

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, March 16, 2009 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, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 5 COUNCILMAN WARREN C. DORRIS.

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

The City Manager stated that prior to the meeting Mayor Schultz received a check from the U.S. Department of Housing and Urban Development for \$3,531,810 which was given to the City pursuant to the Federal law that was passed in 2008 that provides money for the Neighborhood Stabilization Program. He said Will County Executive Larry Walsh was also present and the County received a grant of about \$5 million from HUD for the project. He said the City's Neighborhood Services staff is prepared to start the program and work to try to help stabilize the neighborhoods that are suffering through some of the foreclosure problems that we've seen in our area.

The City Manager said other stimulus package dollars available to the City of Joliet include a Byrne grant for police services and a \$500,000 grant that's going to be shared with Will County. He said Community Development Block Grant (CDBG) funds will be provided to us in addition to our standard allocation and we'll be receiving just under \$250,000 from the stimulus package for that. He said he was at a meeting with the Will County Governmental League last week and we were informed that the City of Joliet will be receiving about \$2 million for road funds through the stimulus package, and that is money that was sent to IDOT and IDOT then sends it to the cities and counties in Illinois. He said while we're very pleased with the allocation, certainly we had hoped for a lot more for road and bridge construction, and the engineering staff is working with the staff of the Will County Governmental League to get the projects approved that we presented to them. He said we're also working with the IEPA for water and sewer grants or loans. He said we've already applied for allocations for some of the major water and sewer projects we have going and then we have some of our bigger projects in line for discretionary funding under the stimulus package. He said we're trying very hard to make sure Joliet receives it's fair share of stimulus package funding.

The City Manager then asked for 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 #223-09 dealing with a Special Use Permit to Allow a Children's Day Care Facility at the Southwest Corner of 2301 Drauden Road.

Attorney Mike Hansen was present on behalf of the petitioner.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

COUNCILMAN BROPHY said he wanted to double check that staff did a good job with stacking. He said he knows first hand that drop off and pick up can get busy and the cars end up spilling out into the roadway sometimes at the location he's at. He said hopefully enough thought went into plenty of room for "Grandparents Day" parking and stacking on a daily basis because it's important to have that especially if there are other uses at the site that also have a busy 3 p.m. or 9 a.m. activity.

Planning Director Don Fisher stated there is a good shared parking arrangement there and the conflicts in the times should not be an issue.

COUNCILMAN SHETINA said it's taken about two years to work this out with respect to the CVS and now this project. He said this has turned out to be a very family friendly product and as this evolves and there is more room out there to do things, he hopes that they keep in mind at least from his perspective that we don't want liquor being sold there for obvious reasons. He also asked about the lights shining in the surrounding subdivisions.

The City Manager said they turn the lights down around 11 p.m. and turn them back up about 6 a.m. He said the parking lot floodlights don't go past the property line and it's all focused down. He said the signage for CVS is visible but he thinks that's something everybody anticipated would happen.

COUNCILMAN SHETINA said CVS is doing fine out there and he hopes they can do it without a liquor license. He said not having a liquor license was built into their whole project and he just wants to make that clear especially now with the children being around there. He said they came up with a nice project when it was all said and done and he's glad to see this nice addition to it.

Mr. Hansen said he thinks that's been the consensus of the Council since day one and since he got involved in the project. He said he thinks it's going to be a good development for the area and he will take those comments back to his clients. He said there are no present plans right now for a liquor store and he will take into serious consideration the Council's comments.

COUNCILMAN BROPHY asked if they have an operator yet for the day care center.

Mr. Hansen said they are working with KinderCare to finalize the lease right now.

COUNCILMAN BROPHY asked if they have talked about possible problems with the stacking and the drop-offs.

Mr. Hansen said that is going to be part of the negotiations and discussions.

It was requested that this item be voted on today.

1. AN ORDINANCE Approving a Special Use Permit to Allow a Children's Day Care Facility in a Proposed Free-Standing Structure on Lot 3 at Drauden Pointe Center Located at the Southwest Corner of 2301 Drauden Road as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: (a) That the developer provide a landscape plan which conforms to Planning

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

requirements; (b) That the maximum capacity at the facility not exceed 160 children; (c) That if the required conditions are not met or should the property be declared a public nuisance, this matter shall be scheduled for an administrative hearing and possible revocation of the Special Use Permit. (#2009-05/Dist. #1)
(Council Memo #233-09)

COUNCILMAN TURK moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16456)

The City Manager then explained Council Memo #230-09 dealing with the Annexation of 184.6 Acres South of Route 6 and East of Terry Drive and a request by the petitioner, CenterPoint Joliet, to table this until the June 16 City Council meeting.

INTRODUCTION OF STATE REPRESENTATIVE EMILY MCCASEY

Representative McCCasey of the 85th District introduced herself and said she looks forward to working together for the people of Joliet as well as the people of the other communities she represents including Lockport, Crest Hill, Romeoville and Bolingbrook. She invited the Mayor and Council to reach out to her at her district office located on Weber Road in Crest Hill and said she looks forward to working together.

The City Manager then explained Council Memo #227-09 dealing with approval of the intended surface treatment and aesthetic maintenance of the side of several sound walls being constructed by IDOT facing the frontage roads along I-55 from I-80 to Renwick Road.

Mr. Anthony Quigley, a Bureau Chief with IDOT, said they are proposing to install a noise wall and he showed a sample of the Ashlar surface treatment which is a fiberglass concrete mix. He said this is the final chapter of the add lanes for I-55 which is an \$180 million project. He said there are two contracts involved here, one being from I-80 to U.S. 30 and the other one from U.S. 30 to Weber Road which involves \$28 million. He said this material will absorb the noise instead of reflecting it. He said they will plant vines alongside the noise wall to help soften the look of it like they have done as part of the Tollway project at I-355 & I-55. He said IDOT is asking for concurrence that the City wishes to have the same pattern on the Frontage Road side and agrees to maintain the Frontage Road side of the noise wall.

COUNCILMAN SHETINA asked what he meant by maintaining the Frontage Road side.

Director of Public Works Jim Trizna said IDOT is going to do the project 100% at their cost and they're going to have this pattern on both sides. He said they're going to maintain the structural integrity of the wall and the City as the adjacent

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

municipality is being asked to maintain the cosmetic appearance if there is graffiti or anything of that nature.

COUNCILMAN SHETINA asked if there is any kind of reserve for replacement setup over a period of time.

Mr. Quigley said if the wall ever gets hit the Department will have to let a contract to do repairs on it and if there is a police report it will get done a lot quicker. He said it's got about a 20 year shelf life and we'll be redoing the road hopefully before this stuff wears out.

COUNCILMAN TURK said it is his understanding that these walls won't go in front of any businesses.

Mr. Trizna said that's correct, essentially they're putting them in front of the residential areas.

COUNCILMAN TURK asked when construction is expected to start.

Mr. Quigley said this contract is on the April 24th bid letting, but with shop drawings and procurement you probably won't see work until later in the fall. He said it has a completion date of October 31, 2010. He said the majority of the work will be done more next year than this year.

COUNCILMAN BROPHY asked who requested the wall and if it's a Federal requirement, could we use Federal money on this.

Mr. Quigley said we are using stimulus money for this. He said five years ago when we started the add lanes we came out and talked to the stakeholders and noise was an issue. He said they have installed it in some other areas throughout the State and it works really well.

COUNCILMAN GIARRANTE said there was some talk about doing some partial abatement south of Black Road and he asked about Deer Run.

Mr. Quigley said they have offered to compensate the City to install noise walls off the State's property around Deer Run and the other subdivision on the north side of the Harley dealership and they have not heard a response back. He said Conrad's Harley is in Shorewood so they're working with two communities.

The City Manager said we have that as an option where we would fund it up front, and then there would be an eligible reimbursement from IDOT for some of the expense. He said he doesn't know if it would be all of it; he doesn't think IDOT would commit to any more than what the stretch of land would have been for coverage so if we have additional coverage he would imagine that is the City's expense. He said when they looked at Deer Run it's a little bit difficult because there's only about 200 feet of frontage that they actually have and we might be better off working with them on some landscaping and some other things that will help soften the appearance and also deaden some of the sound.

COUNCILMAN GIARRANTE asked if State money would be available for that.

Mr. Quigley said he could check on that.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

COUNCILMAN TURK said one of the concerns with Deer Run was the headlights coming north on I-55 where it was hard to judge whether they were on I-55 or the Frontage Road, but if berming would take care of that he's sure that would alleviate their concerns. He said it's dangerous at night when they can't judge where the headlights are coming from.

The City Manager said Mr. Trizna and Mr. Quigley can take a look at that because there is probably no opportunity for a berm there.

It was requested that this item be voted on today.

2. Request for Authorization to Approve Concurrence with the Illinois Department of Transportation for the I-55 Sound Walls
(Council Memo #227-09)

A communication from the City Manager contained his recommendation that the Mayor and Council concur with the Illinois Department of Transportation for the maintenance of the I-55 sound walls.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

The City Manager then explained Council Memo #228-09 dealing with a Request from Daybreak Shelter for City Funding. He said the memo outlines the history of the City's relationship with the Daybreak Shelter and the City's commitment of almost \$2.7 million to Daybreak since 1994. He said the request has been made to keep Daybreak eligible for a HUD grant that they have been receiving for the past several years and if the City's allocation for 2009 is not made available, it is likely that the opportunity for the grant will be lost. He said the grant from HUD is in the amount of \$750,000 so it is a sizeable return from the Federal government for the City's match.

COUNCILMAN SHETINA said he would like to bring up a question that bothers him all of the time and he certainly appreciates the work that Daybreak does and he knows it's touchy, but he mentioned it last week to the Bishop also and that's with respect to Joliet being a repository for everybody who has a problem that way. He said he knows there are people from out of town that come here specifically either for Salvation Army or FISH or Lambs Fold or Daybreak and he asked if there is any way that we can watch that a little bit. He said he knows Daybreak has some parameters they use with so many months living in the City and that kind of thing. He said he knows it sounds harsh but we only have so much money and resources and so does Daybreak. He said we had a family of 13 burned out in Markham and they ended up here and United Way got them a place in University Park. He said that wasn't our problem but we took care of it and Councilman Brophy has made the comment that we are the County Seat and that we probably assume more responsibility and it's probably true. He said there is a fairness thing sometimes too where some of these cities and states just

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

blow them out and we are a destination point and Daybreak doesn't need new clients; they've got plenty of them. He said it just bothers him and he wonders if there is any way that we can look at that and bill them or something. He said if nothing else the places where they come from should be participating with us in the funding of that portion of Daybreak that we help with. He said he just wants to make sure that we're all on board with that kind of thing.

COUNCILMAN BROPHY said he thinks we ought to look at it in the context of two different formulas, we have the formula of the past and there will be a different formula going forward for how we cooperate with our partners in the social service world here in town. He said he thinks we're looking at the tail end of an agreement made when the casino came to town and we were working on the City Center. He said while that may have been appropriate for a while here we are at the tail end of it, and he's sure the folks at the Housing Foundation are working on figuring out a new formula on how to share in an equitable manner the cost of the services to the people based on where they come from. He said he hopes that's the case because he would support that too.

COUNCILMAN BROPHY said he hopes his fellow Council people would consider finishing our obligation and honoring our full commitment here with regard to how we did this given the fact that we have a bit of a unique relationship with Daybreak. He said he believes we've partnered with them unlike anyone else we've partnered with and so he would like to listen to the City Manager's recommendation for specific funding, but he also has some thoughts himself too.

COUNCILMAN GIARRANTE said he thinks he understands the urgency of getting this done, but he doesn't know how soon the City Manager is going to start negotiations with the bargaining units and the City employees, and until that's done and we see what's going to happen with the City employees and if there are going to be layoffs, there is no way he can support this right now.

COUNCILWOMAN QUILLMAN said Jim Roof approached her a few days ago and said every board member was assigned to a Councilperson to answer their questions and he's never gotten back to her. She asked Pam Kostecki of Daybreak if she knows why he's not here today.

Ms. Kostecki said she does not know why.

COUNCILWOMAN QUILLMAN said she asked him three questions she had concerns about and he said he would get back to her.

MAYOR SCHULTZ asked the City Manager if he has met with the FOP yet.

The City Manager said he met with several members from the FOP last week and we are in the process of scheduling another meeting for next Tuesday with all of the union presidents and he will be meeting with the individual unions in the next few weeks. He said we remain optimistic that everyone's coming to the bargaining table with a cooperative spirit but we don't have any final resolution of the issues that we've talked about for the last month or so.

COUNCILMAN TURK said he doesn't have a problem with supporting the request but he too has a concern; he doesn't want to see anybody from the City laid off. He said if there was funding available he doesn't want to go any further into the budget for that request, he would like to take it out of monies already

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

allocated whether that be stimulus money or whether it be Rialto money or whether it be NIP money.

The City Manager said he had indicated previously that there is adequate funding available in the contingency fund for the NIP program. He said there is also funding available that has been committed to the Rialto Theatre and if there were some adjustments made, that might free up some funding for Daybreak. He said we have also looked at stimulus package money that may be available for homeless initiatives but we don't have any commitments.

The City Manager said Daybreak has been able to secure grants from other organizations while this issue has been debated by the City Council, including a community services block grant from the Will County Community Concerns for \$50,000 and an additional allocation of \$23,000 from FEMA, so there has been some additional fundraising going on in an effort to try to help bridge the gap from the \$240,000 that the City had previously allocated in earlier years. He said he knows there are other requests that are out there and we had even mentioned something earlier to Ray Willis of the Chicago office of HUD that we may be visiting him to ask for an opportunity to see if there might be some stimulus package money available for Daybreak. He said there certainly is an interest in us trying to find any resource that we can find to help close the funding gap, but if there is some intent from the Council to move forward with an allocation today we can certainly use NIP and look at reallocating some funding so we're not taking it away from employee salaries or looking at the stimulus package should that be able to come through for us.

MAYOR SCHULTZ asked the City Manager if he has talked to the Rialto.

The City Manager said yes; he's been asked to explore whether there might be some money that was earmarked for the Rialto available to help Daybreak. He said we really have two different projects going on with the Rialto, one being the annual allocation that we've been giving to the Rialto since 1979. He said for that allocation he had a conversation with Director Randy Green and a few of the Board members about making sure that the Rialto starts looking at budget cuts as we are and other governmental agencies are and making sure that they respond to the economic conditions, so if we were in a position where we had to reduce our allocation to the Rialto they'd be in a position to respond. He said Mr. Green has indicated he is more than willing to work with us on that and could probably respond to any kind of request we make to cut their allocation.

The City Manager said the City's other allocation is for the build out of the space for the third and fourth floors for the University of St. Francis project that is moving along very well and his recommendation is to continue our commitment there. He said as he has contended in the past there is a great return from that investment that we're making. He said there is a lease in place that will generate \$4.2 million of revenue for the Rialto Theatre over the 20 year period that St. Francis holds classes and has offices in that facility.

COUNCILMAN SHETINA asked if it would be safe to assume that Daybreak's shortfall is now about \$167,000.

The City Manager said yes, that would seem to be the number.

COUNCILMAN SHETINA said OK, but we're going to look for other resources also to make up some of that on our own.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

The City Manager said yes, internally we can handle the \$167,000 should that become necessary. He passed out a report from Division Director Pam Kostecki showing their funding pursuits for Daybreak.

Ms. Kostecki said she knows that that was a big concern that the Council had and they can appreciate that. She said one of the things is that Daybreak's funding is already very diversified. She said there is a long list of funding initiatives on that report that they have reviewed and tried to determine if they are missing anything or there is anything that they're not applying for that they could be eligible for. She said there are a few things still in the works. She said at this point in time as far as they are into this calendar year they're looking at that funding being a possibility for next year. She said there really are no other options for them for this funding year.

COUNCILMAN BROPHY said he would like to put a motion on the table for purposes of discussion at least that we consider whether we do it tonight or tomorrow night the possibility of securing some funding for them, and he asked the City Manager if he needs identified sources for this or what is he suggesting or should he suggest some sources.

The City Manager said he thinks we've identified a couple of sources and unfortunately we're very limited as to the sources. He said one of the sources he would recommend is the NIP fund. He said if you're actually looking at the Rialto allocation as a potential source for part of this we can certainly work with the Rialto on any adjustments we might need to make with our allocation to them.

COUNCILMAN BROPHY said he was going to put it on the table if it's in order that we consider \$20,000 per District NIP fund across the six funds for a total of \$120,000, and then look to the Rialto funding for the \$47,000 difference which he believes is less than 10% of their annual gift.

The City Manager said that would be about 8%.

COUNCILMAN GIARRANTE asked COUNCILMAN BROPHY what his NIP fund is per year.

COUNCILMAN BROPHY said about \$1.5 million.

COUNCILMAN GIARRANTE said At-Large gets about \$160,000.

COUNCILMAN BROPHY suggested \$25,000 from each of the five districts and \$4,000 from the At-Large. He said we can change the mixture; he would just like to get it on the table today.

COUNCILMAN GIARRANTE said it doesn't make any difference to him because right now we have 100 City employees that may lose their jobs and until we get that worked out, he's said it before and he's saying it again, he can not support this.

The Corporation Counsel said there's been a motion and there if is some intention to discuss it there really should be a second if there's going to be discussion on the motion.

COUNCILMAN UREMOVIC seconded the motion.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

COUNCILWOMAN QUILLMAN said if we were to take the monies from the Rialto, it wouldn't be one lump sum and it would be shaved off of each increment. She asked how often do they get that check from us.

The City Manager said he believes we pay our allocation to the Rialto on a quarterly basis. He said if there is a reduction then we would reduce the quarterly payments, if it's monthly then we would reduce it proportionately by 1/12th.

COUNCILWOMAN QUILLMAN asked what would that bring their allocation down to.

The City Manager said if it's quarterly the allocation rather than being \$150,000 would be \$135,000.

COUNCILMAN SHETINA said that doesn't give us immediate money though; we need immediate money.

The City Manager said we would do a budget adjustment and through an accounting transfer make the funding available to Daybreak.

COUNCILMAN SHETINA said he wants to make sure we all understand the concept COUNCILMAN BROPHY is talking about and do we all agree it would be \$25,000 per District NIP.

COUNCILMAN BROPHY said his first suggestion was \$20,000 across six districts and he was including the at-large group as an equal district. He said it was suggested that might not be fair.

COUNCILMAN BROPHY suggested \$20,000 each from the five districts at \$100,000 and said then he's assuming there is some kind of a commitment from the Rialto. He asked what that would involve in terms of reduction in staff and how much would that generate.

The City Manager said he and Randy Green have not spoken about specific dollar amounts but certainly if it's a \$47,000 reduction he's sure that's something that he could work with without a reduction in staff. He said Randy is going through the same process we're going through and looking at rising expenses and decreasing revenues, and adjustments are going to be made, so whether there is an allocation taken for Daybreak from the Rialto allocation or not, Randy will still proceed with adjustments in his budget too as we are doing here at the City.

MAYOR SCHULTZ asked what the Rialto gets.

The City Manager said there has been an allocation of \$600,000 that's been made over the past several years and that's what was included in the 2009 budget. He said they receive their payments either quarterly or monthly.

MAYOR SCHULTZ asked if they get the hotel/motel tax too.

The City Manager said that's all deposited in the general corporate fund. He said we haven't tied the hotel/motel tax to the Rialto for several years now but it hasn't really changed any of the funding formulas that we've been using over the past 5

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

or 6 years at the Rialto. He said it's usually been a flat amount irrespective of what's been coming in from the hotel/motel tax.

COUNCILMAN SHETINA asked what is the required vote by the City Council to approve this.

The Corporation Counsel said it's a majority vote. He said today for this to pass it would need five votes because there are eight people present.

COUNCILMAN SHETINA said he would like to wait until tomorrow's meeting to vote on this so that everyone is present.

COUNCILMAN SHETINA moved that Council Memo #228-09 dealing with a Request from Daybreak Shelter for City Funding be tabled until tomorrow's Council meeting.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILWOMAN QUILLMAN asked if Jim Roolf would be available tomorrow to answer some questions.

Ms. KostECKI said she would make sure that he at least gets in touch with her with answers to her questions.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #263-09 dealing with the Transfer of a Class "B" Liquor License at 1101 N. Hickory Street.

Mr. Campus said the applicant, Ismael DeLaTorre, has taken over from the owner who is currently running the business. He said they have had some problems there and we've been monitoring the situation and have had some hearings and fined him in a couple of instances. He said the resident manager is here and she is going to stay on with Mr. DeLaTorre who has convinced us that he's going to do a better job of running the establishment.

COUNCILMAN GIARRANTE asked what the name of the establishment is and Mr. Campus said it is Los Gavenos but it was formerly the Lumpy Pickle.

COUNCILMAN BROPHY asked if we have had problems with this operator.

Mr. Campus said Regino Diaz purchased the building and currently owns the liquor license. He said there have been some fights and some minors on the premises and we have dealt with that trying to get control of the situation. He said he has tried to impress on him and his resident manager that there is something wrong there and he thinks Mr. Diaz has awoken to that suggestion and he is willing to transfer it to somebody who is willing to be there and run the business and make sure they have a better clientele.

COUNCILMAN BROPHY said but he has no experience in the business.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

Mr. Campus said no, we're going to have to monitor the situation closely but the resident manager is staying on board so that she can guide him as to what didn't work and what could work.

COUNCILMAN BROPHY said a lot of it is business management in general and he asked if the applicant has any business experience doing tax withholding and all of those things that you have to do.

Mr. Campus said he's not sure.

COUNCILMAN BROPHY said when you get a new applicant who was never in the business he would like some of that background just to see if they understand what they're doing in general.

Mr. Campus said he could ask at the hearing; he doesn't really go into that very much and they don't look for that in the background check or anything like that.

COUNCILMAN BROPHY asked about the training that bartenders are sent to.

Mr. Campus said they tell them it's available through the City of Joliet Police Department and they have an officer that maintains the Beverage Alcohol Sellers and Servers Education and Training (BASSET) program in our local area.

COUNCILMAN BROPHY asked if they use that as a disciplinary tool if they have problems.

Mr. Campus said we could make somebody get involved with that if they haven't already.

Ms. Kathleen Cruz, the resident manager, said to address the question on the taxes, Mr. Diaz has been out of the business the last three months and they are still working with the same accountant and have been paying the taxes. She said Mr. DeLaTorre doesn't actually have the business part of the experience and that's why she's staying on just to help him with it because she's been doing it the last two years. She said the taxes are still being paid, everything's going the same except the problems are going away.

It was requested that this item be voted on today.

3. Transfer of a Class "B" Liquor License at 1101 N. Hickory Street
(Council Memo #263-09)

A communication from the Liquor Commissioner regarding the application of Ismael DeLaTorre d/b/a Los Gavenos for the transfer of a Class "B" Liquor License at 1101 N. Hickory Street contained his recommendation that the transfer 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.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN QUILLMAN.

Prior to her vote, COUNCILWOMAN QUILLMAN said since the recommendation of the Police Department is to deny the application and there is no experience or experience of any kind of management, and she knows the neighbors up there were not happy with the former tavern, she is going to have to vote no on this one.

Prior to her vote, COUNCILWOMAN BARBER said she has met with the owner a couple of times and she is going to vote aye.

Prior to his vote, COUNCILMAN BROPHY said he thinks the applicant should have a chance and he is going to vote aye. He said obviously with someone new you have to give them some help or keep an eye on them, one or the other.

Mr. Campus said we'll monitor it very closely.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #264-09 dealing with the Issuance of a Class "I" Liquor License at 1030 N. Hickory Street.

Mr. Campus said the applicant, Wilabaldo Cervantes, owns the building and had a liquor license in 2006 and he operated a restaurant which he sold to an individual that got in trouble and went to prison and consequently the license was pulled. He said Mr. Cervantes still owns the building and has attempted to get someone to take over and open a restaurant but he has not been able to do that, so he's asking for a Class "I" license which is for premise consumption only. He said he wants to operate a hall but the Zoning Board of Appeals has limited his hours to a 10:00 p.m. closing, and he understands that, but he is going to go before the ZBA to see if they can give him some leeway because he doesn't think he'll get many bookings with a 10:00 p.m. closing. He said he wanted the Council to know that upfront so they know what they're voting on.

COUNCILMAN UREMOVIC asked if this shouldn't go before the ZBA first before it comes to us.

Mr. Campus said Mr. Cervantes wants to get going to operate the premises now, and even with the 10:00 p.m. closing he thinks he can get some bookings for baptisms where everybody will leave at 10:00 p.m. and he's willing to operate it until 10:00 p.m. with the proviso that he's going to go to the ZBA to try and amend the closing time.

COUNCILWOMAN QUILLMAN asked if he wants longer hours every night or just on the weekend.

Mr. Cervantes said he wants to have a closing time of midnight on weekdays.

COUNCILWOMAN QUILLMAN asked if there will be music and entertainment.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

Mr. Campus said he's asked for that, but typically the Mayor has not included that in the new license applications.

COUNCILWOMAN QUILLMAN said it says they are going to have a mariachi band.

Mr. Campus said that's what he's asked for, but the Mayor typically does not give permits for extra hours, entertainment or outdoor permits until he gets some idea of what kind of business he is going to run. He said this is a hall and he doesn't know how you can operate a hall too well without music, so the Mayor is going to have to consider that after the fact.

The Corporation Counsel said we have a few of these taverns especially in the District 2 and 4 areas that all came to City Hall in the late 1980's when their zoning expired and at that time we tried to review each property, make sure it was operated properly and then we granted site specific variations for each one that was eligible for approval and we also imposed hours of operation limitations on each one. He said all of that was done by the Council and so if those hours of operation are ever going to be changed it needs to come back to the City Council. He said it would go to the Zoning Board of Appeals and they'll make a recommendation, but only the full Council can approve an hours of operation change, so right now this business is subject to a 10:00 p.m. closing limit no matter what type of license it might be eligible for.

It was requested that this item be voted on today.

4. Issuance of a Class "I" Liquor License at 1030 N. Hickory Street
(Council Memo #264-09)

A communication from the Liquor Commissioner regarding the application of Wilbaldo Cervantes d/b/a Hickory Street Hall for the issuance of a Class "I" Liquor License at 1030 N. Hickory Street 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: COUNCILMEN SHETINA, TURK, COUNCILWOMAN BARBER,
COUNCILMEN BROPHY, GIARRANTE, COUNCILWOMAN
QUILLMAN and MAYOR SCHULTZ.

NAYS: COUNCILMAN UREMOVIC.

Prior to his vote, COUNCILMAN UREMOVIC said he would rather this go before the ZBA before we take action and he voted no.

Prior to her vote, COUNCILWOMAN QUILLMAN said this will be coming back to us before they change the hours so she'll vote aye for the liquor license.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #265-09 dealing with a Change of Classification of Liquor License from a Class "C" to a Class "A" License at 1115 Plainfield Road.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

It was requested that this item be voted on today.

5. Change of Liquor License Classification at 1115 Plainfield Road Street
(Council Memo #265-09)

A communication from the Liquor Commissioner regarding the application of Alfonso Saucedo d/b/a Rio Grande Fresh Market for a Change in Liquor License Classification from a Class "C" to a Class "A" License at 1115 Plainfield Road contained his recommendation that the change of classification is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #266-09 dealing with the Transfer of a Class "B" Liquor License at 7162 Caton Farm Road.

It was requested that this item be voted on today.

6. Transfer of a Class "B" Liquor License at 7162 Caton Farm Road
(Council Memo #266-09)

A communication from the Liquor Commissioner regarding the application of Robert Guerra and Diane Abbott Vickery d/b/a K.A. McBrides Pub & Grille for the transfer of a Class "B" Liquor License at 7162 Caton Farm Road contained his recommendation that the transfer 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 SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

7. Citizens to be Heard

- a. Howard Wright, Spanish Community Center Board
President re: Request for Funds

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

Mr. Wright stated he had talked to the Mayor and City Council a couple of months ago about the dire straights they are experiencing. He said the Spanish Center was founded in 1967 to provide services to basically the Hispanic community and Spanish speaking people. He said since that time they have added some goals to what they do with English as a second language and today they've opened their doors to the Joliet community at-large regardless of race or ethnic background to primarily focus on social and educational services to individuals requiring assistance. He said from these contacts they have been requested to provide food and clothing and shelter for those folks. He said in 2008 they provided food for at least 40 or more families. He said that number has now increased to over 60 families and they have not turned any of those folks away because of generous contributions. He said they averaged around 100 children in their daycare center last year and that is mainly funded through grants because most of the families are at the poverty line or lower.

Mr. Wright said his purpose today is to thank the City for all of the generous support that has been provided over the years. He said the rain last year at their fundraiser put them behind approximately \$60,000 because that was their major fundraiser and that left them in a horrific situation for the remainder of 2008 going into 2009. He said they could also be hurt again in September of this year when they have their annual fundraiser if the Mexican Day Parade were not to be held because of security not being available. He said they are tightening their belts and looking at adjustments due to the contraction of their budget. He said they just want the City to keep them in mind because \$10,000, \$5,000 or \$1,000 would be a tremendous benefit to them as they serve the people in the Joliet and Will County area.

b. Donald Faley, Daybreak Resident re: Daybreak
Funding

Mr. Faley did not attend the meeting.

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

The City Manager asked the Corporation Counsel to explain Council Memo #235-09 dealing with Amending the Joliet Liquor Code regarding Notice of Hearings for New Liquor Licenses and License Transfers.

The Corporation Counsel said this was an idea that originated in the Mayor's office and deals with eliminating what the Mayor views as an unnecessary expense in publishing legal ads for every hearing that is held by his office, realizing that basically no one benefits from the publication in the newspaper. He said the Mayor's office distributes notices to everyone within 300 feet and we're proposing two additional new types of notices. He said one would be posting on the City's website that there is a hearing regarding the liquor license, and the other would be following the procedure that is used by the Planning Department in requiring signs to be posted on the proposed license premise. He said it's a way to save money and provide even better notices of hearings that are scheduled by the Mayor.

COUNCILWOMAN QUILLMAN said she knows in the past with zoning cases we have issues with giving notices to everyone within 300 ft. and we have looked at extending it to 600 ft. She said she thinks maybe in this case it should be 600 ft.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of March, A.D. 2009***

The Corporation Counsel said we could certainly do that. He said he thinks the way it was resolved in the Planning Department is to keep the rule at 300 ft. but if there was something unusual about the property, for example the CenterPoint project, staff was directed to come up with a more flexible guideline for posting notices and with that project we probably had 20 signs that were posted. He said we'd never be able to come up with a guideline that would really handle every potential property configuration and so he thought it was the sense of the Land Use Committee to leave it at 300 ft. but to tell staff to be smart and flexible in how the mailings are actually sent in terms of a diameter and we could do the same thing here. He said if the Mayor thinks that there is something unusual about the property he could use the 600 ft. notice. He said he doesn't know if we want to double our mailing expenses though with every routine application; maybe just with the ones where it may be justified.

COUNCILMAN SHETINA said what we asked was the use of discretion with respect to the farm field kind of thing and if there is an intensive kind of use in an area you have to use discretion there too and he thinks COUNCILWOMAN QUILLMAN is saying that if it affects an area strongly that's kind of dense, maybe you ought to expand that a little bit and that's what we're talking about when using some discretion. He said he thinks you have that in place and he hopes that you'll do that.

The Corporation Counsel said most of the liquor licenses are in densely developed areas already and so we know who the neighbors are and they're all usually within that circumference.

The City Manager explained the remaining items on the agenda including the award of contracts and contract amendments, change orders and payments, and accordingly, it was agreed to cancel the Public Service Committee meeting scheduled for tomorrow.

The City Manager advised there is a need for a closed session to discuss personnel, land acquisition, pending litigation and collective bargaining.

COUNCILMAN GIARRANTE moved that the Council recess to closed session to discuss personnel, land acquisition, pending litigation and collective bargaining at 5:00 p.m. after which the meeting will be adjourned.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk