

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 6th day of April, A.D. 2010***

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

INVOCATION

An Invocation was delivered by Pastor Jimmy Dominguez, Christ Vine Ministries, 505 Columbia, Joliet, Illinois.

COUNCILMAN GIARRANTE asked Pastor Dominguez to remember Joe Bertino, a long-time Joliet resident and businessman who recently passed away.

COUNCILWOMAN QUILLMAN stated she was asked by the Joliet Fire Department to remember Homewood Fire Fighter Brian Carey who was only on the job six weeks and lost his life in a tragic fire.

Pastor Dominguez then led the pledge to the flag.

ROLL CALL

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

ABSENT: MAYOR ARTHUR SCHULTZ.

ALSO PRESENT: CITY MANAGER THOMAS A. THANAS 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, March 15, 2010 at 3:30 p.m. and of the Regular Meeting held on Tuesday, March 16, 2010 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Baseball

COUNCILMAN GIARRANTE stated the Baseball Committee received an update from the JackHammers on their progress as far as ticket sales, etc. He said some of the concession prices are being lowered and some are being raised. He said the only ones being raised are some of the beer prices and nachos

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purchased in the suites. He said they also discussed the upcoming Sports Hall of Fame inductee's ceremony.

COUNCILMAN GIARRANTE said they are working with Lewis University to host an NAIA tournament. He said they were given a list of potential host sites and Joliet is on the list for a National Championship Opening Round. He said they asked the Director of Marketing & Communications Ben Benson for some information on what the IHSA weekends bring to the area. He said the Class A Tournament in 2006 brought in an estimated \$323,000 of economic impact to the City of Joliet and the Class AA Tournament in 2007 brought in an estimated \$396,000.00.

COUNCILMAN GIARRANTE said they also discussed the JackHammers/Aramark agreements for the IHSA weekends and they discussed the Miracle League lease agreement. He said this year the Miracle League is going to have 154 children participate and they do need volunteer "Buddies". He said they start on Saturday mornings at 9 a.m. and volunteers can call 815-258-3799 or go to their website at [miracleleagueofjoliet.com](http://miracleleagueofjoliet.com).

COUNCILMAN GIARRANTE said they had a brief discussion about the turf proposal with District 204 and staff is continuing discussions with them to try to work out an agreement to install the turf. He said they would like to get this done to open up the 2011 season.

**B. Land Use**

COUNCILMAN SHETINA stated the Land Use Committee met last week at the Joliet Historical Museum and it was televised on Channel 6. He said they discussed the multi-modal project which basically is a consortium of the County and the City and others that are looking at a multi-modal system that would function in downtown Joliet with the hopes of keeping the County operations downtown.

The City Manager stated the City received a grant from the RTA to do a study to determine the suitability for downtown Joliet to host a multi-modal transportation center which means bringing all forms of public transportation into one facility. He said staff has been working with VOA Associates, the agency we retained about a year ago to help us with a plan in conjunction with the County, the City Center Partnership and other interested parties in downtown Joliet. He said it's a plan that will be there to take advantage of all forms of public transportation that comes into downtown Joliet i.e. METRA commuter trains, PACE bus service, Amtrak trains and the future high speed rail, as well as the private inter-city bus lines like Peoria Charter, Illini and other forms of transportation such as para-transit service, taxi service and rental cars. He said last week we had a presentation at a public meeting which was a requirement under the grant conditions and it was also televised and presented to the RTA. He said we received some feedback this morning that the RTA was very impressed and wants to continue working with us to try to develop this facility.

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Director of Community and Economic Development Jim Haller stated we have a steering committee who has been integral in participating in the design. He said we have a lot of agency buy-in and it has changed quite substantially from the first starting point to where we're at now. He said the RTA was very happy with the presentation and they're very happy about the direction we're going in. He said this is exactly the kind of project they want to see happen not only in Joliet but in other locations all around the area.

COUNCILMAN SHETINA said VOA Associates has done a great job and they went way beyond the scope of what they were supposed to do and he thinks based on the fact that other agencies are looking at it, they have given us a lot more than they bargained for with respect to the dollars we spent on them, so it worked out fine for us.

COUNCILMAN SHETINA said we have some ongoing issues and are still in the planning stages with respect to the concerns CAPA has with the landlord and tenant problems. He said we'll bring that forward as we work with it.

C. Public Service

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

COUNCILMAN GIARRANTE stated that COUNCILMAN BROPHY asked at the Pre-Council meeting yesterday about the construction of a new home as he thought the cost was excessive. He stated that staff did some research and two years ago we built almost the same house for \$174,500.00 so it is in the ballpark.

MAYOR PRO-TEM BROPHY said he was hoping current conditions would have brought those bids in a little lower.

COUNCILMAN GIARRANTE said there is a contract on the agenda for the demolition of some City-owned properties on Des Plaines, Henderson, Marion and Ottawa Streets and there seems to be some problems with the low bid, so they are going to bring it back in two weeks.

There were no other Committee reports.

The Proclamation was moved up on the agenda at this time.

MAYOR

A. Proclamation re: Proclaiming April 2010 as "National Fair Housing Month"

COUNCILMAN GIARRANTE read a Proclamation issued by MAYOR SCHULTZ proclaiming the month of April 2010 as "National Fair Housing Month" in the City of Joliet and establishing Joliet as an open and inclusive community committed to fair housing.

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Ms. Kelly McKenzie of the Will Grundy Center for Independent Living stated the Center plays a great role in the advancement of fair housing and are affiliated with the South Suburban Housing Center which is funded by the U.S. Department of Housing and Urban Development. She stated they collaborate together to ensure that individuals with disabilities are aware of their fair housing rights. She said on behalf of the Will Grundy Center for Independent Living they accept this Proclamation with great honor.

Ms. Marian Honel of the Illinois Department of Human Rights – Fair Housing Division stated she appreciates the opportunity to be here and applauds the City of Joliet for their actions. She said they are very pleased to be working with the City on the upcoming landlord training. She said their mission is to eliminate discrimination throughout the State of Illinois. She extended an invitation to everyone present to attend their upcoming Fair Housing Month event on April 16<sup>th</sup> at 9:30 a.m. at the Thompson Center in Chicago.

**AGENDA ITEMS AND REPORTS:**

- A. Council Memo #229-10 re: Information Regarding the Cass Street Corridor Tax Increment Financing (TIF) District Study Proposal

The City Clerk stated this item was taken off of the agenda.

**PUBLIC HEARINGS**

- A. Public Hearing re: Annexation of 13 Lots Located at 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue

1. A RESOLUTION Approving an Annexation Agreement for 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue as recommended by the Plan Commission was presented and read. (#A-1-10/Dist. #5)  
(Council Memo #232-10)  
(RESOLUTION NO. 6364)
2. AN ORDINANCE Approving the Annexation of 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue as recommended by the Plan Commission was presented and read. (#A-1-10/Dist. #5)  
(Council Memo #232-10)  
(ORDINANCE NO. 16626)
3. AN ORDINANCE Approving the Classification of 1413 Cecilia Avenue, 610 Zarley Boulevard, Tulare Street and Superior Avenue to I-1 Zoning as recommended by the Plan Commission was presented and read. (#A-1-10/Dist. #5)  
(Council Memo #232-10)  
(ORDINANCE NO. 16627)

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

MAYOR PRO-TEM BROPHY asked if there were any comments, and being none, he closed the public hearing.

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COUNCILMAN GIARRANTE moved that said Resolution and Ordinances be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

B. Public Hearing re: Establishing the 2010 Joliet Special Service Area No. 1 – Fisk/Millboro

1. AN ORDINANCE Approving the Establishment of the 2010 Joliet Special Service Area No. 1 – Fisk/Millboro was presented and read.  
(Council Memo #233-10)

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

Mr. Anthony Culyat of 909 Fisk Avenue said he and a group of his neighbors that are present this evening are in favor of the improvements but they feel the City should pay for the project as do Crest Hill, Plainfield, Romeoville and others. He said about 80% of the people on his block are on public aid or welfare. He asked why the City can't take money out of the General Funds to help pay this.

The City Manager said this is a project that comes before the Council under the Neighborhood Improvement Program which is a program that has been in existence since 1981 and started off as an opportunity for the City to try to take care of some of the old streets in the older neighborhoods that hadn't seen much attention. He said we had the property owners pay part of the share and had the City pick up the other share. He said fortunately in the 1990's and early 2000's we saw other forms of revenue coming in that allowed us to do more projects and actually lower the share that the property owners would pay. He said in this particular case this is about a \$371,000 project and we're asking the property owners to contribute about \$13,950 to it. He said almost all of the participants will be paying \$300. He said for those who have some hardship we're willing to have an installment plan put in place to pay their share without interest or penalty as long as they stay current with their payments. He said he understands that Crest Hill and some other towns pay 100% of the cost but when you look at those towns they are a lot smaller and their challenges are less than what we have. He said there are three other similar projects on the agenda tonight and all of those property owners are being treated the same as Mr. Culyat and his neighbors and his recommendation is to move forward with it.

MAYOR PRO-TEM BROPHY said Mr. Culyat and his neighbors are going through a project now that many of their neighbors have done over the past 20 years so we're trying to treat everyone the same. He said one of the differences in Joliet from the other towns is that we're adding a storm sewer that isn't there in many cases and taking the storm water out of the sanitary lines so now the sanitary and storm water will run independently of each other. He said if we take the storm water and put it into storm sewer lines that will remove some of the pressure from the sanitary lines and reduce hopefully all of the basement

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backup. He said then we will finish with curbs and gutters and so the residents were asked to pay a share. He said in earlier times that share was much greater and the residents are only being asked to pay \$300.00 with a payment plan that fits their needs.

Mr. Culyat said it's a proven fact that if the roads are properly taken care of they last longer. He said he has lived there 31 years and they have to beg to get their roads plowed and a couple of years they didn't even get them plowed at all.

Director of Public Works Jim Trizna stated this street gets plowed just like every other street in the City and if it's not being plowed, residents need to call the Street Department.

COUNCILMAN DORRIS asked if residents have an alternative if they don't want the project done.

The City Manager said this is a special service area process and there is a procedure for the residents who are benefitting from this project to basically kill the project. He said it is set not by City Ordinance but by State Law so if 51% of the owners of record and 51% of the registered voters in this 45 lot area determines they don't want this project to go forward they can go through the process of killing it and we would take the \$371,000 that is allocated for this project and move it over to another project. He said he doesn't think that's really what they want, he thinks they would like to see the project go through. He said we only have four streets on the list this year and this is one of the four. He said we can help the residents with their share and that's always paid after the project is completed, not in advance. He said we'll meet with the residents privately one on one. He said if there is a problem with snow removal, people should call him and not the Street Department and he'll meet them out there and take care of it.

Mr. Culyat said he would like to suggest that the Council meet every month or two in their district so people can air their problems.

COUNCILMAN GIARRANTE said all residents have to do is call a neighborhood meeting and they will be there. He said not too long ago he lived in the 900 block of John Street and his lot was 50' x 75' and it cost him \$1,300 to get his street done back then. He said over the years we have tried to use this NIP money to get the cost to the homeowners down and he would have been glad to pay \$300 and not \$1,300.

MAYOR PRO-TEM BROPHY said this is going to be an improvement to property values in general. He said it's a good thing when you go to sell it and it's a bad thing when the tax man drives by but you are going to gain some functionality from it and the storm water will be dealt with. He said the actual support that the neighbors are picking up is 4.87% so other funds are picking up over 95% of the cost of this project.

Mr. Richard Slabozeski of 904 Fisk Avenue said you made reference to the fact that in Joliet you have other circumstances that have need for your monies whereas places like Crest Hill have less people so they pay less taxes and we have more people so we pay more taxes. He asked if the ball park is paying for itself.

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MAYOR PRO-TEM BROPHY said he is not sure if our tax rate is higher than neighboring towns. He said with regard to what we're doing here, adding a storm sewer underneath is different than some of the other towns. He said we're about 90% done with this in the City so 90% of your neighbors and fellow citizens have contributed their portion to the Neighborhood Improvement Program when their street was done in front of their house. He said so what we are asking you to do is participate just like the rest of your neighbors have done to be fair.

Mr. Slabozeski said he wants to know if we are making money off of the stadium. He said if we're not, why don't we get rid of that thing and start taking care of the citizens.

COUNCILMAN GIARRANTE said the baseball field is paid for and we are getting rent from the JackHammers, so we are making money off of the ball park.

Mr. Slabozeski said he would like to see that in writing because he doesn't believe it.

COUNCILMAN GIARRANTE said MAYOR PRO-TEM BROPHY made a viable point of how can we not expect everybody to pay when over the years everybody has paid. He said if we change the rules in the middle of the game it wouldn't be fair to all of those people that in the past have paid, some a lot more than others.

Mr. Kenneth Carter of 821 Fisk Avenue said he needs to know what is going to be done to his property because it seems like the sewer line runs right up under his driveway in between his garage and his neighbor's fence. He asked if they are going to tear up his driveway and knock down that fence.

MAYOR PRO-TEM BROPHY said the specifics are available from the project engineer, Lisa Dorothy, and she would be happy to discuss this with him when the public hearing is over.

Ms. Barb McNichols of 900 Fisk Avenue stated their street has never been resurfaced entirely and she is really looking forward to this. She said she's assuming that now that they're going to have curbs and gutters and a proper storm system that in the future they will qualify for leaf pickup also as they did 30 years ago but now they don't because they don't have curbs. She said she's also assuming that Ms. Dorothy would borrow the Council Chambers one night very soon and invite everybody on the street to come and hear what exactly the plans are because they have a lot of questions. She said she has also called COUNCILMAN DORRIS about 8 times in the last two years and has never received a call back whether his voice mail box was full or empty. She said they've needed this work done for the past 20 years and they are really relieved to know it's finally their turn.

COUNCILWOMAN QUILLMAN said she makes a very valid point. She said a lot of people are intimidated by coming to a Council meeting and she's sure they do have lots of questions and she would propose that in the future when we do these projects that we have a pre-meeting like she suggested and most of their questions could be answered and explained.

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COUNCILMAN DORRIS said then we would change the process because when the process was put in place we'd send a letter out and there was a public hearing that was supposed to serve that purpose. He said if we want to do that that's fine but then we need to change the process for all of the projects.

COUNCILWOMAN QUILLMAN said she's not saying change the process, she's saying have a pre-meeting before the public hearing to get some of their questions answered with the City staff, not the Council.

COUNCILMAN DORRIS said OK, then we need to do that for all of them.

COUNCILWOMAN QUILLMAN said right. She said she's not saying preclude the hearing she's just saying let staff meet with these folks before the hearing so their questions are answered before they come here.

MAYOR PRO-TEM BROPHY said he's sure we'll allow as much opportunity as possible to communicate and educate everybody on what's going on. He said this is the beginning of a 60 day period so no work can begin for 60 days, we have to wait 60 days from the establishment date and we are only establishing the area today. He said so if the 60 days passes and everybody is satisfied with the work that's going to be done, then it will go out for bid. He said this is actually a good time to have this conversation and it will in fact initiate those meetings, it has in other neighborhoods and with other projects. He said we start here and have a neighborhood meeting somewhere in the 60 days and then it materializes in work out on the street.

MAYOR PRO-TEM BROPHY then closed the public hearing.

COUNCILMAN DORRIS moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she is going to vote aye because she gets the feeling that the majority of the neighbors do want this so she is going to go with the majority, but she does understand the plight of others.

Prior to his vote, COUNCILMAN DORRIS thanked Mr. Culyat for his comments. He said when he saw Mr. Culyat this week he offered to come out that day and meet with everybody on the block and Mr. Culyat said he didn't have time, but that offer still stands and he voted aye.

(ORDINANCE NO. 16628)

C. Public Hearing re: Establishing the 2010 Joliet Special Service Area No. 2 – State Street (Ohio – Jackson)

1. AN ORDINANCE Approving the Establishment of the 2010 Joliet Special Service Area No. 2 – State Street (Ohio – Jackson) was presented and read.  
(Council Memo #234-10)

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

Ms. Faye Cartwright, speaking on behalf of her father Jimmie Wright who owns property at 413 State Street, said she dittos everything Mr. Culyat shared with the Council. She said the assessment on 413 State Street, which is a 4-unit building, is extremely high because it is a very short street, she believes there are only 5 or 6 houses on that street and most are either apartment buildings or single family.

The City Manager said for a 4-unit apartment building or rental unit it has been the City's policy for 20 plus years that it be given a full assessment because it is treated as a business even if one of the four units is occupied by the owner. He said in this case we still cap the amount that would be paid and in this particular case for a 4-unit it's capped at \$1,500.00. He said the theory is that there is an opportunity to get some of that money back from the tenants who are occupying the other three units.

Ms. Cartwright said with the economy and folks not having jobs, they are for the improvements being done, but she just thinks that this one time due to the economy the Council could look at lowering the price.

MAYOR PRO-TEM BROPHY said he doesn't think we'd change the policy for just this project but of course it's up to the Council. He said we'd want to be fair to the other citizens in Joliet that have already participated and paid this much. He said the value of the building will increase substantially and we are not asking anyone to pay this in one lump or even a couple of months. He said it is at zero percent interest and we would stretch that out to fit anyone's budget.

COUNCILMAN GIARRANTE said if we were to start making exceptions this place would be lined up from here to Elwood with people looking for refunds of the money they paid. He said it's been \$300 for ten years for a single family home and that is more than reasonable when you see the results with the curbs and gutters and the improvements.

COUNCILMAN SHETINA said at some point in time we need to have meetings with people so it is understood that the real estate taxes that we charge don't even come close to doing any roads whatsoever, that's not where we get the money to do the streets. He said the City of Joliet gets 15% of the tax bill or maybe \$600 out of a \$4,000 bill. He said our portion of the tax bill is minimal compared to what we provide in services. He said Mr. Wright has a 4-unit and it is a business occupation and that's unfortunate in that he has to pay for it but we all have to do it, that's how it works.

Ms. Cartwright asked if anything is going to be done on Fairview Avenue. She said it's the 1200, 1300 and 1400 blocks and you can barely drive on it.

COUNCILMAN DORRIS said that entire street was rebuilt by Councilman Chick Bernickus in 1989. He said they separated storm sewer and sanitary sewer and put in curbs and gutters, but it does need an overlay now. He said all of the major work has been completed, it just needs to be patched.

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Mr. Arturo Juarez of 459 State Street said it's about time the City is going to do something around there. He said it would be a good idea to have a pre-meeting because he doesn't know what's going to be done.

Mr. Trizna said Engineer Mark Sefcik will speak with him after the public hearing.

Mr. Juarez then thanked COUNCILWOMAN BARBER who helped them out in the past with the water on their street.

MAYOR PRO-TEM BROPHY then closed the public hearing.

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16629)

D. Public Hearing re: Establishing the 2010 Joliet Special Service Area No. 3 – Taylor Street (Prairie – Raynor)

1. AN ORDINANCE Approving the Establishment of the 2010 Joliet Special Service Area No. 3 – Taylor Street (Prairie – Raynor) was presented and read.  
(Council Memo #235-10)

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

MAYOR PRO-TEM BROPHY asked if there were any comments, and being none, he closed the public hearing.

COUNCILMAN TURK moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16630)

E. Public Hearing re: Establishing the 2010 Joliet Special Service Area No. 4 – Clement Street (Douglas – Ruby)

1. AN ORDINANCE Approving the Establishment of the 2010 Joliet Special Service Area No. 4 – Clement Street (Douglas – Ruby) was presented and read.  
(Council Memo #236-10)

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MAYOR PRO-TEM BROPHY asked if there were any comments, and being none, he closed the public hearing.

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16631)

APPROVAL OF REGULAR CURRENT BILLS

- A. Regular Payroll – February 26 – March 11, 2010 - \$2,903,144.02  
(Council Memo #237-10)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period February 26, 2010 through March 11, 2010 including a Summary of Overtime and an Overtime Budget Status Report were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Declaring the following properties as Public Nuisances and authorizing application to the Circuit Court for demolition, injunction or other relief was presented and read:  
955 Cottage Place, 611 Morgan Street and 613 Third Avenue.  
(Council Memo #238-10)

COUNCILWOMAN BARBER moved that said Ordinance be adopted as recommended.

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Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16632)

**B. RESOLUTIONS**

1. A RESOLUTION Pertaining to City Work on State Highways was presented and read.  
(Council Memo #241-10)

COUNCILMAN SHETINA asked for an explanation.

Director of Publics Works Jim Trizna said essentially this is just a formality we do about every two years. He said any municipality who passes a Resolution has the right to go on to State highways and repair watermain breaks, sewer breaks etc. without getting a bond.

COUNCILMAN DORRIS moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6365)

2. A RESOLUTION Authorizing the Purchase of 1313 Sterling Avenue for the Neighborhood Stabilization Program (NSP) was presented and read.  
(Council Memo #242-10)

COUNCILMAN DORRIS moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6366)

3. A RESOLUTION Authorizing the Acceptance of 809 Ewing Street was presented and read.  
(Council Memo #243-10)

COUNCILMAN DORRIS moved that said Resolution be adopted.

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Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6367)

4. A RESOLUTION Declaring Certain City of Joliet Property as Surplus (Fire Turnout Gear) was presented and read.  
(Council Memo #244-10)

A communication from the City Manager contained his recommendation that said Resolution be adopted and that six sets of Fire Turnout Gear (Coats and Pants) be donated to Wilco Fire Training Academy.

COUNCILWOMAN QUILLMAN moved that said Resolution be adopted as recommended.

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6368)

5. A RESOLUTION Recognizing the Neighborhood Watch Group of the Heritage Condo Association was presented and read.  
(Council Memo #245-10)

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6369)

**BIDS AND CONTRACTS**

**A. Award of Contracts**

1. Award of Contract for Additional Electrical Work for the Computer Room at City Hall  
(Council Memo #248-10)

A report on three quotes received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Timm Electric in the amount of \$3,675.00.

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2. Award of Contract for the Demolition of City and Non City-Owned Properties  
(Council Memo #249-10)

The City Clerk noted this item was taken off of the agenda.

3. Award of Contract for Weed Cutting and Clean Up of City-Owned Properties  
(Council Memo #250-10)

A report on seven bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to From The Ground Up in the amount of \$35,156.00.

4. Award of Contract for the Construction of a Single Family Home at 1300 Arthur Avenue as Part of the Neighborhood Stabilization Program (NSP)  
(Council Memo #251-10)

A report on six bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to the lowest qualified bidder, Paul Gabriel Construction, in the amount of \$174,900.00.

5. Request Approval of Agreement with the Joliet JackHammers for the Use of Silver Cross Field for the 2010 IHSA Boys Baseball State Finals  
(Council Memo #252-10)

A communication from the City Manager contained his recommendation that the Mayor and Council execute the agreement at a cost of \$18,880.00.

6. Request Approval for Payment of Food and Beverages with Aramark for Various Functions Related to the 2010 IHSA Boys Baseball State Finals  
(Council Memo #253-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment to Aramark in the amount of \$7,669.36.

7. Award of Professional Service Contract for the Design of Fire Station No. 3  
(Council Memo #254-10)

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

COUNCILWOMAN QUILLMAN stated she has gotten a lot of calls questioning why this contract wasn't bid and she asked the Corporation Counsel to explain.

The Corporation Counsel stated when the City goes out to purchase goods or services usually we'll competitively bid that purchase except when what the City is buying is a professional service. He said if we're buying engineering services, legal services, architectural services, etc. the City is not required to competitively bid. He said the reason for that is when you're buying professional services you

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really want to pick the right professional and get the best possible service for the dollars you're spending, so Illinois law allows cities to purchase professional services without that bidding process. He said, however, the City administration still goes through a process to make sure that what we're buying is priced right and with this particular contract, he knows the Fire Chief did compare on a cost of construction basis the fees that were being proposed by Buchar & Associates with the fees that were collected by other architects on other fire station projects, including some of our previous contracts. He said the proposal submitted by Buchar who also was the architect on Station #10 was extremely competitive at about 3% which is very, very low. He said when we worked on Station #10 we had a problem with the contractor with some of the soil conditions at that location and the west wall collapsed a little bit because of the way the site was prepared, and Buchar really stepped up to the plate and did a wonderful job for the City over and above the fees that were being charged at the time.

COUNCILWOMAN QUILLMAN said he is a very good architect but she didn't have an answer and didn't know how to answer that so she appreciates the explanation.

COUNCILMAN GIARRANTE asked the Fire Chief to explain the situation when he put in for the grant and they were requiring something on a Friday and he was leaving on vacation on Tuesday and he got a hold of Buchar and they stepped up to the plate.

Fire Chief Joe Formhals said he did and he did a great job on preparing a spread sheet with a cost analysis of the project that we were putting together, things neither he or Deputy Chief Randich would have been able to do. He said Bret Mitchell of Buchar and Associates came out to the Fire Department and Chief Randich got some site photos for him and the two of them put together a package and had it delivered to the Department of Homeland Security that Friday so we wouldn't miss out on the grant and they did not charge us for it. He said Buchar is a quality group and very responsive to our needs and that is one of the reasons why we chose them. He said they did contact a number of the other localities that have done projects recently and we found that their price was very competitive.

COUNCILMAN DORRIS said in the Public Safety Committee meeting when this issue first came up, he supported it. He said we had another Public Safety meeting and he did not support it along with COUNCILWOMAN QUILLMAN. He said he doesn't know where this is going to go and he does respect the opinions and the votes yesterday, and he does wish people would have waited for him, but it's done now. He said he apologizes for his absence, he has a very close relative that is very ill. He said look at the money that we're going to spend on this fire barn and we went to the residents last year for increases and we told them that we were only going to spend money that was absolutely necessary to run the City. He said it was a very trying time and we sat here through a lot of budget hearings. He said he just doesn't believe that this fire barn that we're going to build and that may not be in full use until we don't know when the economy is going to turn around is absolutely necessary to run the City. He said he does appreciate the grant the Congresswoman was able to get us but he does believe that if his house is in bankruptcy or foreclosure and someone wants to put a fence around his house at a cheap price he is not going to get the fence put up, he's going to try to save the house and he thinks right now we're in a situation where we need to try to save the house. He said we're in a situation where we don't know what next year's budget is going to look like and he

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imagines there's going to be a shortfall. He said he knows we're going to get another look at this when bids come in but he just wants to go on record saying we really need to look at if this is the best use for this money, if we need to try to do something to relieve some of the shortfall that from what he's told is going to get even larger. He said he does appreciate all the comments that were made yesterday, he did get a chance to hear some of them. He said he had to state his position tonight and thanked everyone for listening to him.

Mr. Anthony Culyat commented on different municipalities that are switching to the new LED lighting that has been cutting their electrical and operating costs and their problems in half. He said he wishes the Council would just consider that because it would slash a lot of the taxpayer's money and the City's operating costs.

MAYOR PRO-TEM BROPHY asked the City Manager if we are including any of the new systems in the design.

The City Manager said over half of our traffic lights are LED lights and we have received a grant from the Federal government through the stimulus package for energy efficiency. He said some of that \$1.3 million grant money will be allocated for LED lighting so we can finish all of the traffic lights because they do burn a lot of energy.

MAYOR PRO-TEM BROPHY asked about the new fire station, are we starting with that form of lighting in the new design.

The City Manager said he's not sure, he hasn't gotten that detailed but we can find out. He said he knows there was another fire station built nearby and their cost was about \$220 per sq. ft., but \$44 of that cost was doing energy efficiency. He said they have geothermal heating, geothermal air conditioning, a heated apparatus floor, LED lighting throughout and a lot of nice things and that added about \$45 per sq. ft. so their cost without that was about \$178 per sq. ft. and what we're projecting is about \$180 per sq. ft., so we didn't think this was the right time to bring that forward. He said even though it sounds like a great idea it just isn't the time. He said we are going to keep working on it whenever we can get some Federal assistance.

MAYOR PRO-TEM BROPHY asked if it would add much cost to include that as an alternative in the request we put out for bid on the fire station.

The City Manager said he thinks we need to talk to Bret Mitchell and Tom Buchar about that.

MAYOR PRO-TEM BROPHY said he would like to see that alternative; it doesn't mean we have to take it.

The City Manager said actually he thinks when Naperville did theirs a couple of years ago they received a \$37,000 grant from the State to do the LED lighting. He said we'll look into it and if there is a way of doing it we'll certainly follow through with it.

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8. Authorization to Purchase Desktop Computers and Software for the Fire Department  
(Council Memo #255-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the purchase of 9 Desktop Computers from Dell in the amount of \$8,253.00 and the purchase of related software from CDW-G in the amount of \$2,712.06.

9. Authorization to Purchase Gutter Brooms for Street Sweepers in the Roadways Division  
(Council Memo #256-10)

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 Michael Todd & Company in the amount of \$8,960.00.

10. Award of 2010 Street Maintenance Materials Aggregate Price Agreement and Bituminous Patching Materials Price Agreement  
(Council Memo #257-10)

A report on three bids received for the Aggregate Price Agreement for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council enter into an Aggregate Price Agreement with Mining International, Lafarge Joliet, Inc. and Vulcan Materials Company at the unit prices noted in the Council Memo; and a report on four bids received for the Bituminous Patching Materials Price Agreement for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council enter into a Bituminous Patching Materials Price Agreement with Austin Tyler Construction, Gallagher Asphalt/Materials, P.T. Ferro Construction Co. and D Construction at the unit prices noted in the Council Memo.

11. Award of Contract for the Theodore's Crossing West Subdivision Punch List Improvements - 2010  
(Council Memo #258-10)

A report on six proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Stip Bros. Excavating, Inc. in the amount of \$15,289.00.

12. Award of Contract for the Purchase of Shirts for the Public Works and Public Utilities Departments - 2010  
(Council Memo #259-10)

A report on four proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to JJ Sport of Joliet in the amount of \$5,231.30.

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13. Award of Contract for the 2010 Lawn Mowing Services (Public Utilities)  
(Council Memo #260-10)

A report on ten bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to From The Ground Up Construction in the amount of \$33,031.00.

14. Authorization to Purchase Water Meters  
(Council Memo #261-10)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to H&D Waterworks in the amount of \$67,651.00.

15. Authorization to Approve Payment for Emergency Sanitary Sewer Service Repairs (420 Park Drive)  
(Council Memo #262-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the increase to Purchase Order No. 106119 in the amount of \$4,849.31; and 2) Approve payment of Invoice No. 3728 in the amount of \$5,848.31 on behalf of Steve Spiess Construction, Inc.

16. Authorization to Approve Amendments for the Professional Service Agreements Related to the Disposal of Biosolids Materials  
(Council Memo #263-10)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve an amendment to the agreement with Drinker Biddle Gardner Carton in an amount not to exceed \$35,000.00; 2) Approve an amendment to the agreement with Rogina & Associates in an amount not to exceed \$15,000.00; and 3) Approve an amendment to the agreement with R.S.S.I. in an amount not to exceed \$8,000.00.

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

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

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B. Amendments, Change Orders and Payments

1. Approve Change Order No. 1 and Final for the IDOT U.S. Route 30 (Plainfield Road) from Essington/Stateville Roads to Larkin Avenue Roadway Reconstruction Project  
(Council Memo #266-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 and Final, a deduction in the amount of \$2,234.45 for the above project, and approve IDOT applying a credit of \$658.45 to the Essington Road Traffic Signal Interconnect Project.

2. Approve Change Order No. 3 and Payment No. 4 and Final for the West Acres Road (Midland – Catherine) Roadway Improvement Project – 2009 Neighborhood Improvement Program  
(Council Memo #267-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$3,637.50 and Payment No. 4 and Final in the amount of \$3,637.50 on behalf of P.T. Ferro Construction Co.

3. Approve Change Order No. 1 and Payment No. 3 and Final for the Berlin Avenue (Lawrence – Clement) Roadway Improvements – 2009 Neighborhood Improvement Program  
(Council Memo #268-10)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$571.23 and Payment No. 3 and Final in the amount of \$5,980.60 on behalf of P.T. Ferro Construction Co.

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

LICENSES AND PERMIT APPLICATIONS

- A. Request for Permission to Hold a Carnival at the Westfield Louis Joliet Mall on May 5 – 12, 2010  
(Council Memo #272-10)

An application on behalf of North American Midway Entertainment to hold a Carnival at Westfield Louis Joliet Mall from May 5 – 12, 2010 was accompanied by a recommendation from the City Manager that permission be granted subject to compliance with the regulations of Chapter 5, Article V of the Code of Ordinances which regulates carnivals.

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

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: COUNCILMAN TURK and MAYOR PRO-TEM BROPHY.

Prior to his vote, COUNCILMAN TURK said given the fact that the profits of this carnival don't benefit any local charitable organization and he's sure a minimum amount is given to the mall for rent, he votes no.

B. Council Memo #273-10 re: Transfer of a Class "A" Liquor License at 1028 Cora Street

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

MAYOR

A. Proclamation re: Proclaiming April 2010 as "National Fair Housing Month"

This item was presented earlier in the evening.

B. Proclamation re: Recognizing the Joliet Junior College Men's Basketball Team for Winning the 2010 National Championship

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

MAYOR AND COUNCIL COMMENTS

COUNCILMAN DORRIS said as the snow melts you see a lot of beer bottles and alcohol bottles along the side of the streets. He asked if we still do the random road side safety checks. He said it's just unbelievable the amount of bottles and cans along Larkin Avenue and Interstate 80 ramp as you come off to Larkin. He asked if we can still do those random stops to alleviate some of that.

The City Manager said we still do and he thinks the last one was done on March 17<sup>th</sup> to coincide with St. Patrick's Day. He said they are done about every other month. He said he has noticed the same thing and it is distressing to see.

COUNCILWOMAN QUILLMAN said she wanted to remind everyone that tomorrow at the Joliet Moose Lodge is the Tri-County Area Disability Act Chili Supper from 11 a.m. – 7 p.m. and they could really use your support. She said it is \$7 for adults and \$4 for kids.

COUNCILWOMAN QUILLMAN said she has been e-mailing back and forth with Director of Neighborhood Services Alfredo Melesio and she received another e-mail regarding all of the garbage at 258 Ruby and she asked him for an update.

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Mr. Melesio said there was some confusion on the part of Waste Management on what day the garbage in the alley was supposed to be picked up and we're trying to clear that up, but if we need to do enforcement action on the property owners we're willing to do that. He said we have issued some tickets and talked to some folks about general property maintenance in the area but we need to get the facts straight.

COUNCILWOMAN QUILLMAN said this has been going on for a couple of months now so she would appreciate it if we could get that tidied up.

COUNCILMAN SHETINA said he's glad to see the participation by neighbors here tonight, we haven't had that in a long time. He said generally they're preceded by neighborhood meetings and the request of the neighbors and we're happy to have those any time, any place.

COUNCILMAN TURK asked for a moment of silence for former City Councilman Bob Eunson who was tragically killed March 17<sup>th</sup> in a traffic accident. He said Bob served on the Council in the early 1990's and was a great Councilperson and very interested in historic preservation. He said you can see some of his projects he had his hands in as you travel around the city. He said he is survived by a son and a daughter.

COUNCILMAN UREMOVIC said he received an e-mail from Community and Economic Development Director Jim Haller back on July 20<sup>th</sup> in regards to the right of way on Route 6, whether it's the State's responsibility or the railroad and he asked if we have any idea yet.

Mr. Haller said that is the area of Cherry and Shelby Streets and the City cut it last year, but he feels that it is the State's responsibility.

COUNCILMAN UREMOVIC said there's tires in there and we've been getting complaints of other debris. He asked if we can get it cleaned up.

Mr. Haller said he'll go out and look at it again and see if he can identify who the appropriate agency is.

MAYOR PRO-TEM BROPHY said MAYOR SCHULTZ sent him a note acknowledging the suggestion for a discussion regarding beer garden hours and that will occur at the next meetings of April 19<sup>th</sup> and on the 20<sup>th</sup> if there is a decision to be made. He said anybody interested is welcome to attend on April 19<sup>th</sup> at 3:30 p.m. He said the idea came from constituents who had asked us to get creative to think of other ways to raise revenue. He said the sales taxes generated from restaurants and other establishments seem to be at a good clip, and they seem to be fairly stable while others are decreasing, so in an effort to increase those taxes that some constituents are willing to pay but are excluded from doing so by closing beer gardens early, he wants to have a discussion of the pros and cons and if it is in the public interest and the greater good served by extending those hours, then that is his suggestion so please join us for that conversation on April 19<sup>th</sup>.

MAYOR PRO-TEM BROPHY said he would like to thank his fellow realtor members who are having a "Grand Open House" this Sunday. He said the real estate associations across Illinois are promoting a common open house to stimulate the local real estate markets so there should be a few more houses open this Sunday and he encouraged anyone looking to buy a house to go out

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and advantage of the open houses. He thanked the administration at Three Rivers Association for helping to put that together.

MAYOR PRO-TEM BROPHY asked Director of Neighborhood Services Alfredo Melesio to explain the bid openings we had today on two of our NSP houses. He said we will have two prospective homeowners coming up.

Mr. Melesio said we'll be bringing those to the Council after we get bank appraisals back for the property at 837 Mulford and 1013 Cypress. He said we had one offer on Mulford and two offers on Cypress and we had a lottery for that and picked a winner. He said once we get them all approved we'll bring them before the Council.

**ADJOURNMENT**

COUNCILMAN GIARRANTE moved that the Council adjourn at 8:02 p.m..

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape