

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 2<sup>nd</sup> day of June, A.D. 2008***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, June 2, 2008 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR PRO-TEM TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN and DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA.

ABSENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

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

1. Randy Green, Rialto Square Theatre re: Nomination for Venue of the Year at Academy of Country Music

General Manager Randy Green advised that the Rialto was one of five nominees for the Academy of Country Music Awards "Venue of the Year". He stated it was a surprise to them and very welcomed in terms of what they have done in advancing the popularity of country music. He said they didn't win but it was an honor just to be nominated. He said Board members Jim Smith and Bob Rogina who are present today are very proud of this recognition. He said they will do everything they can to win it next year. He said they lost out to the Nissan Pavilion in Bristol, Virginia which is an 18,000 seat outdoor venue.

MAYOR PRO-TEM BROPHY asked how the Rialto got nominated.

Mr. Green said a group of artists/agents, managers and artists who are members of the Academy submit nominations.

COUNCILMAN GIARRANTE congratulated Mr. Green and said he has done great things with the Rialto since he has been there and he thanked the Board for all of the time that they put in.

Mr. Green said they recognize the support the City has given them on any number of fronts and they are very happy to continue to bring people to downtown Joliet and bring them to the Rialto and will do their best to continue to do that. He said this season they are going to end up with 65 shows as a part of their season with a little bit over \$2.7 million in ticket sales. He said five years ago they were just under \$1 million and he thanked the Council for making this market something very special in terms of households of people who come down here for quality of life, and they are benefitting from it also.

The City Manager said they are working on some other projects with the Rialto and you'll be seeing those coming through in the next few weeks and staff is very excited about what Randy has been able to do with some other agencies and help solidify the old part of the building as well as the theatre itself.

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The City Manager then asked 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 #669-08 dealing with a Special Use Permit to Allow an Automobile Parts Store with On-Site Service and a Dispatch Office for Roadside Services at 935 W. Jefferson Street. He said prior to closing on the property, the applicant did not discuss the proposed use with the Planning Department to determine if it was allowable. Both the ZBA and the Administration are recommending that the Special Use Permit be denied.

COUNCILMAN SHETINA said he understands that a realtor made inquiries of the City as to what can and can't be done with the property along with other realtors. He said they understood that they could operate this kind of operation. He asked if that is true and whether we did give them that kind of information.

Planning Director Don Fisher stated the applicant had talked with former Planner Jan Vitali more than a year ago about the property and what type of use it is. He said the property is zoned business, however, in the City you need a Special Use Permit for any type of automobile repair and automobile sales if the property hasn't been used for that for a long time. He said when he found out there was a proposal for this, he called the proposed owner right away but unfortunately it was two days after the closing. He said he told the owner he wished he would have contacted him prior to the closing and he would have advised him on the property. He said our staff has been directed that whenever there is an automobile related type of use proposed for one of the main corridors, including Jefferson Street, Collins Street and Cass Street, they should run it past him first so he can give advice and we're not having staff who may be part-time or newer staff making a recommendation.

COUNCILMAN SHETINA said this was from Jan Vitali who was probably the top person in the department under the administration.

The Planning Director said yes, however, he's not sure what the advice was. He said Jan of all people would know that you need a Special Use Permit for an automobile related use. He said Jan's been gone over a year now.

COUNCILMAN SHETINA said on the other hand Jim Karges was involved who is one of our premier realtors in Joliet. He said Jim is not going to misunderstand something that is said to him and that's what concerns him. He said he knows he is a top flight realtor, a straight, honest guy. He said if he came here as a realtor and asked a question and somebody said he could do this, he would assume that he could it and he's advising a client to buy based on the recommendation and that really makes him nervous.

The Planning Director stated he doubts if Jan Vitali said that he did not need a Special Use Permit. He said for the last 4 or 5 years, you need a Special Use Permit for anything auto related, so if their client came in 4 or 6 months ago Jan Vitali was not here at the time, nor was a permit applied for. He said the way he found out about it was the gentleman who bought the property went to get a Business License and they always call him and ask if the zoning is appropriate. He said that's how this all started.

COUNCILMAN SHETINA asked if they indicated that there would be any vehicles outside while under repair for any period of time.

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The Planning Director said they indicated there may be a tow truck or a couple of vehicles on the outside. He said this building has not been an automobile maintenance type facility for quite some time; it was a Telecom Communications Facility. He said what he told Mr. Karges and the owner of record now was that he will do anything he can to help them market this property on what we feel might be a more appropriate use there, depending on how this vote comes out. He said he would dedicate himself towards finding a use for this site.

COUNCILMAN SHETINA said so you don't think Jan talked to him.

The Planning Director said Jan may have talked to him but Jan knew that you need a Special Use Permit for anything auto mechanic related. He said for the transaction to go through you would need a zoning disclosure from the City. He said maybe the owner did not quite understand and he feels bad that we weren't notified of it until after the transaction took place, because we could have advised the purchaser on what the process is.

COUNCILWOMAN QUILLMAN said she read in the ZBA meeting minutes that if they were to get the Special Use Permit, that there would be no storage of tow trucks or other vehicles and that they would store them in Crest Hill. She asked if they own the property now.

The Planning Director said he believes the petitioner in this case does own the property.

COUNCILWOMAN QUILLMAN said so by owning the property, it's still under the other zoning without the Special Use Permit.

The Planning Director said yes, it's Business Zoning without a Special Use Permit.

COUNCILWOMAN QUILLMAN asked if that allows the parking of tow trucks there.

The Planning Director said you are not allowed to have the business so if you had a tow truck there, he doesn't know if that would be considered running a business.

COUNCILWOMAN QUILLMAN said because the last month or so there has been nothing but tow trucks out there as late as Friday afternoon when she drove by. She said they are already storing the tow trucks there.

COUNCILMAN GIARRANTE said he had lived behind there for 33 years and he has had quite a few of the neighbors call him and they are not happy about this.

Attorney Dan Kallan, representing the applicant, said it is not going to be a general repair service station. He said he is going to dispatch his tow truck from that place and he's also going to sell batteries and tires and install same. He said it is not a minor repair station or auto repair station as such. He said when the property was listed for sale it was listed with Karges Realty and Mr. Khalil Ahmad came to him and asked him to represent him in this case. He said he talked with Mr. Karges and he said the zoning was proper. He said he read a copy of the Zoning Ordinance, and quite frankly, the Zoning Ordinance does provide for this type of use. He said there is nothing in there that says you need a Special Use Permit for auto accessories or sales of auto accessories. He said

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if you go down Jefferson Street from Center Street all the way to Larkin, you will see 17 different establishments involved in the automobile business, either repairing, renting or selling them and the like. He said so when we are told that now you need a Special Use Permit, naturally we were taken by surprise because it is not in the Ordinance and the Ordinance seems to indicate that Mr. Ahmad can do what he intends to do, which is to sell tires and batteries and dispatch his tow truck.

MAYOR PRO-TEM BROPHY asked the Corporation Counsel if we can define this as fitting in the Special Use requirement.

The Corporation Counsel said he had the same concern that Mr. Kallan had; he wanted to be clear given the language of the B-1 permitted use paragraph that the special use requirement was proper. He said it is true that the sale of auto accessories is permitted, but it's not true that the installation of tires and batteries is, because that would constitute a minor repair of a vehicle. He said the operation of a towing facility including a dispatch center is certainly not a permitted use in the B-1 district. He said it's because of those two reasons Planning staff was acting properly in requiring a Special Use request plus over the years we have treated all auto repair facilities in any commercial district as requiring a Special Use Permit.

MAYOR PRO-TEM BROPHY said over these last years since we've required it, the Discount Tires etc. up and down the road have applied for and successfully received a Special Use Permit.

The Corporation Counsel said that's right.

MAYOR PRO-TEM BROPHY said to Mr. Kallan that his client is a local agent and the listing was done by a local broker.

Mr. Kallan said yes, Jim Karges.

MAYOR PRO-TEM BROPHY said he assumes they are very well aware of our procedure with written zoning disclosures.

Mr. Kallan said he assumes that, but he knows Mr. Karges was here and testified that he did speak with Jan Vitali and was told that it was OK.

MAYOR PRO-TEM BROPHY asked the Director of Planning if this brokerage ever requested written zoning disclosures in the past.

The Planning Director said he would assume so, probably on residential in the past. He said they have dealt more with Karges on residential properties than business properties.

Mr. Kallan said he just wants to mention what the Corporation Counsel indicated here. He said he looked at the Zoning Ordinance and it talks about terms relating to commercial structures and uses and it talks about auto service stations which is a permitted use in your Zoning Ordinance. He said in Section 47-3.6 regarding the Auto Service Station definition, it says "Is a place where gasoline...are retailed directly to the public on the premises, including the sale of minor accessories and the servicing and minor repair of automobiles". He said so it is in the definitional section of the Ordinance. He said if a person is looking at your Ordinance it doesn't say anything about Special Use Permits for the sale

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of automobile accessories and it would seem to indicate that the installation of same is also permitted.

MAYOR PRO-TEM BROPHY asked Mr. Kallan if it included installation in that paragraph. He said we can agree that sale and installation are two different things.

Mr. Kallan said well no, he thinks you're parsing it excessively.

MAYOR PRO-TEM BROPHY said you have invoked the Ordinance and it either says or it doesn't say sales and installation or does it just say sales.

Mr. Kallan said it says sales and repairs. He said it says the sale of auto accessories and then it goes on to talk about service establishments which is also a permitted use and it talks about minor automobile repairs.

The Corporation Counsel said right, in the section that deals with retail sales it does not include installation. He said we had a project here within the last 6 months where the discussion that went on for 15 minutes was whether or not it was minor repair or major repair and it required a Special Use Permit so that has been our practice. He said repair facilities require site-specific review and approval by the Council.

COUNCILMAN GIARRANTE asked about the tow truck and dispatchers.

The Corporation Counsel said that is not a permitted use in a B-1 district; it requires at least a Special Use Permit.

COUNCILMAN SHETINA said whatever it is, if there is such a thing it's got to be completely and totally viewable, it has to be something that anybody can understand. He said it makes him nervous that we have a situation where we have a Zoning Ordinance and we say in the Zoning Ordinance that these kinds of uses can exist and we tell somebody they exist, he's taking us at our word and at the same time it's not as transparent as it ought to be if in fact we have to worry about some area that this is staff practice. He said it makes it difficult for somebody to come in and do business. He said if in fact after the closing we then invoked the Ordinance if there is such a thing and the Special Use Permit wasn't required, somewhere along the line somebody dropped the ball but it has to be more transparent than that if that's how it is.

Mr. Kallan said he believes that the Ordinance is at best misleading because he read the Ordinance before the closing and he was confident that he could do what he wanted to do in light of the fact that Jefferson Street has always been commercial and has lots of automobile stores. He said he thinks to read the Ordinance to say that you can sell accessories and not install same is reading it too closely, especially when the definition of an auto service station in the same ordinance allows minor repairs.

Mr. Bob Nachtrieb, representing the Cathedral Area Preservation Association (CAPA), said they do not know if a Special Use Permit is required or not, but CAPA is not enthusiastic about another auto related business on Jefferson Street and is also concerned that the property is vacant and has been for some time. He said they would support the City's effort to get an acceptable property owner into the place.

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COUNCILWOMAN QUILLMAN summarized the following from the ZBA minutes: "The Chairman swore Mr. Ahmad in and he said that the tow trucks would be dispatched and will be on the road most of the time but they will be in and out of the property. He said he has another property where he will park and tow the trucks. Chairman Hennessey stated that if the tow trucks are stored at the property it will be in any violation of any agreement today." She said since the ZBA meeting on May 15<sup>th</sup> and prior to that, there have been tow trucks parked at that business on the street. She said so they are already in violation even though we were told that wasn't going to happen.

The Corporation Counsel said before any motion is entertained he noted for the record that this is an Ordinance that is before the Council, and so it would require five votes to approve an Ordinance and we only have five members here today.

MAYOR PRO-TEM BROPHY suggested that this item be voted on tomorrow and there were no objections.

The City Manager explained Council Memo #671-08 dealing with a Variation of Use to Allow a One-Chair Beauty Salon at 116 Third Avenue.

Ms. Brandye Phillips and Ms. Gloria Phillips, the owner and applicant, were present on behalf of the petition.

It was requested that this item be voted on today.

2. AN ORDINANCE Approving a Variation of Use to Allow a One-Chair Beauty Salon in an R-3 District located at 116 Third Avenue as recommended by the Zoning Board of Appeals was presented and read. (#2008-25/Dist. #5)  
(Council Memo #671-08)

COUNCILMAN SHETINA moved that said Ordinance be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

AYES: COUNCILMEN DORRIS, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMAN SHETINA and MAYOR PRO-TEM BROPHY.

NAYS: NONE.

(ORDINANCE NO. 16125)

3. Don Jakielski re: Property Maintenance Issue for 1300 Block of Hosmer Street

Mr. Jakielski of 1311 Burry Street said he is representing his neighborhood regarding the problems they have had with weeds and grass at Raynor Park Grade School which was torn down about 3 years ago. He said he believes the new owner is Jack Foschi and he is an irresponsible land owner. He passed out pictures of the property and said they are trying to make their neighborhood nice and clean, and this owner just cut the grass yesterday for the first time this year. He said he has cut his own lawn 7 or 8 times already. He said the only way they can get anybody to do anything is to complain. He said the weeds in the pictures are about five feet tall.

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MAYOR PRO-TEM BROPHY asked what are our options if the owner doesn't maintain their property on a regular schedule.

The Corporation Counsel said the City is required to provide notice to the property owner and the owner has the opportunity to cut the weeds. He said the weeds have to be at least 8" tall before they are in violation, but assuming that's done and they're not cut, the City can then hire a contractor and cut the weeds and we file a lien against the property and pursue collection. He said it takes a couple of weeks for that process to unfold.

COUNCILMAN GIARRANTE said what happens if it persists and you have to do this every time.

The City Manager said he had asked Neighborhood Services to provide him with a chronological report of their involvement with this piece of property and the list is long. He said it goes back to May of 2006 so it has been ongoing for two years.

COUNCILWOMAN QUILLMAN asked if we have had any response from Mr. Foschi.

The City Manager said yes. He said we go through a process, it takes a while and then there's a response. He said he doesn't know if Mr. Foschi's ownership goes back to 2006 or not, but he will find out. He suggested that he meet with Mr. Foschi and let him know that we are probably at the end of our rope as far as dealing with him, and let him know that we are expecting compliance and to keep the property in excellent condition going forward.

COUNCILWOMAN QUILLMAN said if he doesn't do it don't we have a service that we can charge him for.

The City Manager said we do and we have actually cut it a few times, we've filed a lien a few times and we have collected on all of those occasions. He said obviously it is more expensive for us to do it than it is for him to do it. He said he has people that he knows in the business that can probably do it a lot less expensively than we do it, so he will follow-up with him and find out what his plans are long-term. He said he has a feeling they probably bought it for investment purposes, got caught up in the downturn of the economy and obviously this is low on his priority list, but we will try to move it up to the top.

COUNCILMAN SHETINA asked if we have verified ownership.

The City Manager said no we have not and COUNCILMAN SHETINA said we need to do that.

MAYOR PRO-TEM BROPHY told Mr. Jakielski the complaint system is what works with us, and you're closer to it, so feel free to pick up the phone and tell us if those weeds get back up to the calf which is 8" and they should be there to cut it and if they're not, then we want to hear from you.

Mr. Jakielski thanked everyone for their help. He said they are going to start with measuring the weeds and as soon as they are 8" tall, they are going to call Neighborhood Services, the Council and the Herald News.

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COUNCILMAN SHETINA said just make sure who owns the property.

COUNCILMAN TURK arrived at the meeting at this point.

COUNCILMAN GIARRANTE moved that the Council go into closed session at 4:05 p.m. to discuss land acquisition and anticipated litigation, after which the meeting will be reconvened.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

AYES: COUNCILMAN GIARRANTE, COUNCILWOMAN QUILLMAN,  
COUNCILMEN SHETINA, TURK, DORRIS and MAYOR PRO-TEM  
BROPHY.

NAYS: NONE.

The meeting reconvened at 4:40 p.m.

The City Manager said we have had considerable discussion regarding Cornerstone Service's request for a Special Use Permit to Allow the Construction of an Eight-Unit Apartment Building for Individuals with Disabilities at 3110 Thomas Hickey. He said he and the Corporation Counsel met with Mr. Jim Hogan of Cornerstone and his team and they discussed some options. He said there has been a request to table action on the Special Use Permit. He said the City Council has been asked to focus on the land use issue regarding the construction of an apartment building in a B-3 Zoning District. He said we have been very cautious in making sure that the City Council and staff not focus on the nature of the residents that would be living there, but to look at the land use for that parcel in relation to the Fair Housing Act and we feel that this matter is going to need some additional attention.

Mr. Jim Hogan, President and CEO of Cornerstone Services, said after the community meeting that was held a week ago he spoke with the City Manager on a couple of occasions. He said they would like to request that their petition for a Special Use Permit be tabled for a month and during that time, one of the things they would be doing is working with City staff as well as a realtor to look at another option that would also meet their needs. He said their request at this time is to table the petition.

MAYOR PRO-TEM BROPHY said given the fact that Mr. Hogan has indicated a request to the Council to table, he asked if there is anyone that must speak to the issue today.

Mr. Brandon Dolezal of 1630 Bunker Hill Drive stated that as a resident of the neighborhood, he does have some concerns of the multi-unit apartment building. He then read the zoning ordinance pertaining to a B-3 District and commented on the special use permit. He said they would ask the Council to consider whether this multi-unit apartment building would conform to the area and their neighborhood which is composed primarily of single-family homes that are owner-occupied.

MAYOR PRO-TEM BROPHY said he would like to reiterate that the applicant has asked for more time to find a different location.

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Mr. Hogan said they would like to request a table for a 4 week period. He said when he met with the City Manager earlier today, the City requested that they look at alternative sites, so they are willing to go along with that for a period of time and see what they can come up with.

Ms. Lydia Jimenez of 1711 Calla Drive stated her home is next to the property in question. She thanked Mr. Hogan for tabling this item and considering alternative sites. She then read into the record a letter outlining their concerns with this proposal and opposing this Special Use Permit. She said when they purchased their home it was made very clear to them that it needed to be a single-family dwelling as well as all of the other homes surrounding that area and they would like to continue to live in this kind of environment of single-family homes. She asked on behalf of the families in their community that the Council vote against the issuance of the special permit to Cornerstone in the event it gets to the point where they do not find an alternative location for this building.

The City Manager stated if this is tabled today it would come back to the Council on June 30<sup>th</sup> at 3:30 p.m. and then to the meeting on July 1<sup>st</sup> at 6:30 p.m. He said there will not be any additional notices sent to anybody in the neighborhood nor will there be any additional signs. He said there will not be any action on this tomorrow night if this is approved to be tabled.

COUNCILMAN GIARRANTE moved that Cornerstone's petition be tabled to June 30, 2008.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

AYES: COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, DORRIS, GIARRANTE and MAYOR PRO-TEM BROPHY.

NAYS: NONE.

Prior to her vote, COUNCILWOMAN QUILLMAN thanked Mr. Hogan for coming to the meeting and said she hopes we can come to some other conclusion with another piece of property for this apartment building. She also thanked all of the neighbors for coming today. She said she has one concern about the meeting tomorrow as there are a lot of neighbors not here and she would hate for them to come down here tomorrow night and want to be heard and then just exacerbate the situation. She asked if there is some way we can notify those neighbors not to come.

MAYOR PRO-TEM BROPHY asked the residents present if they could spread the word to not come tomorrow night.

COUNCILMAN GIARRANTE suggested we put a notice in the Herald News and have Scott Slocum mention it on WJOL.

COUNCILWOMAN QUILLMAN thanked Cornerstone for doing this and said she certainly votes aye.

Prior to his vote, COUNCILMAN SHETINA asked if we can make a sign and put it on the lot and say there is no meeting tonight.

The City Manager said someone in Planning will be able to do that.

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

The City Manager explained Council Memo #674-08 dealing with amending the Code of Ordinances regarding the Maintenance of Water Service Lines and Sewer Service Lines which authorizes the Utilities Department to assist water and sewer customers with making repairs to public rights of way and dedicated easement areas at no charge.

The Director of Public Utilities stated the main issue with the water service line is up to the homeowner's side of the curb stop, that is typically the homeowner's to maintain, so if a leak occurs in the parkway at the curb stop we've always used a determination that if we turn the curb stop off and the leak stops that the homeowner has to fix it. He said they really don't have the means or the ability to hire a bonded contractor that can go out and dig it up the parkway and fix the leak. He said a lot of times we try to do things to assist the homeowner.

The Director of Public Utilities said the same issue also pertains to sewer services where the homeowner owns the sewer service across the road including the tee that connects up to the sewer main where we've been asked in the past to provide assistance to the homeowner to make repairs if a repair is necessary in the public right-of-way. He said we're able to address that and this is going to clarify that issue that would allow the water and sewer department to go and make those repairs. He said the homeowner is still going to own the lines, we're not going to change any of the ownership issues, so it's just to be able to provide the assistance to the homeowner to make the repairs and get them back into service.

MAYOR PRO-TEM BROPHY said so we're just going from the curb to the sidewalk, or are you talking about farther up in to the private yard.

The Director of Public Utilities said not onto private property, just in the public right-of-way.

MAYOR PRO-TEM BROPHY said curb to sidewalk if there is one.

The Director of Public Utilities said correct. He said it may include taking out the back side of the sidewalk and also into the roadway.

The City Manager said for sewer it goes to the connection which is usually in the roadway.

The Director of Public Utilities said correct.

The City Manager said for water it's at the curb stop and what we're doing is we're moving the line where the City's responsibility is from those two points back basically to the private property line. He said everything on private property back towards the house remains with the private property owner for repair and handling all the costs.

The Director of Public Utilities said that's right.

The City Manager said from the private property line going out that is now being shifted to the City's portion.

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The Director of Public Utilities said if an excavation is necessary to make a repair we would come out and assist the homeowner and make the repair and complete the restoration of the roadway.

COUNCILMAN GIARRANTE said he thought that's the way it always was, anything from your house to the sidewalk was yours and outside of that was the City's.

The Director of Public Utilities said for about the last 7 or 8 years we have been making sewer repairs out in the roadway and there are hardship cases where homeowners weren't able to make the repairs or repairs are in excess of \$10,000.00. He said the homeowner doesn't really have the means to hire a bonded contractor or shut down the road, make the repair and complete the restoration of the road. He said then there is always a quality issue with how well the repair was made and the road is restored, so we are more equipped to do that and we're able to complete the repair in a timely manner and get everybody back in service.

MAYOR PRO-TEM BROPHY asked the Corporation Counsel if we could leave some flexibility in here for a case where it's unknown until you dig, and once you dig you discover it's on one side or the other. He said we could cooperate with the property owner to change the contract that's underway and complete the work instead of covering up and having them start over again.

The Director of Public Utilities said they have always tried to work with homeowners on that kind of an issue. He said if they were to hire a contractor and it turned out to be something that we were responsible for, we would reimburse them and take over and compensate the contractor. He said but at this point we may have been in a fighting match with the homeowner getting them to that point for probably 3 or 4 weeks and a lot of that could have been avoided.

MAYOR PRO-TEM BROPHY said one of the hardest things he has had to deal with over his 13 years is that enormous cost they are looking at and that question of where is the problem. He said so he is real happy you've done this much and brought this recommendation to go at least back to the property line. He said that makes a lot of sense and it should solve a lot of the problems that occurred in that parkway because that's where most of them were.

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

COUNCILMAN SHETINA moved that the Council adjourn at 5:00 p.m.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

AYES: COUNCILMEN SHETINA, TURK, DORRIS, GIARRANTE,  
COUNCILWOMAN QUILLMAN and MAYOR PRO-TEM BROPHY.

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk