

***Proceedings of the Council of the City of Joliet, Illinois
held on the 16th day of April, A.D. 2007***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Monday, April 16, 2007 at 6:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

An Invocation was delivered by Pastor Isaac Singleton, Mt. Zion Baptist Church, 402 Singleton Place, Joliet, Illinois.

Pastor Singleton then led the pledge to the flag.

A moment of silence was held in memory of the 32 victims in the deadly shootings at Virginia Tech University.

ROLL CALL

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

ABSENT: COUNCILWOMAN AT LARGE JAN QUILLMAN.

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

APPROVAL OF MINUTES

COUNCILMAN GIARRANTE moved that the minutes of the Pre-Council Meeting of the Council of the City of Joliet, Illinois held on Monday, April 2, 2007 at 3:30 p.m. and of the Regular Meeting held on Tuesday, April 3, 2007 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS

A. Finance

COUNCILMAN UREMOVIC reported the Finance Committee met and reviewed the usual items on their agenda. He said the Committee also discussed a request from Hometown National Bank to be added as a new depository for City funds which was unanimously approved and recommended. He said the Committee also reviewed the 2007 Youth Services Small Grants Program which was also approved and recommended.

COUNCILMAN UREMOVIC said the Committee also reviewed a request for funding from the People to People Student Ambassador Program in the amount of \$2,000, and that was recommended by the Committee.

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COUNCILMAN BROPHY moved that a donation of \$2,000 be made to the People to People Student Ambassador Program.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC said the Committee also reviewed the Neighborhood Improvement Program for the month of March, the Cash Flow and Personnel Summary, the March Conference, Travel and Expense Summary Report and the Treasurer's Disbursements and Regular Claims.

B. Public Service

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

There were no other Committee reports.

CONSENT AGENDA

A. Position Vacancies

(Council Memo #404-07)

A communication from the City Manager contained his recommendation that he be authorized to fill the Director of Neighborhood Services position, one Automotive Mechanic position and any subsequent vacancies directly related to these positions.

B. Approval of the 2007 Youth Services Small Grants Program

(Council Memo #405-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the 2007 program as recommended by the United Way Small Grants Evaluation Committee.

C. Treasurer's Report – February, 2007

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

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

NAYS: NONE.

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PUBLIC HEARINGS

A. Public Hearing re: Annexation of 75 Acres Located South of Caton Farm Road

1. Resolution re: Approving the Annexation Agreement for 75 Acres Located South of Caton Farm Road (#A-45-06/Dist. #3)
(Council Memo #407-07)
2. Ordinance re: Approving the Annexation of 75 Acres Located South of Caton Farm Road (#A-45-06/Dist. #3)
(Council Memo #407-07)
3. Ordinance re: Approving the Classification of 75 Acres Located South of Caton Farm Road to R-1B Zoning (#A-45-06/Dist. #3)
(Council Memo #407-07)

B. Public Hearing re: Annexation of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads

1. Resolution re: Approving the Annexation Agreement for 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads (#A-49-06/Dist. #3)
(Council Memo #407-07)
2. Ordinance re: Approving the Annexation of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads (#A-49-06/Dist. #3)
(Council Memo #407-07)
3. Ordinance re: Approving the Classification of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads to R-1B Zoning (#A-49-06/Dist. #3)
(Council Memo #407-07)

C. Public Hearing re: Annexation of 150.52 Acres Located West of Arbeiter Road and North of Findley

1. Resolution re: Approving the Annexation Agreement for 150.52 Acres Located West of Arbeiter Road and North of Findley (#A-50-06/Dist. #3)
(Council Memo #407-07)
2. Ordinance re: Approving the Annexation of 150.52 Acres Located West of Arbeiter Road and North of Findley (#A-50-06/Dist. #3)
(Council Memo #407-07)
3. Ordinance re: Approving the Classification of 150.52 Acres Located West of Arbeiter Road and North of Findley to R-1B Zoning (#A-50-06/Dist. #3)
(Council Memo #407-07)

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D. Public Hearing re: Annexation of 20 Acres Located in Seward Township

1. Resolution re: Approving the Annexation Agreement for 20 Acres in Seward Township (#A-51-06/Dist. #3)
(Council Memo #407-07)
2. Ordinance re: Approving the Annexation of 20 Acres in Seward Township (#A-51-06/Dist. #3)
(Council Memo #407-07)
3. Ordinance re: Approving the Classification of 20 Acres in Seward Township to R-1B Zoning (#A-51-06/Dist. #3)
(Council Memo #407-07)

E. Public Hearing re: Annexation of 84.59 Acres Located West of Arbeiter and South of Findley Roads

1. Resolution re: Approving the Annexation Agreement for 84.59 Acres West of Arbeiter and South of Findley Roads (#A-53-06/Dist. #3)
(Council Memo #407-07)
2. Ordinance re: Approving the Annexation of 84.59 Acres West of Arbeiter and South of Findley Roads (#A-53-06/Dist. #3)
(Council Memo #407-07)
3. Ordinance re: Approving the Classification of 84.59 Acres West of Arbeiter and South of Findley Roads to R-1B Zoning (#A-53-06/Dist. #3)
(Council Memo #407-07)

A communication from the City Manager contained his recommendation that the Mayor and Council table Case No. A-49-06 to the Council meeting to be held on May 15, 2007, and that Case Nos. A-50-06, A-51-06 and A-53-06 be approved. The remaining petition, Case No. A-45-06, has been withdrawn.

COUNCILMAN SHETINA asked for an explanation.

The City Manager stated at one time this was a much larger parcel. He said the City annexed a portion of it 30 days ago and at that time these five petitions were tabled until today. He said as we review these petitions today, A-45-06 is no longer contiguous to the City and therefore they are withdrawing their application. He said Case No. A-49-06 would like to continue but the property owner is out of town and couldn't finalize the details of an annexation, so it is being requested that it be tabled until May 15th.

The City Manager said the other three parcels which are just south of the property that the City annexed a month ago comprise about 255 acres and they are requesting to be annexed into the City and zoned for single-family use. He said a large portion of these parcels is floodplain and will be open space and will help fill out the open space plan that was a part of the Neumann project when it was first proposed to the City. He said we are recommending that these parcels be annexed to the City. He said at a later date they would come in with a

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proposal for a subdivision, PUD and a plan for how the entire property should be developed. He said it will be developed as a mixed use project with some single-family, multi-family and commercial in the larger piece. He said these three pieces would be just single-family.

COUNCILMAN SHETINA said the language was that it would be tabled to this meeting.

The City Manager said yes, it was a unanimous vote a month ago that these parcels would be tabled until today.

COUNCILMAN SHETINA said there is some question as to the quickness or abbreviated timeframe from this getting to us and onto the agenda. He asked if anything has changed on any of these parcels.

The City Manager said no, absolutely not. He said nothing has changed and this was anticipated. He said the reason it is here before you today is because the City Council directed that it be brought back today.

COUNCILMAN UREMOVIC said with A-50-06, A-51-06 and A-53-06 you say that there is open space but they are asking for all of the acreage to be zoned R-1B, and there is no plan at this time. He said what you are asking is that we offer them R-1B throughout those three parcels.

The City Manager said yes. He said of course it's understood that the properties that are in the floodplain cannot be built on and that is why we are indicating to you that the majority of this property is in the floodplain and would be open space in the future.

COUNCILMAN UREMOVIC said but it doesn't say how many acres.

The City Manager said we don't have an exact amount of floodplain but we can get that for you.

COUNCILMAN UREMOVIC asked what the annexation agreement spells out for each one of these.

The Corporation Counsel said the annexation agreement for these three annexations would be identical to the agreements you approved a month ago, especially for the single-family parcels that were annexed in March. He said they all provide for single-family zoning and they all provide for the property to be developed as a Planned Unit Development which will come back to the City Council for final approval. He said that approval would include the appearance and building materials for each of the homes to be built on the property. He said it also includes provisions on the protection of the Aux Sable Creek so there would be a no-build zone within 100 ft. of either side of the Aux Sable Creek which essentially is the same area that was part of the originally proposed golf course. He said that would be in the protection zone and would allow for a future open space public project on these properties.

COUNCILMAN UREMOVIC said so what you are saying is that under our existing ordinance they would be able to come in here and build a house just as they would under this agreement that we have now. He said we couldn't ask more from the builder at this point.

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The Corporation Counsel said actually the agreements are more restrictive on these three properties and on the Neumann agreements you approved two meetings ago in that these properties are subject to the Creek protection restrictions that the City Council adopted.

COUNCILMAN UREMOVIC said but that is not the building material or any of that. He said that would be just on our regular ordinances that we have. He said there would be no more we could add so they would be following our existing ordinance. He said if you agree with this right now and vote for this you are giving them R-1B across the board the way it is now.

The Corporation Counsel said you are giving them R-1B Zoning on the buildable land and you are reserving the right to approve or reject what each future home on the property looks like. He said if the City Council doesn't agree with the architecture or exterior building material quality the Council could turn down a Planned Unit Development. He said the agreement specifically reserves that right for the entire Council.

COUNCILMAN UREMOVIC said but once they get the zoning they could come right back and sue us if we told them no.

The Corporation Counsel said you can't stop people from suing, although this would be a contract entered into by Neumann Homes which a court would look at as prohibiting that type of lawsuit. He said he can't recall in the 20 years that he has been doing annexation agreements that we've ever been sued by a developer on any of them, especially on this particular issue of a Planned Unit Development control that the City Council keeps for itself.

COUNCILMAN UREMOVIC said but you can't turn down a PUD once you've approved the annexation agreement.

The Corporation Counsel said a Planned Unit Development is discretionary. He said this agreement reserves to the Council the right to look at the building materials and the architectural quality and all of the elements of a subdivision and either approve it or disapprove it.

COUNCILMAN UREMOVIC said the Council would have the right to look at it but not turn it down.

The City Manager said you can turn down a PUD.

COUNCILMAN UREMOVIC said and they would come right back and sue us and say they are going by the book and say this is what your ordinance says for brick, this is what it says for siding and this is what it says for roofs. He said you can not turn them down. He said you would be able to say yes I'd like to see a little bit more but when the day is done you're not following what your ordinance says. He said so really in essence you can not turn them down.

COUNCILMAN TURK said just so he understands this, the property owners are requesting annexation of A-50-06, A-51-06 and A-53-06 and staff is recommending annexation today.

The City Manager said that's correct.

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COUNCILMAN TURK said they were tabled at the last meeting by the request of the property owners.

The City Manager said yes.

COUNCILMAN TURK asked if between then and now anything has changed, and the City Manager said no.

COUNCILMAN TURK asked if we know why they requested tabling 30 days ago and want it done now.

The City Manager said he believes they were working out the timing with their contracts with Neumann Homes. He said nothing has changed with the City.

COUNCILMAN BROPHY asked if we can do things like require different lot sizes if for example they come back to us with a PUD that doesn't include the open space, the golf course and things like that. He asked if we can then require bigger lots or greater setbacks or changes like that, critical changes to the land part of the plan.

The Corporation Counsel said first off the agreement would prohibit Neumann Homes or whoever the developer might be from coming back with a proposal that doesn't protect Aux Sable Creek. He said that open space area is specifically handled by another section of the agreement and not the Planned Unit Development section.

COUNCILMAN BROPHY said but does this tie us in any way to current thresholds and limitations that are in our ordinances now.

The Corporation Counsel said no, in fact the agreement goes out of its way to say that there is no freezing of the current ordinances. He said so if there is a quality upgrade in your ordinances that would apply under your Planned Unit Development standards.

COUNCILMAN BROPHY asked if the City Manager could give them a brief summary of what this looked like when it went to the Plan Commission and then now with these additional parcels. He asked how much of it is here along with the March annexations that we did considering that the Plan Commission saw what we'll call 100% of a proposal and what we have now is a percentage.

The City Manager said there is probably about a little over half of what was in the original submission to the Plan Commission with about 30% of that being on the north side of Caton Farm Road. He said so when staff first saw this proposal it didn't have anything north of Caton Farm Road. He said some of the property owners got together with Neumann and they talked about a deal. He said that was added when we went to Plan Commission and then it was subsequently removed before the Council took final action on it. He said there was also one other parcel that was probably 100 acres or a little bit more along Caton Farm Road on the west side of the subdivision and that has been withdrawn. He said he thinks it was the Wheeler parcel and they withdrew that. He said the rest of it is all intact with all of the open space area, and all of the area that was originally proposed as a golf course is all intact now within this annexation.

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COUNCILMAN BROPHY asked what is our most generous zoning, sometimes the numbers don't mean anything in the zoning, so what is R-1B versus R-1A and R-1 and so on.

The Corporation Counsel said R-1B is what our Comprehensive Plan called for for all single-family zoning as we move west into Kendall County and essentially that is a 10,000 average square foot lot in new subdivisions.

COUNCILMAN BROPHY asked if that is the most generous that we have.

The Corporation Counsel said it basically is. He said there is an old zoning classification of R-1 which is 10,000 sq. ft. minimum. He said R-1B will allow some flexibility so long as the average in the subdivision is 10,000 sq. ft. He said plus it has a more restrictive lot width.

The Corporation Counsel stated COUNCILWOMAN QUILLMAN called him today and indicated she could not be at the meeting tonight and asked him to voice her request for a tabling on all of the items consistent with her actions at the last City Council Meeting. He said he told her he would state that for the record.

B. Public Hearing re: Annexation of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads

1. Resolution re: Approving the Annexation Agreement for 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads (#A-49-06/Dist. #3)
(Council Memo #407-07)
2. Ordinance re: Approving the Annexation of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads (#A-49-06/Dist. #3)
(Council Memo #407-07)
3. Ordinance re: Approving the Classification of 142.5 Acres Located at the Southeast Corner of Chicago and McKanna Roads to R-1B Zoning (#A-49-06/Dist. #3)
(Council Memo #407-07)

COUNCILMAN GIARRANTE moved that these items be tabled to the City Council meeting of May 15, 2007.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

C. Public Hearing re: Annexation of 150.52 Acres Located West of Arbeiter Road and North of Findley

1. A RESOLUTION Approving the Annexation Agreement for 150.52 Acres Located West of Arbeiter Road and North of Findley was presented and read. (#A-50-06/Dist. #3)
(Council Memo #407-07)

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

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and UREMOVIC.

Prior to his vote, COUNCILMAN UREMOVIC stated there is no plan, this is just going to piecemeal all of these acres one after the other and you're going to end up with no golf course, no real open space and it will just be subdivision after subdivision after subdivision and more congestion, and he votes no.

Prior to his vote, COUNCILMAN BROPHY said his vote is directed more to the lack of adherence to procedure than any merit of the actual agreement or the applicant, so he is voting no because of the deviation from the standard procedure of following from Plan Commission to Council with the same item without changes.

(RESOLUTION NO. 5904)

2. AN ORDINANCE Approving the Annexation of 150.52 Acres Located West of Arbeiter Road and North of Findley was presented and read. (#A-50- 06/Dist. #3)
(Council Memo #407-07)
(ORDINANCE NO. 15854)

3. AN ORDINANCE Approving the Classification of 150.52 Acres Located West of Arbeiter Road and North of Findley to R-1B Zoning was presented and read. (#A-50-06/Dist. #3)
(Council Memo #407-07)
(ORDINANCE NO. 15855)

COUNCILMAN GIARRANTE moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and UREMOVIC.

D. Public Hearing re: Annexation of 20 Acres Located in Seward Township

1. A RESOLUTION Approving the Annexation Agreement for 20 Acres in Seward Township was presented and read. (#A-51-06/Dist. #3)
(Council Memo #407-07)

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

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COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and UREMOVIC.

(RESOLUTION NO. 5905)

2. AN ORDINANCE Approving the Annexation of 20 Acres in Seward Township was presented and read. (#A-51-06/Dist. #3)

(Council Memo #407-07)

(ORDINANCE NO. 15856)

3. AN ORDINANCE Approving the Classification of 20 Acres in Seward Township to R-1B Zoning was presented and read. (#A-51-06/Dist. #3)

(Council Memo #407-07)

(ORDINANCE NO. 15857)

COUNCILMAN GIARRANTE moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and UREMOVIC.

E. Public Hearing re: Annexation of 84.59 Acres Located West of Arbeiter and South of Findley Roads

1. A RESOLUTION Approving the Annexation Agreement for 84.59 Acres West of Arbeiter and South of Findley Roads was presented and read. (#A-53-06/Dist. #3)

(Council Memo #407-07)

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

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and UREMOVIC.

(RESOLUTION NO. 5906)

2. AN ORDINANCE Approving the Annexation of 84.59 Acres West of Arbeiter and South of Findley Roads was presented and read. (#A-53-06/Dist. #3)

(Council Memo #407-07)

(ORDINANCE NO. 15858)

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3. AN ORDINANCE Approving the Classification of 84.59 Acres West of Arbeiter and South of Findley Roads to R-1B Zoning was presented and read. (#A-53-06/Dist. #3)
(Council Memo #407-07)
(ORDINANCE NO. 15859)

COUNCILMAN GIARRANTE moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and UREMOVIC.

APPROVAL OF REGULAR CURRENT BILLS

- A. Regular Payroll – March 24 – April 6, 2007 - \$2,861,779.62
(Council Memo #409-07)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period March 24, 2007 through April 6, 2007 and additions to regular salaries for the period March 16, 2007 through March 29, 2007 including a 2007 Overtime Budget Status Report and a Biweekly Summary of Overtime and Temporary Assignments were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

- B. Treasurer's Disbursements – March, 2007 - \$30,991,870.65

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

- C. Regular Claims – March, 2007 - \$4,096,099.73

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

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

NAYS: NONE.

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Approving the Final Plat of Carlson Brothers Commercial Subdivision, Unit 1 as recommended by the Plan Commission was presented and read. (FP-3-07/Dist. #5)
(Council Memo #410-07)

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COUNCILMAN SHETINA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15860)

2. Ordinance re: Approving a Preliminary/Final PUD of Westfield Louis Joliet Subdivision (#PUD-1-07/Dist. #1)
(Council Memo #411-07)

A communication from the City Manager contained a request by the petitioner and staff that these items be tabled to the City Council meeting to be held on April 30, 2007.

COUNCILMAN SHETINA asked the City Manager for an explanation.

The City Manager stated they received a call from the attorney for Westfield, LLC indicating they still were working on some architectural elements that we had asked them for, including the exterior of the movie theater and a couple of other things.

COUNCILMAN SHETINA asked how they were doing.

The City Manager said they are doing great. He said the first set of architectural that they brought in for all of the exterior were not up to par and we asked them to change it and go with a more upscale, traditional look and carry that through onto the interior of the mall and they said they would. He said in fact they called us back and they thanked us because they were having a little difficulty with their corporation in getting the funding and when they said it was a City request the funding was made available. He said it's a real benefit to the City to stay firm in our requests for high quality architecture in these buildings and they're working with us very well.

COUNCILMAN BROPHY moved that this item be tabled to the City Council meeting of April 30, 2007.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

3. AN ORDINANCE Approving the Vacation of a 34' x 271.27' Ingress/Egress and Public Utility and Drainage Easement, a 20' x 565.25' Drainage Easement and a 5' Landscape Easement on Lot 10 of Wal-Mart Subdivision as recommended by the Plan Commission was presented and read. (#V-3-07/Dist. #3)
(Council Memo #412-07)

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COUNCILMAN TURK moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15861)

4. AN ORDINANCE Designating 611 Campbell Street (Guy L. Meaker House) as a Local Landmark as recommended by the Historic Preservation Commission was presented and read.

(Council Memo #414-07)

COUNCILMAN UREMOVIC moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15862)

5. AN ORDINANCE Accepting a Permanent Easement for 3857 Terrance Ferry Drive was presented and read.

(Council Memo #415-07)

(ORDINANCE NO. 15863)

6. AN ORDINANCE Accepting Easements in Association with the Wedgewood Estates Rear Yard Drainage Improvements was presented and read.

(Council Memo #416-07)

(ORDINANCE NO. 15864)

COUNCILMAN UREMOVIC moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

7. AN ORDINANCE Approving the Allocation and Transfer of the 2007 Volume Cap was presented and read.

(Council Memo #417-07)

(ORDINANCE NO. 15865)

8. AN ORDINANCE Approving and Authorizing the Execution of an Intergovernmental Cooperation Agreement for the Single-Family Mortgage Revenue Bond Program Series 2007 was presented and read.

(Council Memo #417-07)

(ORDINANCE NO. 15866)

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COUNCILMAN SHETINA asked the City Manager for an explanation.

The City Manager stated we annually receive a bonding volume cap from the State of Illinois that can be used for various projects. He said the most common project that you use it for is for manufacturing facilities and there really are not a lot of manufacturing facilities that are coming on line these days, and the ones that are are generally being privately funded. He said for about the last 9 years we have been giving this bonding capacity to the State of Illinois and they have been using it for a mortgage revenue bond program that helps first-time homebuyers. He said this year we have \$11,577,000 of volume cap and we are recommending to the Council that this funding capacity again be forwarded to the State of Illinois for that particular program.

COUNCILMAN SHETINA asked if we have a specific definition as to what qualifies as an industrial or manufacturing type of an operation.

The City Manager said there is a book of regulations on this and we could get that for you. He said what we generally do is if there is a request we usually call bond counsel and we'll run it past them and they'll check on it and make sure that it's eligible. He said we have used the bonds in the past for manufacturing, some industrial and on some apartment buildings and hotel projects.

COUNCILMAN SHETINA said so there is some stretching in there you can use.

The City Manager said there is some stretching but generally most of the projects now are being privately financed so we haven't been receiving requests.

COUNCILMAN BROPHY moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

B. RESOLUTIONS

1. A RESOLUTION Recognizing the Neighborhood Watch Group of the Autumn Fields Subdivision was presented and read.

(Council Memo #423-07)

COUNCILMAN LEDESMA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5907)

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2. A RESOLUTION Declaring Certain City of Joliet Property as Surplus was presented and read. (Computer Equipment)
(Council Memo #424-07)

A communication from the City Manager contained his recommendation that said Resolution be adopted and that these surplus items be given to Vintage Tech Recyclers, Inc.

COUNCILMAN UREMOVIC moved that said Resolution be adopted as recommended.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5908)

3. A RESOLUTION Authorizing the Execution of an Agreement with the Cooperative Extension Service for Housing Education was presented and read.
(Council Memo #425-07)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5909)

4. A RESOLUTION Authorizing Environmental Site Assessment and Environmental Review and Traffic Analysis for Union Towers Warehouse Building on New Street and Four Vacant Lots on York Avenue was presented and read.
(Council Memo #426-07)

COUNCILMAN SHETINA asked for a brief explanation.

The City Manager stated the Council has asked us to put in place other projects that would provide for additional parking for the City Center and for commuter parking. He said we received a grant of \$2.4 million from the Federal Transportation Bill which we'll receive over the next 3 or 4 years and in preparation for that the Council previously authorized us to appraise and do environmental assessments and traffic analysis for 23 lots behind Union Station. He said the Council also had asked us to take a look at the old Joliet Warehouse property. He said we took this to the Land Use Committee and they reviewed it and asked us to proceed on this parcel and a couple of other parcels. He said the next phase before we can do the appraisal on the Joliet Warehouse property is to do the environmental site assessment, the environmental review and the traffic analysis. He said Metra is our partner in these projects and Metra has a company that will do those for us. He said on the other 23 lots they are just about completed with those and we'd like them to start now on this piece of property so we can eventually do an appraisal and make an offer on the property.

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COUNCILMAN SHETINA said if in fact an environmental study is done and they find something that is hazardous and we are just going to do a parking lot there, do we have to remediate that anyway even if we're going to cover it with asphalt.

The City Manager said he thinks it depends on what you find. He said there are some hazardous items that they will not let you pave over but if it is not significant but is still classified as hazardous, then you can pave over it. He said we have actually done that in several cases. He said there are locations in the City where there have been gas stations and things like that where there is a moderate amount of residual in the property and the EPA has let them pave over it, but they do have to monitor it.

COUNCILMAN SHETINA stated so they would comment on it regardless.

The City Manager said yes, absolutely.

COUNCILMAN DORRIS moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5910)

BIDS AND CONTRACTS

A. Award of Contracts

1. Award of Contract for the 1109 Kerry Lane/3857 Terrance Ferry Rear Yard Drainage Improvements Project – 2007 Neighborhood Improvement Program
(Council Memo #432-07)

A report on four bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Austin Tyler Construction in the amount of \$39,590.00.

2. Award of Contract for the Installation of Odor Control Unit at the Black Road Lift Station
(Council Memo #433-07)

A report on three proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Cryer & Olsen in the amount of \$24,500.00.

3. Award of Contract for the Replacement of Administration Building Roof at the East Side Treatment Plant
(Council Memo #434-07)

A report on three proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Adler Roofing in the amount of \$27,597.00.

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4. Award of Contract for the 6310 Ventura Court – Brookside Subdivision Rear Yard Drainage Improvements – 2007 Neighborhood Improvement Program
(Council Memo #435-07)

A report on three proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Len Cox & Sons Excavating in the amount of \$7,400.00.

5. Award of Contract for the Wedgewood Estates Rear Yard Drainage Improvements Project
(Council Memo #436-07)

A report on five bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Austin Tyler Construction in the amount of \$60,211.00.

6. Award of Contract for the Purchase of an Aerator for the Caton Crossing Subdivision – District 1 Neighborhood Improvement Program
(Council Memo #437-07)

A report on one proposal received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to John Deere Landscapes in the amount of \$6,210.00.

7. Request Authorization to Purchase Water Meters
(Council Memo #438-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the purchase from H & D Waterworks at a total cost of \$264,976.00.

8. Request Authorization to Award a Contract for the Installation of Aerators for the Pheasant Landing Subdivision
(Council Memo #439-07 was never prepared)
9. Request Approval for Summer Hoops Basketball Program
(Council Memo #440-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve and fund the Summer Hoops 2007 Program in an amount not to exceed \$14,900.00.

10. Award of Contract for the Stryker Avenue School Zone Flashers Project – 2007 Neighborhood Improvement Program
(Council Memo #441-07)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Fox Electric in the amount of \$17,215.00.

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

Motion seconded by COUNCILMAN LEDESMA.

Motion carried by the following vote:

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

NAYS: NONE.

B. Amendments, Change Orders and Payouts:

1. Approve Change Order No. 2 for the Near West Side
Neighborhood Framework Plan
(Council Memo #447-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$3,622.95 on behalf of Ruettiger, Tonelli & Associates.

COUNCILMAN SHETINA asked what the essence of this plan is.

The City Manager said the Near West Side Neighborhood Plan includes the area from the river going west over to about Raynor Avenue and between Jefferson Street and north to about Black Road. He said what they did in that area was they first identified who would be the stakeholders and the major entities in that area which included the City, the churches, the University of St. Francis, the Cathedral, First Presbyterian and CAPA as a neighborhood organization. He said then they did some work with each of those stakeholders to help them put together their portion of what would become a comprehensive plan and then they held several seminars where everybody came together and viewed each other's plans to see whether they were in conflict and if they were in conflict, to try to work out the conflict. He said a good example would be parking around the University of St. Francis and the CAPA area's desire not to tear any more houses down. He said they worked together over several meetings to identify areas where parking would be acceptable and where it was OK to take a couple of houses or so down. He said the process has unfolded really well, a little slowly but really well over the last couple of years. He said it allowed the University of St. Francis with their new President to complete their comprehensive plan and to get that in place to make that a part of this plan. He said now the plan is just about ready for presentation to the Land Use Committee and to the City Council. He said he saw a draft of it the other day and it looks good. He said it has recommendations on how to finish out a lot of the other areas, what we should do at major intersections, and what acquisitions we should look at as a City in terms of trying to make these corridors more productive and more aesthetically pleasant. He said COUNCILMAN BROPHY worked an awful lot with us and he asked if he had any comments.

COUNCILMAN BROPHY said you did a good job summarizing it. He said we were trying to comprehensively get everybody involved that considered themselves a stakeholder, and we didn't identify the stakeholders. He said they asked the community what they find important here. He said they asked the Greek Orthodox Church and St. Pete's Lutheran and the Upper Bluff group, and there were many of them there. He said it was partially to recognize the potential of the economic engine that the University could be as reinvigorating the pulse of the Near West Side and then how they can connect to all those other

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stakeholders. He said it was a great experience and they've all been very happy with the process and the experience. He said he can't wait to see more of what's to come and he really thinks there is a need to connect our downtown to our Near West Side a little bit better and he is looking forward to that corridor.

COUNCILMAN SHETINA asked if there is some way you could use this as a template for other areas of the City that might need it.

The City Manager said sure, he thinks the process certainly is something they could use in other neighborhoods. He said we don't necessarily have the amount of conflict in other neighborhoods and we don't have a lot of large institutions like the University that are in a growth mode. He said the University has their remote campuses but they're looking to grow at this campus. He said their undergraduate program is absolutely essential to their future success and when you're in that kind of a growth mode, that impacts on other parties in the neighborhood.

2. Approve Payment for the Radium Compliance and Water Supply Improvement Project
(Council Memo #448-07)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve Amendment No. 6, an increase of \$28,175.00 to the contract; 2) Approve Amendment No. 7, a net increase of \$83,226.00 to the project; and 3) Approve the payment of invoices totaling \$171,492.42 on behalf of Strand Associates for the Radium Compliance and Water System Improvements Engineering Services Agreement.

3. Approve Change Order No. 2 and Pay Estimate No. 10 and Final for the Southeast Joliet Lift Station and Force Main Project
(Council Memo #449-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2, a deduction in the amount of \$2,665.00 and Pay Estimate No. 10 and Final in the amount of \$100,828.71 on behalf of Len Cox and Sons.

4. Approve Change Order No. 1 and Payment Estimate No. 2 for the Well #10D Rehabilitation Project - 2007
(Council Memo #450-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$36,810.50 and Pay Estimate No. 2 in the amount of \$6,732.00 on behalf of Water Well Solutions.

5. Approve Change Order No. 1 and Payment Estimate No. 1 for the Fairmount Street Watermain Replacement Project - 2007
(Council Memo #451-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$520.00 and Pay Estimate No. 1 in the amount of \$35,605.24 on behalf of Austin Tyler Construction.

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6. Approve Change Order No. 4 for the Black Road Water Treatment Plant Project
(Council Memo #452-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4 in the amount of \$57,835.00 on behalf of Vissering Construction.

7. Approve Change Order No. 3 for the Fairmont and Garvin Water Treatment Plant Project
(Council Memo #453-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$73,968.00 on behalf of Vissering Construction.

8. Approve Change Order No. 1 and Pay Estimate No. 5 and Final for the Arden Place (Fountaindale Subdivision) Roadway Improvement Project – 2006 Neighborhood Improvement Program
(Council Memo #454-07)

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 \$14,844.31 and Pay Estimate No. 5 and Final in the amount of \$7,068.30 on behalf of Len Cox & Sons.

9. Approve Change Order No. 1 and Payment No. 3 and Final for Cold Patch
(Council Memo #455-07)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve Change Order No. 1, an increase to Purchase Order #87030 by \$2,458.89; and 2) Approve Payment No. 3 and Final in the amount of \$2,587.35 on behalf of Gallagher Asphalt.

10. Approve Change Order No. 1 to the Weed Cutting and Clean-Up Contract
(Council Memo #456-07)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1, a deduction in the amount of \$354.00 on behalf of Culpeppers Lawn Works.

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

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

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MAYOR

A. Proclamation re: Proclaiming April 27, 2007 as "Arbor Day"

COUNCILMAN BROPHY read a Proclamation issued by MAYOR SCHULTZ proclaiming April 27, 2007 as "Arbor Day" and urging all citizens to support the efforts to care for our trees and woodlands and to support our community's forestry program.

Mrs. Rita Renwick accepted the Proclamation and said the official Arbor Day celebration takes place on April 27, 2007 at 1:00 p.m. at Sator Sanchez School. She said at that time they will announce the winner of their "Big Tree Contest" for the biggest tree in the City. She said in the past 16 years the City has planted over 15,000 trees, and she presented to the City an Ansel Adams print in appreciation.

B. A Resolution Declaring the Month of May 2007 as "Preservation Month" was presented and read.

COUNCILMAN LEDESMA read a Resolution declaring the month of May 2007 as "Preservation Month". He said this is a time to recognize preservation efforts throughout the country and to promote awareness of historic preservation.

Mrs. Bonnie Horne, Chairwoman of the Historic Preservation Commission, and Mr. Mike Daniels, Vice-Chairman, accepted the Resolution. She said the Joliet Preservation Commission landmarks structures through the help of the City Council, designates Historic Districts and records information for generations to come. She said they hosted the state-wide Preservation Conference in Joliet a little over a year ago. She said in March the Commission and the City of Joliet lost a wonderful Joliet historian, Seth Magosky. She said on May 5th the Commission along with the Joliet Area Historical Museum, the Will County Historic Preservation Commission and the Will County Historical Society is hosting a joint symposium entitled "Making Preservation Work", and she would like to invite the Mayor, City Council, the City staff and the general public to attend. She said after the symposium there will be several side trips that are going to be offered to participants.

MAYOR AND COUNCIL COMMENTS:

COUNCILMAN UREMOVIC thanked the Director of Planning and his staff and especially Jim Teiber for the wonderful work they're doing on the landscape enhancement coming in off of I-80 on Larkin Avenue and exiting Joliet going west. He said the State came in and did some clean-up work in that area but they stopped short and he said he would appreciate it if we could get the rest of that cleaned up.

COUNCILMAN SHETINA said he would like to remind everyone summertime is coming and to slow down in the subdivisions and the major routes. He said we have too much speeding in the area and he hopes the Police Department gets out and shows everyone that we want them to slow down.

COUNCILMAN SHETINA wished everybody well in tomorrow's elections and he thinks it was very well handled in every campaign.

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COUNCILMAN BROPHY said there was a fairly decent size sinkhole in the parkway at 900 Mason Avenue which was reported last year and we did some work on it. He said it's back again right at the curb in the northeast corner of their lot. He said he would appreciate it if we could get the crews in to fix it once and for all.

COUNCILMAN BROPHY said he thinks we owe a big debt of gratitude to Andy Honiotes. He said he and COUNCILMAN GIARRANTE and his wife were at the Holiday Inn on Saturday night. He said the Ford Model A Club had their National Convention in Joliet and while Andy is not currently the President he has been President in the past. He said he thinks Andy single-handedly is responsible for around 300 visitors coming to this City who filled the Holiday Inn for 3 days and 3 nights, ate at our local restaurants, visited the Rialto and had a short parade of over 60 Model A cars from all over the country. He said there would have been more but those from Michigan and Wisconsin got snowed in. He said it was amazing to see all these people from all over the country who came here for their National Convention. He said he was very proud as they talked about the Rialto and the places they went. He thanked Mr. Honiotes and his family and for all he does for Joliet. He also thanked the Joliet Police Department for their help for their little extra patrols in keeping their cars safe while they were here.

COUNCILMAN GIARRANTE wished Planner Jan Vitali good luck in her retirement and said we are going to miss her.

COUNCILMAN GIARRANTE moved that the Pre-Council Meeting scheduled for Monday, April 30, 2007 at 3:30 p.m. be cancelled, that the Regular Council meeting scheduled for Tuesday, May 1, 2007 at 6:30 p.m. be rescheduled for Monday, April 30, 2007 at 6:30 p.m., and that a Special Meeting be held on Tuesday, May 8, 2007 at 6:30 p.m. for the swearing-in ceremony for the offices of Mayor and District Councilman.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN LEDESMA thanked the Joliet Police Department for the great job they did yesterday on traffic control on closing down Collins Street for the dedication of the statue for the late Mr. Rodriguez who started the Mexican Independence Day Parade. He said everything was very well done by Kathleen Farrell. He said there were over 200 people that attended and he congratulated them for taking the time to participate in that special day.

ADJOURNMENT

COUNCILMAN GIARRANTE moved that the Council adjourn.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape