

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 7<sup>th</sup> day of December, A.D. 2010***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, December 7, 2010 at 6:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

INVOCATION

An Invocation was delivered by Father Peter Jankowski, St. Patrick's Church, 710 W. Marion Street, Joliet, Illinois.

Joliet Boy Scout Troop 15 then led the pledge to the flag.

ROLL CALL

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

ABSENT: NONE.

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

APPROVAL OF MINUTES

COUNCILMAN BROPHY moved that the minutes of the Special Meeting of the Council of the City of Joliet, Illinois held on Monday, November 8, 2010 at 4:00 p.m., of the Pre-Council Meeting held on Monday, November 15, 2010 at 3:30 p.m. and of the Regular Meeting held on Tuesday, November 16, 2010 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Legislative

COUNCILMAN SHETINA said that the Legislative Committee will meet on Thursday, December 9<sup>th</sup> at 3:00 P.M.

B. Public Service

COUNCILMAN GIARRANTE said the Public Service Committee met this morning and reviewed the contracts, change orders, pay estimates and final payments, found them all to be in order and recommended their approval.

COUNCILMAN GIARRANTE stated that the Committee also discussed a

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proposed lighting ordinance for parking lots that will be reviewed by the Planning and Legal Departments before being brought back to the Committee. He said also discussed were the decorative street lights that were out in the CAPA area and staff has replaced those lights and the ComEd lights were reported to ComEd for repair.

There were no other Committee reports.

**AGENDA ITEMS AND REPORTS**

- A. 2009 Neighborhood Improvement Program Modification No. 18 -  
Modification to the 2009 District 5 Neighborhood Improvement  
Program  
(Council Memo #924-10)

A communication from the City Manager contained a request to approve a modification to the 2009 District 5 Neighborhood Improvement Program by adding the 413 Pleasant Street Sanitary Sewer Project in the amount of \$50,000.00 to be funded from the General Corporate Fund Non-Neighborhood Improvement Program Project.

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

- B. AN ORDINANCE For the Levying and Collection of Taxes for the  
City of Joliet, Will and Kendall Counties, Illinois for the Year A.D.,  
2010 was presented and read.  
(Council Memo #925-10)

COUNCILMAN BROPHY asked for an explanation.

The City Manager stated that this is the amount of money that the City will be asking the County to collect on the real estate tax bills. He said that the total amount of the levy is a little over \$38 million and it is the same amount that the City levied last year.

COUNCILMAN SHETINA stated that with respect to the decrease in levies as a result of tax appeals and the State, he would assume there was enough leeway given to make up what the difference was so that the levy should stay the same and the return stays the same.

The City Manager said yes.

COUNCILMAN GERL asked what percentage of the levy is the total budget.

Director of Management and Budget Ken Mihelich stated that it is about 20%.

COUNCILMAN SHETINA moved that said Ordinance be adopted.

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Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16734)

PUBLIC HEARINGS

A. Public Hearing re: Proposed 2010 Tax Levy for the Joliet City Center Special Service Area

1. AN ORDINANCE For the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2010 and Ending December 31, 2010 for the Joliet City Center Special Service Area was presented and read.  
(Council Memo #926-10)

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

COUNCILMAN SHETINA asked for an explanation.

The City Manager stated that this is specifically pertaining to the downtown Special Service Area tax that was first started in 1976, extended by 10 years in 1996 and then extended for another 10 years in 2006. He said starting in 1996, the money was allocated to the City Center Partnership to promote economic development in downtown Joliet and State law requires the City to hold a public hearing if any tax levy will be greater than a 5% increase of the previous year's tax levy. He said in this case the levy will be going up from \$230,000 last year based on the new assessed valuation coming online from tax abatements that were extended through the old Enterprise Zone rules. He said this is not an increase in taxes for all downtown property owners, it is merely reflecting that there is additional taxable property that will be coming on the rolls as a result of the tax abatement expiring.

COUNCILMAN SHETINA stated that Harrah's is being added at full taxable value.

The City Manager said that it is some of their property but there is still some of Harrah's property that is subject to the ten year tax abatement. He said about \$2 million in new assessed valuation is coming in as a result of the ten year expiration.

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

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

AYES: COUNCILMEN GERL, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, COUNCILWOMAN BARBER,

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COUNCILMEN BROPHY, DORRIS and MAYOR SCHULTZ.

NAYS: NONE.

(ORDINANCE NO. 16735)

B. Public Hearing re: Amending Regulations and Fees Associated with Vending Machines and Amusement Devices

1. AN ORDINANCE Amending Regulations and Fees Associated with Vending Machines and Amusement Devices was presented and read.

(Council Memo #927-10)

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

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

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16736)

APPROVAL OF REGULAR CURRENT BILLS

A. Regular Payroll – October 22 – November 4, 2010 - \$3,085,981.42

(Council Memo #928-10)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period October 22, 2010 through November 4, 2010 including a Summary of Overtime and an Overtime Budget Status Report were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

B. Regular Payroll – November 5 – November 18, 2010 - \$2,995,470.45

(Council Memo #929-10)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period October 22, 2010 through November 4, 2010 including a Summary of Overtime and an Overtime Budget Status Report were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

COUNCILWOMAN QUILLMAN moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

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ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. Ordinance re: Approving the Preliminary Plat of Ozinga Re-Subdivision (#P-4-10/Dist. #5)  
(Council Memo #930-10)
2. Ordinance re: Approving the Recording Plat of Ozinga Re-Subdivision (#RP-7-10/Dist. #5)  
(Council Memo #930-10)
3. Ordinance re: Approving the Recording Plat of Liberty Meadow Estates Subdivision Unit 2, a PUD (#RP-6-10/Dist. #4)  
(Council Memo #931-10)

The City Clerk noted that all of these items were approved at the Pre-Council meeting yesterday.

4. AN ORDINANCE Amending the Subdivision Regulations Regarding the Renewal of Preliminary and Final Plats of Subdivision was presented and read. (#M-3-10)  
(Council Memo #932-10)

COUNCILMAN SHETINA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16737)

5. AN ORDINANCE Amending the Zoning Ordinance with Respect to Residential Planned Unit Developments and Other Residential Developments Exceeding Five Acres was presented and read. (#M-4-10)  
(Council Memo #933-10)

COUNCILMAN SHETINA asked for a brief explanation.

The Corporation Counsel stated that this ordinance would amend the City's Zoning Ordinance to deal with a problem that is related to changes in the economy with respect to housing development. He said the housing industry has essentially lost 80% of its business over the last two years or so and because of that there has been a shut down of new construction in all of the subdivisions the Council has approved over the last three or four years, and associated with that, many of the original developments are going into bankruptcy, foreclosure or being sold. He said that part of the City's original approval process includes a review of the exact housing product that a homebuilder is going to build and the policy of the Council all along has been to make sure that, in addition to granting zoning and subdivision approvals, that the community understands what type of

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houses are going to be built and at what level of quality. He said with the change in the economy and the change in control of many of the subdivisions, there is a concern that successor developers that have their own types of housing product would finish off the subdivisions with a different style of housing which is OK if the housing style is of a comparable quality to what was initially approved by the Council. He said that there are many home buyers that made purchase decisions based on what was approved and what the builders represented as to how the finished subdivision would look.

The Corporation Counsel said that this is a change to the ordinance that would require successor developers to continue the original development pattern that was approved by the Council and if the developers wish to deviate from the original proposal, they would have to develop house plans for consideration by the Plan Commission and the City Council so everyone could make a decision that if there is going to be a change in the style of development, that it is still of an appropriate quality level and fair to the people who initially purchased homes within the subdivision, and no one sees a decrease in their property values or a change in their quality of life that they thought they purchased. He said that the City also wants to protect its tax base; the Council approved the property tax levy tonight and that is dependent on maintaining appropriate taxable values within Joliet.

COUNCILMAN SHETINA stated that this probably constitutes notice to those that have pre-annexation or annexation agreements but he would ask that staff send copies of this ordinance to those people.

The Corporation Counsel stated that has actually been done already. He said there is a distribution list for the agendas, a copy of the ordinances was released to those organizations, it has been on the website and it has been discussed at the Community Design Review Board, the Plan Commission and at the Land Use Committee. He said everyone has received all of the notices that are required by law and required by ordinance.

COUNCILMAN BROPHY moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16738)

6. AN ORDINANCE Approving a Special Use Permit to Allow a Verizon Wireless Co-Location on an Existing 215 ft. High Telecommunications Tower Located at 500 Speedway Boulevard as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: 1) The applicant must post a bond in the amount of \$5,000 prior to the issuance of the building permit for the proposed work. The bond will be utilized for the removal of the antennae and equipment associated with this applicant in the event of future abandonment. (#2010-61/Dist. #5)  
(Council Memo #934-10)

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COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16739)

7. AN ORDINANCE Approving a Special Use Permit to Allow a Tire Repair and Installation Shop in an Existing Garage Structure Located at 428 E. Jackson Street as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That adequate off-street parking for 6 cars remain to serve the subject site; 2) That all tire repair and installation be conducted within the garage; 3) That tire repair service be limited to 2 vehicles "to be serviced" on site at any time; 4) That general auto repair, oil change, muffler replacement and related repair shall not be conducted as part of this approval; 5) Should the property be declared a public nuisance, the matter shall be scheduled for administrative hearing and possible revocation of the special use permit; 6) That the special use granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period; 7) That neither Jackson Street nor the alley adjacent to the subject property may be used for overflow storage or temporary parking of motor vehicles requiring servicing or pick up; and 8) That all storage or parking of motor vehicles requiring servicing or pick up shall be conducted within off-street parking areas owned, leased or otherwise legally available to the operator of the tire repair and installation shop. (#2010-57/Dist. #4)

(Council Memo #935-10)

Director of Community and Economic Development James Haller stated that he went to the subject site to review the parking spaces and there are 22 on-site spaces which include 4 spaces for the 2 tenants that live upstairs, there is room to park 4 vehicles within the garage where the tire repair would take place even though he will be limited to 2, and behind the garage space there is easily enough room for 2 more vehicles. He said there is a vacant lot to the east of the property that has a total of 12 spaces and directly in front of the property on the street there is enough room for probably 5 vehicles, which would be a total of 27 spaces. He said that given the limitations placed on the tire repair, staff is confident that there is more than ample parking. He said staff also got an inquiry from the owner of Crybabies Tavern which owns the parking lot to the immediate east of this parking lot and he indicated that many of the customers that come to the nutrition store park in his parking lot, but when he went out there and looked, there is no signage on either lot that excludes the usage of either parking lot. He said that there were three cars parked against the building and one car was parked in the Crybabies Tavern parking lot.

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Mr. Haller stated that he did suggest that Mr. Del Toro and the owner of Crybabies meet and work out a shared parking agreement if it is necessary but from what he could tell with daytime use, it didn't seem that there was a high demand on the existing parking spaces. He said he wasn't there at 8 A.M. which is when Mrs. Joan Pena had stated is the busiest in front of the building, but from the staff's perspective it looks like there is sufficient parking to accommodate the businesses on the property at the current time.

COUNCILMAN GIARRANTE stated that there seems to be enough parking but Mrs. Pena made a good case yesterday for people parking in or blocking her driveway and if the ordinance is passed and she calls the police, they need to make sure that the vehicle gets ticketed or towed.

Mr. Haller stated that if there is a vehicle blocking a driveway anywhere, the homeowner should be able to call the police to handle the matter. He said he spoke to Mr. Del Toro and he promised that he will address the problem there, but when the customers are coming and going, he can't sit at the building all day to police the parking.

COUNCILWOMAN BARBER stated that she went to the property today and was able to see that there is ample parking and it appears to be a very clean place.

COUNCILWOMAN QUILLMAN asked if the garage had been operating all summer as a tire repair facility.

Mr. Haller stated that he believes it was auto repair and it was without permission of the City.

Mr. Hernando Del Toro, owner and landlord of 428 E. Jackson Street, stated that at one time it used to be a machine shop and when he purchased it he used to have his trucks there for his construction business.

COUNCILWOMAN QUILLMAN asked if tires would be stored on the property.

Mr. Del Toro said no, right now it is just tire repairs.

Mr. Antonio Pena of 420 E. Jackson Street stated that Mr. Haller said there is adequate parking but the problem with the parking is that for them to get to the parking lot, customers have to go around the block and most people for the HerbaLife don't go that way and park in front. He said Mr. Haller may not have seen that at the time of day he went, but from 5 A.M. until they left to come to the meeting, they can't back out of their driveway, they can't see cars coming down the street because it is blocked by the HerbaLife customers. He said he understands that it is a business but they need to make sure that the customers are not blocking their driveway and the owner or the business owner needs to control the customers in some way. He said they have tried to talk to the customers with negative results and there are times that the cars are there for several hours and they can't get out of their driveway without going inside and asking the customers to move. He said their problem is with the existing business and he doesn't know what the new business will do but he would like the owner to control the tenants better than he does now.

Mr. Pena stated that he and Mr. Del Toro have discussed this before and Mr. Del Toro said he would try and do something but also stated that he can't control the

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customers of his tenants because he isn't there. He said mutual respect for each other would be great but the customers that come there don't care and it is out of control and he is just looking for better control.

COUNCILWOMAN QUILLMAN asked if fencing or signage would be any help.

Mr. Pena stated that since the building is right next to him there is no room for a fence and they do have a fence in the back. He said the problem is with the parking area being in the back, no one wants to go around and walk to the front but hopefully something can be done to resolve it.

COUNCILWOMAN QUILLMAN asked what could added as a condition on the approval to help the neighbors.

The City Manager stated that there is a parking problem that is fairly routine that the Police Department handles in other locations and Chief Hayes will be working with the officers assigned to that area to pay more attention to this location and there are already ordinances in place that prohibit parking in front of a driveway. He said it is just an enforcement issue and the tenant is the one that needs to take control and tell his customers about the parking situation.

COUNCILWOMAN QUILLMAN asked if an officer could talk to the tenant.

The City Manager said yes.

Mrs. Joan Pena stated that on several different occasions she has called the Police Department and they have been there several times during the day and have talked to the HerbaLife tenant. She said also there was a machine shop being run out of the garage illegally this summer and they were blocking the alley and the garage faces the alley so it will be blocked with this new business also.

COUNCILWOMAN BARBER stated that she was there today and there were approximately sixteen people there for the HerbaLife and there was still a lot of room.

Mr. Del Toro stated that he would like to sit down with Mr. and Mrs. Pena and talk to the HerbaLife tenant. He said he isn't going to walk away from trouble and the Penas are his neighbors and they need to try and work together. He said he will give Mr. and Mrs. Pena his number and they can call him whenever there is a problem with the parking.

COUNCILWOMAN QUILLMAN asked if there were calls for service at this location.

Police Chief Hayes stated that he hasn't looked at the calls for service but in listening to Mrs. Pena, the response that she talked about yesterday when she called dispatch would be inappropriate. He said the dispatcher should just send the officer and the officer should cite the violator. He said if the vehicle is blocking the driveway and is on the street the City can tow the vehicle, and if the vehicle is actually parked in the driveway, the homeowner is responsible for towing the vehicle. He said he would meet with Mr. and Mrs. Pena and also make sure that the supervisors and officers in this area are being more responsive to this matter.

COUNCILWOMAN QUILLMAN asked if all the parties sitting down and

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discussing the matter was feasible to Mrs. Pena, otherwise she was wondering if they could put a condition on the approval for it to be reviewed in six months.

The Corporation Counsel stated that he doesn't know what Mr. Del Toro intends to do with his tenant for the length of the lease, but the City could schedule it for a review and there is a condition that if there is a nuisance on the property it could come back for revocation at any time. He said there are two problems occurring here, one is in the alley and the other is on the street, and the problem on the street has nothing to do with the proposed Special Use Permit, there is an existing tenant there and that is going to occur regardless of the proposed request.

COUNCILWOMAN QUILLMAN stated that she doesn't want the tire repair facility to add to the traffic already there.

The Corporation Counsel said that the tire repair facility will have a few cars brought in, they will be stored in the parking lot and repaired inside, two vehicles at a time. He said Mrs. Pena stated that there is overflow vehicle storage in the alley and the Council could add that as a restriction to the special use permit so if the alley is being blocked then there is something specific in the Special Use Permit to deal with that. He said he would recommend adding a condition on no overflow use of the alley for vehicle storage, that vehicle storage be off the street and in the adjacent parking lot and then it could be scheduled for review in six months and Mr. Haller could provide a report at that time.

COUNCILWOMAN QUILLMAN stated that she would like to amend the Council Memo then to add that condition.

COUNCILWOMAN QUILLMAN moved that said Ordinance be adopted as amended with the added condition as outlined by the Corporation Counsel.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN SHETINA stated that anybody that has an opportunity to go through this building should do so and he wishes they could have seen the building before Mr. Del Toro purchased it compared to now. He said he believes that the building is zoned B-3 so it is not a non-conforming property but if the neighbor has a problem with the parking, Mr. Del Toro has to talk to the tenants and deal with the problem but he appreciates what Mr. Del Toro has done with the building and he votes aye.

(ORDINANCE NO. 16740)

8. AN ORDINANCE Declaring the following properties as Public Nuisances and authorizing application to the Circuit Court for demolition, injunction or other relief was presented and read:  
701 Cleveland Avenue, 454 Douglas Street (garage), 305 Edward Street and 607 West Jefferson Street.  
(Council Memo #936-10)

COUNCILMAN TURK moved that said Ordinance be adopted.

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Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN BROPHY stated that they have declared a lot of public nuisances but he has not seen a demolition decree come through in a long time so does that mean that the City is making progress with repairs and remediation on those properties.

The Corporation Counsel stated that he does maintain a list of all of the demolition cases that are referred and he releases that every three or four months to the Council. He said what he has noticed is that the number of nuisance cases is average, but there are a lot of rehab agreements being filed and very few cases require that it go to demolition. He said so the hard demolition counts are down but the number of nuisance declarations are about the same and he believes the difference is Neighborhood Services is working with the property owners.

COUNCILMAN BROPHY asked if that goes through Inspections for the building permits.

The Corporation Counsel stated that the permit needs to be filed but Neighborhood Services also stays with it until it is closed out.

(ORDINANCE NO. 16741)

9. AN ORDINANCE Amending the Regulations Pertaining to Personal Property Sales in Residential Zoning Districts was presented and read. (Adjusting Fee Structure and Modifying Annual Limitations on Garage Sales)  
(Council Memo #937-10)

COUNCILMAN SHETINA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16742)

10. AN ORDINANCE For the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2010 and Ending December 31, 2010 in and for the 1994 Joliet Special Service Area Number One (Joliet Commons Shopping Center Project) was presented and read.  
(Council Memo #938-10)  
(ORDINANCE NO. 16743)

11. AN ORDINANCE For the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2010 and Ending

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December 31, 2010 in and for the 1999 Joliet Special Service Area Number 66 (Raceway Associates L.L.C. Project) was presented and read.

(Council Memo #938-10)

(ORDINANCE NO. 16744)

12. AN ORDINANCE For the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2011 Indefinitely in and for the 2009 Joliet Special Service Area Number 7 (Park Hill Subdivision) was presented and read.

(Council Memo #938-10)

(ORDINANCE NO. 16745)

COUNCILMAN SHETINA asked for a brief explanation.

The City Manager stated that there are three specific areas in town that have an extra tax imposed upon the real estate located within those areas. He said one is the Target Shopping Center, otherwise know as Joliet Commons Shopping Center on Route 30 across from Westfield Mall. He said the second area is the Chicagoland Speedway property and the third area is the Park Hill Subdivision Special Service Area which was originated last year with a special request to help with funding on a detention pond that was neglected. He said this is a special tax that is imposed only on those property owners and these ordinances establishes the levy or dollar amount to be imposed on those individual lots in the subdivisions. He said it will be collected by the County and remitted to the City and used per the agreements with the entities.

COUNCILMAN SHETINA stated that the taxes are at their behest in most cases.

The City Manager stated it is at the request of all three of these entities that the City imposed the extra tax on to help fund or reimburse them for public improvements, or in the case of the Park Hill Subdivision, to help them in their ongoing effort to try and make the detention pond work in the absence of a homeowners association.

COUNCILMAN GIARRANTE moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

13. Ordinance re: Establishing Salary Ranges and Fringe Benefits for Exempt Employees

(Council Memo #939-10)

The City Clerk noted that this item was removed from the agenda.

14. AN ORDINANCE Approving the City of Joliet Budget and the Joliet Public Library Budget for the Fiscal Year 2011 was presented and read.

(Council Memo #940-10)

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COUNCILWOMAN QUILLMAN stated that last week the State of Illinois passed a pension reform bill that still needs to be signed by the Governor, and how does that affect not only this budget but future budgets because the fund is so underfunded and is there a plan in place to replace that money.

The City Manager stated that there are some things in the pension reform bill that will help the City with the actuarial analysis that will smooth out the City's contributions, but there is also a deadline for reaching a 50% funding level by 2015. He said he and Director of Management and Budget Ken Mihelich have reviewed it and believe the City can achieve that without having the State stepping in and taking money from other revenue sources received from the State to fund the pension. He said they have four years to achieve that goal with the new legislation assuming it is signed by the Governor, and staff will be working with the Council on that. He said that the City has appropriate funding in this year's budget and the actuarial study has been completed and it sustains what staff is recommending. He said going forward it will continue to be a commitment that the City will have to make to keep funding the pensions at a certain level.

COUNCILWOMAN QUILLMAN asked if they have looked at the projections and how much it is going to cost every year to catch up.

The City Manager stated that he knows funding will be increasing by about \$3 million a year over the next three years to get to about \$40 million in pension obligations in 2014.

Mr. Mihelich stated that it is roughly about 15% per year. He said he read the legislation and there are a few things that may adjust that slightly, one is that the City was working with an amortization period to 2033 and that was extended by nine years. He said basically it is like refinancing a mortgage and that would allow the City to offset some other factors. He said also in the legislation are some investment opportunities that may expand for those plans that have over \$10 million in assets to be able to invest the assets more aggressively. He said there are a lot of moving parts and it is something that staff will be working with the actuaries in the spring and the Police and Fire Pension Boards to see how the legislation impacts it, but it is so new right now that even actuaries are looking at a lot of the details.

COUNCILWOMAN QUILLMAN stated that in 2011 isn't the City facing a big deficit.

Mr. Mihelich stated that the 2011 budget does borrow around \$15 million from reserves and in 2012 the projections would be that there would be a deficit. He said that original assumption of 15% is included in those projections and staff is looking at if the legislation would increase or decrease that amount and he doesn't know that for sure. He said the pension legislation does make a lot of changes for the benefits that will be earned by the firefighters and police officers but only those that are hired after January 1, 2011, so it doesn't affect those working now, and the liability is still big but it is giving the City more time. He stated that as the City Manager said, if they don't meet certain funding levels, then starting in 2016 the State can step in and take funding that the City would receive in state Income tax or sales tax or some other funding mechanism to make up that difference. He said it would be premature to say that is the case because the City does and has met their funding obligations for quite a few years.

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COUNCILWOMAN QUILLMAN stated that it has been only the last couple of years that the City has done that.

Mr. Mihelich stated that according to the actuarial assumptions, the City has met the obligation for at least the last ten years. He said what has happened is the assumptions have been upgraded to look at new factors such as mortality tables and investment rates of return, so those assumptions have been changed and altered so they are more conservative, but the City has made its contribution at least for the past ten years. He said the City is meeting what the actuaries are telling the City to put in each year.

COUNCILWOMAN QUILLMAN stated for today, but that could change next year.

Mr. Mihelich stated yes it definitely could and it is something that staff looks at every year.

COUNCILWOMAN QUILLMAN stated that it could be more that \$3 million.

Mr. Mihelich stated it could be but he doesn't know, it could be more or less and it is something that is looked at every year. He said the formal study will probably start around May when staff is done with the financial statement audit as well as the two pension funds, and then the actuaries are hired to come in and review that process and give staff the amount to put in the levy, similar to the levy the Council approved tonight.

COUNCILWOMAN QUILLMAN stated that it is at least \$3 million added to next year's budget, is that correct.

Mr. Mihelich stated that he can't say that, he would say that the assumptions are that it is probably around that amount, but he doesn't know.

COUNCILWOMAN QUILLMAN asked how that was going to be addressed.

Mr. Mihelich stated that what would probably be done in future budgets is that they will look at keeping expenses under control and looking at revenues that may have to be adjusted to answer that.

COUNCILMAN GERL stated that basically each year there is a new calculation that is done, a new actuarial study that is done each year for police and fire as well as IMRF. He said they get a new percentage every year so it can't be said with certainty what that number is going to be but they can make some pretty good estimates.

Mr. Mihelich stated that when they made the estimate for this year's budget and looked out to future years it was part of the legislation, and a lot of changes have been made so that is why there is a little more uncertainty than there was a year ago.

COUNCILMAN GERL stated that he thinks there have been some pretty good changes made as it relates to the City as far as retirement age and that sort of thing for new hires, and as long as they are aware of what the deal is he thinks it is going to be a change that should benefit the City.

Mr. Mihelich stated that it should and the changes include increasing the

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retirement age from 50 to 55 for a normal retirement, and spreading out the amount that the pension is calculated on over eight years, instead of being a last day or last month figure.

COUNCILMAN GIARRANTE stated that a couple of things that affect it is the return on the money.

Mr. Mihelich stated that is the part that he is not sure of. He said he thinks that what the legislation says is that there are additional investment opportunities so he thinks that allows the funds to be a little more aggressive and invest in more equities which typically have greater rates of return which allow for those assumptions to be met.

COUNCILMAN GIARRANTE stated it affects the City's contribution, is that correct.

Mr. Mihelich stated yes, if the returns are high, especially as the fund grows, that is the major factor that usually affects what the City has to do and if the returns are greater than the assumptions, then the contributions, in theory, go down and if the returns are less, then the City will have to make up the difference.

COUNCILMAN GIARRANTE stated and by them permitting more areas for the pension funds to invest in and by loosening those restrictions, it may cause the return to increase.

Mr. Mihelich stated that would be their hope over the long term.

COUNCILMAN GERL asked what percentage of equities the police and fire pensions are allowed to invest in now.

Mr. Mihelich stated that he believes it is 45%.

COUNCILMAN GERL asked what the percentage is for IMRF.

Mr. Mihelich stated that he doesn't believe the IMRF has a definite amount but he thinks they are up around 85%.

COUNCILMAN BROPHY asked if there was any change in the guarantee that if the return wasn't there, the City would still have to make that contribution even if there is a significant downturn in the returns.

The City Manager stated that was a major sticking point with the municipal side of the debate where cities said they didn't have control over the investment part of it and if there are several down years, the City's portion has to make that up. He said there was a lot of give and take and the associations representing firefighters and police officers came to the table and made a good case as far as protecting their members and the municipalities did the best they could and this is truly a compromise and it will not fix the problem overnight, but the Council sitting here in 20-30 years will have a little bit more manageable challenge. He said that over the next 20 years there will be some challenges of getting the pension back to where it needs to be. He said the City is committed to doing that and it is not a situation where we are trying to find ways not to meet our commitment, the City will meet their commitment and we will probably have to make adjustments elsewhere as we have for the last three years. He said the staff will keep making cuts but will not be cutting the pension obligation.

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COUNCILWOMAN QUILLMAN stated that this really won't help the City until new fire and police are hired, and this is for new hires as of January 1, 2011.

Mr. Mihelich stated that it does help the City by extending the amortization period.

COUNCILWOMAN QUILLMAN stated that she understands that but she is referring to the modified pension benefits.

Mr. Mihelich stated that COUNCILWOMAN QUILLMAN is correct, it doesn't affect anyone that is employed today.

COUNCILWOMAN QUILLMAN stated that long term, it would be 10 or 15 years before the City saw any benefits from people hired after January 1<sup>st</sup>.

The City Manager stated that it would actually be thirty years when they retire. He said if someone was hired today, the City would need to start putting money away for their pension thirty years from now when they retire, and that is an ongoing commitment that the City has and the City has to make sure that the right assumptions are in place and there is a mortality table that probably assumes shorter mortalities than what the City has. He said that needs to be adjusted and that will increase the City's pension contribution but they have to look at it realistically and deal with it, they have tried to work towards a better funding level and will keep doing that but it really is a long term challenge that has to be met.

COUNCILWOMAN QUILLMAN stated that Joliet is not the only city in this predicament as far as underfunding.

The City Manager stated not at all and there are a lot of towns much more vocal than Joliet in being dissatisfied with the compromise that was reached. He said from the City's perspective, it is reasonable and credit goes to everyone at the negotiating table and it is a step in the right direction but it will not be fixed over night.

COUNCILWOMAN QUILLMAN stated that the City will maintain their obligations.

The City Manager stated yes the City will fulfill its obligation.

COUNCILMAN SHETINA stated that he is assuming that the actuarial that the City hires realizes that not everyone retires the same day, week or month. He said he is also assuming that they calculate by age definition what years would have the biggest outflow in terms of who retires and with that in mind, they could indicate what years would have to have more going in than others. He said he thinks that is part of the equation and he would hope that staff pays attention to that when the actuaries do their analysis.

Mr. Mihelich stated that they do. He said the actuaries take a roster of those currently retired and those currently working and it is all factored in.

COUNCILMAN SHETINA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.  
Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to her vote, COUNCILWOMAN QUILLMAN stated that she doesn't agree with everything in the budget and she has discussed that in the past and there are some things that she can not vote on, but she would like to vote for the library budget and she asked if she could split her vote.

The Corporation Counsel stated that there is a motion on the floor right now for moving the City Manager's recommendation as to both items so the motion would need to be amended with concurrence of the second if she wanted to split the vote.

COUNCILMAN SHETINA stated he is not going to change his motion, it is confusing enough. He said if she wants to vote against the budget she can do that and then come back and make her comments about the library.

The Corporation Counsel stated that what is on the floor is a motion to approve the ordinance approving the City budget and the library budget.

COUNCILMAN SHETINA stated that is the motion he made.

COUNCILWOMAN QUILLMAN said that she votes no.

Prior to his vote, COUNCILMAN TURK thanked the City Manager and Mr. Mihelich and their staffs for putting together the budget and making it very user friendly and understandable and he also would like to thank all the parties that had input into the budget and the bargaining units for the changes they made to get the City through this year and next year.

Prior to his vote, COUNCILMAN BROPHY stated he would like to acknowledge the library staff again and said they have been operating with a very careful pencil and keeping things tight. He said obviously they thank the library staff and board for the job they do.

Prior to his vote, COUNCILMAN DORRIS stated that the City used some reserves this year and next year is going to be a challenging year and he thinks that there are some challenging days ahead but he is going to vote for it, the Council has a responsibility to do what is right and this is the budget that has been put together. He said the City is really going to have to start looking at what is going to be done in the next four or five years regardless of who is sitting on the Council because some tough decisions are going to have to be made when you look at the pensions increasing, the cost of health care is skyrocketing and everything else.

Prior to his vote, COUNCILMAN GERL stated that it is not a perfect budget but he has never really seen a perfect budget and it certainly is not a static budget, the Council is going to continue to work on this throughout the year and make adjustments but he is going to vote yes because we certainly can't shut the City down and an appropriation is needed to continue doing business.

(ORDINANCE NO. 16746)

**B. RESOLUTIONS**

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1. A RESOLUTION Declaring a Default in the Making of Subdivision Improvements for Timber Oaks PUD Unit 2 was presented and read.  
(Council Memo #943-10)

COUNCILMAN TURK moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6452)

2. A RESOLUTION Recognizing the Neighborhood Watch Group of the Neufairfield Subdivision was presented and read.  
(Council Memo #944-10)  
(RESOLUTION NO. 6453)

3. A RESOLUTION Recognizing the Neighborhood Watch Group of the Neufairfield Townhomes was presented and read.  
(Council Memo #945-10)  
(RESOLUTION NO. 6454)

COUNCILMAN DORRIS moved that said Resolutions be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

4. A RESOLUTION Authorizing the Sale of Neighborhood Stabilization Property Located at 1024 Barthelme Avenue was presented and read.  
(Council Memo #946-10)

Director of Neighborhood Services Alfredo Melesio introduced Mr. Jeff Gregory, the City's realtor for this property.

Mr. Gregory stated that the buyer, Mr. Lucas Allen, had been in the process of purchasing a HUD foreclosed home and after waiting for six months, lost the opportunity for the \$8,000 tax credit. He said he does as much as he can to publicize the program and he had 62 families attend the open house for this property. He said this is an amazing program and is making a great impact in the City of Joliet and he is proud to be the City's realtor.

Mr. Lucas Allen stated he grew up in a small town in Champaign County and community is very important to him. He said he moved to Joliet three years ago because of his job and he has really come to love Joliet. He said he learned about this through a friend and he appreciates the opportunity.

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COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6455)

5. A RESOLUTION Accepting a Grant of Easement for the Extension of the City of Joliet's Sanitary Sewer System (Black Road Force Main) was presented and read.  
(Council Memo #947-10)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6456)

BIDS AND CONTRACTS

A. Award of Contracts

1. Authorization to Purchase Equipment for Joliet Community Television (JCTV)  
(Council Memo #949-10)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract for the purchase of one NewTek TriCaster TXCD300 for JCTV to Roscor in the amount of \$9,995.00.

2. Authorization to Obtain a Preventative Maintenance Agreement for Seven (7) Emergency Generators  
(Council Memo #950-10)

A report on three quotes received for the above agreement was accompanied by a recommendation from the City Manager that the Mayor and Council award the agreement to Steiner Electric in the amount of \$15,590.00.

3. Authorization to Extend the Professional Service Contract for an Employee Assistance Program  
(Council Memo #951-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the extension of a Professional Service Contract for an Employee Assistance Program to Ceridian for one year in the amount of \$13,673.00 for 810 full-time employees.

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4. Award of Contract for the Purchase of Motor Fuels – 2007-2010  
(Council Memo #952-10)

A report on four 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 425,000 gallons per year for four years of unleaded fuel from Al Warren Oil Company in the amount of approximately \$4,316,657.00; and 2) Approve the purchase of approximately 160,000 gallons per year for four years of diesel fuel from Al Warren Oil Company in the amount of approximately \$1,785,164.40.

5. Award of Contract for the 2011 Biosolids Disposal Program  
(Council Memo #953-10)

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 2011 Biosolids Disposal Program to Stewart Spreading, Inc. in the amount of \$668,500.00; 2) Authorize the award of a professional 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. Award of Contract for the Manganese Sulfate Purchase - 2011  
(Council Memo #954-10)

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 Viking Chemical Corporation in the amount of \$5.294 per gallon, not to exceed \$222,348.00.

7. Award of Contract for the 2011 Sodium Hypochlorite Solution  
Purchase  
(Council Memo #955-10)

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 Hawkins Water Treatment Group in the amount of \$1.02 per gallon, not to exceed \$225,420.00.

8. Award of Contract for the 2011 Sodium Permanganate Solution  
Purchase  
(Council Memo #956-10)

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 Viking Chemical Company in the amount of \$7.585 per gallon, not to exceed \$288,230.00.

9. Award of Contract for the Blended Phosphate Solution Purchase  
- 2011  
(Council Memo #957-10)

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 Hawkins Water Treatment Group in the amount of \$6.14 per gallon,

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not to exceed \$92,100.00.

10. Authorization to Approve a Professional Engineering Services Contract for the Laraway Road (Route 53 – Illinois Central Railroad) Phase II Roadway Improvement Project  
(Council Memo #958-10)

A report on four proposals received for the above agreement was accompanied by a recommendation from the City Manager that the Mayor and Council award the agreement to Geotech Inc. in the amount of \$34,700.00.

11. Authorization to Purchase a Water Meter  
(Council Memo #959-10)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract for the purchase of a 8" fire line meter for PQ Corporation to H&D Waterworks in the amount of \$13,295.00.

12. Award of Contract for Replacing a Water Meter at PQ Corporation Located at 111 Ingalls Avenue  
(Council Memo #960-10)

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 Calumet City Plumbing Co Inc. in the amount of \$5,510.00.

13. Award of Contract for the Theodore Street/Lakewood Drive Intersection Drainage Improvement  
(Council Memo #961-10)

A report on five 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 and Sons Excavating in the amount of \$5,796.00

14. Award of Contract for the DuPage River at Caton Farm Road Cleaning Project - 2010  
(Council Memo #962-10 was never prepared)

15. Approval for the Replacement of Number 2 Vehicle Lift  
(Council Memo #963-10)

A report on two quotes received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Standard Industrial and Auto Equipment in the amount of \$11,109.13

16. Authorization to Approve a Contract for the Briggs Street Sewer Service Connections  
(Council Memo #964-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve a contract with American Backhoe Service in the amount of \$13,380.00.

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

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Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

**B. Amendments, Change Orders and Payments**

1. Approve Payment No. 5 for Professional Services for the Joliet Regional Multi-modal Transportation Center (Joliet City Center Development Plan)  
(Council Memo #966-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 5 in the amount of \$159,882.81 on behalf of VOA, Inc.

2. Approve Change Order No. 1 and Payout No. 3 and Final for a Professional Services Agreement for Fire and Police Promotional Testing  
(Council Memo #967-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$9,927.99 and Payout No. 3 and Final in the amount of \$70,158.11 on behalf of Stanard & Associates.

3. Approve Change Order No. 4 for Clement Street (Douglas – Ruby) Roadway Project – Community Development Block Grant Public Improvement Program  
(Council Memo #968-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4 in the amount of \$3,862.00 on behalf of J. Russ & Co. Inc.

4. Approve Change Order No. 6 and Payment Estimate No. 4 and Final for the 2009 Sidewalk/Curb Replacement Project – 2009 Neighborhood Improvement Program  
(Council Memo #969-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 6, a net deduction of \$6,622.53 and Payment Estimate No. 4 and Final in the amount of \$3,362.10 on behalf of M & A Cement Work Inc.

5. Approve Change Order No. 5 and Pay Estimate No. 2 for the 2010 Sidewalk/Curb Replacement Project – 2009 Neighborhood Improvement Program  
(Council Memo #970-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 5 in the amount of \$8,872.26 and

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Pay Estimate No. 2 in the amount of \$40,218.88 on behalf of M & A Cement Work Inc.

6. Approve Pay Estimate No. 1 and Final for the 1200 Cora Street Retaining Wall Repair Project - 2010  
(Council Memo #971-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Pay Estimate No. 1 and Final in the amount of \$8,855.00 on behalf of K&D Enterprise Landscape Construction Inc.

7. Approve Change Order No. 1 and Pay Estimate No. 1 and Final for the Alann Drive Sanitary Sewer Repair Project  
(Council Memo #972-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1, a net deduction in the amount of \$3,500.00 and Pay Estimate No. 1 and Final in the amount of \$31,600.00 on behalf of J.S. Alberico Construction Company, Inc.

8. Approve Change Order No. 2 and Payment No. 8 and Final for the 2010 Lawn Mowing Services Contract (Public Utilities)  
(Council Memo #973-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$2,600.00 and Payment No. 8 and Final in the amount of \$4,145.00 on behalf of From the Ground Up Construction.

9. Approve Change Order No. 1 and Payment No. 1 and Final for the 2010 Spoils hauling Phase II Contract  
(Council Memo #974-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$1,632.02 and Payment No. 1 and Final in the amount of \$40,176.42 on behalf of P.T. Ferro Construction Co.

10. Approve Change Order No. 1 and Payment No. 1 for the 2010 Automatic Meter Reading Installation Contract  
(Council Memo #975-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$877.50 and Payment No. 1 in the amount of \$13,252.50 on behalf of United Meters Inc.

11. Approve Change Order No. 4 and Pay Request No. 1 for the 2010 Utilities Restoration Program Phase II Contract  
(Council Memo #976-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4 in the amount of \$27,195.00 and Pay Request No. 1 in the amount of \$93,352.35 on behalf of P.T. Ferro Construction Company.

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12. Approve Change Order No. 5 and Payment Request No. 8 for the 2009 Electrical Maintenance Assistance Contract  
(Council Memo #977-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 5 in the amount of \$12,939.20 and Payment Request No. 8 in the amount of \$12,939.20 on behalf of Van-Mack Electric Inc.

13. Approve Change Order No. 13 for the System-Wide SCADA System Construction Project  
(Council Memo #978-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 13 in the amount of \$9,500.00 on behalf of Wunderlich-Malec Environmental.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

LICENSES AND PERMIT APPLICATIONS

- A. Issuance of a Class "D" Liquor License at 2901 Plainfield Road  
(Council Memo #981-10)

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

MAYOR

- A. Proclamation re: Recognizing the 25<sup>th</sup> Anniversary of the Jacob Henry Mansion

COUNCILMAN SHETINA read a Proclamation issued by Mayor Schultz recognizing the Pritz family for their generosity, preservation of local landmarks and their many accomplishments, and congratulating them on the 25<sup>th</sup> Anniversary of the Jacob Henry Mansion Estate.

Mrs. Carol Pritz, Sue Bornhofen and Ann Doll thanked the Mayor and Council for their recognition.

- B. Mayor Schultz - Appointments

MAYOR SCHULTZ placed in nomination the appointment of COUNCILMAN GERL to the Finance Committee and COUNCILMAN BROPHY to the Legislative Committee.

COUNCILWOMAN QUILLMAN moved that said appointments be confirmed.

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Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

MAYOR AND COUNCIL COMMENTS

COUNCILMAN SHETINA said that last week he had mentioned that the downtown parking situation is very unfriendly to users of local businesses as well as the establishments themselves. He said there is a punitive fine of \$10.00 and half hour meters don't allow a person to eat at an establishment, and he would hope that something could be done to change the meters to add more time. He said a \$10.00 fine is punitive and he wishes he had made more of an issue about it when it was passed because it is not fair, but he would appreciate it if something could be done about the meters in terms of the time.

The City Manager stated that staff is in the process of taking inventory and there are 47 meters that are less than 2 hours and the 3 30-minute meters that COUNCILMAN SHETINA had pointed out in front of the Joliet Restaurant will get changed. He said for every meter that is less than two hours, somebody had made a request to have something less, but staff is reviewing each location and if they need to be changed to two hour meters, that certainly will be done.

COUNCILWOMAN QUILLMAN said that yesterday the garbage issue was brought up by COUNCILMAN BROPHY, and it was never discussed at any of the meetings that everyone would have to now move their garbage to the curb. She said she did review the minutes of those meetings and not once was that discussed with the Council because she would have certainly said something about it. She said that she received many phone calls and emails today and she doesn't see how the City can ask residents in this weather to transition by December 13<sup>th</sup> when the containers haven't arrived yet. She said there are residents with disabilities and senior citizens trying to make it through the snow and ice and she thinks it is absolutely ridiculous and she would have never voted for it had she known about the curbside pickup.

The City Manager stated that there are 45,000 accounts that have garbage and recycling, and back in August he had mentioned to the Council that one of the big issues was with alleys, and that Waste Management would be coming back to the City about which alleys the carts would work in and which they would not work in. He said in the Council Memo dated September 15, 2010 he did indicate that one of the major changes that would be need to be implemented was to give Waste Management the discretion to relocate pickup from the service alleys to street side pick up and it was discussed at the November 15, 2010 meeting where Contract Administrator Meg McEvelly gave a lengthy presentation about the notification process to the 4,000 accounts with alley service. He said the City went through a process of trying to educate the public that this would be happening. He said he thinks the new program was well received and embraced by the community, it will improve recycling rates, save landfill space and the City is receiving this for free.

The City Manager said that they knew there would be a problem with the alleys which is why they wanted to forewarn everyone that this would be coming, and

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the reason it is being started now before the cart delivery is to try and get people used to moving their garbage and recycling to the front rather than in the alley, and this is a change for a lot of people that have lived in their homes for thirty or forty years in some cases. He said what staff is doing with Waste Management is trying to start the process early so people get used to putting their garbage out front, if the residents don't do it, Waste Management will be putting an orange tag on the garbage cans and recycling bins encouraging people to place them out in front next week to get people used to it before the carts are delivered. He said once the new carts are delivered, the new trucks are front loading disposal trucks and need a 21 foot clearance and a lot of alleys have wires running very low and there would be a lot of conflict. He said part of what they were trying to convey is that it would interfere with the wires and the arm that swings out goes out eight feet and in the confined alleys, these movements are almost impossible, and this is why in other towns where Waste Management has made this transition there has been a requirement to move most of the alley pickup to the front yard. He said he did ask Waste Management today for information on other towns that this has been done and in Aurora it was moved to front yard pickups in the 1960s, Elgin has front yard pickup and other towns like Orland Park and Lemont had to move to the front when they went to the cart system.

The City Manager said that part of this is an education process that they need to do a better job at, but they will keep working with residents on this. He said that there will be some hardship cases and Mike Morley has assured the City that Waste Management will work with anybody that has a hardship and will try to accommodate anyone they can. He said his recommendation is to let the process continue, give them a few more weeks to educate the public and see where they are in a few weeks. He said he knows the Council has received a lot of complaints and he has too, but it is a change that people aren't used to and once they have the opportunity to show that this is a more effective way of disposing of the garbage and recycling, he thinks people will be more willing to embrace it.

COUNCILWOMAN QUILLMAN stated that she understands all of that but it was the way it was presented, the focus was mainly on the recycling and the free carts. She said it was also stated that some alleys would still be used that couldn't be curbside, and everyone was so excited about the new program and the increase in recycling the focus was never on curbside pickup and even in the handout it is in very tiny print. She said the curbside pickup should have been the main thing all along because this is going to change the way people take their garbage out, everyone has to take it to the front and that was never stated, the main focus was on the freebies. She said she doesn't agree with this especially changing it now with the weather and as far as the alleys, this is only benefiting Waste Management, it is not benefiting the City or the citizens. She said any transition is hard and she understands that, but to do this in the dead of winter until people can get acclimated to it, she thinks, as stated yesterday, it should wait and be implemented in the spring.

COUNCILMAN TURK asked if this affects all alley pickups 100%.

The City Manager stated that it is not all alleys, and there are some alleys that will continue to have pickup service because they have enough room and then there are some alleys where front yard pickup is not feasible at all.

COUNCILMAN TURK stated that Route 30 would be difficult.

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The City Manager stated that he doesn't want to start identifying specific areas but there is a spreadsheet that Mrs. McEvelly prepared that shows all the addresses and they will have that available for the Mayor and Council and will post it on the website. He said they have received phone calls from people who thought they were affected but aren't so the list will be made available. He said staff is working on a map that will be posted to show all of the streets that are affected so people can identify whether they are in or out.

COUNCILMAN TURK stated it was his impression that it was only the alleys with problems that would be eliminated. He asked if only those people that received notices are affected.

The City Manager said yes, if a resident received a yellow notice, that means they currently have alley pickup and it is getting moved to the front yard.

COUNCILWOMAN QUILLMAN asked about the people that live on the hill on Buell Street.

The City Manager stated that he is not sure if they are part of the movement. He said he knows that is a real difficult area and staff has challenged Mike Morley to come up with a solution for those residents.

COUNCILWOMAN QUILLMAN asked about those residents that are disabled or seniors that can't make the long trek out to the front of their house.

The City Manager stated that that is a difficult one because he is not sure that the City can provide any type of special service where City employees are going there and moving the carts around to the front. He said he has told people that if they have neighbors or family members that are willing to help that would be his recommendation for residents that are in that situation.

COUNCILWOMAN QUILLMAN stated that another issue is that there are a lot of shared driveways and if those are full, residents won't be able to get the garbage cans down the driveway. She said that presents another challenge to residents and there is a City ordinance that garbage can't be put out earlier than 4 P.M. the day before.

The City Manager stated that there will be some locations where there are specific challenges and there will have to be some accommodations made. He said he doesn't have ironclad solutions for the situations other than people will have to be neighborly.

COUNCILMAN SHETINA stated that Waste Management is a big company and they have a lot of resources and what the City needs to do is get this process started and he believes that Waste Management probably has the ability to get smaller trucks customized and that this not the only city with these problems and Waste Management should be able to help with it. He said he hasn't gotten calls because no one in his district has alleys, but he thinks Waste Management is big enough and they have been very good servicing the City and he would hope that we could discuss it with them as the process evolves and they might need to go into some of the alleys and do it manually because some residents are not going to be able to handle it. He said he suggests that staff talk with Waste Management, figure out those that are really in need and he would hope that will be discussed with Waste Management.

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The City Manager stated that they have discussed it and Mr. Morley understands that Joliet is an older City with houses that were built on alleys and it will be a challenge to make that transition. He said the reason it is being done now is to try and get people acclimated and this is an educational period and there are a few months to make sure people get used to moving it to the front and when they have hardship cases, they will step in and try to do their best to find a solution.

COUNCILMAN SHETINA stated that Waste Management has always been very customer conscious and he thinks that we'll find a decent result.

COUNCILWOMAN QUILLMAN asked why it can't wait until spring to implement when the garbage cans are delivered.

The City Manager stated that there are some alleys in which the cart system will not work and that is part of the process and realizing that the vast majority of residents do not have this problem, this is a great time of year for Waste Management to do this because there is no yard waste pickup so those resources can be used to help implement this.

COUNCILWOMAN QUILLMAN stated but it is not for the convenience of the citizens.

The City Manager stated that it is convenient for probably 93% and for the other 7% or 4,000 residents, he is guessing that half of those will be able to comply which leaves 2,000 residents that Waste Management will have to work with to make this happen.

COUNCILMAN GIARRANTE stated that all of the volunteers that put the Christmas Parade on the Friday after Thanksgiving did a great job. He said also this Friday at 7:00 p.m. the Rialto Square along with a cast from WJOL are putting on a program at the Rialto of "It's a Wonderful Life" and the money is going to the Capital Campaign Fund.

COUNCILMAN BROPHY stated that he understands and agrees with the business decision about the garbage pick up but he disagrees with a couple things that were done and the timing of the implementation. He said he didn't see the yellow letter and he agrees that Waste Management is a very good, professional organization, but since this affected thousands of his constituents he would have liked to have seen the letter and didn't but would like to in the future. He said he thinks that it is a mistake by it being some alleys yes and some no. He said the City just got rid of the leaf pick-up policy that was very unfair where some people got their leaves picked up and some didn't, and he thinks that this is starting something similar. He said from a political point of view, the elected officials are reflecting back that there are many people that are shocked by this change and will find significant stress with it so the question becomes what in the agreement requires this to be enacted now and does it cost the City if it is changed, because before we try to change it we need to know what we are bound by and if this can be undone.

The City Manager stated that the agreement authorizes Waste Management to use its discretion to require moving pickup from the alley to the curb if their trucks would not be capable of handling the carts in the alley. He said the City gave Waste Management the discretion to make that determination and he thinks some of the alleys that will still have pick up is because the curb is not feasible and it might be Buell Avenue. He said as soon as the spreadsheet is available

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he will get that to the Council, post it on the website and when the map is done that will also be posted and they can look at the specific districts or areas and make sure Mr. Morley and City staff work with individual residents.

COUNCILMAN BROPHY stated that he also disagrees with the training that residents need to prepare for this. He said that it occurs to him that when the new can arrives with a tag that says it needs to be taken to the curb and not the alley, that seems to be the perfect time to make the change. He said he wishes he were involved in that decision and he apologizes to his constituents that this will affect because he didn't understand this clearly enough. He said he would like the City Manager to ask Mr. Morley if there is any sense to the delay of the switch and if Waste Management could feasibly make that switch. He said he would like to propose that they do that and going forward if possible in the contract, discuss which vehicle could make that pick up if their current vehicles can not.

COUNCILMAN BROPHY stated that he has a young man in his district that has achieved the rank of Eagle Scout, his name is Michael Kelly, the son of John and Ruth Kelly who reside on Buell Avenue and his father and three brothers are all Eagle Scouts. He said Michael is a sophomore at Joliet West and has received 46 merit badges and will travel to Sweden this July for the Boy Scout World Jamboree. He congratulated Michael and he welcomed all of the high school students present at the meeting tonight.

COUNCILMAN DORRIS stated that on Thursday at 3:00 P.M. the Legislative Committee will be listening to the minority contractors and will review the ordinance that was presented at the Pre-Council meeting. He invited anyone else that is interested from the Council and said it should be a good discussion and he is looking forward to it.

COUNCILMAN GERL said he would like to congratulate Mr. Allen on his home, he grew up in that neighborhood, walked to Taft School every day and he thinks that Mr. Allen bought a great house in a wonderful neighborhood.

**ADJOURNMENT**

COUNCILMAN GIARRANTE moved that the Council adjourn at 8:06 p.m.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

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Recorded on Tape