

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, May 4, 2009 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, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 5 COUNCILMAN WARREN C. DORRIS and COUNCILMAN AT LARGE MICHAEL F. TURK.

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

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.

The City Manager first explained Council Memo #381-09 dealing with a Special Use Permit to Allow the Expansion of the Salvation Army Community Center at 300 E. Third Avenue.

Captain Thom Moffitt of the Salvation Army was present on behalf of the petition. He said this \$3 million project has been a long time coming and is a dramatic improvement on the east side of Joliet. He said the renovation will include a gym, a 20 person computer lab, a classroom area and office space. He said they've been receiving money and assistance from United Way and they would like to do their part in helping the community and they can do that better at this location with the expansion.

It was requested that this item be voted on today.

1. AN ORDINANCE Approving a Special Use Permit to Allow the Expansion of an Existing Community Center and Religious Institution (Salvation Army) Located at 300 E. Third Avenue as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) The site shall be developed in accordance with the site plan and building elevations prepared by Stromsland and DeYoung Architects dated April 7, 2009; and 2) The petitioner shall continue to work with City staff to complete an acceptable landscape plan. (#2009-15/Dist. #5)
(Council Memo #381-09)

COUNCILWOMAN QUILLMAN moved that said Ordinance be adopted as recommended.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN GIARRANTE thanked the Salvation Army again for being at the Empress fire. He said their vehicle was the first on the scene with coffee, donuts and pizza.

Captain Moffett said the canteen unit that was present that day actually came from Indiana, but they will be building a garage for their own canteen unit with this new addition.

Captain Moffett invited everyone to their groundbreaking ceremony on May 15th at 4:30 p.m. to be followed by a block party for the community.

(ORDINANCE NO. 16469)

2. Citizens to be Heard

- a. Robert Webb re: Alternative to Laying Off Municipal Workers, Repealing of Various City Ordinances/Resolutions and Density Problem in Districts 4 and 5

Mr. Webb commented on his suggestions to reduce employee salaries back to 1995 levels as an alternative to layoffs, to increase enforcement of density violations in Districts 4 and 5 and to correct what he felt were constitutional abuses by the Police Department.

- b. Kirk Thompson re: Infrastructure Problems and Police Constitutional Abuse

Mr. Thompson failed to appear at the meeting.

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

The City Manager explained Council Memo #376-09 dealing with Modifications to the 2009 Districts 1 through 5 Neighborhood Improvement Programs by deleting \$600,000 of projects from each District for a total of \$3 million to address part of the budget shortfall.

COUNCILMAN UREMOVIC said he hasn't gotten everything solidified with his district and there's a couple of adjustments that he could make. He asked if we can do that after this is approved or are we just approving the \$600,000 from each District.

The City Manager said staff would certainly would work with him if he had any requests for modifications.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

COUNCILMAN BROPHY asked if the money for the projects being deleted is going back to the gaming fund or where is it going.

Director of Management and Budget Ken Mihelich said we would take the \$3 million that is allocated for the NIP fund and reallocate that to the contingency fund.

COUNCILMAN TURK arrived at the meeting at this point.

COUNCILMAN SHETINA said he may need to make some changes on a couple of items he's been working on for several years including issues in Heritage Lakes and Cumberland.

The City Manager said adjustments can be made even after this is approved. He said the only thing he's asking the Council to do is remove \$600,000 from each allocation. He said we'll have fewer dollars to work with but we'll still have some flexibility.

COUNCILMAN GIARRANTE asked what's in the At-Large fund.

Mr. Mihelich said we had \$165,000 from this year and with the carry-over it should be about \$314,000.

COUNCILWOMAN BARBER said she wanted to make a change regarding a sewer project at the Briggs Street YMCA but she wanted to talk to Councilman Dorris first.

The City Manager said as has been done in the past, adjustments can be made throughout the year. He said we're on modification No. 4 right now.

COUNCILWOMAN QUILLMAN asked where are we at with the water tower project in Edgecreek.

The Director of Public Utilities said the tank is on schedule; they are painting it now.

COUNCILWOMAN QUILLMAN asked if we had right-of-way with the water because there was an issue with New Lenox Township.

The Director of Public Utilities said that project is on Golf Road. He said that project has been awarded and we're working on a final agreement.

The Corporation Counsel said he just exchanged final right-of-way documentation with the attorney for the Road Commissioner today so he thinks that problem has been solved.

The City Manager explained Council Memo #380-09 repealing a Variation of Use to Allow the Continuation of a Three-Unit at 111 Third Avenue due to public health and safety reasons.

COUNCILWOMAN QUILLMAN asked how did this property get so bad; it was on the rental inspection program and then it wasn't but yet they were continued to be allowed to rent without a certificate. She asked how that happened.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

The City Manager said there is a memo included in the packet from Property Maintenance Coordinator Joyce Toso with some of the history of it.

COUNCILWOMAN QUILLMAN said there is a Council Memo dated May 10, 1999 saying that adequate parking is required for 5 cars in the rear of the property, and according to this picture it's at the side, not the rear. She asked if there were ever building permits issued for that shoddy construction in the back.

Director of Neighborhood Services Alfredo Melesio said he doesn't know about the permits. He said typically when there is a variance granted it's for parking wherever it can be accommodated.

COUNCILWOMAN QUILLMAN said according to the memo it's supposed to be in the back which leaves her to wonder was that addition, the so-called garage, even there back then.

Mr. Melesio said he really doesn't know if that addition was there with the granting of the variance. He said as far as the question of how did it get so bad, obviously we try to work with folks and if they don't comply in a timely manner we vacate the building.

COUNCILWOMAN QUILLMAN said this went on for four years. She said if the building is condemned with garbage and feces and urine, how is it not habitable for those other folks but the mother is allowed to stay there. She said she would think that's senior abuse. She said Director of Human Resources Mike Suppan was the hearing officer and she asked him to address that.

Mr. Suppan stated at the hearing Police Lt. Tab Jensen was there and he wanted everyone out but the owner's mother.

COUNCILWOMAN QUILLMAN said it says that all 3 units were filled with trash, mold, insect infestation, the electrical wiring was insufficient and there was a DEA search for drugs in which they found cocaine, money and ammunition.

Mr. Suppan said those were the people that were evicted from the building. He said we demanded that those persons be evicted and the only person that was allowed to stay was the mother.

COUNCILWOMAN QUILLMAN said if you have cockroaches in one apartment you have them through the whole building and mold as well. She said so her question is why was the mother allowed to stay in such deplorable conditions when the building was condemned.

Mr. Suppan said he doesn't have a good answer for that. He said he knows it was the owner and his mother and it was their house and he doesn't know why they weren't evicted at the time but the recommendation was just to evict the people that had committed the felonies. He said he believes the owner added on a bedroom.

COUNCILWOMAN QUILLMAN said that's another question she asked earlier; they added the bedroom without permits. She said you can see in the back that it's fairly new.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

The City Manager said we can certainly try to address all the issues that are being raised for tomorrow's meeting. He said our recommendation is to revoke the variation which will stop the use as a three unit. He said he's sure the Mr. Melesio will have his team out there tomorrow morning and if it's a situation where the mom needs to be evicted, we'll certainly follow through with that.

COUNCILWOMAN QUILLMAN said certainly the mother should have some better living conditions than this.

COUNCILMAN GIARRANTE asked if we can call in the Health Department in situations like this.

Mr. Melesio said he doesn't know if they respond to residential calls. He said if we had asked for the house to be completely vacated and the mother had no place to go we would have called Senior Services or some agency like that.

COUNCILMAN BROPHY said he thinks the recommendation to repeal is a good one; it may need a closer look to see if the occupancy is valid at all. He asked if we know the age of the mother; we refer to her as a senior and he knows that Senior Services does offer senior abuse inspection. He said he knows they have a hot line and will check on a senior for their well being. He said we'll look forward to the further inspection tomorrow and act on it then.

COUNCILMAN SHETINA said assuming we agree with the action of the Administration, what happens after that.

The City Manager said at that point if the house were to be occupied for anything other than a single family residential unit then it would be an illegal occupation where we would order the owner of the property to stop and if he refused to stop we would go to court asking for an order to be entered prohibiting the use of the property for anything other than single family residential. He said that assumes that it is habitable; if it is not habitable then we would sticker it and declare it unfit for human occupation and if somebody would try to live in it we would go through a process of having that person removed from the home.

COUNCILMAN SHETINA said he's assuming a portion of the house is habitable and she was allowed to stay because there wasn't imminent danger to her; it's a single family and she has a right to stay if she owns the house.

COUNCILWOMAN QUILLMAN said she sold it to her son according to the reports she has.

The City Manager said if there is a living area that is habitable and there is no threat to her safety or well being would we exercise discretion to allow her to stay there if she had no place else to go, the answer is yes. He said in this particular case he has a lot of respect for Lt. Jensen's discretion and judgment. He said if she were truly threatened he's sure Lt. Jensen would have taken corrective action and asked for us to help but we will follow up because things may have gotten worse since that last visit a month or so ago and we will make sure the mother is safe.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

The City Manager explained Council Memo #386-09 dealing with purchasing five properties for the Neighborhood Stabilization Program.

COUNCILMAN SHETINA said at the last meeting we approved the purchase of a property on Barthelme Avenue and as he went into it deeper he found a lot of damage to the property and things of that nature. He asked Mr. Melesio how he goes about determining the cost to cure any problems.

Mr. Melesio said we have a staff member who looks at all the properties that are in foreclosure and have been on the market for a while that we think we'll have an opportunity of getting and then we do an analysis of what it would cost to rehab them. He said we try to buy something that is not going to eat up all of the money. He said it's kind of in the middle between a little gone but not where we're talking about a complete rehab.

COUNCILMAN SHETINA asked if there are any contingencies we have to put in the contract that puts us at a competitive disadvantage when we're trying to buy these properties.

Mr. Melesio said one of the conditions that puts us at a real disadvantage is the environmental review by the State which takes about 30 days but could take months if it's in a floodplain or a historic district. He said the other thing they know is everything we're offering is subject to the Mayor and City Council's approval so they are a little skeptical and those are things we just have to deal with. He said they are only giving us 18 months to purchase and rehab.

COUNCILMAN BROPHY said he thinks the very announcement of the program set a bottom on the market and private investors started spending their money because they saw the City coming and they had to get the foreclosures and so it did its job in that respect. He said he's glad we got a couple that are "not too hard" but the real hard ones that no investor will take a chance on are what this money is intended for like the one with a bulging foundation or the one with the mold filled two-story. He said we may land bank them, and we don't want to land bank too many, but even those slated for demolition and those waiting for the market to do it are in fact the ones we should be focusing on. He said he thinks now that we've announced the program we need to pick up the bottom and let the private market pick up the top because no one else is down there working the bottom. He said we should be working on the harder end of this population because no one else will and he thinks that's where this money should go.

Mr. Melesio said they are not even looking at anything that's not 90 days vacant and already foreclosed upon.

COUNCILMAN UREMOVIC asked about approved subdivisions that have had the developer start construction but didn't finish because of business reasons.

The City Manager said we are currently working with 3 or 4 Neumann subdivisions, a couple of Pasquinelli subdivisions, a Zausa subdivision and several others where we are meeting frequently with either the developer, a banker, a bond company or a property management company trying to figure out how we can stabilize the neighborhoods. He said these are primarily new neighborhoods where some are almost built out but not quite finished yet and others have a handful of homes on them and have a long way to go and we may not see any construction for several years. He said it's been a real challenge

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

because we're running into problems with the bonding company when we go to draw down on the performance bond. He said all of them are basically going to court and we've been very aggressive in pursuing them through the Legal Department and we've had success on some and others we're still fighting in court.

The City Manager said Neufairfield has been a struggle and we've received a settlement offer from the bonding company that was about 50% of what they owe, so that tells you what's going on in the market out there; these insurance companies got hit hard and it's been a struggle. He said staff is working on a complete inventory of each subdivision showing the number of lots that have been built upon, the number of vacant lots, the ownership and what public improvements have yet to be made. He said we're trying to get a comprehensive list of all subdivisions in the City. He said he would guess there are 7,500 approved subdivided lots that are not built upon that are dirt, weed, water, etc. He said some builders have been responsible but he has received at least 2 or 3 calls a day from frustrated property owners that are battling with homeowners associations. He said they have a meeting Thursday night for one of these subdivision and people are actually asking how to dissolve a homeowners association because they're so frustrated with them, which isn't really the answer either. He said we certainly would recommend against homeowners banding together to eliminate their associations.

The City Manager then explained the remaining items on the agenda.

Ms. Zina Lain requested permission to address the Mayor and Council at this time.

COUNCILWOMAN QUILLMAN moved that Ms. Lain be given permission to address the Mayor and Council.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

Ms. Lain of 414 Morgan Street commented on several complaints she had with her landlord, the FHA program and her lease agreement.

The Director of Neighborhood Services was directed to meet with Ms. Lain and address her concerns.

The City Manager advised there was a need for a closed session to discuss personnel, land acquisition, pending litigation and collective bargaining.

COUNCILMAN GIARRANTE moved that the Council recess to closed session to discuss personnel, land acquisition, pending litigation and collective bargaining at 4:25 p.m. after which the meeting will be adjourned.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 4th day of May, A.D. 2009***

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape