said he grew up in DuPage County over 50 years ago and has seen it grow and there are lots of parts of DuPage County that are hodgepodge.

COUNCILMAN BROPHY said should we just leave the plan without guidelines and what would happen if we did. He said if we took any annexation request for any housing plan, should we assume that there are perfect market forces in place and should we accept what's brought to us, or do you think there might be some ulterior motives behind the applications that we receive.

Mr. Munson said the Council clearly needs to state what it wants the City to look like.

COUNCILMAN BROPHY said a landowner is approached by a developer and he has an idea of what's going in there. He said the developer then applies to the City for annexation. He said then those two agree on something that you're

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saying is not as perfect as it could be, yet both players come voluntarily and agree to what it is.

Mr. Munson said they do agree but it's not as efficient as it could be.

COUNCILMAN BROPHY asked who knows better than those players that are making those agreements.

Mr. Munson said the Chicago Metropolis 2020.

COUNCILMAN SHETINA asked who they are.

Mr. Munson said they are primarily corporate interests. He said they have been very important in terms of transportation planning for the metropolitan area. He said housing is less of a strong suit of theirs.

COUNCILMAN BROPHY asked if he thought it was reliable and objective.

Mr. Munson said yes, the study was done by national consultants.

COUNCILMAN UREMOVIC asked the City Manager to make sure we are all on the same page here. He said staff and the developer are asking that we table this to January 17<sup>th</sup>. He said it sounds like they want to go back to the drawing board and figure out if they want as many single family homes or maybe less.

The City Manager said Mr. Munson is not representing the developer; he represents a piece of property south of our far west Kendall County annexations. He said Mr. Munson has an idea that more townhomes and duplexes would be good for the area. He said that we don't necessarily agree with that. He said there is a premise that Mr. Munson stated that we have to be careful with, and that is that since families are getting smaller, they don't need single family houses. He said the problem is they want single family houses because maybe they don't want their one child to grow up in a townhome. He said between what people want and what they need, there is a balance, and that's what this Council has been trying to strike.

COUNCILMAN UREMOVIC said he has a copy of the Metropolis 2020 plan and he thinks they should get copies to the whole Council and he asked if they could get a copy of the Comprehensive Plan so we can all make sure that we are all going in the same direction.

COUNCILMAN BROPHY said this is very thought provoking. He said it is worth chewing over and incorporating into our deliberations and while we don't have hours to do it today, we may at another setting invite Mr. Munson back.

Mr. Munson said he would be glad to come back.

The City Manager then explained Council Memo #1358-06 dealing with the Vacation and Dedication of an Ingress/Egress Easement at 2218 IL Route 59.

Mr. Steve Qualkinbush was present on behalf of the petition.

The City Manager then explained Council Memo #1359-06 dealing with the Vacation of a Public Utility Easement over a former portion of Munroe Street

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Right-of-Way. He said the owners of Milano Bakery plan to expand the bakery with an extensive building addition.

Attorney John Gallo was present on behalf of the petition.

It was requested that this item be voted on today.

- 1. AN ORDINANCE Approving the Vacation of a 33' x 317' Public Utility Easement over a Former Portion of Munroe Street Right-of-Way as recommended by the Plan Commission was presented and read. (#V-19-06/Dist. #5) (Council Memo #1359-06)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

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.

(ORDINANCE NO. 15721)

The City Manager then explained Council Memo #1362-06 dealing with a Special Use Permit to Allow the Location of a Church at the former Lincoln Elementary School Located at 960 Royce Avenue.

Pastor Eddie Pierce, Saving Power M.B. Church, was present on behalf of the petition.

It was requested that this item be voted on today.

- 2. AN ORDINANCE Approving a Special Use Permit to Allow the Location of a Church in an Existing Structure in an R-3 District Located at 960 Royce Avenue as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the existing paved area surrounding the building be resurfaced and striped accordingly for off-street parking; 2) That the church work with the Building Inspections Division to provide accessibility for the sanctuary, second and third floor build out, and parking areas; and 3) Should the property become a public nuisance, it shall be subject to rehearing and a possible revocation of the Special Use Permit. (#2006-115/Dist. #4) (Council Memo #1362-06)

COUNCILMAN DORRIS moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

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NAYS: NONE.  
ABSTAIN: COUNCILMAN BROPHY.  
(ORDINANCE NO. 15722)

The City Manager then explained Council Memo #1363-06 dealing with a Special Use Permit to Allow an Auto Mechanic Shop in an I-1 District Located at 800 Jackson Street.

Mr. Ruben Diaz was present on behalf of the petition.

It was requested that this item be voted on today.

3. AN ORDINANCE Approving a Special Use Permit to Allow an Auto Mechanic Shop in an I-1 District Located at 800 Jackson Street as recommend by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the structure not be expanded in the future; 2) That the Virginia Avenue gate be repaired or replaced; 3) That the vehicles on site be limited to cars being repaired by the mechanic shop; 4) That the hours of operation be limited to 8 a.m. to 6 p.m. daily; 5) That there be no other operable or inoperable vehicles stored at this site at any time; 6) That no vehicles be offered for sale on the property at any time; 7) That if the above conditions are not adhered to, this matter shall be scheduled for an administrative hearing; and 8) Should the property be declared a public nuisance, it shall be subject to rehearing and a possible revocation of the Special Use Permit. (#2006-118/Dist. #4)  
(Council Memo #1363-06)

COUNCILMAN LEDESMA moved that said Ordinance be adopted as recommended.

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.  
(ORDINANCE NO. 15723)

Deputy Liquor Commissioner Dan Campus then explained Council Memo #1406-06 dealing with the Issuance of a Class "D" Liquor License at 2721 W. Jefferson Street.

4. Issuance of a Class "D" Liquor License at 2721 W. Jefferson Street  
(Council Memo #1406-06)

A communication from the Liquor Commissioner regarding the application of Xin-Xia Tang d/b/a Shanghai Bistro for the issuance of a Class "D" Liquor License at 2721 W. Jefferson Street contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

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COUNCILMAN GIARRANTE moved that the recommendation of the Liquor Commissioner be concurred in.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

Motion carried by the following vote:

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

NAYS: NONE.

ABSTAIN: COUNCILMAN DORRIS.

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

The City Manager explained Council Memo #1352-06 dealing with the 2006 Tax Levy and General Abatement. He said this tax levy will result in the second lowest tax rate in 39 years since 1967, an estimated 68% tax rate reduction since 1977, the same tax rate as in 2005 for taxes due in 2006 and Neighborhood Improvement Program funds retiring the General Obligation debt.

COUNCILMAN SHETINA asked about the City's total assessed valuation.

The City Manager said the assessed valuation is \$2.5 billion and the percentage increase is 12%. He said the increase itself totals \$275 million.

COUNCILMAN SHETINA said so our property is worth \$7.5 billion on a market value basis.

MAYOR SCHULTZ said so what this means is there will be no tax increase.

The City Manager said that's correct.

The City Manager explained Council Memo #1361-06 dealing with the Vacation of Three Ingress/Egress Easements and the Preliminary/Final and Recording Plats for Resubdivision of Menards/Joliet Subdivision. He said the developer is proposing to relocate one of the approved access locations on Joyce Road to align with the front of the proposed Wal-Mart Supercenter on Lot 1, and this change requires Forest Preserve approval because it crosses the existing Joliet Junction Trail.

COUNCILMAN DORRIS asked when we can start seeing construction out there.

The City Manager said March of 2007.

COUNCILMAN BROPHY said the neighbors across Joyce Road had some comments the first time we aligned those entrances and he asked whether they received notice and whether they did appear. He said he can't believe there was no opposition if they've changed this significantly, or did they not change.

The City Manager said they haven't changed anything significantly, and they did receive notice. He said landscaping plans and everything are all in place. He said he thinks the first time through the neighbors wanted to see what was going

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to happen and now that they know what all the requirements are for landscaping around the exterior, he doesn't believe they still have concerns.

COUNCILMAN GIARRANTE said we also have to make sure that the lights at Wal-Mart are not shining on the neighbors across the street.

The City Manager said the designers will be contacted so there is not a problem.

The City Manager explained Council Memo #1371-06 dealing with the Acquisition of 1518 N. Broadway Street for the Broadway Greenway at a cost of \$120,000.00.

COUNCILMAN BROPHY said we are paying \$120,000 to buy this from an investment group, and the appraised value is \$95,000.

The City Manager said we tried to buy it from the previous owner and we had offered around \$95,000 or \$100,000 three years ago, but they wouldn't accept it. He said they sold it to this investment group and they've been renting it. He said the property is really not any better than it was before. He said we started at \$90,000 then went to \$95,000 and \$100,000.

COUNCILMAN BROPHY said they haven't seen this or talked about it at a Land Use Committee meeting. He asked how long the group has owned it.

The City Manager said they have owned it about 2 years and they paid around \$90,000 - \$95,000. He said there are two lots here. He said the Planning Department was going to go back to the appraiser and take another look at the appraisal based upon the fact that there are two lots. He said when he looked at it the last time he personally thinks that they missed on the appraisal because there are two buildable lots. He said this is a 24,000 sq. ft. lot.

COUNCILMAN BROPHY asked if we would issue a permit on this lot.

The City Manager said we had a moratorium in the past but that has expired.

COUNCILMAN BROPHY said he could understand if we were moving a family out and we need to compensate them for their costs, but for an investment group he doesn't understand why we'd overpay. He said he would like to review it.

The City Manager suggested that this item be pulled from the agenda, and there were no objections.

The City Manager then explained the remaining items on the agenda.

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

COUNCILMAN BROPHY moved that the Council recess to closed session to discuss personnel and land acquisition after which the meeting will be adjourned.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

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NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape