

## COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 14<sup>th</sup> day of June, A.D. 2010***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, June 14, 2010 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

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

ABSENT: NONE.

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 #410-10 dealing with the Annexation of a Single-Family Residential Group Home Located at 3300 Essington Road.

Ms. Jorilene Adams of Trinity Foundation, Inc. was present on behalf of the petition.

The City Manager then explained Council Memo #411-10 dealing with the Annexation of Lot 1, a 1 Acre Parcel in Cherry Creek Business Park Located at 16750 Cherry Creek Court. He advised that the petitioner is requesting a waiver from the City's ordinance that would require the connection of the structure to City water and sewer service, however, the Administration is recommending that the waiver request be rejected and that the petitioner be required to connect to the City's water and sewer facilities.

Attorney Mike Hansen and Mr. Bo Wagner and Mr. Bob Wagner of Southwest Development were present on behalf of the petition.

Mr. Hansen stated that two years ago, the New Lenox Fire Protection District adopted a requirement that would require a sprinkler system to be installed in a building estimated to be 12,000 square feet. He said that would cost his clients an additional \$150,000 if they were to develop in the County. He said because of the layout of this lot, the Will County Health Department has approved it for well and septic. He said they are requesting annexation of this lot but with a waiver of the requirement for sewer and water which they estimate would cost them \$40,000 to \$45,000. He said they are not requesting waivers for the additional \$30,000 they are going to spend for City requirements by developing this building in the City of Joliet. He said the Wagners have a client who has signed a letter of intent to put in a pizza making business at this location that will employ ten to fifteen people, and that business should generate an additional \$2,000 to \$2,500 in real estate taxes to the City of Joliet. He stated there will not be any sales taxes generated by this building.

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Mr. Hansen said they would like to annex this property into the City of Joliet and would like the City Council to be proactive in regards to the waiver of the water and sewer requirement. He said if they could annex this lot, there are seven additional vacant lots in the subdivision that could potentially be annexed into the City of Joliet when they decide to develop their lots. He said in these tough economic times, the owners of lots are looking for ways in which it can be cost effective to all parties involved.

COUNCILMAN BROPHY asked if there are any boundary line issues with this property.

The City Manager said no, the property is on the Joliet side of the boundary line so if it doesn't develop within the City of Joliet it will develop in unincorporated New Lenox Township.

COUNCILMAN BROPHY asked if the size of the lot can handle the septic field based on the City's development guidelines.

The City Manager stated that we usually defer to the Will County Health Department in determining the propriety as far as a septic field. He said the Health Department has regulations that they follow.

Director of Public Utilities Jim Eggen stated that he hasn't been in communication with the Will County Health Department on whether they have approved this site, but it has always been his understanding that anything within a three hundred foot distance, which this property is, would be required to tie into the City. He said that has been our instruction to the developer up to this time.

COUNCILMAN DORRIS stated that he doesn't see any downside to this development other than the City not doing something to make this happen and then not having the opportunity to capture this business and these jobs. He asked if there is a downside to them not connecting and could the agreement be structured where if they wanted to connect they could pay the fees at that time.

The City Manager stated they would have to pay whatever fees are in effect at that time, whenever the connection is required. He said it is staff's recommendation that it be required now because this is a business park and it is going to be harder to attract businesses willing to be on well and septic; they are just not that reliable. He said there are a lot of unincorporated subdivisions that have well and septic and the City is constantly struggling with these issues and that is why it is the staff's recommendation that connection be required. He said if this develops in unincorporated New Lenox Township, there is a downside in that we will obviously miss out on some real estate taxes, however, it has been the City's practice to recommend connection when water and sewer is this close to the property.

Mr. Hansen stated they haven't requested a waiver of any of the fees if they have to connect but they are asking the Council to waive the connection requirement at this time.

COUNCILMAN DORRIS stated that he would really like to see this in Joliet and he would support the request to waive the water and sewer connection. He said if there is no detriment to the City for them to have the well and septic, he doesn't see any issue at this time.

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COUNCILMAN GIARRANTE asked what the cost to install the well and septic is.

Mr. Bo Wagner stated that the well cost about \$12,000 per building and the septic was another \$11,000.

COUNCILMAN GIARRANTE asked what the tap-on fee would be for the property.

Mr. Eggen stated that the connection fee for a single-family home would be \$6,000, and as commercial, this would be pro-rated based on the water usage. He said being on a septic, he would suspect that they do not have a large water demand.

Mr. Bo Wagner said when this subdivision was developed it was brought before the Will County Health Department and they tested the soil and had to approve each lot for the septic system. He said all seventeen lots within Cherry Hill Business Park have been approved for well and septic. He said the Will County Health Department would always prefer a tap-on, however, this lot was previously approved for well and septic.

COUNCILWOMAN QUILLMAN asked what the Health Department has to say about all of this since there will be food production at the location.

Mr. Bo Wagner stated he already has a food processing unit in this subdivision that he worked on with the Will County Health Department to plan and estimate all of the water uses. He said he has installed water meters so the Health Department can verify everything that is going on with the exact type of facility they want to put up on Lot 1.

COUNCILWOMAN QUILLMAN stated that the soil tests that were done by the Will County Health Department were for industrial businesses and not for food processing businesses.

Mr. Wagner stated that it is not measured quite that way. He said there are soil types which allow so many gallons per day of waste which is able to go into the system, therefore, if a food processing business asked for more he would put in an additional line.

COUNCILWOMAN QUILLMAN stated that she would like an answer from the Will County Health Department about a food processing place with a septic tank.

The City Manager stated that the staff will try to have an answer for the meeting tomorrow night.

Mr. Bob Wagner stated that the food processing plant being discussed is only in the process of being a rental and there are also other people looking at that building. He said they're not just looking at the food processing plant and are in negotiations with two other people.

COUNCILMAN BROPHY stated that if the property is large enough to take the operation with the septic field on it, what is the downside.

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The City Manager stated that the City has a checkered past dealing with septic systems. He said some of the Council are getting phone calls on a daily basis from somebody who has a septic field right now. He said the Wagners are very good developers and will put a very good septic system in, so that is not the issue; it is a policy call to make. He said we live in a civilized society where we've put millions of dollars into sanitary sewage treatment plants and he believes anything that is within 300 feet of a sewage line ought to connect. He said he doesn't want to start the precedent to waive the connection in a business setting, although there might be a residential setting where it makes some sense. He said it is a policy call and his recommendation is to not allow them to annex without connecting to sewer and water. He said he certainly understands the business aspect of it, but he doesn't want to open the door of allowing businesses to not connect when the sewer is right there.

The City Manager then explained Council Memo #412-10 dealing with the Annexation of 9.6 Acres on the North Side of Mills Road, West of Karner Drive to allow the construction of New Covenant Community Church. He said there were some residents on Karner Drive adjacent to the site that had some concerns about existing flooding problems in the area.

Mr. Jim Michel of Condon Michel Consulting Engineers was present on behalf of the petition.

COUNCILWOMAN QUILLMAN asked if the church has met with the neighbors regarding their concerns.

Mr. Michel said they with the neighbors after the Plan Commission meeting and tried to get their feel for what is going on there. He said they felt very comfortable with what the church is doing and are happy that there will not be several single-family homes in there that would cause an additional problem with flooding.

Director of Community and Economic Development Jim Haller stated that they spent a lot of time on this at the Plan Commission meeting so they didn't actually go out and talk to the neighbors. He said they were all at the meeting and they came to the conclusion that the construction of a church on the property with a lot of open space would not make matters worse. He said the neighbors were relieved to find that conditions will probably get better. He said the issue with this subdivision is that it was built low and so the water just stagnates, and the only outfall for it is the ditch that is on Mills Road. He said this construction is not going to make it worse and will probably make it better because they are going to hold back the water that comes on the ten acre site and release it at a slower rate so it will have less of an impact on the neighborhood. He said the neighbors wanted to vent some frustration because they haven't gotten much sympathy from the County and the Township to solve their problem over the years and they wanted a forum to discuss their problems. He said the Plan Commission really wasn't the place, but we spent a lot of time with them on it.

COUNCILMAN BROPHY asked if the entire ten acres is going to be graded to get the positive collection.

Mr. Michel stated that the entire ten acres drains from the rear of the property to the front of the property. He said the church and retention facility are going to be at the front of the property and the intent is to leave the back portion of the property alone at this time. He said depending on what the fundraising activities

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of the church turn out to be, they may consider at least leveling it off and doing some seeding of the property.

The City Manager then explained Council Memo #414-10 dealing with the Vacation of a Portion of an East/West Alley Located North of the Property at 209 S. Joliet Street.

Mr. Ralph Bias was present on behalf of the petition.

It was requested that this item be voted on today.

1. AN ORDINANCE Approving the Vacation of a 16.5' x 150' Portion of an East/West Alley Located North of the Property Located at 209 S. Joliet Street as recommended by the Plan Commission subject to the payment of the appraised value in the amount of \$745.00 within 60 days of approval was presented and read. (#V-2-10/Dist. #5)  
(Council Memo #414-10)

COUNCILMAN DORRIS moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

Prior to his vote, COUNCILMAN DORRIS stated that he has known Mr. Bias for a long time and he is one of the best landlords in this City. He said all of his properties look just like they would if Mr. Bias lived there. He said he has always appreciated that about Mr. Bias and he wanted to say it publicly and he votes aye.

(ORDINANCE NO. 16661)

The City Manager then explained Council Memo #422-10 dealing with a Local Share Agreement with the Kendall Area Transit (KAT) System Dial-A-Ride Service to provide door-to-door transit services to Joliet residents who live in Kendall County where PACE does not provide service. He stated the City's share to participate in 2010 based on population would be \$5,687.00.

Mr. Paul LaLonde, Project Manager of the Volunteer Action Center, service operator for KAT, was present to respond to questions.

COUNCILMAN SHETINA stated essentially these residents would be getting what other Joliet residents in Will County get as a result of being a resident of Joliet.

The City Manager said that is correct.

It was requested that this item be voted on today.

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2. A RESOLUTION Approving the Local Share Agreement with the Kendall Area Transit System Dial-A-Ride Service and Authorizing the Payment of the 2010 Installments was presented and read.  
(Council Memo #422-10)

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6386)

3. Expanded Beer Garden Licenses

Deputy Liquor Commissioner Dan Campus advised there are eight requests for extended beer garden licenses on the agenda for Council approval.

COUNCILMAN GIARRANTE asked if an extension of hours license can be put on probation.

The Corporation Counsel stated that as part of the initial issuance of a license, the City does not currently have a procedure for a probationary period and that would require a new change to the ordinance. He said generally when a license is issued, cause is needed to take the license away. He said he has not seen cases that have considered a license category that was probationary from the beginning. He said that is something he wouldn't dismiss, but it is contrary to what is normal in Illinois liquor law which states once a license is issued, it is vested property and misconduct is really the only reason that the license could be taken away. He said if the Council wanted to try that he could research it and present it as another amendment to the ordinance which would require a delay in the issuance of these licenses. He said he would recommend that the ordinance change be completed before any of the applications be finalized because once the licenses are issued under the current ordinance, rights then attach and the only way to take the right away would be to have a suspension or revocation hearing where the City would have to establish some sort of misconduct.

COUNCILWOMAN QUILLMAN stated that when the ordinance was passed, she believes she made that suggestion about adding a probationary period and the Corporation Counsel stated it would be too difficult to enforce and we would still have to go through the process of having to show just cause as to why we wanted to revoke it.

The Corporation Counsel stated he recalls a discussion on his part about licensees applying for this and having to make business decisions in reliance on the license they have, and that is why we need to be careful on taking those rights away because investments are made and money is spent based on licenses we grant. He said he doesn't know that he ever talked about a probationary period, but if the City wants to create a category that confers no rights at all to the licensee, and that is purely on a trial basis, he would need to

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investigate to see if that is proper under Illinois Liquor Law. He said that normally every decision to take away a license does require just cause.

COUNCILWOMAN QUILLMAN asked if it would still be hard to enforce even if the ordinance stated there would be a probationary period or trial basis.

The Corporation Counsel stated that he doesn't know, he has never seen a case where a license could be taken away through non-renewal, for example, without a hearing and without some sort of just cause to take the license away. He said there could be a way to create a license category that is so contingent and provisional that the courts would honor that for a first time licensee, but he has not seen any Illinois cases that have upheld that sort of procedure. He said there is a chance that it would work but he can't say it would be approved by the court because it hasn't been tried before.

COUNCILMAN UREMOVIC asked if there are different levels and standards with regards to just cause.

The Corporation Counsel said yes, circumstances are variable and so just cause to revoke an extra hours license is a lot less than the just cause that would be required to close the entire business down, which would require a much higher level of misconduct. He said a noise complaint, for example, would probably be just cause to suspend or revoke an extra hour license, especially if it happened after midnight, but a noise complaint usually and probably never would be enough to revoke the main liquor license of the business.

COUNCILMAN TURK stated that if an establishment has a problem with serving underage drinkers, fighting or whatever the problem is, the Mayor has the right to have a hearing and suspend the license for a specific period, and he asked if he would have the same rights with this license.

The Corporation Counsel said yes.

COUNCILMAN TURK asked if the information in the memo stating what kind of entertainment the applicant has is for inside the establishment.

Mr. Campus said that refers to the outside. He said the establishments are allowed to have music outside if they are farther than five hundred feet from the nearest residential area and that distance is also listed on the application.

COUNCILMAN BROPHY asked if an unsuccessful applicant for an extension may reapply and how often.

The Corporation Counsel said that he believes there is a rule that requires either six months or a year to reapply for the same licenses.

COUNCILMAN BROPHY stated that it said in the newspaper that the decision on these would be made tomorrow night so he believes that a lot of people expect these decisions to be made tomorrow.

COUNCILMAN GIARRANTE asked where the newspaper got that information.

Mr. Campus said that it was from their office. He said the Liquor Commissioner's Office notified everybody about these applications through the City's website as well as people within three hundred feet of the establishments. He said it has been the Council's policy to get as much dialogue from the residents as possible.

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COUNCILMAN SHETINA said that if we grant the outdoor license to someone it attaches to the liquor license and the State of Illinois Liquor Control Commission has the same amount of authority with respect to that as they do with the license it is attached to. He said if we had a problem and wanted to revoke it, the State still has the same right to say no, it can't be revoked, and their history is to not go along with local decisions. He said there should be a way to do some kind of a temporary licensing practice where the City has something to say without the Illinois Liquor Control Commission being a part of it. He said we need to have some vehicle that we can do something about the complaints on our own and we can revoke it in the event that they don't apply the proper business procedures to keep the neighbors satisfied. He said we should have some control over that portion of the license.

The Corporation Counsel stated that he doesn't think it will be possible to have a liquor license that's not reviewable by the Illinois Liquor Control Commission. He said Illinois law gives licensees the right of appeal for a local decision and he doesn't know that it's possible to create a licensing system where there is no appellate right.

COUNCILMAN SHETINA said that we have to have some way to control our own streets.

The Corporation Counsel stated that at most, for the initial license term, a probationary system may fly, but once a business has a license beyond the probationary period, he doesn't see any possibility for revocation or suspension that wouldn't go up on appeal because that's due process, that's the law and there is going to be some mechanism that the City does not completely control. He said the option is not to look at it just from the licensee point of view but look at it from an ordinance point of view, and that is something we can always do, which is to change our license categories, if necessary, to establish spacing requirements, locational requirements, some mechanism that would reach the intended recipient but only deals with legislative issues with the substance of our ordinance, and that is not reviewable by anybody unless it violates due process. He said then it goes to court like any other piece of legislation but it never goes to the State Liquor Control Commission. He said if the Council is worried about how to deal with a problem licensee, the solution will not be to circumvent the appellate rights of the licensee.

COUNCILMAN SHETINA stated there ought to be some other remedy for a specific problem that they help create.

The Corporation Counsel said that is legislative. He said if we knew there was a licensee that we expected to be a problem because they are too close to residential, then we have the ability if a problem comes up with that licensee to impose a spacing requirement and the Illinois Liquor Control Commission couldn't say anything about it.

COUNCILMAN GIARRANTE asked if the extension of hours can be separated from the liquor license so that if they do not follow the guidelines or they get complaints, we can take away that extension and they can keep the liquor license.

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The Corporation Counsel stated that restricting the hours of operation for business in a community is something we might be able to do but restricting it to liquor licensees, taverns, nightclubs or restaurants falls under the Liquor Control Act and it will be seen as a liquor license requirement and that is the problem.

COUNCILMAN GIARRANTE asked if it would be easier to take away the extended hours then it would be to take away the base license.

The Corporation Counsel said yes.

COUNCILMAN BROPHY stated that he wanted to be clear, we are not extending the hours of any liquor operation.

Mr. Campus said we would be extending the hours of the outdoor operations that are currently limited to 10:00 p.m. and 11:00 p.m. by ordinance.

COUNCILMAN BROPHY said if we award an extended outdoor use under the current proposal and then later change the distance from residential, what happens to someone who was awarded the extension but doesn't meet the change in distance.

The Corporation Counsel said there is no grandfathering unless the Council allows it when it comes to a liquor license.

COUNCILMAN GIARRANTE stated that if we extend the outdoor and we have a problem, we can then go to the ordinance and extend the nearness to residential and if that establishment does not fall into that, they would then lose their extended outdoor license.

The Corporation Counsel said that unlike zoning, there is no automatic grandfathering with a liquor license, therefore the example of a new spacing requirement for extended hours would be one of the legislative things the City Council could do without the State's concurrence or authorization to try to get a handle on problem operations. He said it could be restricted to only those in B-3 or B-2 zoning.

Mr. Jim O'Connell, owner of McBrody's, asked if the licenses could be just for one year so if there was a problem, it would be reviewed in a year.

The Corporation Counsel said the whole concept of extra hour licenses could be set up to repeal in a year or at the end of 2011 and he explained how that could be accomplished.

COUNCILWOMAN QUILLMAN asked if we have looked into any type of sound barriers.

The City Manager stated that he doesn't think anyone from the staff looked into it but some of the operators have. He said he is not sure what that would be other than some sort of fencing or heavy landscaping.

Mr. Mike Trizna, owner of the Chicago Street Pub, stated he was at the last meeting when the ordinance was passed and at that time, the Council decided to give the operators a chance to apply for the license and when they did that, they did it individually. He said he does not speak for anyone but himself. He said he has been in business for five years and has not done anything that the

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City has been upset about. He said we were given the chance to apply individually and are looking forward to an individual vote for each establishment. He said he doesn't understand why the City is throwing out a net instead of hunting with arrows. He said if he has done something wrong, the Council should vote for him to not have a license but since he hasn't, he is asking for them to vote for him to have his license.

Mr. Campus stated that these presentations differ from the ones he usually makes on applicants and transfers in that the Liquor Commissioner's Office is not making a recommendation to approve or deny the license. He said all of the applicants applied for the full license and the Council has the following three options: Approve the full license, approve a midnight license, or deny the application. He said in the case of denial, the applicant can take it to the State to appeal it within twenty days.

Mr. Joe Pecora, owner of Hero's West, said his understanding was that an ordinance was already approved for a mechanism for each individual licensee to come up and based on the merits of that business and operation, they would be approved or not approved. He said there is a lot of discussion going on about how to protect the citizens and at the last meeting he had mentioned that the protection of the citizens lies with the Council. He said the Council can look at each individual application, situation, past operating history, their location and their proximity to residential. He said with each license an educated and good decision can be made based on each application. He said he thought the Council had already voted on a mechanism to approve or not approve the applications.

COUNCILMAN BROPHY stated that they have voted on that but the conversation can go any way the Council wishes. He said what is in force now is the ordinance that was passed a month ago and so that is what will be acted on tomorrow night.

Mr. Pecora stated that his business is 2,250 feet from the nearest residential properties, they have been good operators since they have been open and would relish the opportunity to have this license.

Mr. Peter Gelis, owner of Jameson's Pub, stated that he is probably the bad apple that everyone is talking about. He said he has been in business for six years and in the five years prior to Ambrosia opening near his business, there was not one noise complaint. He said the year that Ambrosia opened, Jameson's had two noise complaints and they tried to rectify them because they didn't know if it was them or Ambrosia. He said he is asking for the Council to give them a chance, and if they don't police themselves and show that they are good operators as they have been in the past years, he'll give the license back if they get complaints. He said they will police themselves as they always have. He said Jameson's has been legitimate business operators and they are not thousands of feet from residential, they are five hundred feet away but they believe they can be good operators as well.

COUNCILWOMAN QUILLMAN asked Mr. Gelis what kind of sound barriers he has come up with.

Mr. Gelis stated that if they couldn't police themselves properly, they looked into putting a structure around where the fence is now. He said it would have windows and a noise barrier, and the structure would hinder the outdoor feel, but that would be something they would do if there were complaints. He said he

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believes that without having any amplified music and just letting people sit out there and drink wouldn't cause any disturbance outside.

COUNCILMAN SHETINA stated that the point is well taken about the individual nature of this. He said several establishments here are really not a problem; Mr. Gelis' could be a problem and so could the business at 117 N. Center being so close to residential. He said he thinks that the fear of it is greater than the actual problem. He said he wants to take Mr. Gelis at his word and if there is a serious problem and we can't control it, then he would forego his outdoor license. He said there are a couple of applications that concern him about what is going to happen in the future and they are very experienced, successful businesses, but the Council still has to deal with it when the phone calls come. He said there is no question that there are a couple that are a concern for him, but he is going to take Mr. Gelis at his word.

The Corporation Counsel stated he should have mentioned earlier that one of the things the City controls would be the qualifications to hold the license and one thing added with this license category was that a business owner can't hold the license if the business or owner has been convicted of some noise or nuisance related offense. He said, for example, if there is a disorderly conduct conviction against the business or Mr. Gelis, his business would lose eligibility and the State would have nothing to say about it. He said that was the best we came up with in terms of getting control of that.

MAYOR SCHULTZ asked how many appeal steps can the license holder go through before they lose their license.

The Corporation Counsel explained the appeal process and said a single license decision can be appealed or litigated at five different levels starting with the Mayor's Office all the way up to the Supreme Court. He said that is for the first act of misconduct, and if within a one year period the licensee has another incident and the Mayor issues a second suspension order, that order takes effect and the litigation goes on, but the suspension or revocation is imposed.

MAYOR SCHULTZ asked if the license holder is still able to run his business.

The Corporation Counsel said for the first violation, yes, and that has been a problem that has been encountered over the years. He said when the Mayor's Office holds a hearing and imposes discipline, the discipline gets appealed and under State law, the bar or restaurant stays open until a final decision is made, and residents don't always understand that and they wonder what City Hall is doing when it is actually the State preventing the City's decision from being implemented.

COUNCILMAN SHETINA said then on the second offense it would take effect.

The Corporation Counsel said if it's a suspension or revocation it would be in effect.

Mr. Campus explained that the packet that he used for every hearing consisted of the application of the current applicant, a copy of the notice that was sent to all property owners within three hundred feet of the establishment, the calls for service for the past twelve months, and any emails he received either for or against the extended hours for each establishment. He said he summarized this information in each of the Council memos. He also stated that there were no convictions for disturbing the peace for any applicant.

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COUNCILWOMAN QUILLMAN stated she would like to see the calls for service for the establishments before voting on the licenses.

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

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

COUNCILMAN GIARRANTE moved that the Council recess to closed session at 5:15 p.m. to discuss personnel, collective bargaining, land acquisition and pending or threatened litigation after which the meeting will be adjourned.

Motion seconded by COUNCILMAN BROPHY.

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

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape