

***Proceedings of the Council of the City of Joliet, Illinois
held on the 1st day of June, A.D. 2009***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, June 1, 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 explained Council Memo #471-09 dealing with the Preliminary, Final and Recording Plats of Cherry Hill Business Park West Subdivision Unit 4 which divides the lot on which the Central Grocers building is located into two lots. He said the lot containing Central Grocers is proposed for 52.8 acres and the other lot which is currently undeveloped and has no immediate plans will have 12.1 acres.

COUNCILMAN TURK arrived at the meeting during the explanation.

Ms. Irene Wiczkowski of Northern Builders was present on behalf of the petition.

It was requested that these items be voted on today.

1. AN ORDINANCE Approving the Preliminary Plat of Cherry Hill Business Park West Subdivision Unit 4 as recommended by the Plan Commission was presented and read. (#P-1-09/Dist. #5)
(Council Memo #471-09)
(ORDINANCE NO. 16476)
2. AN ORDINANCE Approving the Final Plat of Cherry Hill Business Park West Subdivision Unit 4 as recommended by the Plan Commission was presented and read. (#FP-1-09/Dist. #5)
(Council Memo #471-09)
(ORDINANCE NO. 16477)
3. AN ORDINANCE Approving the Recording Plat of Cherry Hill Business Park West Subdivision Unit 4 as recommended by the Administration subject to receipt of the following fees and documentation within 60 days of approval was presented and read: a) A Letter of Credit or Performance Bond for public improvements in the amount of \$40,000.00; b) A 1 ¼% inspection fee for public improvements in the amount of \$500.00; and c) An Irrevocable Offer of Dedication for public

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improvements. (#RP-1-09/Dist. #5)
(Council Memo #471-09)
(ORDINANCE NO. 16478)

COUNCILWOMAN QUILLMAN moved that said Ordinances be adopted as recommended.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

The City Manager then explained Council Memo #475-09 dealing with the Allocation of 2009 CHDO Set Aside Funds to Cornerstone Services and the Execution of the HOME Investment Partnership Agreement with Cornerstone. He said Cornerstone is requesting \$75,000 of the 2009 HOME funds to be used towards the construction of a single story duplex at 201 Pleasant Street to be occupied by persons with disabilities. He said the total cost of the project is estimated to be \$400,000.

Chief Administrative Officer Ben Stortz of Cornerstone said we anticipate starting construction this fall on the project and it should be done by next spring. He said each side of the duplex would be about 1,200 sq. ft. with two bedrooms on each side.

COUNCILMAN SHETINA asked if there is a basement.

Mr. Stortz said it would have a crawl space.

COUNCILMAN SHETINA asked if it would have a front load garage and four units.

Mr. Stortz said it is actually two units with two bedrooms on each side for a total of four bedrooms.

COUNCILMAN TURK asked how many individuals would be in each unit.

Mr. Stortz said there would be one individual or maybe a mother with two children.

It was requested that this item be voted on today.

4. A RESOLUTION Authorizing the Allocation of 2009 CHDO Set Aside Funds to Cornerstone Services inc. and the Execution of the HOME Investment Partnership Act Agreement Between the City of Joliet and Cornerstone Services Inc. was presented and read.
(Council Memo #475-09)

COUNCILMAN SHETINA moved that said Resolution be adopted.

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Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6269)

5. Pace re: Presentation of Subsidy Increase Check for Dial-A-Ride Service

Board Chairman Richard Kwasneski and April Koos were present on behalf of Pace.

Mr. Kwasneski announced that due to a sales tax increase approved by the State Legislature in 2008, Pace is increasing funding for central Will County for the Dial-A-Ride bus program by about 50% for a total of \$595,432.00, and he presented a symbolic check in that amount. He said the City of Joliet's share of that is \$119,000, or a \$62,000 increase from last year. He said we certainly appreciate working with all of you and we want to continue to promote this program and other programs. He said we are very excited about the City's transit ideas for downtown Joliet and are always willing to work with the City.

6. Presentation of Transportation Center Plan

The City Manager said we thought that this might be a good opportunity for us to give the Council an initial look at the Transportation Center Plan that has been in development for the past several months with VOA and Associates, the consultant that the City selected several months ago to help with updating the Downtown Development Plan. He said we have actually asked VOA to focus on the south end of downtown, basically the Union Station and Courthouse areas. He said we think that those are the two most important areas that we need to address in downtown Joliet in the near future.

The City Manager said we've developed a great working relationship with our colleagues at the County to try to work on a plan that would make sense not only for the City of Joliet as the host for the County Seat but all of Will County which includes the courts, their administrative personnel and all the related departments that need the Courthouse and Adult Detention Facility. He introduced the County representatives in attendance including Chief Judge Gerald Kinney, Court Administrator Kurt Sangmeister, County Executive Larry Walsh, County Board Chairman James Moustis and Board Members Joe Babich and Frank Stewart, and administrative staff Matt Ryan, Paul Rafac and Nick Palmer. He said we've had the privilege of working with them from the beginning and we've had a lot of productive meetings. He noted that Tom Mahalik is here from the City Center Partnership and said they've been an integral part of helping us put this plan together. He said what we'll be showing is basically a first draft that has been worked on a lot by both County and City staffs. He said we've made the offer to show this to the County Board but we wanted the Council to see it first and then we'll be visiting with the County Board in the next couple of weeks to show them the same presentation.

The City Manager said he did want to say that we were here last week for a two hour meeting that dealt with the financial challenges that the City of Joliet has,

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and the fact that the challenge is a tall task is no secret to anyone, but what we're showing you is something we think is very doable. He said we believe there is federal funding available for this project and we are aggressively pursuing the help of the federal government as well as the state government in trying to put this project together. He said we have seen the Obama administration focus its interest and efforts on transportation oriented development, and they are pushing very hard for cities like Joliet to step up and try to promote public transportation and that's why this fits very neatly with our friends from PACE and we've been working with their counterparts at METRA in trying to put a project together that makes sense and will make Joliet the hub of transportation for the southwest suburbs.

Planning Director Don Fisher introduced the representatives from VOA present and said they have been working on this plan since October of 2008 along with Tom Mihelich, Kendall Jackson, Jim Haller, Jim Moustis and Bruce Friefeld. He said they initially looked at the entire downtown area and they do have plans for the entire downtown which will be released in about a month or so, but they wanted to concentrate on two specific items in the civic district, those being the Multi-Modal Transportation Center and the Court systems in downtown.

Mr. Fisher began the PowerPoint presentation by stating Joliet historically has been the crossroads of mid-America and the crossroads of transportation in the Midwest. He said adding to the significance in the location is the proposed airport and proposed new interstate between I-65 in Indiana and I-55 in Illinois. He said there is continued growth in Joliet and Will County. He said the Regional Transportation Authority's (RTA) Strategic Plan identifies multi-modal integration as a key commuter mobility enhancement for current and future transportation improvement projects and the need for an integrated transit hub in downtown Joliet. He said recently we received a \$125,000 grant from the RTA to put together a plan for this Multi-Modal Transportation Center. He said he believes at the next Council meeting we will be making a recommendation for a consultant to help carry this forward.

Mr. Fisher said the new transportation center would be located adjacent to the existing Union Station just south of the tracks in the southwest corner. He said they have worked closely with representatives from PACE and Metra and that is the desired location by both organizations to help them facilitate the operations of their existing and future facilities and transportation needs in the downtown area. He said that property is all publicly owned now between the County, the City and Metra so there is little acquisition that would be needed in this area to go forward with a plan like this.

Mr. Fisher said in the Civic District Plan there are three big components: the Transportation Center area at Union Station and the future possibility of transit oriented, private development; the Will County Court Complex just to the west of the Transportation Center; and to the north, the Rialto Square area. He said they feel the development and redevelopment of these components will add a big incentive for private development to come to the downtown area. He said the plan to make the best viability for the Rialto, for the Will County Court complex and for the Transportation Center is to reestablish a two-way street system in downtown and VOA and the transportation consultants have been working very hard on putting together the information necessary to bring to IDOT to persuade them that this plan is contingent on a two-way street system and generally it's a better transportation system for the entire downtown area and the central part of Joliet. He said when they had their stakeholders meetings they probably had 20

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different organizations from the Rialto, the school districts and everyone present today and the number one item that was the most agreed on was going back to two-way streets. He said they're working on bringing the streets back like Chicago Street, the old curb to curb, bringing parallel parking back in and bringing bike lanes in with two way traffic. He said what will also be needed to bring this plan forward is existing and future parking.

Mr. Fisher said they are being told by Pace, Metra and Federal officials including Congresswoman Halvorson and others from the Governor's office that the Transportation Center is a high priority and the City of Joliet, because of its location and close proximity to I-80, is the place to put a major Transportation Center outside of the City of Chicago.

Mr. Fisher said in the Rialto Theatre area, a long term vision for the parking lot and State's Attorney's office is a festival park because the plan would call for opening Chicago Street up back north/south through the downtown area so the farmer's market and different festivals may need to be moved to a downtown festival square. He said we would be working with County officials on how that transition could be made and over what time period and whether it makes sense for them also, because if it doesn't make sense for the County it wouldn't work, but these are some good ideas to move forward in the future.

Mr. Fisher said the County has also received a grant from the RTA to do a study on paratransit services for the entire County and he has talked with the County's staff members about the possibility of having Joliet be the hub and transfer point for all of those services. He said part of their discussions were the Pace buses and the bus pulse point right outside of the Courthouse. He said it's awfully busy right in front of the Courthouse and it doesn't work really efficiently for Pace, so that entire pulse point and their whole operational management area would move to the Multi-Modal Transportation Center. He said it's very convenient for Pace too because their maintenance garage is located directly south of this site so they would have their entire southwest operation located within walking distance of each other.

Mr. Fisher stated historic Union Station is not really built for today's different modes of transportation. He said it may reinvent itself into more of a meeting/conference space, banquet hall, restaurant and that type of thing.

Mr. Fisher said services that would be housed at the transportation center would be Amtrak's Lincoln Service and Ann Rutledge Service between Chicago and St. Louis (Future high speed intercity passenger rail), Amtrak's Texas Eagle service which runs two trains between Chicago and San Antonio, Metra's Rock Island Line, Pace Buses, Paratransit, inter-city and charter buses, shuttle service, taxi service, car rental/sharing as well as the hub for all of the bike paths in Will County.

Mr. Fisher said this will create construction and permanent jobs and revitalize business activity especially in the southern part of the downtown area. He said the Federal government has been promoting high-speed rail. He said the first designated corridor they would like to see developed is a corridor between Chicago and St. Louis which is a great opportunity for the City of Joliet for our transportation center to be the first stop outside of the City of Chicago. He said this high-speed rail eventually could connect most of the Midwest to the East and being on that first link they feel developers would look at that very closely and see the high potential for redevelopment in this general area. He said they see a

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lot of opportunities for securing Federal and State grants and energy grants for this project.

Mr. Fisher said it is his and all of the team's opinion that the new Courts complex has to be set in a dynamic new area, something where there is a great future and a great vision for what this whole piece of downtown and Will County is. He said the transportation center and private development would go hand in hand with the construction of a new courts area and new administrative offices for the County. He said we are working hand in hand with the County officials trying to see if it's viable, if it's feasible and how do we put it together. He said everything in this presentation is a concept, nothing is set in stone. He said those are some of the visions that their team has put together at this point.

Mr. Mike Emerson of VOA said this really is a concept but they did get to meet with Judge Kinney and talk about some of their plans. He said the idea is actually very simple and would leave the existing Will County Courthouse intact to be used solely as a criminal court complex and to secure a link between the existing Will County Jail and the criminal court complex and to create a very friendly public building that essentially says that this is the front door to this court complex that is directly across the street from a parking structure where everybody would know to come and park for court purposes. He said to the west we would then split into different divisions with both civil and traffic courts in a semi-secure court complex. He said by doing this we're able to create a public entrance and then a secure link under medium or high security along with adequate judges chambers and jury support.

Mr. Fisher said the building to the right of the existing Courthouse would be a secure building that would connect the jail facility with the Courthouse for the transportation of inmates or folks having to go to the courts. He said also one of the ideas is secure parking for administrative officials and judges within the complex. He said this would all have to be worked out with the County on exactly how it would be placed, what it would look like and what shape it would take, but there would be the connections between the new Courthouse and the old Courthouse with an administrative building and an overhead walkway that would cross into the old Courthouse so you don't have to go outside as well as the existing Courthouse with the security building and a tunnel that would go at ground level through the viaduct that would connect to the jail itself. He said there would also be a major parking structure located directly south of the First Midwest Bank lot or south of what's being proposed as a new Courthouse. He said that major parking deck would be able to facilitate the City Hall area, the civic district itself, the courts and administrative components of County government as well as City government. He said on the east end the transportation center would accommodate its own parking. He said they'll have to work through how big it's going to be and all those kinds of things.

COUNCILMAN SHETINA asked what part does the Emco Building play.

Mr. Fisher said he believes it would still be a County building and have State's Attorney uses and he turned that question over to the County.

Mr. Matt Ryan said that would absolutely be in the mix; they spent a lot of money on that and they would talk conceptionally about connecting to the new part of the Courthouse. He said it's important to remember that these are all conceptions.

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Judge Kinney said there is some court space in there also. He said he believes the State's Attorney's original hope was that they would be located in one building.

County Board Member Babich asked about new judges and Judge Kinney said they may be allocated 3 new sub-circuit judges for Will County beginning in 2010 and with the new census in 2010, we'll get one judge for each additional 35,000 population increase. He said the last census was at 500,000 people. He said if there are 800,000 people in 2010 there would be about 7 or 8 new judges so with the 3 new sub-circuit judges he's looking at 10 or 11 by 2012.

The City Manager said when we started this process they said let's take the existing County assets, the Adult Detention Facility which they just expanded and put millions of dollars into, the existing Courthouse and the Emco Building and tie those together along with the First Midwest Bank site which is really the key piece to this, that's the glue that pulls them all together. He said when they started this conversation about a year ago they said let's focus on that and be able to put the County court functions, State's Attorney's office, Public Defender's Office, Probation, Circuit Clerk and anybody having anything to do with the Courthouse all under one roof and find one way in and one way out so we can help the County in administering their court system so they don't have multiple access points and have to have County deputies there to check people in and out and help them to minimize that cost for the County. He said we think that this concept does that and we'd like to make this presentation to the County Board and then to the other circuit judges and if it looks like everybody is saying let's move forward with this concept, maybe we could reconvene the City-County Committee and let the Committee start working on some of the details.

The City Manager said we aren't suggesting any architecture; this is just purely a starting point and we think with some of the new initiatives coming out of Washington there might be some creative bonding available through the stimulus package bill that was passed in February that might help the City and the County access financing to do a project like this. He said certainly for the transportation plan there is discretionary money that the Department of Transportation has that we have already applied for and we've also been working with Congresswoman Halvorson to access funding for the transportation center. He said we'd like to get a sense of whether this is something that you'd like us to keep working on, if it is, we'll make our presentation to the County and get some buy-in from the County and keep moving.

The City Manager said he knows the issue comes up frequently of whether this would be to the exclusion of any other County facilities throughout Will County, and the answer is no, we're not purporting to come before you and tell the County don't put up a satellite Courthouse in Crete or Bolingbrook or anywhere it would make sense; we want that to happen too, but we'd really like to see the main County functions remain in downtown Joliet. He said we would also be working with the County on its north campus and the administrative offices of the County Clerk and the Recorder and they would like to see all of that consolidated at the north end. He said this would be no different than a mall where you need to have your anchor tenants and we would treat the County as our anchor tenants in downtown Joliet, getting them anchored at the south end and certainly at the north end and we think a lot of good things can happen in between.

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COUNCILMAN BROPHY said the first part of it would be the regional transportation building to the south of the tracks and the upper part is for a later private footprint. He asked how many square feet of known existing office space would the lower footprint entertain.

Mr. Fisher said the grant that we just got from the RTA will be the next step and we would do more of a space needs analysis for what would be actually in the transportation center.

COUNCILMAN BROPHY asked which groups would use it.

Mr. Fisher said it would be Pace, Metra, Amtrak, Greyhound, Peoria Charter and Illini Charter.

COUNCILMAN BROPHY asked for a written list of those uses and the number of jobs connected.

Mr. Rebel Roberts of VOIA said the partnership between the City of Joliet, Will County and the City Center Partnership has been extraordinary. He said anyone who had a concern also had an idea to contribute. He said their job is an exciting one and they are very glad to be a part of it.

County Board Chairman Moustis said they are committed to the City of Joliet and are interested in keeping their court system and County functions in the City of Joliet in addition to satellites as needed. He said they are committed to the courts and are committed to making an efficient, modern court system and we do think we currently have some opportunities we haven't had in the past and some financing coming from a stimulus package. He said we are looking forward to a continuing relationship with the City of Joliet.

Mr. Babich said he would like to see something in black and white on where parking will be located. He said this is why people don't come down to Joliet now, we're lacking for parking. He said they come to the Rialto for the evening and the parking decks are loaded and they're parking 4 or 5 blocks away. He said this is what he'd like to see as the number one priority.

COUNCILMAN SHETINA said as the Mayor has said before, we are just as interested as the County is and look forward to working together and we appreciate everyone coming.

COUNCILMAN BROPHY said we're glad everyone is here and appreciate the County's corporate citizenship and business citizenship in our downtown. He said he thinks it's very fitting that the County Seat, the City of Joliet and the County of Will work together in this and we are very happy to have your participation.

Judge Kinney said it's pretty clear they need the parking too; parking is key.

COUNCILMAN SHETINA said the people on jury duty get upset standing in the long lines out in the elements.

Judge Kinney said the building was not built for the security issues we have.

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The City Manager said this has been a good, healthy discussion and we will resume it with the County and will be in contact with County officials about an opportunity to make a presentation and he thanked everyone for attending today.

The City Manager then explained the remaining items on the agenda including the award of contracts and contract amendments, change orders and payments, and accordingly, it was agreed to cancel the Public Service Committee meeting scheduled for tomorrow.

The City Manager explained Council Memo #481-09 dealing with Awarding a Contract for the Mirage Subdivision Siltation Removal Improvements. He said property owners of the Mirage Subdivision have been complaining about silt from an adjacent farm field eroding and washing into and settling into one of their storm water detention basins. He said a contractor will remove the silt from the basin and redistribute it on the adjacent farm field.

COUNCILMAN BROPHY asked if this is necessary because there's something inefficient or insufficient about the pond itself or the system there or the way it was developed.

Director of Public Works James Trizna said the detention system itself is fine, it was designed properly, it has proper capacity and he explained that there's a large drainage basin that drains from the Schroeder farm and runs underneath County Line Road and that water runs through the property that's now the Mirage Subdivision. He said so we have a large farm field draining through that detention system, and when we get heavy rains like we've had the last couple of years, we get debris, old cornstalks, soybeans, whatever was in the field rushing through the box culvert, dumping into the detention basins and that's got to go through a series of five basins before it outfalls into a storm sewer on Caton Farm Road. He said what we're trying to do is catch the debris. He said we have two contracts now, one is to remove the silt and the other is to put a grate on the box culvert and put in some additional fencing to trap this debris to keep it from coming in. He said until this property develops, which could be a long time, we're going to keep having this issue.

COUNCILMAN BROPHY asked if this expense is over and above what a typical Homeowner's Association would cover.

Mr. Trizna said we're talking around \$15,000 worth of expense here total so it is beyond what they would cover. He said this is a situation where it's coming from something upstream, it's not being generated by their own properties.

COUNCILMAN SHETINA said it's surcharging the other detention ponds also and it's coming up close and getting into some of the houses where it wasn't supposed to get into. He said this is really not a very expensive answer to it and if we can get it done this way and prevent some of that from coming across the road for this kind of money, it's probably a good investment.

COUNCILMAN BROPHY asked if we will design this into the next development with an invasion point like this.

Mr. Trizna said yes, if we see something like this again next to a farm field where we've got a large area coming in, we'll definitely have the developer try to do some things in the future.

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The City Manager explained Council memo #484-09 dealing with a Request for Authorization to Purchase Mobile Computers for the Public Utilities Department.

Director of Public Utilities James Eggen said these are mobile computers for the Utility Servicemen that are currently using the new work order system. He said this will allow them to update the information in real time while they're out in the field so they can make notes and then communicate back with the people in the office about new problems as they come up throughout the day. He said this also provides mapping services so they'll have readily accessible maps at their hands as we computerize our maps.

COUNCILMAN UREMOVIC said in reference to this, about two and a half months ago we had a meeting of the Communications, Technology and Information Systems Committee and we were supposed to be getting a flow chart of how this operates from that department. He asked if we'll get that information soon.

The City Manager said yes, we will be working on that and will bring it back to the Committee or even the full City Council to take a look at that.

COUNCILMAN UREMOVIC said he wants to know what we're doing right now first before we look at another system.

The City Manager said we'll try and show the current program and some of the efficiencies and inefficiencies that we have and how the new program will make it better.

COUNCILMAN UREMOVIC said he wanted to be able to look at it earlier than Thursday before a Monday meeting.

The City Manager said we're going to give you plenty of time to comprehend it and we're trying to avoid the last minute surprises.

7. Billboards on I-80

Director of Visitor Services Ben Benson showed several pictures of the new billboards on I-80 which were approved by the Council about a year ago.

8. Proposed Downtown Joliet Hotel

The City Manager said the other project that Ben and Don Fisher and several other people have been working on deals with a proposal for a hotel in Downtown Joliet across the street from Harrah's Casino on their valet lot where the church used to be. He said Harrah's acquired all of those parcels a few years ago and they have been working with a private developer of hotels for a project that would bring 120 rooms to that site. He said right now the project is still going through an approval process with Harrah's and the developer; financing is obviously the key component to this and they are working on that.

The City Manager said part of our process was to do a market feasibility study, half of which was paid for by the hotel developer, half by the City of Joliet. He said we have the results of that market feasibility study and we'd like to share that with the Council. He said we won't go into details today but we have the hard copy we can hand out and we'll make sure we get electronic versions out also. He said at some point if we get closer to having the developer telling us

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financing is on its way, we'll bring that back to the Council to see it in detail. He said when we talk about our downtown development, a key component is to have this kind of private investment, a brand new hotel with a corporate flag that's known nationally flying over it, in downtown Joliet.

Mr. Benson said that it's a great proposal; the study really, positively reinforces and validates the project and the concept. He said he thinks it's important to mention that no franchise has been selected by the principals involved yet; we had to focus in on a product to make this study so we focused on a Marriott Courtyard as an example. He said it's a wonderful project with Harrah's owning the land and looking to have a hotel operate independently and work out a reverse agreement for rooms on the weekends and we're looking forward to taking it to the next step.

COUNCILWOMAN QUILLMAN asked if this will mirror the other building that they already own currently or will it fit more with our architecture in downtown.

Mr. Benson said that it should fit in more architecturally with the downtown. He said we've talked about that with the developers and will bring that through normal channels with zoning and planning.

9. Citizens to be Heard

a. Debra Ortiz re: Cumberland Subdivision

Ms. Ortiz was unable to attend the meeting.

b. Tenants of 414 Morgan Street re: Investigation of Complaints

Mr. Carlos Manuel, spokesperson for the tenants of 414 Morgan Street, said we'd like to address the negligence of the City for non-action on an investigation. He said on May 5th an investigation was allegedly supposed to have taken place for 414 Morgan and since then none of the tenants have been contacted about it. He said they have currently been living with sewage in their sinks, bathtubs and face bowls and have not been able to utilize them for the past two weeks and three days. He said it was just recently tagged by the City as of last Friday. He said they have been told that it is their responsibility to relocate now but they have no money for relocation; they're at their wit's end.

Director of Neighborhood Services Alfredo Melesio said the owner, Linda Duckmanton, doesn't have many properties in the City but has owned this property for several years. He said the Friday before Memorial Day he was at the premises responding to the report about the backup of the sewer, and at that time we advised the tenants that after Memorial Day, on Tuesday, we would return and post the building as unfit for occupancy. He said obviously there are unsanitary conditions and also the hot water was turned off. He said the only action we can take is to post the building and demand the landlord fix the problems that are on the premises. He said at this point, the landlord seems to be incapable to do that. He said it's one of those difficult situations to enforce; we have called her in for an administrative hearing that will take place on June 11th. He said we also told her we would be issuing fines and citations. He said we did reach out to the Will County Center for Community Concerns and it's our understanding that they are going to supply the tenant's with their first month's rent, it was just the issue of finding a security deposit and finding a landlord that

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would rent to them. He said there really hasn't been a day over the last two weeks that he personally or at least two or three members of his staff haven't been involved with the landlord or the tenants at this location.

COUNCILMAN GIARRANTE asked so our options are to close the place down and bring her to task, but in the meantime these people don't have a place to live. He said so we're doing what we're supposed to do now; we're trying to find them a place to live.

Mr. Melesio said that's correct.

COUNCILMAN TURK asked if only two of the units were occupied.

Mr. Melesio said all of the units are occupied.

COUNCILMAN TURK asked if the other two tenants don't have a problem.

Mr. Melesio said all four units have the same problem, sewer backup. He said the solution would be to get it rodded out to get it cleaned. He said the City's camera crew was out there today and there is an obstruction in the sewer so they can't see anything. He said it needs to be rodded out to see what the situation is.

The City Manager asked if we're talking about the private side of the sewer, not the City's sewer system.

Mr. Melesio said that's correct; all indications point to the private side of the sewer having the problem.

COUNCILMAN SHETINA said that Councilman Dorris called him on this on Friday and he didn't have time to get out there. He asked Mr. Melesio if he had talked to Councilman Dorris.

Mr. Melesio said he and Councilman Dorris were actually out there last Friday and met with the tenants and walked through the building. He said we had a meeting this morning at City Hall to discuss what the options were for us and what the options were for the tenants. He said Councilman Dorris had said that we need to work the best we can with the Will County Center for Community Concerns or some other agency and look out for these folks. He said even if this is fixed temporarily, we need a permanent fix; they can't go weeks and weeks in this situation. He said the decision was made that this building is going to be posted and will have to be vacated. He said trying to get the tenants to a new location is probably a higher priority than getting it fixed because fixing it is probably going to take longer than maybe the tenants can deal with.

COUNCILWOMAN QUILLMAN asked if this particular landlord has been on the rental inspection program.

Mr. Melesio said yes, for many years.

COUNCILWOMAN QUILLMAN asked what the problem is now that she can't fix these problems.

Mr. Melesio said he knows that she has tried to sell it recently and she might not have the capability to really address the issues.

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COUNCILWOMAN QUILLMAN asked what other recourse do we have to help these folks and is there anything we can do between now and the hearing on June 11th.

The Corporation Counsel said it sounds like Mr. Melesio has already started an owner notification, we have an unresponsive owner and we can go ahead and have our administrative hearing but nothing would stop us from also proceeding in Housing Court. He said we need to begin enforcement because we have an owner that is aware of a violation that affects the ability of these people to even live in the place. He said the owner apparently is unwilling or unable to address the situation so we need to start the enforcement process in Housing Court at the same time as the administrative process is going on. He said perhaps there's an opportunity to see if there's a contractor that can do the repairs for a certain price, and he will work with Mr. Melesio to get this matter in court too. He said the administrative process is fine but once it is before a judge we can ask for more things including the right to enter the property, conduct repairs and perhaps get a financing mechanism for that as well if the situation is as dire as the tenants are suggesting. He said if there is actual sewage in some of the plumbing fixtures in the house then the property should not be occupied at all and we really should move immediately to relocate the tenants. He said other than that, we really need to work with the court system and lean on the owner to get enforcement using the owner's money.

COUNCILWOMAN QUILLMAN said in the meantime, couldn't we make the repairs and then charge the owner of the building.

The Corporation Counsel said there is a procedure that would allow the City to directly enter the property and fix the sewage, modify the plumbing and do all those things on private property, but we would need to get a court order first. He said he would not recommend that the City jump in and fix a problem without the consent of the owner and absent that court order.

COUNCILWOMAN QUILLMAN asked how can we help these folks. She said they don't have the means to find other housing and yet the conditions they're living in are apparently not healthy.

The Corporation Counsel said based on what the tenants are saying the conditions are terrible. He said what he is saying is that it is not a good idea for the City to jump in and actually fix the sewage system with public money and without the owner's consent unless we have a court order; that takes a little bit of time and we can get that court case started tomorrow. He said that's the process that's available and if the situation is that unlivable in the meantime, then our remedy is to find alternate living locations on a temporary basis.

COUNCILWOMAN QUILLMAN asked if there is actually sewage in the units.

Mr. Melesio said yes, there is sewage backing up into the fixtures.

COUNCILWOMAN QUILLMAN asked if there is any alternative housing in the meantime.

Mr. Melesio said unfortunately the individual tenant has to find a landlord who has an open unit and then they can access the funds from the Will County Center for Community Concerns, and he explained the process.

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COUNCILWOMAN QUILLMAN asked how many people we're talking about.

Mr. Melesio said there are four units and we're talking about six individual families.

COUNCILWOMAN QUILLMAN asked how many total people are there.

Mr. Melesio said that he hasn't counted the kids so he really doesn't know.

MAYOR SCHULTZ asked how long the sewer has been blocked.

Mr. Melesio said that the only verifiable date that he has is the Friday before Memorial Day but he believes it was maybe the Wednesday before that, so we're talking about a week and a half now.

Mr. Manuel said they are knowledgeable about what the problem is and they've given Ms. Duckmanton many chances to rectify the problem, but they were told that she is not going to correct the problem and that it is up to the tenants to look for new locations. He said she's known for doing this in the past and the house had been tagged once before because of this situation. He said in 2001 they had R & R come out and put a camera down in the sewer line and it showed that it had collapsed. He said no one has talked to any of the tenants and found out what they've been going through and that's where the problem is.

COUNCILMAN BROPHY asked if, in the least, can we add this address to Council Memo #470-09 and declare it a public nuisance to get this into court. He said if this woman has no equity in the property with which she can use to repair the building, then a lender will step in to preserve their mortgage balance and do the work.

The Corporation Counsel said that amendment could be done at tomorrow night's meeting.

COUNCILMAN SHETINA said we had some problems with a big family recently and United Way got involved too. He asked if there is any possibility to try and relocate these folks through United Way.

The City Manager said he met with the four tenants on Tuesday and suggested they contact Will County Center for Community Concerns, United Way, and any social service agency that can provide some housing for them. He said he told them our role is basically the property maintenance function and we're not really set up to provide housing and don't have access to houses that we can allow people to stay in.

The City Manager said it was clear to me that this building needs to be shut down and he told the residents that more than likely, when the inspectors went out there later that day, it would be red tagged and they would be asked to leave. He said he told them that if they don't have a place to go, we're not going to physically evict them from the place but he didn't want them living in that kind of squalor. He said he strongly encouraged them to make contacts with friends, relatives, anybody that might be able to provide some alternate shelter for them in the interim. He said as far as getting back into 414 Morgan, he doesn't think that will ever happen. He said he thinks our goal will be to shut the building down, make sure this landlord never operates in the City of Joliet again and if this building needs to be demolished at some point we'll pursue that. He said if it

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gets in the hands of somebody who will become a responsible landlord that's fine, it will be opened up, but all of that takes a lot of time. He said the immediate need is to get the residents some decent housing and in this economic climate that's easier said than done. He said we'll keep working with the residents to do the best we can to find them another place to live, but if they do have friends and relatives now is the time for them to step up.

COUNCILWOMAN BARBER asked if we have talked to the Housing Authority to see if they have anything available that these people could move into.

Mr. Melesio said that one of the residents had a meeting today with the Housing Authority for her and her daughters and she was told she would be considered.

COUNCILWOMAN BARBER said that they do have emergency housing also so maybe we can go that route.

COUNCILMAN UREMOVIC left the meeting prior to adjournment.

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 at 5:30 p.m. to discuss personnel, land acquisition, pending litigation and collective bargaining after which the meeting will be adjourned.

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.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape