

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, May 17, 2010 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: COUNCILMAN AT LARGE THOMAS C. GIARRANTE.

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

1. Presentation by the Billie Limacher Will Joliet Bicentennial Park, Inc. re: New Lighting System for Billie Limacher Bicentennial Park

The City Manager advised that this presentation would be made at tomorrow's Council meeting.

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

2. Presentation by the City of Joliet Count Committee re: 2010 Census Results

Mr. Andy Mihelich, Coordinator of the Joliet Complete Count Committee, gave a brief PowerPoint presentation on the Committee's outreach efforts and initiatives for as accurate a census count as possible. He said there was a concerted effort from a variety of partners involved in this initiative, including the Joliet Public Library, the Housing Authority, Unity CDC, Joliet Grade School District 86, the Spanish Community Center and the Joliet Park District.

Joliet Public Library Director John Spears, John King from Unity CDC, Colleen McCabe from Grade School District 86, Monica Vasquez from the Spanish Community Center and Dale Evans from the Housing Authority were present and each explained their organization's efforts on behalf of the census.

Mr. Mihelich stated that the City of Joliet exceeded the state and national return rate for 2010 on mail-in forms with a 76% response rate, which is a 2% increase over 2000. He said with all of the awareness activities going on, we're hoping the numerators will pick those other people up. He said he would like to express his appreciation to the City Council for their support and the staff for their time. He also thanked all of the great agencies that really worked for their City.

The City Manager thanked Mr. Mihelich and his team. He said the per capita taxes we receive are very important, especially now in these challenging times, and it does affect the income tax and motor fuel tax funds that we receive from the State and several other key revenue streams. He said it is really important

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
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work and we thank them and congratulate them on improving the numbers from the last time.

The City Manager explained Council Memo #345-10 dealing with Amendments to the Annexation Agreements for CenterPoint Intermodal Center at Joliet Subdivision and Autobahn Country Club.

The City Manager explained Council Memo #349-10 dealing with a Special Use Permit to Allow a Do It Yourself Auto Parts Sales and Recycling Facility, and a Variation to Allow the Continuation of Two Main Buildings on One Lot Located at 1102 N. Collins Street.

Mr. Paul Krause, Mr. Sean Krause and Attorney Bruce Zumstein were present on behalf of the petition.

Director of Community and Economic Development Jim Haller stated this is the old Universal Lockport property that was part of the Joliet Steel Works a hundred plus years ago and has always been industrial production. He said the Krause family owns an auto salvage yard just north of the prison on Herkimer Street and what they want to do is open up a retail operation where people can come in and buy auto parts. He said right now there is a high demand for auto parts because no one is buying new cars; everyone is fixing up their old cars. He said all of the cars will be stored in the warehouse and people will be able to come in and take the parts they want off of these cars. He said everything will be buffered and out of view and we won't see a lot of difference than what we see there now. He said they have promised to keep the frontage and landscape it, and they will keep the heavy vegetation buffer along the south and east edges of the property. He said they will have direct access on to Woodruff Road which is the main truck entrance in and always has been. He said we have also had a discussion with the property owner to the south, Frank Mitchell, who had some concerns, and have worked out conditions that would be mutually agreeable to both parties.

COUNCILMAN TURK stated that in the petition to the ZBA it says that the vehicles are going to be stored inside and not outside.

Mr. Haller said that at the ZBA meeting, the Krause's said that the primary place for the "U-Pull-It" will be inside but they will change chassis out so they will store some of the stuff outside in the area to the rear of the property. He said they have agreed not to put anything in the front of the building; we wanted to make sure they had a good face on Collins Street. He said they are also restricted to single height storage on everything except the very northeast corner of the property where they might have a crusher to crush cars after all the parts have been pulled off of them. He said we have allowed them to go five high around the crusher area, but everything else has to be single height storage with absolutely no storage in the area off the southwest corner of the building.

COUNCILMAN UREMOVIC stated that the City is working on redeveloping the old prison site and he asked if this operation would negatively impact the redevelopment.

Mr. Haller stated that this property has been heavy industrial for the last 100 years so they had the zoning, prior to the special use requirement, for any kind of salvage operation that could be done under the I-2 zoning. He said we feel that with all of the conditions and because it sits so far back off of the road, even if we are able to redevelop Collins Street, they have the ability to share in it and

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

profit from it with having the three commercial outlots in the front of the property. He said this is a 12 acre site that is heavily wooded on almost all sides and we didn't see that it was going to be a big problem.

COUNCILMAN UREMOVIC stated that a major concern for COUNCILMAN TURK and himself is that if they are going to store vehicles outside, that there is no way to see them.

Mr. Haller said there will be no way to see them and they are restricted to single height storage except for the area around the crusher in the northwest corner.

COUNCILWOMAN QUILLMAN stated that she also shares that same concern. She said looking at what the ZBA passed, there were five conditions, but the ordinance is different and kind of leaves it wide open. She said it says that all vehicle stacking will be no more than five vehicles in height but it doesn't state inside or outside, and to her, it gives the appearance of a junk yard. She said she thinks that it should be more restrictive.

Mr. Haller said the only place they would be allowed to stack vehicles five high is in the very northwest corner.

COUNCILWOMAN QUILLMAN asked if those can be seen from Collins Street.

Mr. Haller said not at all.

COUNCILWOMAN QUILLMAN said if the prison is reopened as a tourist attraction and they are allowed to go up in the turrets, is it going to look like a junkyard.

Mr. Haller said that they still won't see it; it's very heavily buffered, the building is blocked from view from almost all angles, there is a berm and heavy, dense woods on the east side, there is heavy vegetation on the north side along Woodruff Road and the prison is across the street from that. He stated the auto salvage will only be on the southern portion of the 12 acre site.

COUNCILMAN DORRIS stated that a few years back when things were good, we were working with the CED to look at all the major entrances into the City, and one of the places we had some concerns with was the Collins Street area and the salvage yards coming down from Lockport into Joliet. He said you can paint it anyway you want, but this is another junkyard, and the only difference is, they are letting people do self-serve or retail. He said he would hate to just accept anything because the economy is bad just to get retail taxes into the City. He said he thinks we have to be very careful because it's a junkyard and is that what we really want on Collins Street.

COUNCILMAN BROPHY asked Mr. Haller to remind applicants that we want their names and home address on the applications due to Homeland Security issues. He asked if this entire area would need to be paved or would they run the crusher on a gravel area, and also what does the ordinance say about industrial areas.

Mr. Haller stated that it doesn't require paving; the ordinance requires paving for parking areas. He said what we've done with other locations is required paving on the service roads in and out but not on the production areas, and that is probably what we'll do here also. He said they will pave the customer parking lot in the front.

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

COUNCILMAN SHETINA asked what provisions are in place to make sure they stay with the intent of what is being proposed.

The Corporation Counsel explained that when the Council grants a zoning change, in just about every case that is a permanent change in the entitlement for that property. He said in this case, the Special Use Permit, if approved, would attach to the zoning and attach to the land so the Krause family could operate the business as proposed and a business that buys the property could operate within the guidelines of the ordinance. He said it is a permanent change in the zoning. He said regarding enforcement, we can establish conditions on the operation of the property and it is in our interest to be as restrictive as necessary, but if there is a violation, it would be up to the City to initiate enforcement action. He said he is comfortable with the fact that we would be able to enforce this ordinance if there was a violation.

COUNCILMAN DORRIS said if he had a car he wanted to scrap, would he be able to take it to this site and sell it there.

Mr. Haller stated that the crushing operation on this site will only be for the cars that are no longer being used in the "U-Pull-It" business. He said people taking their personal vehicles to be crushed would have to take them to the existing facility on Herkimer Street.

COUNCILMAN SHETINA stated that he is concerned and this is still not what he would like to see on Collins Street, but he wants to make sure that the stacking can not occur and there is the teeth in the ordinance to stop this if it were to happen. He said he believes the Krause's have a good reputation and if this stuff stays under the roof and the property stays buffered, then it's a good use for the property. He said he likes the looks of the old building, he thinks that it complements the area and would like to see it stay there.

Mr. Haller stated that the small building on Collins Street will be fixed up for an office, and that will stay part and parcel to it all.

The Corporation Counsel asked Mr. Haller to show where on the exhibit the crusher area would be and the physical limits of the five car stacking.

Mr. Haller stated they could define that further. He said it's in the northeast corner and five high of crushed vehicles is only about ten feet.

The City Manager stated they will have the exhibit updated and handed out before tomorrow's meeting.

Mr. Sean Krause stated that the difference between their facility and the facility on Washington Street is they are an auto recycling facility and one of eleven "green" yards in the State of Illinois. He said everything is done at their 72,000 square foot reclamation center off of Collins Street, and then the vehicles that are slated for the self-service yard would be transported over. He said the crusher is a mobile crusher that would be brought over to process the vehicles. He said the vehicles won't be stored on the property long since they need that room for the self-service vehicles since twelve acres is not that big for a self-serve facility.

COUNCILMAN SHETINA asked what the hours of operation for the facility are.

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

Mr. Krause said that their current hours at the full service yard are 8 a.m. to 5 p.m. Monday through Friday. He said the new facility, being targeted for retail, will be open on the weekends as well, and in the summer months it will be open 9 a.m. to 6 p.m. and in the winter months, 8 a.m. to 4 p.m.

COUNCILWOMAN QUILLMAN asked that the hours of operation be added to the conditions of the ordinance in case the facility was to ever be sold.

The City Manager said they will update the paperwork with a new exhibit and will also talk to Mr. Krause about the hours of operation and if it's acceptable to them, we'll add that to the conditions also.

COUNCILWOMAN QUILLMAN stated that she would like to take a tour of the facility.

Mr. Krause stated that he would be available tomorrow morning.

Attorney Bruce Zumstein stated when he started representing Paul Krause in 1973 they came before the Council and did a lot to clean up Herkimer Street. He said it's a much cleaner operation now and they have done a lot to take care of it. He said they have met with Frank Mitchell who owns JLM Plastics and they have taken care of his concerns which are a lot of the same concerns the Council is expressing. He said he understands COUNCILWOMAN QUILLMAN would like to take a tour of the facility and they would like to hear what her concerns are. He said they are not opposed to postponing this if the Council wants to take a tour or address the addendum a little more. He said they would like to do it right rather than do it fast.

Mr. Zumstein said they want to be a good neighbor and have been a good neighbor all along. He said driving down Collins Street, there will be no cars seen behind the fence that is there. He said the front of the property is going to be improved and the old limestone buildings are going to be maintained and fixed up. He said we know that the image of the auto recycling business is not the greatest, but on the other hand, the Krause family probably has the best operation in the community. He said this is a good, clean operation and is taking a building that is not usable and turning it into something that will be useful. He said they would like get a unanimous, 100% vote from the Council.

COUNCILMAN BROPHY asked Mr. Krause to explain what will go on with the operation.

Mr. Sean Krause stated that the front building is a 3,000 sq. ft. building, which is where they are going to put in a fence and some more landscaping. He said people will park in the parking lot on the northwest corner, we'll have to inspect their tool bags and then they can go into the back to get their parts and then they will come back through to the front. He said we will have to completely redo the floor of the warehouse before we can even get started.

The City Manager stated they will have to comply with code that is open for retail use and it will have to be inspected before it opens.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #384-10 dealing with the Transfer of a Class "C" Liquor License for United Liquors at 120 S. Larkin Avenue.

It was requested that this item be voted on today.

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

3. Transfer of a Class "C" Liquor License at 120 S. Larkin Avenue
(Council Memo #384-10)

A communication from the Liquor Commissioner regarding the application of Larkin Tobacco & Liquor, Inc. (Saif Al Kabsh & Fahmia Mohamed) d/b/a United Liquors for the transfer of a Class "C" Liquor License at 120 S. Larkin Avenue contained his recommendation that the transfer of this license is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

4. Fire Department Report

The City Manager stated that Fire Chief Joe Formhals and Captain Dave Hausmann wanted to present the Council with some information on the Fire Department at this time.

Fire Chief Formhals stated that this week is EMS week and several events have been planned for EMS providers, firefighters and paramedics thanking them for the good job they do all year long.

Chief Formhals stated that the Fire Department has partnered with the Provena St. Joseph Medical Center Foundation Board to get the message out that people should call 9-1-1 when they have chest pain or numbness instead of driving themselves to the hospital. He advised that Fire Captain Dave Hausmann is a member of the Board and wanted to make a few comments.

Captain Hausmann showed the ad that appeared in Sunday's Herald News featuring a picture of a Joliet ambulance with the line "Call 911 – It's your quickest route to treatment." He said there is a national goal of trying to get someone from the time they arrive at the door of the hospital within ninety minutes later to already be in the cardiac cath lab and whatever blockage they have be opened up. He said St. Joe's and Silver Cross have both been involved in this and they have met the ninety minute window almost all the time. He said with the equipment that the Fire Department has now, their department is one of the front running departments not only in the area but in the nation as far as being able to get patients quality ALS care. He said they have the ability now to run 12-lead EKGs, do diagnostic testing for stroke patients and they can do this pre-hospital, and when they give the hospital the signs and symptoms of a stroke patient ahead of time, the hospital has to opportunity to call out doctors, staff or whatever is needed to take care of the problem, or if they are in house, they can take the acute case. He said the treatment levels in the City are at the top of the national level.

Captain Hausmann said right now the one thing that still remains a problem is the number of patients that drive themselves to the hospital. He said what the

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

Provena Foundation Board and the twenty-five other fire departments and agencies from the area that are on board are trying to do is to get the word out about how important it is to call 9-1-1 and not drive yourself to the hospital. He said the first ad was in the paper on Sunday, there will be billboards on the highway, flyers will go out to different communities and be put in businesses, and there will be some public education talks in different areas. He said he wanted to let the Council know what they are trying to accomplish. He also thanked this Council and previous Councils for the financial backing for the 12-lead EKGs. He said the Council had taken the initiative a few years ago to help with those and now those benefits are beginning to pay off at a national level.

The City Manager thanked the Fire Department and Captain Hausmann for going beyond the call of duty and serving on the Provena Foundation Board.

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

COUNCILWOMAN QUILLMAN said that there was an article in the paper regarding Pheasant Landing where the road is above the homeowner's fence and she asked if we are doing anything to help these people.

The City Manager stated that the Mayor signed a letter that was sent to IDOT asking them for a meeting and information with copies to Senator Holmes and Minority Leader Cross asking them to intervene and help us. He said it was clear from the article and the reports that IDOT has no plans to construct any kind of fence or barrier and we are going to work on that and see if we can get some kind of relief for the residents in Pheasant Landing. He said there is no doubt that the road is being built three to five feet above the current grade, and when a car or truck is on top of that, you can clearly see inside the backyard. He said that will change the quality of life substantially and we're trying to work with IDOT to correct that, however, at this point, IDOT has indicated that money has not been programmed in this project for that.

COUNCILWOMAN QUILLMAN asked if we knew it was going to be this high when IDOT came to the City with their plans

Mr. Trizna said that he looked at a review letter from 2003 and we complained at that time that the road was too high and IDOT responded that it was being done that way for drainage purposes and that was the way it was going to be.

COUNCILMAN SHETINA asked what a stockade fence would cost for that quarter mile stretch.

Mr. Trizna said that we couldn't put just a stockade fence up, we would have to put up a retaining wall. He said it would have to be something like what was done on Houbolt Road.

COUNCILMAN SHETINA stated that if there is a windfall or some State money, is there is a way of doing a buffer of some kind.

Mr. Trizna said it would be a little more involved, there would also have to be additional drainage. He said this a similar situation to what we had to do on Houbolt Road when we put the sidewalk in between Longford and Cathy.

COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of May, A.D. 2010***

The City Manager stated that if we were to do a City project, we would more than likely have to do it on the private property side and get easements from the property owners.

Mr. Trizna said that is correct; IDOT would most likely not allow it on their property.

COUNCILMAN SHETINA stated he doesn't think there would be any trouble getting easements to do that.

COUNCILWOMAN QUILLMAN stated that she thinks where the concern comes in is if there is an accident, the cars could come right into their backyard, it's a hazard, and they need more than a stockade fence and a wall. She said there needs to be a railing or blocking or something to stop a car from going into the yards. She said she doesn't know what the solution is but it has to be something protective.

Mr. Trizna said that the road is straight there, and the State has said that it is not a safety issue, they have elevated road all over and they are not going to put in a guard rail.

COUNCILMAN SHETINA stated that a guardrail may be a reasonable alternative and may not be as expensive as a retaining wall.

The City Manager stated they will try and get pricing to the Council by tomorrow.

Ms. Kristy Anderson of 919 N. Raynor Avenue asked when the ComEd streetlights which have been laying on the ground near Joyce Road by the Cornerstone Building will be installed. She said they have been there for quite some time.

Director of Public Works Jim Trizna said he would contact ComEd and let her know.

The City Manager advised there was no need for a closed session.

COUNCILMAN BROPHY moved that the Council adjourn at 5:10 p.m.

Motion seconded by COUNCILMAN UREMOVIC.

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk