

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, February 16, 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 Pastor Lester Brown, Good Samaritan Ministry of Joliet, 500 Millboro Place, Joliet, Illinois.

Pastor Brown then led the pledge to the flag.

ROLL CALL

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

ABSENT: NONE.

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

APPROVAL OF MINUTES

COUNCILWOMAN QUILLMAN moved that the minutes of the Special Meeting of the Council of the City of Joliet, Illinois held on Wednesday, January 27, 2010 at 4:00 p.m., of the Pre-Council Meeting held on Monday, February 1, 2010 at 3:30 p.m. and of the Regular Meeting held on Tuesday, February 2, 2010 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Baseball

COUNCILMAN GIARRANTE stated the Baseball Committee met with the JackHammers and discussed a new Memorandum of Understanding agreement with them. He said the Committee did not take a position on it because they just received it that day and hadn't had a chance to review it. He said it is on the agenda as Council Memo #134-10. He said it seems to work out all of the things that we disagreed on and to him it looks good and settles a lot of issues that were up in the air before on whose charge it was to repair certain things at Silver Cross Field.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN GIARRANTE said representatives from Joliet Township High School were at the meeting to discuss putting turf down and they have asked our staff to meet with their staff to draw up an agreement. He said they want to move forward on this one way or another. He said if we're going to do it fine and if we're not, they want to look elsewhere. He said a couple of questions came up about the temporary pitchers mound and one of the members looked at it and had a picture of it and said it looks all right, but the Committee told him that we want to actually see it beforehand and we want assurance from IHSA that this temporary pitcher's mound is not going to affect them playing their tournaments here. He said we're going to schedule another meeting in March with them and they're going to try to have this temporary pitcher's mound at the meeting.

COUNCILWOMAN QUILLMAN said regarding the payment for a topographical survey of stadium property, she doesn't remember discussing the \$7,600 cost for the survey at all. She said she's wondering why we're going to pay for that when we're still trying to figure out what we're going to do and there was also talk that there might be regular turf and not artificial turf.

The City Manager said the issue regarding the survey came up when we had the meeting back in August when Wight and Company came in and was doing the layout for the potential fields. He said if the facility was converted for field turf, there would be a need for a topographic survey at that point. He said we thought we had one from when the stadium was first built but we didn't, so Wight had asked him if it was OK to have one done and he said yes. He said the bill came through and it is his recommendation that it be authorized for payment.

COUNCILWOMAN QUILLMAN asked if this shouldn't come to Committee before we authorize it.

The City Manager said it probably could go to Committee and the payment could be deferred until then.

COUNCILMAN GIARRANTE said isn't this something that we ordered.

The City Manager said he ordered it in the middle of 2009 at a time when we were trying to determine when any of this would be feasible and the topographic survey was essential to determine drainage issues and things like that. He said it's something that we do need and even if we don't proceed with the field turf project there will be a need for the survey in the future. He said we have some improvements we're working on and if conversions are made for future uses it will come in handy.

COUNCILWOMAN QUILLMAN said she just doesn't see the need for it at this time.

COUNCILMAN UREMOVIC asked if the high school has made any financial commitment yet to the project.

COUNCILMAN GIARRANTE said the Committee made it very clear that the City has zero dollars for this and we weren't paying a dime and they understood that. He said we don't know what kind of financial agreements they have made, but we told them we're not paying a nickel.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILWOMAN QUILLMAN said that's why she has an issue with the survey at this time because if it doesn't go forth there is no reason to have the study at this time.

COUNCILMAN SHETINA said he has gone over this and is satisfied with the job staff has done and with the JackHammers and he would move that Council Memo #134-10 be approved.

COUNCILMAN SHETINA moved that said Resolution be adopted and that payment for the topographical survey be approved.

Motion seconded by COUNCILMAN GIARRANTE.

COUNCILWOMAN QUILLMAN asked the Corporation Counsel if we can make the Memorandum of Understanding and the payment for the topographical survey two separate items.

The Corporation Counsel said that would require a motion and a second.

COUNCILWOMAN QUILLMAN made a motion to vote on the two items included in Council Memo #134-10 separately.

COUNCILMAN DORRIS asked COUNCILWOMAN QUILLMAN why she wants to split it, he just doesn't understand it.

COUNCILWOMAN QUILLMAN said because one is an agreement with the JackHammers that everything is going to be met and this was kind of just tacked on, it's a bill. She said she didn't agree to this, it didn't come to Committee and this is something that might happen, there's no agreement yet with the high school that this could even happen. She said she doesn't know why we need the study at this time. She said maybe in the future we'll need a study but at this time if this doesn't take place, what's the purpose of having the study now, there's no money.

COUNCILMAN GIARRANTE asked the City Manager to reiterate the reason why we asked for it in the middle of 2009.

The City Manager said actually the school district asked Wight and Company to develop a concept plan for the City to review last summer. He said part of that though was the need for a topographic survey which we thought we had and it turns out in going through all of the records from the original construction we did not have one, and he was asked while Wight was working on this whether the City would pay for it. He said he indicated that we would and he did not think it would go over \$5,000 but it did and it went to \$7,600 so that's why he's bringing it to the Council now. He said the study itself has already been completed; it was completed back in August and the survey was done by Ruettinger, Tonelli as a sub-contractor to Wight and Company and Wight has paid Ruettinger, Tonelli and this is a reimbursement for that expense.

COUNCILMAN GIARRANTE said we will need this irregardless of whether they put the turf in or not.

The City Manager said we have it and we'll use it.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN GIARRANTE said we need it for ourselves.

COUNCILMAN SHETINA said if you choose to vote for one part of it and against the other he thinks that's appropriate also.

COUNCILWOMAN QUILLMAN asked if we can do that.

The Corporation Counsel said certainly the City Clerk will be able to take down a "No" vote but the motion was to approve the City Manager's recommendation which did pertain to both items and that motion was seconded so that's the voting item on the floor. He said COUNCILWOMAN QUILLMAN did make a motion to split the vote and that has yet to receive a second, but if it were to receive a second there would then be a vote on whether to have two votes.

COUNCILMAN DORRIS seconded the motion.

COUNCILMAN TURK said when the construction was done back in 2001 this should have been done and it wasn't done.

The City Manager said he is not sure, he thinks we probably would have had one done. He said there was a boundary survey done but we had assembled several pieces of property at that time so there wasn't one unitary survey and he believes there was a boundary survey that was probably completed at the end but it wasn't a topographical and for drainage purposes and things like that those are needed and we'll certainly have it and it won't go to waste.

COUNCILWOMAN QUILLMAN said we know there are drains out there because they were plugged up when it was raining so there is a drainage system out there.

The City Manager said yes, no doubt about it.

COUNCILWOMAN QUILLMAN said so there should be some type of plan with that in it.

The City Manager said we did not find a topographic survey that showed the contours of the land and the drainage pattern. He said he thinks the drainage system works fairly well and if there are some improvements that we need to make in the drainage system we now have the topo that will show the elevations of the field and how it drains and that part of it will be out of the way.

COUNCILWOMAN QUILLMAN said when they put those original drains in they had to do some type of survey then, a topographical survey.

The City Manager said they probably shot it through surveying and they probably staked it but there was probably not a follow-up, as-built topographic survey done at that time. He said it would have been helpful to have had it for future use. He said he thinks we'll be using it frequently going forward whether the school district is involved or not.

COUNCILMAN BROPHY said if we've got prospective tenants whom we are trying to recruit to use the facility one of the first things they'll want to know is these dimensional things and the exact particulars of what's there. He said so to sell the place, this makes sense to have this thing even if we don't do the deal with the high school, he thinks it will have some use and some value to those

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

prospective tenants. He said if they're going to take a serious look at us they may not be next door, and we're going to have to use electronic methods of demonstrating what it is we have so that will be a very valuable tool going forward.

The Corporation Counsel said there has been a motion and a second to split the vote and with the permission of the Chair the Clerk can just proceed to call the two recommendations separately. He said the first would be on the Memorandum Of Understanding which is the City's agreement with the team and the second would be on paying for the survey expense.

COUNCILMAN GIARRANTE said at the meeting the Corporation Counsel brought up about some of the things that the contractor was supposed to do and he didn't. He said the Corporation Counsel is in contact with them to see if we can get reimbursed for some of these problems that we have to fix.

1. A RESOLUTION Approving a Memorandum of Understanding with the Joliet JackHammers was presented and read.
(Council Memo #134-10)

A communication from the City Manager contained his recommendation that said Resolution be adopted.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6342)

2. Authorization to Pay Expenses for Topographical Survey of Stadium Property was presented and read.
(Council Memo #134-10)

A communication from the City Manager contained his recommendation that payment in the amount of \$7,600.00 to Ruettinger, Tonelli and Associates for a topographical survey be approved.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she is voting no for the reasons already stated, it's not necessary at this time.

Prior to his vote, COUNCILMAN SHETINA said he is going to vote aye but wants to explain his vote. He said with respect to the activity that's taken place with the JackHammers and the field and the City itself, he believes there is some potential litigation that may occur with the architect. He said in that event a topo is needed and now is the time to do it. He said he is going to vote yes because we need it and we need it for future negotiations with the architect. He said one of the things was the drainage that drained down in to the dugout and that might

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

have been as the result of not having a topo survey, but he would like to have it in hand.

B. City-County Advisory

COUNCILMAN SHETINA said the Committee met on February 4th and County Executive Larry Walsh ran the meeting. He said the major consideration is still parking. He said Judge Kinney and many people from the County Board were there. He asked the City Manager to give a synopsis of the reviewed proposal for development of a new courthouse and related parking facilities and their concerns.

The City Manager said the City-County joint committee was formed about two years ago to review various downtown issues and the focal point has been on the development of a new courthouse or an additional courthouse for downtown Joliet and also the transportation center near Union Station and related parking facilities. He said the County has been very clear from the beginning that they need help with parking and we have asked our consultant, VOA Associates, to help identify potential locations, size it properly and make sure that we solve the parking problem for the County, understanding that there will have to be some expenses that will be borne by the County. He said there was a presentation of those items to the joint committee and quite a few questions came back and forth. He said the focus was primarily on traffic flow, parking availability, getting people in and out of a new courthouse and then the transportation center.

COUNCILMAN SHETINA said he thinks it's appropriate that we talk about the fact that County Board Chairman Moustis was also there and he and Executive Walsh both have made a pretty good commitment that they want to stay here, but they need our help to do it. He said he told them we come as paupers when we talk to them and at the same time they have bonding power and we probably have some bonding power too so we have to look at all possible avenues. He asked the City Manager to talk about the proposed development of a multi-modal transportation center with respect to grants, etc.

The City Manager said we have applied for a TIGER Grant with the Federal government. He said these are dollars that are at the discretion of the U.S. Department of Transportation Secretary Ray LaHood. He said we have applied for a \$55 million grant which will develop the entire multi-modal transportation center and commuter parking, long-term parking and pull all forms of public transportation into one facility. He said that would include the Metra commuter rail line, Pace bus service, private bus companies such as Illini and Peoria Charter, any other form of public transportation and would certainly focus on Amtrak service which we think with the development of high speed rail will put Joliet in a great position as the first stop out of downtown Chicago on the high speed rail line which is likely the first one to be built. He said this grant will position us to take advantage of that. He said we are hearing the announcements may be made next week or the week after by Secretary LaHood who was in Bloomington-Normal this past week. He said we are competing along with many, many other grant applicants. He said there is clearly not enough money to go around but we remain hopeful that we put in a great application and credit goes to the staff and VOA Associates for pulling everybody together to try to put this together as a great package that at least will catch somebody's attention in Washington.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN SHETINA said it seems the consensus is that Joliet is really the focal point of this so if anything occurs it looks as though it is to our benefit.

The City Manager said it should. He said Normal has a great application in also and they're already a couple of years ahead of us and have put some of their infrastructure in. He said they have not built the center itself but they have built everything around it. He said he thinks the Secretary has indicated he liked Normal's plan a lot and he is hoping that he sees Joliet in the same situation.

C. Communication, Technology and Information Systems

COUNCILMAN BROPHY said the Committee will meet on Tuesday, February 23rd at 3:30 p.m. and they have several items on the agenda.

D. Finance

COUNCILMAN UREMOVIC stated the Finance Committee met at 5:45 p.m. this evening. He said there was a review and approval of the minutes of the meeting of January 19, 2010. He said there was a review and discussion of the Cable TV franchise tax and revenues received. He said over the last 3 years some individual households have switched from Comcast to AT&T and it appears that from 2007 to 2009 there was almost a \$21,000.00 increase for the combined, so we're not having a negative impact from one user going to another communication system. He said there was also a review of the 2009 Neighborhood Improvement Program Annual Audit which was placed on file. He said there was a review of the monthly cash flow report, personnel summary, January Conference, Travel and Seminar Report and an examination of the Treasurer's Disbursements and Regular Claims for the month of January, which were found to be in order and placed on file. He said there was also an update on the ticketing and towing program and the progress being made on securing those outstanding fines.

E. Land Use

COUNCILMAN SHETINA stated the Land Use Committee met on February 5th. He said the first issue they talked about was an article in the newspaper that questioned the ability and the functional ability for Joliet to provide water to the constituents as time goes on and Director of Public Utilities Jim Eggen and his staff and the City Manager and Corporation Counsel also talked about it. He said it appears that Lake Michigan water is not an option for Joliet and we've never really wanted to do that. He said we still have the option of Kankakee River water at some point in time if history tells us that we have to do it, but as we extend out, according to Mr. Eggen we would probably be OK somewhere around 20 to 30 years. He said we have a lot of deep wells, obviously things have slowed down so the use of water has softened quite a bit. He said as time goes on and we begin developing again Joliet's probably in a pretty good position. He asked Mr. Eggen what the MGD is per day.

Mr. Eggen stated our current pumping capacity is around 30 million gallons a day.

COUNCILMAN SHETINA asked what are we using.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

Mr. Eggen said our peak pumping has been 24 MGD in the summer depending on drought conditions, so we've got plenty reserve capacity right now. He said we've also got a new well that's going to be coming on line in the far southeast side with the CenterPoint development and that's going to help us out in that area.

COUNCILMAN SHETINA said probably 30 years ago or more we were going to be out of water and so the Water Commission was established and it turned out that we didn't need to do that but there was a lot of talk and there were a lot of meetings but nothing ever occurred from it and it appears as though we're in the same position. He said whatever the aquifer is that we're drawing from or the cone of depression that we work from, apparently that has refilled itself as the result of DuPage County going to lake water and other areas going with the lake, so it relieved some of the pressure on our own system and we look like we're pretty good.

The City Manager said there will be some conservation measures that we'll be promoting through the Utilities Department.

COUNCILMAN SHETINA said it's important too that we talk about that.

COUNCILMAN GIARRANTE asked if they brought up the problems that cities are having that are on Lake Michigan water with the prices going up.

COUNCILMAN SHETINA said yes they did. He said his position on it was and we pretty much agreed is that you don't give your destiny away to somebody else and they're having problems right now with water rate increases. He said we think our water rates are high but then you see \$150 a month in some of the towns that we are neighboring and they don't have any control over it. He said this way we maintain our own destiny, we maintain control. He said they're going to always have somebody at Lake Michigan who is going to be able to tell you if you're going to get water or not so it behooves us to maintain the deep wells, maintain a good supply and also at the same time to enforce conservation.

COUNCILMAN SHETINA said the Stryker Avenue Supported Living project was talked about quite a bit. He said there was a slide presentation by Henry Morris and COUNCILMAN DORRIS spoke and they were able to present a real good idea of what's going on there. He said the neighbors from St. George's Serbian Church were there and once they heard what was happening and the quality project that it was at that point in time, they had no objection. He said COUNCILMAN DORRIS has agreed to meet with neighbors at St. George's Church.

COUNCILMAN UREMOVIC said he's already gotten calls from people from Regency Ridge and Idylside and he thinks they need to touch base with those areas also and make sure they're apprised of the situation.

COUNCILMAN DORRIS said they're going to go out in a couple of weeks and do a full presentation with the people from the Housing Authority, the architect and his church. He said we'll do as many meetings as we have to because we want to move forward and get this under construction as quickly as we can.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN SHETINA said one of the key points is that this is for people 65 years old and older, it's assisted living with full 24 hour staffing, most of them won't have a car. He said it's pretty much like Loyalton.

COUNCILMAN DORRIS said it's exactly the same thing. He said it's supportive living where a resident has to be 65 years old and older and have to need help with their meds, getting their food and getting bathed. He said it is clearly designed out and they are ready to take it to all of the neighbors and then hopefully to the Zoning Board of Appeals and be under construction this year. He said they are going to take their time and go to all of the subdivisions. He said Mike Hansen is their attorney and they are working through all of those issues now.

COUNCILMAN UREMOVIC said when it appeared in the paper it said this was "targeted" to 65 years and over but that doesn't guarantee that it will be 65.

COUNCILMAN DORRIS said it will be mandatory that no one under 65 years of age can be a resident in this place.

COUNCILMAN SHETINA said another issue the Committee discussed was the Silver Leaf berm and fence. He said Jim Sczepaniak and Sue Hutchison were present at the meeting. He said Mr. Sczepaniak passed out a lot of things that talked about the height of the current berm. He said we have about \$100,000 available from the developer and we've talked to them about doing a real big landscaping production rather than putting wrought iron fences and things of that nature up. He said if we get the landscaping in early we've got 2 or 3 years before anything is going to happen and those trees will have some good growth on them. He said they agreed and what they want is not to be able to see the project. He said our staff is checking on what the cost of the trees would be and the cost of the wrought iron fence. He said they were looking to hide it from their subdivision so it looks like it will probably be trees, but we're not sure.

COUNCILMAN BROPHY said he thinks the neighbors were looking for the developer to honor the commitment they made in the original agreement but they can't. He said we couldn't answer the question of what it would cost to do it the right way. He said we're going to get that question answered and then if it's feasible we're going to go ahead and do that if it's within those dollars that they've offered and we're going to go ahead and give them everything they were promised. He said if it's not feasible we'll have to deal with that when we see the estimates.

COUNCILMAN UREMOVIC said he would support it with additional NIP monies but they also asked if they could see the actual bids. He said he thinks that's really important to make sure we quantify it and make sure it's for real.

COUNCILMAN SHETINA said they will, we want to see them too.

COUNCILMAN UREMOVIC said they're also interested in making sure that the performance bond dollars are still there. He said someone had mentioned a figure of \$560,000.

The City Manager said that would be for the public improvements within the subdivision. He said he'll have Director of Public Works Jim Trizna check on that and give us the number.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN UREMOVIC said lighting also became an issue, if they were following the standard subdivision regulations there was supposed to be lighting and sidewalks.

The City Manager said that stretch of the road is under the County's jurisdiction. He said Mr. Trizna is checking on the street lighting part of it. He said he doesn't think there will be a sidewalk on the south side of McDonough.

COUNCILMAN SHETINA said the last issue the Committee talked about was liquor license issuances and he thinks that became an issue with respect to beer gardens and their hours of operation. He said we went through the process of asking the Corporation Counsel what rights and responsibilities we as the City Council have and he went through that process again and he thinks we don't have any, it's the Mayor that has the hammer. He said we do have the right to refuse to increase the number of licenses and we have something to say about transfers also, but beyond that it's pretty much in the Mayor's hands if he wants to issue or doesn't want to issue a license. He asked COUNCILMAN BROPHY if he got his answer with respect to the beer gardens.

COUNCILMAN BROPHY said with regard to the beer garden licenses, what we're doing in response to constituents who asked us to look under every rock, we're looking at this revenue source as one that taxpayers are actually willing to pay and it does affect jobs too at these establishments; if they don't have patrons on the decks then they don't need some of the waiters and waitresses they have at the various restaurants and bars. He said we have people that are actually willing to pay a sales tax in the form of a prepared food and beverage tax when they want to sit outside in the nice weather. He said he has spoken to several proprietors who said they are certainly willing to sit down and discuss it when we're ready but they have not yet been invited to the table.

COUNCILMAN BROPHY said Inspections Director Dave Mackley has put in the Council's mail boxes a memo and spread sheet of foreclosures. He said there are 410 and by his count it has yielded about 95 permits so far. He said the inspectors were doing new construction and now they're switching to pay attention to these that are going to be in need of permits. He said some will be done by owners themselves but for the work that needs to be permitted and reviewed our inspection department is doing a good job staying on top of these.

F. Public Safety

COUNCILMAN GIARRANTE stated the Committee met this evening with the Police Department having seven issues on the agenda all of which were standard operating procedures that the money is in the budget for and they are being voted on tonight consisting of physical exams, mobile mapping annual software maintenance, IWIN user fees, uniforms and equipment, bulletproof body armor, the Police Department's 2010 9-1-1 surcharge relocation grant and their 2010 PSAP 9-1-1 surcharge reallocation grant. He said the Committee was in favor of all of these.

COUNCILMAN GIARRANTE said the Fire Department had one issue which was the relocation of Station 3. He asked the City Manager when we originally budgeted money for the relocation of Engine House #3.

The City Manager said it was in the mid-2000's.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN GIARRANTE asked if it was originally budgeted at \$2 million.

The City Manager said he thinks there would have been about \$2 million that would have been allocated because there would have been a land acquisition cost also as well as the cost of construction. He said right now the cost of construction is about \$1.6 million without land.

COUNCILMAN GIARRANTE said they were shown a coverage sheet between Station #1 and Station #3 and Station #4 and how it overlaps. He said the racetrack has agreed to give the City two acres to relocate Station #3. He said we also have received a grant of \$1.1 million for this relocation and the cost to the City would be roughly \$600,000. He said the Committee felt it was in the best interest and safety of the citizens of Joliet to give permission to the Chief to go ahead with this and they will come back to this full Council and show the coverage and what the anticipated coverage would be with the relocation of Station #3 for their final vote. He said as far as the relocation, the existing personnel from Station #3 would go out there, this does not mean the hiring of any new personnel.

COUNCILWOMAN QUILLMAN said the presentation that was given to them at the Public Safety Committee meeting will also be presented to the public for their review and their questions as well so everyone will have a chance to review it and ask questions before it comes back to the Council.

COUNCILMAN GIARRANTE said the Committee supported this unanimously.

G. Public Service

COUNCILMAN TURK 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 TURK said they had a brief discussion on property acquisition for the East Side Sewer Treatment Plant expansion. He said they also had another snow removal update which showed that since the storm we had last week we've had a total of 34.6" of snowfall, 16 callouts and 3 of them overnight. He said 8,300 tons of salt have been delivered and cost about \$463,000 and the overtime cost \$411,000 for a total cost of \$874,000, which is still under budget from what our projections were going into this season. He said hopefully we'll have a mild rest of the winter and it won't be too bad. He said we also have an excess of up to 11,000 tons of salt so we're in good shape with salt.

There were no other Committee reports.

CONSENT AGENDA

A. Treasurer's Report – December, 2009

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

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

- B. Approve 2009 Neighborhood Improvement Program (NIP) Modification No. 12 – Modification to the 2009 Districts 1-5 Neighborhood Improvement Program
(Council Memo #115-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the modifications to the Districts 1-5 2009 Neighborhood Improvement Program by adding the following projects:

- 1) The 2010 Materials contract which includes \$25,000 per district for the Bituminous Patching Materials and \$18,000 per district for Aggregate Patching Materials;
- 2) The establishment of the 2010 Sidewalk Program which offers a 50/50 Program for property owners to remove and replace sidewalk/curb and gutter adjacent to their property. This program will be funded by approximately \$10,000 per Councilmanic District; and
- 3) The establishment of the Landscape Restoration Program in 2010 funded by \$4,000 per Councilmanic District.

COUNCILMAN UREMOVIC said in regards to the Landscape Restoration it took quite a while last year for him to get that report. He said if we're putting up \$4,000 for restoration he wants to make sure that the \$4,000 that he's putting up goes into District 3 so he'd like a list of those locations and the work that's being done and if he could get the bid package it would be even better to look at that.

The City Manager said we'll take care of it.

- C. Establishing a Public Hearing Date for the 2010 Appropriation Ordinances
(Council Memo #116-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Place the 2010 Appropriation Ordinances on file for public inspection as of February 17, 2010; 2) Direct the Administration to have the notice of the public hearing published as required by law; 3) Set March 2, 2010 as the date of the public hearing as a part of the Regular Council meeting.

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

PUBLIC HEARINGS

A. Public Hearing re: Annexation of 69.3 Acres for Bronk's Landing Subdivision

1. Resolution re: Approving an Annexation Agreement for 69.3 Acres for Bronk's Landing Subdivision (#A-111-08/Dist. #1)
(Council Memo #118-10)
2. Ordinance re: Approving the Annexation of 69.3 Acres for Bronk's Landing Subdivision (#A-111-08/Dist. #1)
(Council Memo #118-10)
3. Ordinance re: Approving the Classification of 69.3 Acres for Bronk's Landing Subdivision to B-3 and R-1B Zoning (#A-111-08/Dist. #1)
(Council Memo #118-10)

A communication from the City Manager contained a request by the petitioner that this item be tabled to the City Council meeting to be held on April 20, 2010 in order to finalize outstanding issues with IDOT and the annexation agreement.

COUNCILMAN SHETINA moved that said item be tabled to the April 20, 2010 City Council meeting.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

B. Public Hearing re: Annexation of 13 Lots (currently undeveloped) Located at 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue

1. Resolution re: Approving an Annexation Agreement for 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue (#A-1-10/Dist. #5)
(Council Memo #119-10)
2. Ordinance re: Approving the Annexation of 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue (#A-1-10/Dist. #5)
(Council Memo #119-10)
3. Ordinance re: Approving the Classification of 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue to I-1 Zoning (#A-1-10/Dist. #5)
(Council Memo #119-10)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

A communication from the City Manager contained a request by the petitioner that these items be tabled to the City Council meeting to be held on March 2, 2010 to allow additional time for the results of traffic and engineering studies to be analyzed by all parties.

COUNCILMAN GIARRANTE moved that said item be tabled to the March 2, 2010 City Council meeting.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

C. Public Hearing re: Addition of Territory to the 2008 Special Service Area No. 1 – Harwood/Scribner/Sterling Sanitary Sewer Improvements

1. AN ORDINANCE Enlarging the 2008 Special Service Area No. 1 – Harwood/Scribner/Sterling Sanitary Sewer Improvements was presented and read. (Addition of 419 Harwood Street)
(Council Memo #120-10)

The City Clerk advised 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 TURK moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16583)

APPROVAL OF REGULAR CURRENT BILLS

A. Treasurer's Disbursements – January, 2010 - \$28,789,361.21

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

B. Regular Claims – January, 2010 - \$2,629,147.94

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

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

- C. Regular Payroll – December 26 – December 31, 2009 - \$1,435,266.29
(Council Memo #121-10)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period December 26, 2009 through December 31, 2009 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.

- D. Regular Payroll – January 1 – January 14, 2010 - \$3,094,450.38
(Council Memo #122-10)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period January 1, 2010 through January 14, 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.

- E. Regular Payroll – January 15 – January 28, 2010 - \$3,085,804.00
(Council Memo #123-10)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period January 15, 2010 through January 28, 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.

- F. Special Payroll – January 15, 2010 - \$1,892,060.44
(Council Memo #124-10)

A Payroll Summary Report of the total cost of salaries for the Special Payroll for January 15, 2010 which includes vehicle allowance, court stipend, holiday stipend, clothing allowance and shift differentials for the various bargaining groups were accompanied by a recommendation from the City Manager that said Special Payroll be allowed.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

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

COUNCILMAN SHETINA asked why the Special Payroll Council Memo came under separate cover and separate reporting.

The City Manager said this is a Special Payroll that includes vehicle allowance, court stipend, holiday stipend, clothing allowance and shift differential for the various bargaining groups so these are contractually obligated expenses that we have and are done by separate check. He said it would not be part of the regular payroll, it is a separate check given to the employees for those specific items.

COUNCILMAN SHETINA said he hasn't seen that before, why was that.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

Director of Management and Budget Ken Mihelich said it may have been included as part of a joint Council Memo in the past.

COUNCILMAN BROPHY asked what term does it cover, is it retro or in arrears or what.

Mr. Mihelich said it's for this year, 2010, it's contractually obligated.

COUNCILWOMAN QUILLMAN said in the past there was no separate check given, wasn't it given at the end of the year check or at the beginning of the year.

Mr. Mihelich said they were always given by separate check. He said the reason they do it separately is just to help out the payroll functioning process.

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Approving the Three Year Extension of the Preliminary Plat of Deer Crossing Ridge Subdivision as recommended by the Plan Commission was presented and read. (#P-9-09/Dist. #3)
(Council Memo #125-10)
(ORDINANCE NO. 16584)

2. AN ORDINANCE Approving the Vacation of Deer Crossing Ridge Subdivision as recommended by the Plan Commission was presented and read. (#V-6-09/Dist. #3)
(Council Memo #125-10)
(ORDINANCE NO. 16585)

3. AN ORDINANCE Approving the Recording Plat of Deer Crossing Ridge Subdivision, Phase 1 as recommended by the Plan Commission subject to receipt of the following fees and conditions within 60 days was presented and read: 1) A Letter of Credit or Performance Bond for public improvements in the amount of \$2,815,003.00; 2) A 1 ¼% Inspection Fee for public improvements in the amount of \$35,187.00; and 3) An Irrevocable Offer of Dedication for public improvements. (#RP-1-10/Dist. #3)
(Council Memo #125-10)
(ORDINANCE NO. 16586)

COUNCILMAN SHETINA moved that said Ordinances be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

4. AN ORDINANCE Proposing the Establishment of 2010 Joliet Special Service Area No. 1 – Fisk/Millboro was presented and read.
(Council Memo #126-10)
(ORDINANCE NO. 16587)

5. AN ORDINANCE Proposing the Establishment of 2010 Joliet Special Service Area No. 2 – State Street (Ohio - Jackson) was presented and read.
(Council Memo #126-10)
(ORDINANCE NO. 16588)

6. AN ORDINANCE Proposing the Establishment of 2010 Joliet Special Service Area No. 3 – Taylor Street (Prairie - Raynor) was presented and read.
(Council Memo #126-10)
(ORDINANCE NO. 16589)

7. AN ORDINANCE Proposing the Establishment of 2010 Joliet Special Service Area No. 4 – Clement Street (Douglas - Ruby) was presented and read.
(Council Memo #126-10)
(ORDINANCE NO. 16590)

COUNCILMAN TURK moved that said Ordinances be adopted.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

8. AN ORDINANCE Approving an Amended Development Agreement with Mid-Central Enterprises, Inc. for the Redevelopment of the Auditorium Building at 150 N. Chicago Street was presented and read.
(Council Memo #127-10)

A communication from the City Manager contained his recommendation that said Ordinance be adopted amending the TIF Development Agreement to extend the deadline for the completion of Phase 2 from September 30, 2012 to February 28, 2014, and to waive the \$40 monthly fee for parking in the Scott Street parking deck for residents of the development for a 5 year trial period.

COUNCILMAN SHETINA asked for an explanation.

The City Manager stated the owner of the property, Michael Petry, who is present this evening, acquired the Auditorium Building in the mid 2000's with the intent of taking the upper floors and making them into luxury condos and then developing the first floor for retail. He said the City approved a TIF Agreement in 2007 for the development of 18 residential condominium units in the building and they were to have been completed in two phases by September of 2012 and obviously the economy has slowed the process down. He said Mr. Petry is now

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

asking us for an extension of the completion date until February of 2014. He said the condos are framed out and several of them are completed and in livable condition, but there are still some that need to be built out and he is asking for the TIF Agreement to remain in place. He said that would allow some of the newly established real estate taxes that will be generated by the redevelopment of this building to be used to reimburse Mr. Petry for some of his development costs.

The City Manager said the second thing Mr. Petry is asking for is some help with the parking; when he markets the property there is no assigned parking to the 18 units. He said our original agreement in 2007 committed 36 spaces in the Scott Street parking garage and those were undesignated spaces for wherever parking was available. He said Mr. Petry is asking if we could cover the cost of the parking and his theory is that most of his buyers will be working during the day and leaving before the parking demand starts in the parking garage and then returning after 5 p.m. or 6 p.m. each night when the deck is starting to empty out, so it is not taking up valuable spaces that are needed for daytime parking.

The City Manager said Mr. Petry is also asking for the waiver of building permit fees for future build out of the unfinished units and also a reimbursement of the Real Estate Transfer Tax for any unit that is sold to first time buyers with the thought being that we are trying to promote the sale of the units in downtown Joliet and by offering that type of incentive, which is valued anywhere from \$500 to \$700 per unit, it would be an incentive to try to be able to market it and bring buyers in.

COUNCILMAN SHETINA said with respect to the parking spaces what is the actual number of spaces being requested.

The City Manager said it would be two per unit and there are 18 units.

COUNCILWOMAN QUILLMAN said isn't the purpose of living in the condos to use public transportation, for example the train, and isn't that a big assumption that they're all going to be leaving to drive to work.

Mr. Petry said up until now they have all been out of town buyers and they all have cars. He said he doesn't know that they'd ever use all 36 spaces, he highly doubts it. He said his guess is that typically at least half of them will be one car per condo but the buyers are from out of town and they do need their cars.

COUNCILWOMAN QUILLMAN said when you say out of town you mean they work out of town.

Mr. Petry said the folks that are buying the first one are from Homer Glen and the other folks are from out of town, they need cars and they are not using public transportation. He said he has not had any interest from anyone using this as a place to take the train to Chicago.

COUNCILMAN DORRIS said years ago this City Council took the position that we really wanted to do something to bring residential downtown, that was one component that we said was missing, that after the Courthouse closed up they rolled up the sidewalks and there was no one there. He said he remembers when Bill Cosby was here in the early 1990s and he said he thought it was a ghost town when he came through after 6 p.m. because there was no one there and we really wanted to change that. He said he was really surprised when he

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

saw the investment that Mr. Petry is making on Chicago Street, it's a tremendous investment. He said if they were in downtown Chicago, the units he has completed would be selling for over \$1 million. He said it's tremendous quality work.

COUNCILMAN DORRIS said he believes maybe we haven't gone far enough if we are indeed sincere about bringing this quality of product to downtown Joliet and then finding someone who's going to spend a minimum of \$250,000 for one of those condos. He said he thinks it brings a different venue downtown and what he's asking for we already committed to back in 2007 for 36 parking spots. He said with that we are only keeping our commitment that we had made before the economy went down. He said he believes if we're really sincere about doing something to bring people to downtown Joliet and especially with a residential component that we ought to do these things. He said he thinks if we're going to build out the other 13 units and ask other developers to come in especially in the depressed economy that we're in we may have to do more if we're sincere about doing that. He said the problem is finding somebody who has \$250,000 and that's why he would really support the delaying of the project because right now the economic times are really, really tough. He said he would support all of the things that are in here and thinks we need to reach further in the future if we're serious about getting that residential component downtown. He said if the transportation center happens he thinks then we would really start seeing people who will move into downtown Joliet without cars and will go to that transportation hub and go throughout Chicagoland to work. He said he would support what we have in this memo and also the additional things that have not been recommended by the committee.

COUNCILMAN SHETINA said with respect to the 36 parking spots, that's non-designated.

The City Manager said that's correct. He said that was the original commitment and he doesn't think there is any discussion about designating spaces here, it would be wherever the resident finds a spot. He said Mr. Petry has put in a connection from his building to the top floor of the garage so residents can go directly from the building without having to go out on the sidewalk so he imagines most of the buyers would migrate to the top floor which is usually the last area to fill up.

COUNCILMAN SHETINA said there has to be some kind of security whereby if he sells all the units that the 36 spaces are designated for the people who live in the condos and cannot be given to someone else.

The City Manager said it would be non-transferable, we would have to set some rules to make sure that it's not being sold or given to someone else.

COUNCILMAN SHETINA said he has a problem with the Transfer Tax reimbursement as a result of what's going on and has gone on in the City. He said he would hate to start that because it's going to be requested from everybody. He said he doesn't think it's a good idea for us to do that. He said he can buy everything else but he can't buy that.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN GIARRANTE said he tends to agree with COUNCILMAN SHETINA. He said he knows when we instituted the Transfer Tax he brought up the suggestion of not charging the seniors who have lived in their homes for 30 years and then they decide to downsize and he was trying to get them to be exempt and that didn't happen. He said he agrees with everything else in here but the Transfer Fee.

COUNCILMAN DORRIS said if that is the case, is there some way that we can find some other incentives. He said if we're really looking for developers to come in here and spend the type of money that's been committed on Chicago Street then we're going to have to find some incentives for them to come in. He said if we're going to see downtown do what we said we wanted it to do, to have that residential component which was in our long range plan, he would encourage having staff look at some other type of incentive if the Transfer Tax is not viable to this Council.

The City Manager said he thinks what he is hearing is there may be some consensus for the recommendation for the parking and the Building Permits but not the Transfer Tax rebate. He said COUNCILMAN DORRIS is saying keep working with Mr. Petry to find other ways of helping him market the condos that he has. He said he knows Mr. Petry is involved with the City Center Partnership and they do a lot of marketing through their Marketing Committee and we have representatives who attend that meeting so we will certainly keep working with him to find other ways.

Mr. Petry said the investment into this project has been \$500,000 of his own money initially to prepare the building for the loan and the loan since then has been \$1.4 million, so there is nearly a \$2 million investment into this project to get it to this point. He said the initial sale was \$250,000 and most of the sales are probably going to be just over \$200,000. He said he gave away the first 5 years of the TIF to the first couple of buyers. He said he is using the TIF to be able to lease the remaining condos that he's going to have finished in order to just pay for it. He said with the loan versus the cost of the property taxes, not having to pay those property taxes allowed the lease to be affordable for a rental basis. He said he's really not benefitting here for a couple of years but we have saved this building and he thinks this is probably the only real private investment with a private developer that has come along. He said these other projects have required a great deal of County and State and Federal money. He said one clarification is the amount of years for the parking spaces, is it for the full term of the TIF.

The City Manager said he thinks the recommendation is for 5 years.

The Corporation Counsel said that's the way it's currently written. He said it could be revisited to see what has happened during the 5 year period.

Mr. Petry said it's very difficult for these folks to come in and spend \$40 a car. He said if we could compromise and have the 13 years that would really help in promoting the project. He said he doesn't think we are going to have anywhere near 36 spaces, it would be on an as-used basis. He said perhaps there will be 18 or 22 spaces.

COUNCILMAN SHETINA asked the Corporation Counsel if he has the verbiage for that.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

The Corporation Counsel said if that's the motion on the floor the document would be revised to show that.

COUNCILMAN DORRIS said he would like to see that.

The Corporation Counsel said the way he understands the motion is that the City Manager's recommendation would be concurred in with the modification that the five year parking incentive be extended to 13 years and that the Building Permit incentive requested by Mr. Petry be granted but as far as the Transfer Tax request, that would not be granted at this time.

COUNCILMAN GIARRANTE moved that said Ordinance be adopted amending the TIF Development Agreement as follows: 1) Extend the deadline for the completion of Phase 2 from September 30, 2012 to February 28, 2014; 2) Waive the \$40 monthly fee for parking in the Scott Street parking deck for residents of the development for 13 years; and 3) Waive the building permit fees for future build-out of the remaining 13 condo units.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

ABSTAIN: COUNCILMAN BROPHY.

Prior to her vote, COUNCILWOMAN QUILLMAN said she has been in those condos and Mr. Petry is doing a very nice job and she wished him good luck and thanked him for his investment.

Prior to his vote, COUNCILMAN SHETINA said he would echo the same sentiment and he voted aye.

(ORDINANCE NO. 16591)

B. RESOLUTIONS

1. A RESOLUTION Approving an Agreement for Mosquito Control Services to be Provided by Joliet Township was presented and read.
(Council Memo #130-10)

COUNCILMAN TURK moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC was out of the room when the vote was taken.
(RESOLUTION NO. 6343)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

2. A RESOLUTION Approving an Agreement with the Illinois Department of Transportation for Phase I Engineering for the Washington Street over Spring Creek Improvement Project was presented and read.
(Council Memo #131-10)
(RESOLUTION NO. 6344)

3. A RESOLUTION Appropriating Motor Fuel Tax Funds in the amount of \$84,500.00 for Phase I Engineering for the Washington Street over Spring Creek Improvement Project was presented and read. (Section No. 09-00426-00-BR)
(Council Memo #132-10)
(RESOLUTION NO. 6345)

COUNCILMAN SHETINA moved that said Resolutions be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC was out of the room when the vote was taken.

Prior to her vote, COUNCILWOMAN QUILLMAN said this is grant money and she asked the City Manager to explain.

The City Manager stated this is something that Director of Public Works Jim Trizna has been working on with a consultant. He said we are out trying to get as much grant money as possible and this is a grant of just under \$1.3 million and we do have a 20% match. He said this is one of those where it's hard to turn down a \$1.3 million grant. He said we are able to pay this part of it using MFT funds that we received from the State.

4. A RESOLUTION Approving an Agreement with AT&T for Landscaping and Screening of Video-Ready Access Devices was presented and read.
(Council Memo #133-10)

COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC was out of the room when the vote was taken.

(RESOLUTION NO. 6346)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

5. Resolution re: Approving a Memorandum of Understanding with the Joliet JackHammers
(Council Memo #134-10)
6. Authorization to Pay Expenses for Topographical Survey of Stadium Property
(Council Memo #134-10)

The City Clerk noted these items were approved earlier in the meeting.

7. A RESOLUTION Approving an Agreement for the Joliet Police Department's 2010 9-1-1 Surcharge Reallocation Grant was presented and read.
(Council Memo #135-10)
(RESOLUTION NO. 6347)
8. A RESOLUTION Approving an Agreement for the Joliet Police Department's 2010 PSAP's (Public Safety Answering Point) 9-1-1 Surcharge Reallocation Grant was presented and read.
(Council Memo #136-10)
(RESOLUTION NO. 6348)

COUNCILMAN GIARRANTE moved that said Resolutions be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC was out of the room when the vote was taken.

BIDS AND CONTRACTS

A. Award of Contracts

1. Award of Contract for Professional and Consulting Services for the Energy Efficiency and Conservation Block Grant Strategy and Long Term Sustainability Plan
(Council Memo #139-10)

A report on 10 proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Camp Dresser & McKee, Inc. (CDM) for an amount not to exceed \$94,450.00.

2. Award of Contract for the Bluff Street Booster Pump Rehabilitation Project - 2010
(Council Memo #140-10)

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

A report on three bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Flow Technics in the amount of \$22,875.00.

3. Award of Contract for the Repair of the No. 1 Pump at the West Park Lift Station
(Council Memo #141-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve an increase of \$4,870.00 to Purchase Order No. 105645; and 2) Approve Payment No. 1 and Final in the amount of \$5,860.00 on behalf of General Machine & Tool Co.

4. Authorization for Payment of Mobile Mapping Annual Software Maintenance
(Council Memo #142-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$11,697.93 to Group 1 Solutions.

5. Authorization to Pay IWIN User Fees
(Council Memo #143-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$10,538.61 per month to the Illinois Department of Central Management for the period January thru December, 2010.

6. Authorization to Purchase Uniforms and Equipment for Police Officers
(Council Memo #144-10)

A communication from the City Manager contained his recommendation that the Mayor and Council authorize the sole source status of the Joliet Clothing Mart for the purchase of uniforms and equipment for police officers.

7. Authorization to Purchase Bulletproof Body Armors for Police Officers
(Council Memo #145-10)

A communication from the City Manager contained his recommendation that the Mayor and Council authorize the sole source status of the Joliet Clothing Mart and Ray O'Herron Company for the purchase of body armor for police officers.

8. Authorization to Purchase a Two Position Fill Station for the Fire Department
(Council Memo #146-10)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Air One Equipment in the amount of \$9,975.00.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

9. Authorization for VMWare Maintenance Renewal for 2010
(Council Memo #147-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the purchase of license renewals for VMWare for \$4,096.00 and the reinstatement fee of \$1,500.00 to Sentinel Technologies.

10. Authorization to Approve Payment for Professional Services
Concerning Black Road Pump Station Improvements
(Council Memo #148-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$14,651.30 to Drinker Biddle & Reath LLP.

11. Authorization to Approve Payment for Emergency Sanitary
Sewer Service Repairs at 3237 Longford Drive
(Council Memo #149-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve an increase of \$11,318.27 to Purchase Order No. 105758; and 2) Approve Payment in the amount of \$12,317.27 on behalf of Construction by Camco.

12. Authorization to Approve Payment for Emergency Sanitary
Sewer Repairs to the Benton Street Interceptor
(Council Memo #150-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve an increase of \$6,121.00 to Purchase Order No. 105396; and 2) Approve Payment in the amount of \$7,120.00 on behalf of J.S. Alberico.

13. Authorization to Approve Payment for Emergency Road
Repairs – Jefferson Street
(Council Memo #151-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve an increase of \$25,036.87 to Purchase Order No. 102268; and 2) Approve Payment in the amount of \$25,036.87 on behalf of "D" Construction.

14. Authorization to Administer Police Department Supervisors'
Physical Exams
(Council Memo #152-10)

A report on three quotes received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Silver Cross Medworks in the amount of \$11,191.00.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE. (COUNCILWOMAN QUILLMAN abstained on Council Memo #152-10)

B. Amendments, Change Orders and Payments

1. Approve Change Order No. 4 and Payment Request No. 6 and Final for the 2009 Plant Mix Contract
(Council Memo #155-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4, a deduction in the amount of \$205,566.24 and Payment Request No. 6 and Final in the amount of \$138,783.38 on behalf of "D" Construction.

2. Approve Change Order No. 2 and Payment Request Nos. 7A and 6B for the 2009 Aggregate Contract
(Council Memo #156-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$11,127.96 on behalf of Lafarge Joliet, Inc. and Payment Request No. 6B in the amount of \$3,979.04 on behalf of Vulcan Materials Co.

3. Approve Change Order and Payment for the 2009 Biosolids Contract
(Council Memo #157-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1, a decrease in the amount of \$231,652.08 and Payment No. 10 and Final in the amount of \$71,708.44 on behalf of Stewart Spreading, and Change Order No. 1, a decrease in the amount of \$12,530.00 on behalf of Land Treatment Alternatives.

4. Approve Change Order No. 2 and Payment No. 2 for the Rehabilitation of Neighborhood Stabilization Program Property at 1300 N. May Street
(Council Memo #158-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$650.00 and Payment No. 2 in the amount of \$45,216.37 on behalf of Basic Brothers, Inc.

COUNCILWOMAN QUILLMAN said the original bid was \$93,900 and when the previous contract changes and this one are added in it comes to \$109,000. She asked how that compares with the other bids that came in for that property.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

The City Manager said the assumption is that had there been another bidder there would have been change orders with those contracts also that would have been about the same amount of money.

COUNCILMAN GIARRANTE said this morning they discussed at the Public Service Committee meeting that the last change order was for deteriorated roof sheathing that they didn't see until they peeled the old roof off and they saw some of the underneath was rotted so they had to replace it.

COUNCILWOMAN QUILLMAN said she understands that you can't foresee that until you get down to the bottom but this question was brought up at the last meeting of all of these different change orders of things they couldn't see. She said she was just wondering what the difference is between the revised change order with all of the other previous ones as compared to the next lowest bidder.

Director of Neighborhood Services Alfredo Melesio said he can get her that information, he doesn't know what the lowest bidder was on the original council memo. He said it probably does exceed the next lowest bidder because they ran into a foundation problem and that's why the previous contract changes were so expensive.

COUNCILWOMAN QUILLMAN said before we purchase the property don't we have an inspector go out and wouldn't they notice the crack in the foundation.

Mr. Melesio said he doesn't remember about the foundation but that was previously approved. He said he can get her all the specifications on that.

COUNCILMAN BROPHY said he remembers being in the basement and there was some finished work there that disguised the foundation walls.

Mr. Melesio said they had an illegal bedroom in the basement and so they had finished walls.

5. Approve Payment No. 2 for Rehabilitation of Neighborhood Stabilization Program Property at 837 Mulford Lane
(Council Memo #159-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 2 in the amount of \$2,252.00 to Paul Gabriel Construction, Inc.

6. Approve Payment No. 2 for the Rehabilitation of Neighborhood Stabilization Program Property at 1013 Cypress Lane
(Council Memo #160-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 2 in the amount of \$16,045.00 to Paul Gabriel Construction, Inc.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

CITIZENS TO BE HEARD

A. Willie Sellers re: CenterPoint Minority Participation Program

Mr. Willie Sellers, President of the Black Contractors Association, said they are here today to get an update on the Minority Participation and Outreach Program that Neil Doyle from CenterPoint, the City Council and the contractors agreed on. He said they were going to have monthly meetings to let them know what the upcoming projects are and how they can participate. He said the last time he was here Mr. Doyle said that 100% of the trucking was granted to a minority contractor and he also said that everything was going well. He said they are some of the people that were supposed to be working on that project and they haven't been. He said they would like to work out their differences.

COUNCILMAN DORRIS said he thinks it's a good idea. He said there was an issue that CenterPoint did have too with paying late which caused some issues for those truckers who did work and they said they would be paid every two weeks and that didn't happen. He said he would ask that the City Manager call Mr. Doyle and set up a meeting. He said if there are some issues that need to be worked out, let's work them out. He said he thinks they need to keep their commitment. He said his understanding as of yesterday was all of the money had been paid to the contractors who did work but some of it was quite late and caused a real hardship on those people. He said he knows that they are in the process now of issuing some work for the buildings part of it and they are working it out through Ricky Coleman to hire all the people who are going to do the first building. He said some time next week he would be more than glad to sit down and talk about it.

The City Manager said he'll follow up with Mr. Doyle and talk to Mr. Sellers.

B. Jonita Ruth re: Candy at Parades and St. Joseph's School

Mrs. Jonita Ruth asked that the issue of throwing candy at parades that was passed by the Council in 2005 be revisited. She said she didn't want to ban candy, she just wanted people not to get hit in the face.

Mrs. Ruth said St. Joseph's School had a parade on Sunday protesting the closing of their school on Chicago Street. She said her family is one of the founding families of St. Joseph School and Church and she also realizes it's a religious matter but it also affects the citizens of Joliet in many ways. She said there will be no Catholic school from New Lenox to the river and this will place additional burden on the public schools and will raise the City's taxes. She said the list of closings will get bigger and no one will have a reason to come to the historical downtown other than the Courthouse and County offices and maybe a

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

few restaurants, the show, the library, a parade, a baseball game and to gamble. She said the families of St. Joseph help keep the City Center alive. She said she has been told that there are donors who would help pay the debt to keep the school open, however she has attempted to get a private audience with Bishop Sartain but was told that he will only see the church council, the school board, the pastor and the principal and she finds that offensive. She said she is asking for any help that the Mayor and Council may be able to render the families of St. Joseph as well as the citizens of Joliet.

MAYOR AND COUNCIL COMMENTS

COUNCILMAN TURK said recently he noticed on Ruby Street and on the north side of Broadway there is a billboard with nothing on it except paper flapping in the wind and it looks terrible. He asked if we can contact the owner and get them to paint over it or do something to make it look a little bit more presentable.

COUNCILMAN TURK said he got a call from someone who was dealing with a door to door sales person trying to sell meat and selling cleaning products in the spring. He asked if they have to have a license from the City to do that.

The City Manager said yes, he believes door to door solicitations are handled through the Police Department. He said COUNCILMAN BROPHY brought one to our attention last week also. He said he wasn't getting to the door, he was just getting to the windshield of the car and we're treating that as a door to door solicitation also.

COUNCILMAN TURK said so a resident could call the Police Department if they don't produce a license or permit.

The City Manager said yes, the citizen should ask for a copy of the permit or license and if the solicitor is unable to produce it we encourage the citizen to call the Police Department so we can get out and try to meet with the person who is doing the door to door solicitations.

COUNCILMAN SHETINA said he and COUNCILWOMAN BARBER met last week with Bob Nachtrieb and Rebecca Darley of CAPA with respect to the recommended changes to the rental ordinances and regulations. He said they've done a lot of work on it and he doesn't agree with some of the things they have in there but he thinks we should look at it. He said he would ask that staff be directed to work with them to see what their final rendition of their ordinance is.

The City Manager said he thinks Chief Hayes and Alfredo Melesio have already met with them and he is meeting with them tomorrow afternoon.

COUNCILMAN SHETINA said at the Land Use Committee meeting they discussed the water situation at some length and the City's former Public Works Director Dennis Duffield came and made several comments and was very enlightening.

COUNCILWOMAN QUILLMAN said usually you hear the bad things that City staff does or when somebody has a complaint, but recently we've had many, many compliments to City staff and especially to the Street Department with the snow removal. She said she didn't get one complaint there. She said there was also an article in the paper that a citizen called in and said how courteous Kurt Johnson was and she got a call complimenting Jim Teiber. She said

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

compliments should be recognized just as well as complaints so she wanted to commend everybody.

COUNCILWOMAN QUILLMAN asked Chief Hayes to give a brief explanation to citizens about safety in answering their doors and precautions they should take along the same lines as COUNCILMAN TURK was talking about with solicitation.

Police Chief Hayes said he would like to remind residents that they shouldn't answer the door unless they know who is there. He said one of the best crime prevention tips that he could provide a resident is when they go to answer the door is to bring their cell phone or cordless phone with them and before they answer the door look through a peep hole or window if they can. He said if they have the phone with them just in case there is a problem they could call 9-1-1 right away. He said with the door to door solicitors they are required to have a permit. He said we do write quite a bit of compliance citations for violations. He said they have revoked solicitors permits from some agencies when they have solicitors who are overly aggressive, persistent or rude and we don't allow that type of behavior. He said he would like to remind residents to call the Police Department and we'll come and check out whether or not they have a permit and if they don't we'll write them the compliance ticket and if they are going to continue to solicit in the City, we require them to go to the Police Department and get the permit.

COUNCILWOMAN QUILLMAN said she knows recently there have been some scammers out there and she asked if we arrested any of them or did they get away.

Chief Hayes said we have arrested scammers in the past and recently he was getting into his vehicle where he lives in Aspen Meadows when an individual came to his neighbor's door and then to his door to do a water study and evidently he picked the wrong house. He said he listened to his speech and he also noticed he was on a walkie talkie talking to a driver in a van and they had about four other solicitors walking through the neighborhood and all of them were arrested, brought to the Police Department, booked and required to post a bond. He said so we do arrest scammers but that is just a quick example and we take that very seriously.

COUNCILWOMAN QUILLMAN thanked the Police Chief and said it does become a safety issue and she can't reiterate enough for residents to just call 9-1-1 if they don't know who's at their door.

COUNCILWOMAN QUILLMAN wished her niece a Happy 17th Birthday.

COUNCILMAN BROPHY said if not already prohibited should we discuss the possibility of an ordinance that would prohibit sex offenders from being included on the employee list of those solicitors.

Chief Hayes said the restrictions on sex offenders are regulated by the State of Illinois and he is not aware of any municipality to have taken those kinds of steps. He said it seems reasonable to look at some type of regulation like that but he would think that is something that would need to be addressed on a State level.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN BROPHY said he's going to discuss a resolution with the Corporation Counsel for a future meeting that we could agree on and might be communicated to our State Legislators. He said he's thinking about latch key kids, single parent homes where Mom has to run out and if those folks are in that population that are going door to door in our community then our citizens are at risk and we should do something about that if we can.

Chief Hayes said if a solicitor came to the Police Department to get a permit and was a registered sex offender we wouldn't issue the permit.

COUNCILMAN BROPHY said but the permit applicant may represent a company who would then hire a team.

Chief Hayes said we require each individual to be registered, not just the company.

COUNCILMAN GIARRANTE asked if we charge for these permits.

Chief Hayes said no we don't, there is not currently a registration fee.

COUNCILMAN GIARRANTE said maybe we need to look at a fee and also what the fine is for catching them.

Chief Hayes said the fine right now is a City compliance citation which is the \$150.00 citation.

COUNCILMAN BROPHY said he too met with the representatives of the CAPA organization. He said a lot of the property maintenance suggestions they have made are already being implemented in some cases between Neighborhood Services and the Inspection Department but they did bring some other valid suggestions. He said we're very happy to have eyes and ears of constituents in all neighborhoods, not just the Cathedral area, they are very valuable to us from property maintenance issues to policing matters.

COUNCILMAN BROPHY said he appreciates the consideration of the idea to prohibit sex offenders from the solicitation list. He asked the Police Chief if they are spending any administrative time or expense doing background checks on these applicants.

Chief Hayes said for solicitor permits we are not. He said we probably have administrative costs in the registration process for the employee that is at the front desk obtaining the person's identification at that point. He said basically our registered sex offenders are easily accessible for us, we have an internal database that we can check very easily.

COUNCILMAN BROPHY said but those applicants are submitting the names of all of the employees that will be walking.

Chief Hayes said we require the solicitor permits to be individual permits, we don't issue a company permit or a group permit.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of February, A.D. 2010***

COUNCILMAN BROPHY said in the case of the one he called on we have some additional leverage there because they have a Joliet site with the Special Use Permit. He asked if they have complied with the inquiry. He said the one he is referring to is on Douglas with the windshield solicitations.

Chief Hayes said they view that as door to door sales where they would be required to have a permit and in that particular situation what we would like is an immediate call so we can come and check it out and if they don't have the permit we'll write them a citation immediately.

COUNCILMAN BROPHY said they don't carry anything that identifies themselves as being permitted.

Chief Hayes said part of the permitting process is that they're required to carry the permit issued from the Police Department and have to show it upon demand. He said the vast majority of the individuals who place sales circulars on windshields do not have permits.

ADJOURNMENT

COUNCILMAN GIARRANTE moved that the Council go into closed session at 8:12 p.m. to discuss personnel, collective bargaining, land acquisition or conveyance and pending or threatened litigation after which the meeting will be adjourned.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape