

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, February 4, 2008 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 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 JOHN M. MEZERA and CORPORATION COUNSEL JEFFREY S. PLYMAN.

Deputy Liquor Commissioner Jim Greenan explained Council Memo #167-08 dealing with the Issuance of a Class "F" Liquor License at 124 Stone City Drive.

It was requested that this license be voted on today.

1. Issuance of a Class "F" Liquor License at 124 Stone City Drive
(Council Memo #167-08)

A communication from the Liquor Commissioner regarding the application of Stone City Post V.F.W. 2199 for the issuance of a Class "F" Liquor License at 124 Stone City Drive contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILMAN DORRIS.

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

The City Manager first explained Council Memo #86-08 dealing with the Annexation of 290 Acres at the Northwest Corner of Arbeiter and Van Dyke Roads and the Preliminary PUD of Hiller Farm Subdivision located at the northwest corner of Jones and Arbeiter Road. He noted there are two horse farms and a farm house that keeps horses that are currently located within and adjacent to the proposed subdivision. He said the two horse farms currently utilize Findley Road for their business operation, but City staff believes it is in

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

everyone's best interest to have the developer, Marquette Companies, abandon Findley Road.

COUNCILMAN SHETINA asked the City Manager to explain "abandoned" in regards to Findley Road.

The City Manager said Findley Road will be removed later and the horse farms that use Findley Road now would be given access off of the subdivision streets once those streets are built.

COUNCILMAN SHETINA said so it would be abandoned but not for any use; it would just be gone.

The City Manager said there would be no vehicles on it because there is going to be a trail and it's going to be kind of confusing if you have a trail in there and you have to limit it to a few trucks that use it.

COUNCILMAN SHETINA said they'd still be able to use the trail for their horses.

The City Manager said yes, that whole area will still be functional but it will be clearly marked what it's for.

The Director of Community and Economic Development explained that Findley Road really is not shown on the plat but it is near the bike path. He said Findley Road goes from Arbeiter westbound and picks up the two horse farms. He said a portion of the road is in the floodplain so during heavy rains they lose the use of the road because the accessibility gets inundated with water. He said what the City Manager is talking about is we don't want to have confusion with keeping this road open for the occasional trucks that bring horse feed and bedding in and take the manure out, so what we've talked about is developing alternate forms of ingress or egress for the two farms. He said for the Morse Farm the point of egress would be off of a new road that would be constructed which would be an internal street to the subdivision, and for the Pinkley Farm, it would also be given new access. He said Findley Road would not go away until those two access points are in place.

COUNCILMAN GIARRANTE said so in order to get to their farms they would have to go through the subdivision.

The Director of Community and Economic Development said that's correct.

COUNCILMAN GIARRANTE asked if the people at the hearing were complaining.

The Director of Community and Economic Development said they were.

COUNCILMAN BROPHY said more importantly, occasionally you have to carry manure off of a horse farm and the manure will be traveling through the neighborhood.

The Director of Community and Economic Development said one of the things they did say is that through the disclosure, all of this would be disclosed to any new homeowner that would buy out there by whomever the home builder would be, and they would have to disclose the proximity of the horse farms and the

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

occasional truck in and out of there. He said we're talking about maybe a couple of times a week at most. He said it didn't seem to be that big of a deal.

COUNCILMAN BROPHY said they knew this when they drew this and they've done a good job almost eliminating anything adjacent to the horse farm. He asked why not put some sort of retention immediately adjacent to it instead of drawing lots there.

The Director of Community and Economic Development said the problem is this is all downhill to the stream at the bottom, so it would be real hard to perch the storm detention at the top end, and in addition to that they have agreed to give the one horse farmer and the other adjoining property owner a little bit of storm detention relief for their own property as well.

The Director of Community and Economic Development said the farm at the very top of the drawing is the Schaefer Farm and he is here today with an adjoining petition for annexation. He said they have worked out some details and the big thing they have worked out is a change in zoning or a promise of zoning, and then if this lot ever does develop they would take the detention from what would be required on that property into their pond.

The City Manager said Attorney Mike Hansen is here today and he is still working on some other items with the Corporation Counsel and they should be resolved by tomorrow.

COUNCILMAN BROPHY asked about the brick that we see on the elevations, is that from a current ordinance or one from a couple of years ago.

The Director of Community and Economic Development said it would follow the current ordinance that we have in place and it's also memorialized in the Aux Sable Watershed Comprehensive Plan.

COUNCILMAN BROPHY asked about the back elevation of the multi-family and if the decks are optional. He asked if our current plan calls for a little more interesting elevation.

The Director of Community and Economic Development said this is in the protection area and it does require all of the folks that back up to the trail system to have a higher level of architectural aesthetics that would have to be provided. He said we will review that when the builder/buyer comes in with the final house plans.

The City Manager said we are not approving any house plans now; these are just what could be possible sizes and things like that. He said all of the finals will have to meet your requirements at that time and there will be another developer that will be coming in to build those, so we will review again all of the house plans, the multi-family and all of the commercial.

COUNCILMAN BROPHY asked if we had a building developer in place.

The Director of Community and Economic Development said we do not at this time.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

COUNCILMAN BROPHY said the horse farm thing really bothers him. He said he thinks we're going to have a whole bunch of future complaints from residents and we need to disclose that early and often and clearly to these prospective buyers.

COUNCILMAN SHETINA said he has been out to these places several times and they are beautiful operations; they're small, about 10 acres. He said he doesn't know what they are going to do to the subdivision around it except be an amenity for it, and you're going to provide them with road access that they need. He said if it rains they have the same problem now that they had before so we're not causing any problems with that.

The Director of Community and Economic Development said actually it will be better for them because if it does rain they will have a road that will not be under water.

COUNCILMAN SHETINA said as far as hauling manure, in the summertime he follows trash haulers spilling stuff on the road that you can never get them to clean up and he submits that that's not even close to what the trash haulers do on a hot summer day, so he doesn't know if that should be a consideration. He said if he was in the subdivision around it he would consider it an amenity, not a negative.

The Director of Community and Economic Development said the placement of the two horse farms adjacent to the public open space has a really nice feel to it.

COUNCILMAN UREMOVIC said he does have a problem. He said if you're going to say you're offering the zoning at R-1B, you already have R-1B zoning with so much brick requirements etc. now, and he asked what supersedes that. He said if you annex this and then later another developer comes in and then it's up to us, what supersedes it. He said we had this problem with Silver Leaf. He said we wanted these kinds of amenities on the homes and all of a sudden you look at the zoning and it says by the way this applies to this and you can't just add more on. He asked how can you tell me that at a later date you will be able to add more amenities to these homes when you tell me you're already zoning it R-1B.

The Director of Community and Economic Development said they will follow the current standards that we have in place today.

COUNCILMAN UREMOVIC said so you can't ask for more when they come back.

The Director of Community and Economic Development said you always have the ability to ask for more and negotiate more.

The Corporation Counsel said in the annexation agreement there is a provision requiring that the property be developed as a PUD and not as a straight subdivision. He said the PUD is the only vehicle we have to require certain designs and aesthetics.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

COUNCILMAN UREMOVIC said he follows him but this is the same thing we had with Silver Leaf, a PUD. He said we approve 50% brick on this and this is what we're told and all of a sudden, oh no, you've got to follow what the zoning is. He said he doesn't like the bait and switch and be told later on we can do this or we can't.

The Corporation Counsel said that's the zoning called for by the comprehensive plan but you do want the PUD process to be the one that the owners are submitting themselves to. He said at this point there is a preliminary PUD so they can't even build a dog house there really. He said they have to come back with a final PUD and then submit the house styles and the aesthetics and everything else you want and a judgment is made based on the standards at the time they make that request, so that is the position you want to be in.

The City Manager said the R-1B zoning doesn't determine the amount of brick that goes on a house, just the square footage of the lots.

COUNCILMAN UREMOVIC asked if you can give us an idea of what it does include. He said he gets confused and he's been here 20 some years.

The City Manager said the architectural design standards and subdivision regulations control the amount of brick and those things, and you can update those from time to time. He said so if this PUD comes in later they have to meet whatever you have at that time.

COUNCILMAN UREMOVIC said "at that time", and if they're coming in now, it's "at this time".

The City Manager said they are not bringing in the final product or final plat to you at this time. He said this is just a preliminary and it doesn't tie you into the architectural standards. He said whenever they bring that PUD in is when they're going to get tied into those architectural standards.

COUNCILMAN UREMOVIC said the final or recording or what.

The Corporation Counsel said it would be the final Planned Unit Development and at the same time there is a record plat of subdivision that goes with it. He said one other thing we do have is the annexation agreement and that will remain in place for twenty years. He said that provides a minimum contractually with this property owner of what's going to happen so things like brick and stone, roof pitches and everything that we require is in the contract too. He said so it's outside of the ordinance and is site specific.

COUNCILMAN BROPHY asked if there is anything coming on parcel 10 in the future or is it just open space.

The Director of Community and Economic Development said that's going to be public open space.

COUNCILMAN BROPHY said on the commercial concept he doesn't really like the right in, right out unless we have a center boulevard or curb, some sort of division between lanes. He said he doesn't think they're safe and he doesn't think they work. He said he thinks it's a waste of design and use when it really isn't built to restrict unless you have a center curb or boulevard.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

The Director of Community and Economic Development said there will be a boulevard on Arbeiter so nobody will be able to go left if by design we choose that they don't do that.

COUNCILWOMAN QUILLMAN said at the Plan Commission meeting that was held November 15th there were some issues with the Morse folks and she asked if those issues have been addressed.

The Corporation Counsel said the issues that he heard dealt primarily with the buffering issues between the homes, and those were addressed with fencing, and they were also concerned about access and what would be needed to coordinate the new proposed street with their internal driveways and whatnot, and that has all been addressed by the annexation agreement. He said there was an issue about storm water detention and the Morse's were hopeful that some storm water detention for their property should it ever develop could be handled by the Hiller Farm Subdivision, and the engineers for Marquette said that was not possible. He said the lay of the land wouldn't accommodate it since the Morse property is so close to the creek.

COUNCILWOMAN QUILLMAN said so basically their needs have not been satisfied yet and they still have issues.

The Corporation Counsel said what Marquette could do they did in terms of buffering, access and signage for the property on Arbeiter Road, and the only issue that was not able to be handled was the Morse's request that the Marquette property handle the detention for the Morse property, and that was not physically possible.

COUNCILMAN GIARRANTE asked if this annexation is going to add to the flooding of their property.

The Corporation Counsel said the Morse's will be surrounded by regulated storm water whereas now it's unregulated.

The City Manager said we're talking about if they decide to develop their property in the future for some alternative use, they would have to provide storm detention. He said the Morse's unlike the other two pieces of property we're talking about have a rather large piece and it doesn't have hardly any floodplain on it so they had room for their storm detention. He said the other parcel next to it, the Schaeffer parcel, is a very small parcel and they don't have room for storm water detention and Marquette said based on the hardship on your property we will do that. He said the Morse piece does not have that same hardship.

COUNCILMAN SHETINA said he noticed that since we started going to cul-de-sacs, and we loved cul-de-sacs until this week when we started getting the calls about the snow and they can't get them cleaned out, we have received many complaints, and some of them were from violent sounding people. He said we do those last; obviously we do the major grid streets first and then we go into the cul-de-sacs. He said we did hire some independent contractors and it got solved after they came out. He asked if there was any way to configure a cul-de-sac so they can be a little bit larger at the bottom of the sac so you can get a truck in there and get the snow out without having to get end loaders.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

The City Manager said with our new designs the cul-de-sacs are very, very large and we have large landscaped islands in the middle of those and the trucks can negotiate those new cul-de-sacs.

COUNCILMAN GIARRANTE said they say the problem is when they park cars in the cul-de-sac.

COUNCILMAN SHETINA said he was going to ask if we could put signs in the cul-de-sacs where you don't park there during snow periods or you risk getting towed right away. He said it's just a mess. He said he doesn't want to stick 500 signs up but maybe we could in the areas that are most concerned.

The City Manager said you would probably need to do something with your ordinance. He said there is just no way we'd be able to maintain signs and he doesn't think people would want a lot of those signs in their cul-de-sac for the few days that we have this kind of a situation. He said we could do an ordinance or an education program. He said the problem doesn't last long; it's a matter of a day. He said the newer cul-de-sacs are very large; the older ones are a little smaller. He said he knows if there are cars in there it is difficult and people should move their cars out.

COUNCILMAN SHETINA said so this will have the same design with the larger cul-de-sacs and the City Manager said yes.

COUNCILMAN TURK asked if we have any idea what the price ranges of the single-family homes are going to be.

The City Manager said they are not going to bring in the actual housing that's going to come in so that's something we will be able to look at and negotiate in the future.

COUNCILMAN TURK said it seems from the size of the lots that they're going to be upscale.

The City Manager said yes, definitely.

COUNCILMAN TURK asked what about on the horse farm, are there certain things that are going to be done to hold down the odor. He said if someone spends \$400,000 or \$500,000 on a house and he can't sit on his deck at night because of the odor, we are going to get calls even if they sign that release.

The City Manager said actually there is not a lot of odor out there. He said staff has been out there and they don't see a real big problem. He said they have quite a bit of property out there and they do have some horses there but it is not a real serious situation so we don't anticipate there being a problem with that.

COUNCILWOMAN QUILLMAN said with the way the market is now, who is going to buy these upscale homes at this time. She asked if there is a timeframe that they are going to put on this. She said the houses aren't selling right now and no one is really building.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

The City Manager said they are going to be in a situation where they will probably have to wait to get a buyer because right now there is some inventory out there, so what they're doing is they're coming through to get them ready, and as the housing market turns around, they will then be able to sell this property to someone. He said at that time the developer will come in to see us and he'll come before the Council with all of his plans and the house sizes and all of those other things you want to see.

COUNCILWOMAN QUILLMAN said so we're talking two, three, four years.

The City Manager said it could be in 2008 if things turn around a little bit. He said he doesn't think any of us can project when any of those parcels around there will be ready to go and the market will turn around. He said he's sure they're hoping that in 2008 or 2009 they will sell the property and the developer will be in here.

COUNCILMAN GIARRANTE asked if staff has figured out how much increase in taxes this will bring by what its value is now and what they bought it for.

The City Manager said he doesn't think we have that but we could get it.

COUNCILMAN GIARRANTE asked if they could do that. He said even if it's not built on it's going to be an increase in real estate taxes.

MAYOR SCHULTZ asked if we're just voting on the annexation.

The City Manager said you are also voting on the zoning and the preliminary PUD.

Attorney Mike Hansen said he represents Mr. and Mrs. Greg Schaefer of 11665 Arbeiter Road and they are still trying to work out the details of their annexation included in Council Memo #87-08. He said he thinks they're getting very close with the Marquette folks and with the City of Joliet so we hope to come to the tomorrow with the resolution of all of those matters so then you will be in a position to approve their annexation and also approve our annexation at the same time.

COUNCILMAN GIARRANTE asked how many outstanding issues there are.

Mr. Hansen said he thinks there are just a couple and they will be meeting later today and tomorrow to get those resolved.

The City Manager then explained Council Memo #100-08 dealing with the Preliminary Plat of Firstbank Joliet Subdivision.

The City Manager then explained Council Memo #101-08 dealing with Re-Approving the Recording Plat of Campus Center Subdivision Phase 4.

It was requested that this item be voted on today.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

2. AN ORDINANCE Re-Approving the Recording Plat of Campus Center Subdivision Phase 4 as recommended by the Administration subject to the receipt of the following fees and documentation within 60 days was presented and read: 1) A Letter of Credit or Performance Bond for public improvements in the amount of \$526,240.00 2) A 1 ¼% inspection fee in the amount of \$6,578.00; and 3) An Irrevocable Offer of Dedication for public improvements. (#RP-3-08/Dist. #3)
(Council Memo #101-08)

COUNCILMAN SHETINA moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16013)

The City Manager then explained Council Memo #102-08 dealing with the Recording Plat of Bronk's Corners Subdivision.

COUNCILMAN SHETINA said on the very north portion of this there was some sewer installation and he asked if it was Shorewood's installation or whose was it.

The Director of Community and Economic Development said he thinks Shorewood had a water well on the north side and there was a gravel road that accessed it. He said the developer is here and he can tell you the status of that because they were talking about the possibility of acquiring that land.

Attorney Gary Davidson said with respect to the gravel driveway, that is actually owned in fee simple by the Village of Shorewood and we are going to be acquiring that from them and we will be improving that land as green space for the residential neighbors to the back. He said that driveway will be completely out of existence and will provide additional buffer between our property and our neighbors to the east. He said then we are going to give them a cross access easement so that they can access that lift station in the back corner that you were referring to.

COUNCILMAN BROPHY said the ownership has not changed at all.

Mr. Davidson said that's correct and they are not in any negotiations to change ownership at this time.

COUNCILMAN BROPHY said the list you gave us at one time was 20-30 parties long, anywhere from 1% to 4% ownership, and that list hasn't changed at all.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

Mr. Davidson said the way Ardrmin Properties Management Group exists, it is a collection of private investors, so that list has not changed. He said there may have been additional investors that came in that he doesn't know about, but for the most part that list has not changed.

It was requested that this item be voted on today.

3. AN ORDINANCE Approving the Recording Plat of Bronk's Corners Subdivision as recommended by the Administration subject to the receipt of the following fees and documentation within 60 days was presented and read: 1) A Letter of Credit or Performance Bond for public improvements in the amount of \$4,745,006.00 2) A 1 ¼% inspection fee in the amount of \$59,312.58; 3) An Irrevocable Offer of Dedication for public improvements; and 4) A recapture fee in the amount of \$83,979.50 for off-site stormwater management facilities. (#RP-4-08/Dist. #1)
(Council Memo #102-08)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN asked what constitutes a mid-sized box store.

Mr. Davidson said the City Manager might actually be able to better define what a mid-size box is, but these are going to be mid-size specialty stores. He said Kohl's, which is not something that is in their zone of play, would be essentially what he would consider to be a mid-size box.

COUNCILWOMAN QUILLMAN asked what kind of retail stores are you planning on putting in there.

Mr. Davidson said the market is going to dictate what type of retail stores but we are attempting to attract upper end retail establishments. He said he can't disclose the particular entities that his client is negotiating with, but it has been their goal all along to attract high-end sit-down restaurants in the outlots that are not your cookie-cutter Applebee's, Chili's type restaurants, but more like your Francesca's type restaurants and similar retail establishments.

COUNCILWOMAN QUILLMAN said but if an Applebee's wanted to go in there you would settle for that.

Mr. Davidson said he can't tell you what his client would settle for. He said again it's going to be dictated by market conditions.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

COUNCILWOMAN QUILLMAN said this has been going on for quite some time now and she knows there are a lot of malls being built, but you're not getting the businesses to go in there because the market is not there and people aren't buying.

Mr. Davidson said one of the problems is they need the Council to act on the recording plat, because much like any commercial space or anything else, until a developer actually sees that you have a product that you can actually sell them and you have a time certain which you can deliver title, they are reluctant to sign on the dotted line until they've gotten the green light from the particular municipality they are in front of. He said so the passage of the recording plat today will be beneficial to us being able to market this site.

COUNCILWOMAN QUILLMAN said what her concern is, she hears all the time from constituents that we have no really good restaurants, there's just a couple in Joliet and they are tired of the fast food restaurants and they are tired of the chains; they would like to see more upscale restaurants and stores. She said she just wants to go on record as saying that. She said she has been in support of this project since the beginning, it's just been taking such a long time, and people keep saying what's going on over there and nothing has been going on and she knows you have been working with your developer. She said with the way the economy is right now she has concerns that we are going to see more McDonald's or White Castle's, not that there's anything wrong with those restaurants, but we have enough of those.

Mr. Davidson said we are looking forward to working with the City of Joliet in a cooperative way. He said obviously you are out in front in terms of establishing what your new commercial design guidelines are, and we hope that with our site and the design guidelines that we've come up with, that the City sets a new standard for the City of Joliet on what you bring in. He said we are one of the first high-end developments and we're going to be able to act as a model for the City of Joliet. He said we are looking for any help that you can give us in attracting those types of businesses to our site.

COUNCILWOMAN QUILLMAN said based on what you're telling her today, it's going to be upscale in quality, she will vote aye and she will be watching.

MAYOR SCHULTZ asked if we have to get this step done first before we start building and Mr. Davidson said that's correct.

Prior to his vote, COUNCILMAN SHETINA said he admires your client's tenacity. He said stay with it, he knows how hard it is and it's a great corner and something good is going to happen there. He said he is really happy about the way they are approaching it and he voted aye.

Prior to his vote, COUNCILMAN UREMOVIC said he wanted to echo exactly what COUNCILWOMAN QUILLMAN stated. He said you are selling this as a high-end project and we've been supporting it all this time and we expect it to be a high-end project. He said also when you say you want to negotiate later with the staff, that sends up a red flag. He said we don't want you to reduce the standards in any way, shape or form. He said he knows it's going to be competitive out there because of your tax structure so we don't want to sacrifice any kind of quality just because you have a higher little bit of a tax exposure, and he voted aye.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

Prior to his vote, MAYOR SCHULTZ wished them good luck and voted aye.
(ORDINANCE NO. 16014)

It was requested that Council Memo #100-08 also be voted on today.

4. AN ORDINANCE Approving the Preliminary Plat of FirstPark Joliet Subdivision as recommended by the Plan Commission was presented and read. (#P-17-07/Dist. #3)
(Council Memo #100-08)

COUNCILMAN SHETINA 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, UREMOVIC, COUNCILWOMAN
BARBER, COUNCILMEN BROPHY, DORRIS and MAYOR SCHULTZ.

NAYS: NONE.

(ORDINANCE NO. 16015)

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

The City Manager explained Council Memo #91-08 dealing with the 2008 Joliet Special Service Area No. 5 – Douglas Street (Wilcox-Route 30) and Wilcox Street (Douglas-Mason).

COUNCILWOMAN QUILLMAN said she would like to ask COUNCILWOMAN BARBER if she could look into extending the Wilcox Street area. She said it goes to the 500 block and 600 block, but in the 700 block those folks were promised that their streets would be done a very long time ago and nothing was done. She said this street is horrible because people use it as a cut-through to go around six corners and they have been waiting for quite some time. She said she would ask COUNCILWOMAN BARBER if she could look into extending that because she is afraid if folks see that the 500 and 600 blocks are getting finished, they are going to get excited and think that we're going to do theirs, and they are going to be very upset if we don't continue, so she would hope that she would consider that.

COUNCILWOMAN BARBER said she would look into it and see what they can do.

The City Manager explained Council Memo #97-08 dealing with declaring Certain Properties as Public Nuisances.

COUNCILMAN SHETINA said recently he saw a house that had completely been covered by ice; obviously the people walked away from it and lost the house and just turned all the water on in the house in the first and second levels so the house is ruined. He said when he called staff they said they have 5 or 6 like that where people just turn the water on and walk out and then when you have the rain and snow that we've had, that can decimate the thing. He said if we've got folks who haven't paid their water bill, how long do we let them sit without paying the bill. He said he understands there are emergencies that you have to look at, but if we have a situation where they are not paying their water bill or there's

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

other indications where they have lost the house, we should try and keep track of those so that if you see a house become vacant, we shut the water off and try to eliminate those losses. He said he knows it's not our losses but you ride around the neighborhood and you see a house that's going to be knocked down because of that and the house is three or four years old, and he would hope that we could find some way of tracking that. He said if there is some indication that they are not living in the property, if we could follow through on it with staff. He said there are five or six like that in just two districts.

The City Manager said we have the ability to turn the water off for non-payment or if it has been abandoned. He said he will ask staff to make arrangements with utilities to turn it off if our inspectors see anything like that.

The City Manager explained Council Memo #112-08 dealing with authorizing the Joliet Public Library to Borrow Funds on an Interim Basis.

COUNCILMAN SHETINA said we're ultimately responsible for the library and they are asking to establish or increase a line of credit for a certain sum of dollars, and he asked why wouldn't the City entertain the notion of being the guarantee on that rather than having them go through the process of getting a loan or getting a line of credit where it's guaranteed by the full faith and credit of the City to start with, because it's going to come from a tax levy which comes on our line item on our bill.

The City Manager said he doesn't know if it's guaranteed by the full faith and credit of the City. He said we do have to approve it because they can't borrow money without approval by the City.

COUNCILMAN SHETINA said but why make them do it if we could actually do this ourselves.

The City Manager said are you saying that we would loan them \$2 million without them going to the bank.

COUNCILMAN SHETINA said we would be loaning it to them, the same thing the bank is doing, and we're guaranteeing that if they need it, it is there to whatever extent they need, and ultimately if the library goes south we have to pick it up anyhow.

The Corporation Counsel said actually the library is a separate unit of government. He said they are not the City, they are not a department of the City, they are a related unit of government in that their property tax levy must be approved by us, but frankly your authority to deny approval is very limited. He said this is almost an automatic procedure that the City would be obligated to follow and they have every right to engage in business with a bank and to open a line of credit. He said the only potential savings he would see is if we were the lender. He said there is no advantage to us backing up the full faith and credit of the library. He said their full faith and credit is just as good as ours because it's secured with property taxes. He said that would be the only difference he could see.

The City Manager said there are some benefits to keeping everything on their books for their audit and then you know what their financial condition is.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

COUNCILMAN BROPHY said it seems to him the rate of interest that they would enjoy should be closer to ours and he doesn't know that that's the case.

The City Manager said it depends on when you hit the market, everything fluctuates.

COUNCILMAN BROPHY said the good news is they wouldn't need all \$2 million we would hope.

The City Manager said they probably won't need near that but they never know what's going to happen. He said this is just precautionary; they may not need it. He said they have done this before quite a bit and they've always handled it very well.

COUNCILMAN BROPHY asked if we require that they competitively bid that type of note.

The City Manager said he doesn't know who does their operating account and he asked the Director of Management and Budget to check with their Director to see if they will competitively bid it.

COUNCILMAN SHETINA said in reference to Council Memo #121-08 dealing with Awarding a Contract for Tourism Marketing and Advertising Design with Boax Design of Chicago in the amount of \$11,625.00, is this supposed to go to the Public Service Committee or what is going to happen to it.

COUNCILMAN GIARRANTE said no, that one won't.

COUNCILMAN SHETINA said the City received four bids for this contract, and two of these companies are Joliet companies with offices in Joliet. He said Boax Design was low by \$6,000, but it seems to him that if organizations are willing to put their businesses in Joliet and have their offices in Joliet and staff them in Joliet, then we as a Council ought to look at these real hard before we give it to somebody in Chicago or anywhere else. He said these companies have offices in Joliet and not sham offices but real offices with people operating them. He said Gammon Group is out of the Rialto Building and he doesn't know where Murphy is. He said we need to take a look at these very hard before we give something to an outside firm. He said he knows there's a lot of money on the table and \$6,000 is not chicken feed, but he still thinks we ought to give some kind of a benefit to local groups who are willing to house themselves here and he would like to have that consideration made by the Council.

COUNCILMAN GIARRANTE asked if we can do that.

The Corporation Counsel said the City can decide to not competitively bid professional services which is what this is. He said the City can also decide to competitively bid it and his advice would be once that decision is made, unless there is something indicating that the low bidder is not a responsible bidder, you've already chosen which direction you are going to go.

COUNCILMAN GIARRANTE said he agrees with COUNCILMAN SHETINA but if we don't bid it competitively how do we know we're getting a good price, that's the problem.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

The Corporation Counsel said that's always part of the problem; that's why you do competitive bids. He said other professional services are procured on a RFP basis where City staff with a Council committee could decide on a pool of qualified bidders and the City could engage those specific bidders.

COUNCILMAN BROPHY said are you saying we could restrict or qualify bidders based on office location. He said if we advertise it that way from the get go, restricting the pool, that would seem legitimate.

The Corporation Counsel said he would not advise the Council to do that. He said he thinks it's in the public interest if you are going to go down the competitive bidding route that you not establish an office location as a pre-qualification to do business.

COUNCILMAN SHETINA said he is not suggesting that we not have a competitive bid, but he would submit that if there are 3 or 4 organizations in Joliet and the pool is in Joliet, unless there is collusion, which can happen, you're going to get a competitive bid. He said he just can't see doing this with an outside firm. He said we have no idea if they can complete this and he doesn't know if we've used them before or not. He said you have Joliet firms in the \$17,000 range and he doesn't care who gets it, but they are both Joliet firms who have put their offices here and pay their staff here. He said he doesn't care if they got competitive bids and we still make the decision to go with the local firm.

COUNCILMAN GIARRANTE said are we risking that if we do ask for competitive bids that we don't get any from outside the City because they know that they are not going to get it anyway, and we lessen our pool of bidders.

The City Manager said we have discussed this a lot in the past. He said this is a fairly small contract, but let's just say that you have a construction contract and P.T. Ferro Construction has their office just outside the City limits, they would not be able to compete for that particular contract so how far do you go. He said when we've had these meetings before with people who depend for their livelihood and employ a lot of people from Joliet and they're outside the City, they've asked us not to do that and not restrict contracts to being just inside the City of Joliet. He said people who have businesses inside Joliet have asked us not to do that either because they don't want the other cities to do it. He said they want to competitively bid in Aurora, Naperville, Tinley Park etc. so it sets something in motion if you do it on one contract, then why aren't you doing it on the other ones, and it's a very difficult situation and it has a big impact on people who employ a lot of Joliet people.

COUNCILMAN SHETINA said one thing he does know, over a long period of time our staff knows what something costs and they know what a competitive bid is and they know what it costs almost on every case, whether it's a road project or staples or whatever it happens to be. He said he's making a point and if it's not acceptable forget about it, but it's a point he wants to make.

COUNCILMAN GIARRANTE said along the same lines we asked about hiring within the City limits and he asked the Corporation Counsel if he has done any research on that.

The Corporation Counsel said he is not done yet. He said the one Hawaii case they talked about was settled out of court. He said that's the one that really was going to be somewhat definitive.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of February, A.D. 2008***

Regarding Council Memo #124-08 dealing with the Purchase of a 20-Passenger Wheelchair Accessible Shuttle Bus to replace the Trolley, COUNCILWOMAN QUILLMAN asked if the shuttle bus is going to look like the old bus or trolley or is it going to be a modernized passenger bus.

The City Manager said it will look much like the Housing Authority's bus that they use to shuttle their seniors around. He said it will be handicapped accessible and have a ramp and lift.

The Deputy City Manager said the bus will have seatbelts which the trolley doesn't have. He said the trolley is cold in the winter and warm in the summer and it is just not designed for the kind of service that it's getting. He said the seniors that use this service are really looking forward to getting this new van. He said it is the right thing to do if we're going to provide this service to seniors in a safe and comfortable way.

5. Citizens to be Heard

a. Trista Brown re: National Action Chapter Network

Ms. Brown did not appear at the meeting.

The City Manager advised that there was no need to go into closed session.

COUNCILMAN SHETINA moved that the Council adjourn at 4:50 p.m.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape