

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 1st day of May, A.D. 2006***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, May 1, 2006 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

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

ABSENT: DISTRICT 4 COUNCILMAN ALEX LEDESMA, COUNCILWOMAN AT LARGE JAN QUILLMAN and COUNCILMAN AT LARGE MICHAEL F. TURK.

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

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

He first explained Council Memo #461-06 dealing with Approval of the 2006 Stadium Menu at Silver Cross Field, which includes a few new items such as a Wings and Fries Basket, a Philly Cheese Steak Sandwich and a 12 oz. Frozen Drink. He said there are also price increases on several items. He said the Baseball Committee has recommended approval of the proposed menu.

COUNCILWOMAN QUILLMAN arrived at the meeting during the explanation.

Attorney Michael Hansen was present to respond to questions.

COUNCILWOMAN QUILLMAN asked if the menu that was discussed for the suites will be approved.

The Corporation Counsel stated that they did receive information that the proposal on the hot dog package for the suites will be included in the quantity of eight. He said that COUNCILWOMAN QUILLMAN recommended that the suite menu be changed to allow a value package where you can get a basic package in quantities of eight that would include hot dogs, fries and a drink. He stated that they also agreed to keep the Kiddie dog with fries which was proposed by COUNCILMAN TURK when the stadium first opened. He said that wings have been added also in the quantity of 5 to 7 or 6 to 8 ounces.

COUNCILMAN BROPHY asked if Guinness beer will be on tap now as he suggested.

COUNCILMAN GIARRANTE stated they will have that on tap.

It was requested that this item be voted on today.

1. Approval of the 2006 Stadium Menu at Silver Cross Field  
(Council Memo #461-06)

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A communication from the City Manager contained his recommendation that the 2006 Stadium Menu at Silver Cross Field be approved.

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 BROPHY, DORRIS, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, UREMOVIC and MAYOR SCHULTZ.

NAYS: NONE.

The City Manager then explained Council Memo #469-06 dealing with the Revised Preliminary Plat and Final Plat of Beatty Lumber Commercial Subdivision.

Attorney Hansen was present on behalf of the petition.

The City Manager then explained Council Memo #471-06 dealing with the Preliminary Land Use Plan for the Southside Comprehensive Plan.

COUNCILMAN UREMOVIC asked how much open space there is.

The City Manager stated there will be 2,323 acres, which is 14%.

COUNCILMAN UREMOVIC asked if that includes the floodplain and wetlands.

Mr. Rodney Tonelli of Ruettinger, Tonelli and Associates, whose firm is the consultant for this plan, stated that what you see in that number is just the floodplains, wetlands and the existing Forest Preserve properties that are in the planning area as well as some other Forest Preserve targeted properties next to the Pasquinelli development, which will become wetland banks. He stated that there will be additional open space that ultimately will be in the planning area and that would be in the form of neighborhood park sites, but they have not prepared a draft for that as of yet. He stated that will be coming in the future so the open space acreage will increase from the number today.

COUNCILMAN UREMOVIC asked if this ties the City to any type of residential.

The City Manager stated that there will be design standards that will be developed that would be similar to the design standards that were used for the Aux Sable Creek.

COUNCILMAN BROPHY stated that some of the work involved gives a head start to a larger developer who may then possibly be able to pass back and recapture. He asked if any of this work that Mr. Tonelli has done would be able to be recaptured.

The City Manager stated the City would probably look at the entire plan and whether there is a recapture of anything specific that is outside of the regular ordinances.

COUNCILMAN SHETINA stated that as time goes on there are considerations that come up in terms of schools and other things such as sewer and water lines

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and roads. He said he would like to look at some type of special tax district on a property this big to see if the City would have an opportunity to try and fund some of the things that the City is getting heat on, such as schools and roads. He stated that there will be some serious transportation considerations here. He said he would like the City to take a look at the potential for some type of special tax district encompassing the entire area that would give the City some ability to recapture costs with respect to infrastructure.

The City Manager stated that in this area there is a surcharge of \$3500 on sanitary sewer so as all of the annexation agreements are coming in, that particular fee is being applied on top of the standard tap on fees. He said that if the Council approved any other fees other than the fees that are in place currently, they could be adopted through the same mechanism. He stated that they are probably better applied through the annexation agreement and to the specific parcels so that they are paid for by the developer and added to the home cost, rather than placed as a special tax district because then the tax rates are different in the different areas of the City. He stated that this could cause a problem with homeowners later on because they wouldn't understand why they would be paying more taxes.

COUNCILMAN SHETINA stated that the land owners are reaping huge benefits by selling off their acres and there is no cash back to the people who have to take the heat from the homeowners and school districts later on. He said that if the thought is involved that the City is going to try to recapture, then it won't come up as a surprise. He said when they go to buy the land they could negotiate for this and possibly give a lower price to the land owner so the City is not getting hit so hard. He said that the City needs to look at that for the future.

The City Manager stated that is why instead of a special tax district the City could possibly use a fee structure like was done with the sewer. He asked Mr. Tonelli to take a look at the infrastructure in the plan as it is finalized and determine whether there is anything that they haven't thought about in terms of fees.

COUNCILMAN GIARRANTE stated that the developer would probably just pass it on to the future homeowners.

COUNCILMAN SHETINA stated that possibly this should come from the land owner up front before they sell the acreage.

COUNCILMAN UREMOVIC stated that he agrees with the comments from COUNCILMAN SHETINA. He said that at the Plan Commission last week 900 acres were approved for annexation. He stated that there should be some tax proposal in place before this is annexed.

The City Manager stated the Council can do that, or it can be made subject to any other tax that the Council would do as part of this Comprehensive Plan in the annexation agreement.

The City Manager then explained Council Memo #474-06 dealing with Addendum No. 2 to the Development Agreement for Rock Run Business Park which includes the development of a one-story inventory storage building, construction of 12 foot tall landscaped berms along the north and south boundaries, construction of an additional parking facility for up to 500 operable trucks and semi-trailers, and an annual payment to the City in lieu of additional taxes.

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COUNCILMAN GIARRANTE asked how much the additional taxes would be.

The City Manager stated that it would be about \$220,000 a year that would be split up amongst all of the taxing bodies, and the idea is that everyone that was part of the original agreement thought there would be buildings there and not just parking. He said it is only fair that if you allow a parking lot, that you distribute something to them. He stated that if this tenant, who has a real demand and need for parking right now, leaves and it is no longer used for that then it would go back to its normal demand for a building. He said that if a building is built on it at some point in time then taxes would be paid on that.

COUNCILMAN BROPHY stated that the only cost that the City incurs is the aesthetics.

The City Manager stated that they have agreed to put a 12 foot berm in the front and the rear and fence it with some decorative fencing in areas that are visible.

COUNCILMAN BROPHY stated that it is a good solution and he appreciates it. He asked what it would cost them to rent space somewhere else.

The City Manager stated that it would be about this price.

COUNCILMAN UREMOVIC stated that this is like a special use where these 500 trucks will be parked and at some time in the future if they wanted to discontinue that, they could then build a building on that site.

The City Manager stated that is correct.

COUNCILMAN UREMOVIC asked if they can sell it to somebody else and have the same operation.

The City Manager stated that they would be able to continue this operation as long as they pay that tax because it would be the same as if there was a building there. He said they don't believe this will go on for a long duration, but as long as they pay the tax they can keep the use there.

COUNCILMAN UREMOVIC stated that actually this could run indefinitely.

COUNCILMAN SHETINA asked how many trucks could be parked on this property at any one time.

The City Manager stated that 500 trucks could be parked there.

COUNCILMAN SHETINA asked if the trucks will just sit there.

The City Manager stated that it will turn over relatively rapidly because there is a lot of demand for this parking lot.

COUNCILMAN BROPHY asked if they have to have wheels.

The City Manager said yes, absolutely; this is not a container storage lot. He stated that this is all completely paved and they have a temporary pull off area so that trucks won't back up on the main road.

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COUNCILMAN UREMOVIC stated there are a lot of questions out there as far as traffic and things like that.

The City Manager stated that these trucks will not arrive all at one time because it is a 24 hour operation so it would be very similar to Dollar Tree.

COUNCILMAN SHETINA asked if the building next door is part of this operation.

The City Manager stated that the building that is there is not part of this. He stated that if this is done they will build a 400,000 sq. ft. building there and the City will let them do the parking next door. He said that if it isn't done then they lose a tenant. He stated that it would be about 350 jobs that would be lost.

COUNCILMAN UREMOVIC asked if there are any operations in the area like this.

The City Manager stated that there are probably quite a few operations that have similar numbers of trucks parked. He stated that as you drive by them you don't really notice it because the buildings are so big. He said that this will have well landscaped berms that are something the other ones don't have so when you go by this on I-80 you won't see the trucks parked there.

COUNCILWOMAN QUILLMAN stated that if this is not passed then they would lose the tenant so there would be about 400 jobs lost plus the revenue. She asked what would happen to the property then.

The City Manager stated that it would stay vacant with very little revenue coming in.

MAYOR SCHULTZ asked what the City gets in tax money on that parcel now.

The City Manager said about \$21,000 now and if this is approved it would be about \$750,000.

It was requested that this item be voted on today.

2. AN ORDINANCE Approving and Authorizing the Execution of Addendum No. 2 to the Development Agreement for Rock Run Business Park was presented and read.  
(Council Memo #474-06)

COUNCILMAN DORRIS moved that said Ordinance be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN stated this is an excellent project and Joliet needs it for its economic development.

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Prior his vote, COUNCILMAN SHETINA stated that he will watch it closely and he will vote aye.

Prior to his vote, COUNCILMAN UREMOVIC stated that as long as the City makes sure this is bermed properly and doesn't cause any problems with regards to traffic and safety, he will vote aye.

(ORDINANCE NO. 15517)

The City Manager then explained Council Memo #470-06 dealing with the Final PUD and the Recording Plat of Timber Oaks Subdivision Unit 2.

COUNCILMAN TURK arrived at the meeting during the explanation.

Mr. Ed Mattox of Kipling Development was present on behalf of the petition.

COUNCILMAN BROPHY asked how many buildings were on the original site plan with the apartment complex.

Mr. Mattox stated that there were 15 16-unit buildings totaling 240 units. He stated that these townhomes are four to six unit buildings

COUNCILMAN BROPHY asked what the density is right now in an R-4 classification.

The City Manager stated that it is six units per acre and when this was done originally it was 7.6 units per acre and now it is about 6.9 units per acre. He stated you have a 7.6 acre apartment use that was approved and could be built, and the project before the Council is a 6.9 unit condominium use.

COUNCILMAN GIARRANTE stated that if this is not approved then Mr. Mattox could go back to his original proposal and build the apartments.

COUNCILMAN UREMOVIC said if this is refused it would have to go back and they would have to build high quality apartment units for seniors.

The City Manager stated that they have an approved PUD for an apartment complex.

The Corporation Counsel stated that he doesn't believe the City could enforce the senior restriction on a standard PUD and it was not approved as a senior project.

COUNCILMAN UREMOVIC stated that McDonough Street would not go through.

The City Manager stated that is not the case.

COUNCILMAN UREMOVIC stated he has had a problem with having things not put specifically in writing. He said that the developer did not follow through on what he was supposed to do with the development at Houbolt and McDonough.

The Director of Community and Economic Development stated that the apartment project that was approved originally had the requirements for the developer to build McDonough Street and the Frontage Road as well. He stated that was a discussion that they had from day one with this developer.

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COUNCILMAN UREMOVIC stated that it was not in the original memo which he still has.

The City Manager stated that it was a requirement when the Council approved it.

COUNCILMAN GIARRANTE stated that COUNCILMAN UREMOVIC said that the original proposal didn't have McDonough Street going through.

The City Manager stated that they believe that the proposal that is current, if he doesn't do the condominiums and he proceeds with an apartment complex, would require him to build McDonough Street. He stated that this project also has that requirement.

COUNCILMAN GIARRANTE stated that the Fire Chief stated he would like that for a better response time.

The City Manager stated that is correct.

COUNCILWOMAN QUILLMAN stated that if you go back to the original apartment project it will take out more trees.

The City Manager stated that is correct. He stated it is a substantial number.

COUNCILMAN BROPHY stated that with just 15 buildings for the apartments he could site them in places that don't have trees.

The City Manager stated that there was a PUD that was approved as part of the apartment complex and he can't move the buildings to wherever he wants to. He stated that with this project they redesigned the road and everything to try and save more of the trees because that was one of the concerns.

The City Manager then explained Council Memo #479-06 dealing with a Development Agreement for the Use of Tax Increment Financing Funds for 167 N. Ottawa Street.

The City Manager then explained Council Memo #487-06 dealing with Agreements with the Plainfield Park District for NIP Projects at Autumn Fields Park and a Recreational Trail in the ComEd Right-of-Way from Theodore Street to Caton Farm Road, and Council Memo #488-06 dealing with an Agreement with the Plainfield Park District for an Open-Air Shelter at Caton Ridge West Park and Site Amenities and Trees in Caton Ridge Subdivision.

Deputy Liquor Commissioner Jim Greenan then explained Council Memo #520-06 dealing with the Transfer of a Class "B" Liquor License at 700 Henry Street.

It was requested that this item be voted on today.

3. Transfer of a Class "B" Liquor License at 700 Henry Street  
(Council Memo #520-06)

A communication from the Liquor Commissioner regarding the application of Rehal Associates d/b/a Manny's Bar for the transfer of a Class "B" Liquor License at 700 Henry Street contained his recommendation that the transfer of

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this license is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #521-06 dealing with the Issuance of a Class "A" Liquor License at 821 Plainfield Road.

It was requested that this item be voted on today.

4. Issuance of a Class "A" Liquor License at 821 Plainfield Road  
(Council Memo #521-06)

A communication from the Liquor Commissioner regarding the application of Stanislaw Markowski d/b/a Joliet Bakery-Deli and Liquors for the issuance of a Class "A" Liquor License at 821 Plainfield Road contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: COUNCILMEN BROPHY and DORRIS.

5. Citizens to be Heard

- a. Robert Webb re: Legal Issues and Density

Mr. Webb commented on his suggestion that the Mayor and City Council support making Mexico the 51<sup>st</sup> State. He made several comments on his pending lawsuit against the City, and the Corporation Counsel informed him that these comments were not appropriate in this forum.

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

The City Manager explained Council Memo #462-06 dealing with a Reimbursement to the Illinois Department of Natural Resources for a Grant given to the City of Joliet in February 1999 for Land Acquisition on the Broadway Greenway Boat Launch. He said the City was unsuccessful in obtaining a

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permit from the U.S. Army Corp of Engineers for the construction of the boat launch due to several objections concerning boating safety.

COUNCILMAN GIARRANTE asked if there is any more talk about moving the ice cream place back off the road.

The City Manager stated that the City is working with the National Park Service on a grant application that would restore that ice cream stand because it is the only one of its kind left on Route 66. He stated that the restoration grant would actually turn the operation around so that customers would line up along the side of it instead of out in the street and it would make it a safer operation, yet retain it. He said there would also be some signage put there so people would be informed about Route 66 and the Route 66 Visitor's Center at the Museum, which is also being upgraded.

The City Manager explained Council Memo #486-06 dealing with Supporting the Establishment of a Quality of Life Task Force for the East and Near West Areas of Joliet.

COUNCILMAN SHETINA stated that if this is approved, it would be appropriate that one of the At-Large Councilmen be a part of the committee if they so choose.

COUNCILMAN DORRIS stated that is a wonderful idea.

The City Manager stated that they have met with a lot of people from the community who would like to see something like this done. He stated that there has been a lot of development that has occurred, but there are a lot of other things that could be worked on.

COUNCILMAN DORRIS stated that one of the major elements is education and it is really a tough situation if you don't have a good education. He stated that they have many educators signed up to help them on this task force.

COUNCILWOMAN QUILLMAN stated she would be happy to join the task force, and COUNCILMAN DORRIS stated he would love that.

The City Manager stated that one of the major items that the Center for Economic Development is going to be working on also is education.

COUNCILMAN SHETINA stated that Belleview Avenue from Wheeler going up the hill is in terrible condition, and he understands it is the City's responsibility.

The City Manager stated that he will check on it.

COUNCILMAN SHETINA asked if the YMCA is vacated and if the City had anything to do with helping to relocate residents. He said he received a call about a particular resident, and his family was paying his way.

The City Manager said that the building is now vacant. He said it was part of the contract between the buyer and seller that the seller had to make arrangements for the relocation, which they did. He stated that he would see what accommodations were made for this resident.

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COUNCILMAN DORRIS stated that he received a request from COUNCILMAN GIARRANTE that Old Richards Street in front of Irving A. C. be added to the 2006 overlay program. He stated that they have done a lot of work to their building and the street does need to be done.

The City Manager said he would give that information to the Public Works Department.

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

COUNCILWOMAN QUILLMAN moved that the meeting adjourn.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape