

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of May, A.D. 2009***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, May 19, 2009 at 6:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

INVOCATION

An Invocation was delivered by Father Stephen Bithos, All Saints Greek Orthodox Church, 102 N. Broadway Street, Joliet, Illinois.

Father Bithos then led the pledge to the flag.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA and COUNCILMAN AT LARGE MICHAEL F. TURK.

ABSENT: DISTRICT 5 COUNCILMAN WARREN C. DORRIS and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

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, May 4, 2009 at 3:30 p.m. and of the Regular Meeting held on Tuesday, May 5, 2009 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. Finance

COUNCILMAN BROPHY stated the Committee met yesterday and reviewed and discussed the approval of the minutes of the meeting held on April 20, 2009.

COUNCILMAN BROPHY said there was also a discussion regarding the City's actuarial evaluation of its January 1, 2008 retiree health care and life insurance benefits programs. He said the report was accepted and placed on file to be included in the Comprehensive Annual Financial Report. He said it's an important item for the number is quite large and is the number from which we may have to work if we move towards set-asides similar to pensions for health care and life insurance benefit obligations. He said that number is in the hundreds of millions and we should pay attention to it carefully.

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COUNCILMAN BROPHY said there was a review of the Neighborhood Improvement Program for April which was placed on file and a review and discussion of the cash flow report. He said we looked closely at trends and the revenues continue to move downward slowly. He said staff has carefully estimated the remainder of the year based on our experience for the first part of the year and so we are budgeting conservatively. He said there was also a review of the personnel summary and April Conference, Travel and Seminar Report. He said there was also an examination of the Treasurer's Disbursements and Regular Claims for the month of April and those were placed on file.

B. PUBLIC SAFETY

COUNCILMAN GIARRANTE stated the Committee met yesterday with one item on the agenda. He said the Fire Department wants to purchase 3 Zoll Cardiac Monitors to put on Engine 1 and 3 and Tower 6 as soon as possible. He said they had an agreement with Local 44 to do this in 2010, 2011 and 2012 but they want to do them now. He said the cost is \$15,000.00 each for a total of \$45,000.00.

COUNCILMAN GIARRANTE said he had met with Jason Perini, a design engineer, who had designed a firemen's memorial with the Maltese Cross to place at Bi-Centennial Park across from the offices which is the site of the first fire station, and the cost is \$750.00 to \$1,000.00. He said there are grants available and Mr. Perini is going to look for one and the Bi-Park staff is also going to work with him. He said they aren't looking for any money from the City and they are going to go ahead with it.

COUNCILWOMAN QUILLMAN said she thinks it's important that people know that Jason is a student and he thought of this on his own. She said she thinks it's a great tribute; it's about time we had a firemen's memorial and it will really be a nice addition to Bicentennial Park.

C. Public Service

COUNCILMAN TURK said the Public Service Committee met this morning and reviewed the contracts, change orders, pay estimates and final payments. He said they decided to remove Council Memo #435-09 regarding the Award of a Demolition Contract for City-Owned Properties from the agenda tonight for further clarification that they requested. He said it will probably be back on the agenda in a couple of weeks.

There were no other Committee reports.

MAYOR SCHULTZ moved up the Proclamations on the agenda at this time.

A. Proclamation re: Recognizing Sister Rita Mandella for Her Five Decades of Service

COUNCILWOMAN BARBER read a Proclamation issued by MAYOR SCHULTZ recognizing Sister Mandella for her five decades as a Sister of St. Francis, her commitment to teaching and her 39-year career as principal of St. Jude School.

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Sister Rita thanked the Mayor and City Council and stated as a Joliet girl she loves this City. She said this is a wonderful honor and she graciously accepted the Proclamation on behalf of the Sisters of St. Francis of whom many are here tonight. She said their congregation has served the students of this City since the middle of the 1800's and she can't say enough for their dedication.

B. A RESOLUTION Recognizing the Month of May, 2009 as "Preservation Month" and Naming Senior Suites as Recipient of the 2nd Annual Historic Preservation Award was presented and read.
(Council Memo #422-09)

COUNCILMAN SHETINA read the Resolution and presented the 2nd Annual Preservation Award given by the Historical Preservation Commission to Bob Gawronski and DyAnn Pfromme of Senior Suites for the renovation and adaptive re-use of the Joliet YMCA at 215 N. Ottawa Street as a senior lifestyle community.

COUNCILMAN SHETINA said the Commission will hold a tree and plaque dedication ceremony to honor deceased Commissioner P. Seth Magosky at Billie Limacher Bicentennial Park on May 30, 2009.

Mr. Gawronski thanked the Mayor and Council for their recognition and said they've been open for a little over a year now and have made it a beautiful new home for more than 90 senior citizens in the Joliet community.

COUNCILMAN SHETINA asked how the occupancy rate is.

Mr. Gawronski said he believes they only have two apartments available right now.

COUNCILWOMAN QUILLMAN said they've done a great job in renovating it and it's an absolutely beautiful facility.

The City Manager stated several members from the Historic Preservation Commission are in attendance tonight and he asked them to stand and be recognized for the hard work they put into the Commission.

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6261)

COUNCILMAN SHETINA asked that Council Memo #409-09 be moved up on the agenda at this time.

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A. Public Hearing re: Establishing the 2009 Joliet Special Service Area No. 7 – Park Hill Subdivision

1. AN ORDINANCE Approving the Establishment of the 2009 Joliet Special Service Area No. 7 – Park Hill Subdivision was presented and read.
(Council Memo #409-09)

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

The City Manager explained that this is a proposal to create a Special Service Area for the Park Hill Subdivision that consists of 59 single family homes. He said there was a storm water detention pond that was constructed as part of the subdivision at a time when a homeowners association was not required by our subdivision regulations nor did the developer create one, so the pond has fallen into a few concerned homeowner's hands in Park Hill to take care of, but it really does benefit all 59 properties. He said what's being proposed tonight is to hold a public hearing to determine if a special service area should be formed that will serve as a mechanism to create funding to provide a means of maintaining the storm water detention pond on an annual basis. He said the annual cost per house will be in the range of \$158.00 to \$237.00 depending upon expenses and there will be a professional management company hired from those funds to maintain the pond.

Ms. Nancy Fisher of 2222 Mulberry Road said her home is not in the Special Service Area, but she is very concerned about the condition of the pond because it looks absolutely horrible. She said she understands there are funds available to put in aerators and she would love to see this done, however she feels the \$12,000 to be collected is an exorbitant amount to maintain the pond and she would like someone to look at the figures again.

Director of Neighborhood Services Alfredo Melesio said the maintenance includes the cost for electricity for the aerator and it could be \$300 to \$400 a month depending on the settings that the homeowners have it on and when it goes on and off. He said also they have never done a cost estimate for any homeowner associations in the past and they have tried to provide a contingency so there wouldn't be a surprise if the actual costs come in higher than the estimates.

COUNCILMAN GIARRANTE asked if the aerator alone was about \$10,000.00.

Mr. Melesio said about \$12,000.00.

COUNCILMAN GIARRANTE said he found out in talking to some people that it's better to leave it run 24/7 because the on and off is really what takes the life out of the pumps.

COUNCILWOMAN BARBER said she promised these people two years ago that she was going to buy the aerator out of her NIP for that area. She said she supposes the money collected would be for everything else, the replacement and the electricity.

Mr. Melesio said that's correct; the cost of an aerator is not in the cost estimate.

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Ms. Merta Martinez said she is a resident of Park Hill and is also concerned with the costs simply because she did most of the leg work to collect money for maintenance for about 3 years and she only got a response from about 30% of the residents each time. She said not many of the homes participated or gave funds but she was able to clean the pond and mow it for the 7 or 8 months a year that it needed. She said if she was able to get it cut every 2 weeks with \$1,200.00 a year, she doesn't understand the \$11,000.00 cost and she asked where the checks and balances are going to be.

COUNCILMAN SHETINA asked who controls the dollars that will be spent.

The Corporation Counsel said this will be an ongoing special service area so every year the City Manager will direct the affairs of the special service area and the City Council will annually levy the overall amount of taxation that will be generated within the special service area. He said the City Manager and Council will decide the scope of services for the detention pond, whether there will be an aerator, how much landscaping maintenance is required, on what frequency are the grassy areas cut and those sorts of things. He said because the City is involved in providing the services, we're obligated by law to bid those services out so we'll have a public procurement process that is a little different than what the neighbors might have been able to do themselves. He said he doesn't think the City really can perform maintenance as cheaply as a committed group of homeowners and it will cost a little more, but we will have control every year over the overall level of taxation and we can provide notice to the homeowners when that decision is going to be made.

COUNCILMAN BROPHY asked if the statute allows for a dissolution of a special service area and what would happen with any excess funds.

The Corporation Counsel said the statute does allow for dissolution by ordinance of the City Council. He said in the case of ongoing operations and accumulation of funds, because this will be a permanent Special Service Area, he would expect that there will be a carry over from year to year of some amount of revenue that was collected and not spent. He said in fact it's wise for the SSA to have a small contingency so there will be some carry over from year to year. He said there is a limit on the taxes and we can't accumulate a big balance in the SSA and continue to annually levy the full amount.

COUNCILMAN BROPHY asked if there is any process by which a representative could take part in the annual management of that fund or would it mean a one on one sit down with the City Manager.

The Corporation Counsel said that's essentially what it is; it's no different than a neighborhood watch organization working with the Police Department or the Public Works Department.

COUNCILMAN BROPHY asked Director of Public Works Jim Trizna what is the estimated life expectancy of an aerator.

Mr. Trizna said they probably last 10 to 15 years.

COUNCILMAN BROPHY said so in 10 years they could be looking at another \$12,000.00 purchase.

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Mr. Trizna said it depends on whether it is run continuously or not.

COUNCILMAN SHETINA said we had one gentleman who had called everybody with respect to wanting to opt out and not be involved and he asked if it's up to the homeowners at this point if they want to carry this out.

The City Manager said the City isn't going to the subdivisions and forcing this upon the residents of those subdivisions, residents are coming to the City and asking us to help create a pool of money that would help maintain the common areas and the detention ponds. He said there is a mechanism in the State statute for a majority of the owners of record and the registered voters to be able to do a backdoor referendum that would veto the passage of an ordinance tonight should the Council decide to pass it. He said in this case there are 59 homeowners and if they are all registered to vote and are all on the record and the majority of them came in and filed a document with the City Clerk within 60 days, at that point it would automatically defeat the passage of this Ordinance. He said so the residents can decide to defeat the intent of what's being done tonight.

COUNCILMAN SHETINA said if this is defeated then what is the responsibility of the City and of the homeowners themselves.

The City Manager said at that point it's status quo much like it is now and we would rely on people like the lady who spoke a little bit ago to volunteer their time and their money to take care of what the other 58 property owners should be taking care of.

COUNCILMAN SHETINA said the City is not going to take on the responsibility.

The City Manager said no, the City is not in a position to maintain privately owned property.

Mr. Dan Schimel of 7002 Lewis & Clark Drive in the Cumberland Subdivision stated he is here tonight to get some information on what's going on in other subdivisions regarding special service areas. He asked about the responsibility of the common areas in the subdivisions and lawsuits that could occur if someone were to drown in a pond that was cared for by a SSA.

The City Manager said on the liability issue, currently in the Cumberland Subdivision the property owners that are adjacent to the pond actually own to the middle of the pond, so if something should happen he's sure the family would hire an attorney who would do a title search and see that the pond itself is actually owned by perhaps 10 or 12 or 14 property owners and they might have some exposure and their homeowners liability policy would probably kick in. He said we would probably recommend that the SSA entity that's being created procure some kind of liability policy that would protect the entire subdivision so not only the people that own it but the entire subdivision would be protected.

Mr. Schimel said he is mainly concerned about the islands themselves. He said say a car were to run into the monument that they're planning on putting in at the island, since that island is really nobody's property, would they be held responsible by forming this SSA.

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The City Manager said the SSA would have funds in the pot that would be used to repair and maintain the common areas and in this particular one it's probably part of the right-of-way, but the City has not assumed responsibility for maintaining those areas. He said we've always had that as part of the resident's responsibility and there are a lot of subdivisions in Joliet that don't have homeowners associations but they were developed when we didn't have the monument signs and big entryways, and that's why we're trying to find a remedy to help the owners where we can have everybody be responsible for maintaining those areas.

Mr. Dan Gutierrez of 698 Parkwood Drive asked why the ponds can't be fenced in because there are no "Keep Out" signs. He asked if these 59 property owners are going to be under the Joliet taxing body or is it going to be new.

The City Manager said there will be a separate line item on the tax bill for the 59 properties that will be in that \$157 to \$208 range. He said that is a fairly high figure because what we don't want to have happen is have us promise a certain level and then have it be much higher. He said he thinks in the initial year it will be a little higher than normal because there is a lot of maintenance work that has to be done up front. He said if the residents think some signs might be helpful that could also be paid for using the special service area funds.

Mr. Gutierrez said some of the people are saying why wasn't this money asked from them before they moved in; why now.

The City Manager said when this subdivision was approved homeowner associations were not mandatory and now we're going back to some of the subdivisions like Park Hill trying to help the residents so they can have maintenance of their retention area. He said previously we always had property owners that lived on the pond that would usually step up and do general maintenance and that worked in the old days, but now we're a little busier and maybe some don't feel that sense of responsibility.

Mr. Gutierrez asked if the City could put up a small fence or a sign.

The City Manager said certainly signage is something we could work with the homeowners on. He said most of the ponds are not fenced, obviously there will be an occasional tragedy someplace in the country with a detention pond, but we have them designed so there is a safety ledge where if somebody does fall in it's at a very shallow level.

Mr. Herman Boykin of 2218 Beechwood Road said he's concerned about the pond itself and the fence. He said he's willing to work with the other property owners to clean the property up. He said 2218 and 2220 Beechwood have a problem with the sump pumps being pumped into the back and it's not really going into the basin like it should; it's running down beside it. He said they have a lot of standing water and his yard is flooded and he can't mow it because there's too much water.

COUNCILMAN BROPHY said a professional maintenance contractor would be able to address those issues so residents will get some added value from the additional monies they spend. He suggested that Mr. Boykin make sure he attends the meetings when the maintenance details are discussed.

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COUNCILWOMAN BARBER said she thinks we need to have a meeting for the community so that everyone can come and voice their opinions. She said it is really needed out there and it would boost everybody's morale quite a bit.

COUNCILMAN GIARRANTE asked if the money from the special service area could be used to fix the sump pump drains so that they run into the pond instead of out into the backyards.

The Corporation Counsel said some work on the easements that are tributary to the ponds would be within the scope of the special service area. He said regarding private sump pumps inside homes, we may have to look at what the effect of that home on the overall functioning of the drainage system would be, but he is inclined to say it would be beyond the scope.

COUNCILMAN GIARRANTE said wouldn't signage eliminate some of the responsibility as far as the homeowners if something happens; the people would be trespassing.

The Corporation Counsel said it would help and he's not real sure that the individual homeowners have any personal liability regarding the maintenance of the pond so he wouldn't worry too much about that. He said liability insurance could be procured using SSA monies and perhaps that's something we could look into, but he doesn't think the homeowners in the subdivision should worry about a lawsuit directed against them personally.

Mr. Rodrigo Morales of 2221 Mulberry Road stated an engineer left him a letter saying he has to drain the water into private property and if he drains it there it's going to be going into the same spot and he would rather run it into the pond.

Mr. Tom Joseph of Three Rivers Association complimented the City Council and staff for their effort to hold the public hearing today and giving the residents the right to speak to the topic and if the consensus is there for it they certainly understand that under the law.

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

COUNCILWOMAN BARBER moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN GIARRANTE asked Fire Chief Joe Formhals how many incidents we have had at all of the detention ponds in the City.

Chief Formhals said what worries him the most is water rescue during the winter seasons and kids getting out on the ice. He said they get maybe one call every one or two years and parents have to be vigilant on where their kids are and what they're doing.

(ORDINANCE NO. 16473)

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CONSENT AGENDA

A. Treasurer's Report – March, 2009

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

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

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

PUBLIC HEARINGS

A. Public Hearing re: Establishing the 2009 Joliet Special Service Area No. 7 – Park Hill Subdivision

1. Ordinance re: Approving the Establishment of the 2009 Joliet Special Service Area No. 7 – Park Hill Subdivision
(Council Memo #409-09)

This item was presented earlier in the meeting.

B. Public Hearing re: Annexation of 69.3 Acres for Bronk's Landing Subdivision

1. Resolution re: Approving an Annexation Agreement for 69.3 Acres for Bronk's Landing Subdivision (#A-111-08/Dist. #1)
(Council Memo #410-09)
2. Ordinance re: Approving the Annexation of 69.3 Acres for Bronk's Landing Subdivision (#A-111-08/Dist. #1)
(Council Memo #410-09)
3. Ordinance re: Approving the Classification of 69.3 Acres for Bronk's Landing Subdivision to B-3 and R-1B Zoning (#A-111-08/Dist. #1)
(Council Memo #410-09)
4. Ordinance re: Approving the Preliminary Plat of Bronk's Landing Subdivision (#P-5-08/Dist. #1)
(Council Memo #410-09)

A communication from the City Manager contained a request by the petitioner, Barry Bronk, that said items be tabled to the City Council meeting to be held on June 16, 2009 in order to finalize outstanding issues with IDOT and the annexation agreement.

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COUNCILMAN BROPHY moved that said items be tabled to the June 16, 2009 City Council meeting.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

APPROVAL OF REGULAR CURRENT BILLS

A. Treasurer's Disbursements – April, 2009 - \$28,161,537.83

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

B. Regular Claims – April, 2009 - \$2,876,837.81

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

C. Regular Payroll – April 4 – April 17, 2009 - \$3,416,954.66
(Council Memo #412-09)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period April 4, 2009 through April 17, 2009 including a 2009 Overtime Budget Status Report and a Biweekly Summary of Overtime and Temporary Assignments were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

D. Regular Payroll – April 18 – May 1, 2009 - \$3,166,200.91
(Council Memo #413-09)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period April 18, 2009 through May 1, 2009 including a 2009 Overtime Budget Status Report and a Biweekly Summary of Overtime and Temporary Assignments were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE. (COUNCILWOMAN QUILLMAN abstained from voting on any items dealing with Silver Cross Hospital)

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ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. Ordinance re: Approving the Preliminary Plat of Cherry Hill Business Park West Subdivision Unit 4 (#P-1-09/Dist. #5)
(Council Memo #414-09)
2. Ordinance re: Approving the Final Plat of Cherry Hill Business Park West Subdivision Unit 4 (#FP-1-09/Dist. #5)
(Council Memo #414-09)
3. Ordinance re: Approving the Recording Plat of Cherry Hill Business Park West Subdivision Unit 4 (#RP-1-09/Dist. #5)
(Council Memo #414-09)

A communication from the City Manager contained a request by the petitioner that said items be tabled to the City Council meeting to be held on June 2, 2009 in order to work out a Public Works issue.

COUNCILWOMAN QUILLMAN moved that said items be tabled to the June 2, 2009 City Council meeting.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

4. Ordinance re: Approving the Vacation of Stryker Professional Campus PUD (#V-4-09/Dist. #3)
(Council Memo #415-09)
5. Ordinance re: Approving the Preliminary Plat of Stryker Professional Campus PUD (#P-2-09/Dist. #3)
(Council Memo #415-09)

The City Clerk noted that these items were approved at the Pre-Council meeting yesterday.

6. AN ORDINANCE Approving the Extension of a Boundary Line Agreement with the Village of Channahon was presented and read.
(Council Memo #416-09)
(ORDINANCE NO. 16474)
7. AN ORDINANCE Approving a Boundary Line Agreement with the Village of Minooka was presented and read.
(Council Memo #416-09)
(ORDINANCE NO. 16475)

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

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

COUNCILMAN GIARRANTE moved that said Ordinances be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

B. RESOLUTIONS

1. Resolution re: Recognizing the Month of May, 2009 as "Preservation Month" and Naming Senior Suites as Recipient of the 2nd Annual Historic Preservation Award
(Council Memo #422-09)

The City Clerk noted that this item was presented earlier in the meeting.

2. A RESOLUTION Authorizing the Purchase of 619 N. Center Street for the Neighborhood Stabilization Program (NSP) was presented and read.
(Council Memo #423-09)

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN said there were some questions at the Land Use Committee meeting the other day and she asked Mr. Melesio for an explanation regarding the funds for this program.

Mr. Melesio said it was thought that there was a transfer of \$3.5 million from the Federal Treasury to City coffers and we explained that's not really how it works. He said historically we move forward with purchases and then we provide that evidence to the Federal Government and then we draw down the funds. He said there was a concern that we had gotten approval for and were closing on properties but the Feds hadn't put all the pieces together to enable us to get to the funds and maybe we should slow down for a second, but as of today that process is in place and we are moving forward with the drawdown of the funds. He said at the time we didn't know if it was going to be two days, two weeks or two months, but now we're pretty confident that within the next few days we can do a substantial draw on the purchases we've already made and even on upcoming purchases, and maybe even have the money in hand before we go to closings.

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COUNCILMAN BROPHY asked Mr. Melesio to let him know when we actually get the cash.

(RESOLUTION NO. 6262)

3. A RESOLUTION Authorizing the Approval of a Substantial Amendment to the 2008 Annual Action Plan was presented and read.

(Council Memo #424-09)

COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6263)

4. A RESOLUTION Recognizing the Neighborhood Watch Group of the Overlook Farms Subdivision was presented and read.

(Council Memo #425-09)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6264)

5. A RESOLUTION Requesting Authorization to Implement a Tobacco Enforcement Program was presented and read.

(Council Memo #426-09)

COUNCILMAN BROPHY stated Mayor Schultz has been active in this regard for many years and he asked if this is in addition to what the Mayor has been doing.

The City Manager stated this is a grant in the amount of almost \$12,000.00 that is being provided through the Illinois Liquor Control Commission and the Police Department will be working with the Mayor's office on doing tobacco enforcement against minors who try to purchase tobacco from Joliet establishments. He said this is something that we've done previously, but this provides funding for overtime police expenditures to make sure that we're out at the right time and in the right places trying to help kids understand that they shouldn't be smoking. He said Mayor Schultz has been a leading advocate of that for 18 years that he knows of and probably a little bit before that.

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COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6265)

6. A RESOLUTION Appropriating Motor Fuel Tax Funds in the amount of \$117,130.00 for the 2009 Pavement Marking Program was presented and read. (Section No. 09-00416-00-ST)

(Council Memo #427-09)

COUNCILWOMAN QUILLMAN moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6266)

7. A RESOLUTION Approving an Agreement with the Illinois Department of Transportation for Highway Improvements to the Intersections of Route 7 (Theodore St) at Route 53 (Broadway St) and Route 171 at Woodruff Road was presented and read.

(Council Memo #428-09)

(RESOLUTION NO. 6267)

8. A RESOLUTION Appropriating Motor Fuel Tax Funds in the amount of \$1,897.50 for Highway Improvements to the Intersections of Route 7 (Theodore St) at Route 53 (Broadway St) and Route 171 at Woodruff Road was presented and read. (Section No. 09-00424-00-CH)

(Council Memo #429-09)

(RESOLUTION NO. 6268)

COUNCILMAN GIARRANTE moved that said Resolutions be adopted.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

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BIDS AND CONTRACTS

A. Award of Contracts

1. Authorization to Repair Damaged Fire Vehicle
(Council Memo #432-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$24,445.31 to J. Merle Jones for the repair of a 2001 Emergency One 95' Cyclone Quint Ladder Truck (Unit FD779).

2. Authorization to Execute a Professional Services Contract with CTM Brochure Display for Distribution of the 2009 Joliet Visitors Magazine
(Council Memo #433-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$9,780.00 for a professional services contract with CTM Brochure Display.

3. Authorization to Purchase Three Cardiac Monitor – Defibrillators for the Fire Department
(Council Memo #434-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Zoll Medical Corporation in the amount of \$45,000.00.

4. Authorization to Award Demolition Contract for City-Owned Properties
(Council Memo #435-09)

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

5. Award of Contract for the Purchase of Replacement Equipment for the No. 4 Grit Chamber at the Westside Treatment Plant
(Council Memo #437-09)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Environmental Resources Inc. in the amount of \$33,332.00.

6. Award of Contract for the Repair to the No. 109 Bar Screen at the Eastside Treatment Plant
(Council Memo #438-09)

A report on two proposals received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to C & T Construction in the amount of \$16,581.84.

7. Authorization to Purchase Gutter Brooms for the Street Sweepers in the Roadways Division
(Council Memo #439-09)

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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 ODB Company in the amount of \$9,470.00.

8. Award of Contract for the Purchase of Shirts for the Public Works and Public Utilities Departments - 2009
(Council Memo #440-09)

A report on two 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 in the amount of \$5,285.97.

9. Authorization to Award a Contract for Emergency Repairs of Pressure Vessels at 10D and Black Road Water Treatment Plant
(Council Memo #441-09)

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

10. Authorization to Approve Replacement of Windows at the Prairie Street Booster Station
(Council Memo #442-09)

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 C&T Construction in the amount of \$11,800.00.

11. Award of Contract for the 2009 Pavement Marking Program
(Council Memo #443-09)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Mark-It Striping in the amount of \$117,130.00.

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

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

B. Amendments, Change Orders and Payments:

1. Approve Change Order No. 1 and Payment No. 1 and Final for the Repair of Street Department Vehicle
(Council Memo #448-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$1,819.68 and Payment No. 1 and Final in the amount of \$7,519.68 on behalf of Bourbonnais Supply Inc.

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2. Approve Change Order No. 2 to the Weed Cutting Contract for City-Owned Properties
(Council Memo #449-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$995.00 on behalf of Culpeppers Lawn Works.

3. Approve Change Order No. 1 and Payout No. 2 and Final for the I-55 West Frontage Roadway Improvements – 2008 Neighborhood Improvement Program
(Council Memo #450-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1, a deduction in the amount of \$35,729.48 and Payout No. 2 and Final in the amount of \$45,378.83 on behalf of P.T. Ferro Construction.

4. Approve Change Order No. 2 and Payment Request No. 10A and Final for the 2008 Aggregate Contract
(Council Memo #451-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$17,990.34 and Payment Request No. 10A in the amount of \$22,704.02 on behalf of Lafarge Joliet, Inc.

5. Approve Amendment No. 5 and Payment No. 40 and Final for the Water and Wastewater Systems SCADA Design Engineering Services Agreement
(Council Memo #452-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Amendment No. 5 in the amount of \$4,554.19 and Payment No. 40 and Final in the amount of \$5,654.54 on behalf of Strand Associates.

6. Approve Change Order No. 1 and Pay Estimate No. 3 for the 2008 – 2009 Landscape Restoration Program
(Council Memo #453-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$5,700.00 and Pay Estimate No. 3 in the amount of \$6,129.90 on behalf of Allied Landscaping.

7. Approve Change Order No. 1 and Payment Request No. 1 for the Theodore's Crossing West Public Improvements Project - 2009
(Council Memo #454-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$17,545.00 and Payment Request No. 1 in the amount of \$280,358.78 on behalf of P.T. Ferro Construction.

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8. Approve Change Order No. 7 for the Eastside Wastewater Treatment Plant Digester Improvements Construction Project
(Council Memo #455-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 7 in the amount of \$43,001.00 on behalf of Williams Brothers Construction.

9. Approve Change Order No. 3 and Payment Estimate No. 6 and Final for the Millboro Place Storm Sewer Project – 2006 CSO Elimination Program
(Council Memo #456-09)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3, a deduction in the amount of \$1,238.00 and Payment Estimate No. 6 and Final in the amount of \$6,561.40 on behalf of P.T. Ferro Construction.

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

LICENSES AND PERMIT APPLICATIONS

- A. Issuance of a Class "ID" Liquor License at 324 Collins Street
(Council Memo #461-09)
- B. Issuance of a Class "D" Liquor License at 3567 W. Jefferson Street
(Council Memo #462-09)

The City Clerk noted that these items were approved at the Pre-Council meeting yesterday.

MAYOR

- A. Proclamation re: Recognizing Sister Rita Mandella for Her Five Decades of Service

This item was presented earlier in the meeting.

MAYOR AND COUNCIL COMMENTS

COUNCILWOMAN QUILLMAN said she attended the Police Officer Awards luncheon today and asked Police Chief Hayes to explain who got the three top awards.

Police Chief Hayes said out of 200 people in attendance they had 107 awardees. He said we had 3 major awards, one being the Telecommunicator of the Year Award which went to Traci Farley, the Cantigny Post VFW Police Officer of the

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Year which went to Officer Mike Reilly, and the Exchange Club Police Officer of the Year Award and the Police Department's highest medal award, the Martin Murrin Medal, which went to Officer Jim Schnura who was involved in a hostage taking incident in a domestic violence case last year.

COUNCILWOMAN QUILLMAN said unfortunately she was unable to attend the EMS award ceremony for the Fire Department and she asked Fire Chief Formhals to explain.

Fire Chief Formhals said this week is the Annual EMS Week where they honor the EMS professionals throughout the Will Grundy medical system. He said they had an event the other day at Republic Hall and numerous firefighters and paramedics received awards for outstanding ambulance calls that they had gone on throughout the year. He said Capt. Dave Houseman received the Dr. McConnell Award who was instrumental in setting up the paramedic program in the Will Grundy area. He said this award is given every year to a recipient who has gone over and above in the field of EMS and Capt. Houseman has done that and more.

COUNCILWOMAN QUILLMAN asked the City Manager if he had minutes from the Glenwood Manor meeting last week that they were unable to attend.

The Director of Community and Economic Development stated he doesn't know that they've been prepared yet. He said there was a lengthy discussion on the tax assessment process. He said they also had representatives from the Joliet Police Department there because after the meeting was scheduled one of the residents in the neighborhood noticed that there were multiple sex offenders that live in the neighborhood and they wanted an explanation on what to do and what are the legal rights that the homeowners have versus the offenders who have to stay registered.

COUNCILWOMAN QUILLMAN then wished everyone a safe Memorial Day weekend.

COUNCILMAN BROPHY said the Joliet Area Historical Museum and staff are working very hard and are reaching out to corporate entities for help. He said Chili's Restaurant at the Route 59 location offered some help in the form of a discount day. He said they would return 10% of the take on May 24th back to the museum and he passed out coupons for the discount. He said he thinks the museum staff is working really hard.

COUNCILMAN BROPHY said July 20th is the 40th Anniversary of man walking on the moon so everyone should pay attention for exciting things to happen in July at our museum. He invited everyone to stop in any day during the summer; it really is abuzz with visitors that come from all over the globe. He suggested that people ask to see the board where visitors sign in because it is very interesting.

COUNCILMAN BROPHY said there is some good work going on at the Will County Center for Community Concerns. He said apparently there is some temporary work going on that will require some additional office space and there has been some conversation about how to meet that need. He said he thinks we need to get involved because the way they've proposed to meet that need he doesn't think sits real well with some of the professionals in town and the downtown group that's been trying to keep things moving. He asked the City Manager if he could get staff members to meet with someone over there and see

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if we can help them meet that office space need because we want them to do the good work they do but we want to do it in a professional manner.

COUNCILMAN GIARRANTE said he had the opportunity to attend the EMS festivities on Monday and he congratulated Dave Houseman again. He said being part of the committee that negotiated the first paramedic agreement many, many years ago, he wanted to congratulate Chief Carlin and Capt. Houseman because that service has come a long way over the last few years and it shows with the number of lives they've saved.

COUNCILMAN GIARRANTE then wished everyone a Happy Holiday.

MAYOR SCHULTZ asked the City Manager about the Special Meeting coming up.

The City Manager said we have decided to schedule a Special City Council meeting on Wednesday, May 27th at 4:00 p.m. in the Council Chambers to review the health insurance proposal that has been circulated and also to do a general budget review. He said the meeting is open to the public and we are inviting all members of the public to attend. He said it will also be televised on Channel 6 and 99. He said there will be information provided at that meeting that will be very beneficial for residents who are interested in the financial stability of the City to tune in and follow what's happening.

ADJOURNMENT

COUNCILMAN GIARRANTE moved that the Council adjourn at 7:50 p.m.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk