

***Proceedings of the Council of the City of Joliet, Illinois
held on the 17th day of July, A.D. 2006***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, July 17, 2006 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 2 COUNCILMAN TIMOTHY M. BROPHY, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, DISTRICT 4 COUNCILMAN ALEX LEDESMA, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 5 COUNCILMAN WARREN C. DORRIS, COUNCILWOMAN AT LARGE JAN QUILLMAN and COUNCILMAN AT LARGE MICHAEL F. TURK.

ALSO PRESENT: CITY MANAGER JOHN M. MEZERA and CORPORATION COUNSEL JEFFREY S. PLYMAN.

The City Manager asked the Council's indulgence in moving several items up on the agenda due to the presence of interested individuals.

He first explained Council Memo #809-06 dealing with the Annexation of a portion of the property at the Southwest Corner of Caton Farm Road and Drauden Road and the rezoning of the entire 7+ acres to B-1 Zoning. He said this would allow the development of a 31,030 sq. ft. multi-tenant retail plaza, a 12,900 sq. ft. CVS Pharmacy and a 5,500 sq. ft. unspecified retail use in a third structure at the site.

The City Manager said both the Plan Commission and the Administration are recommending denial of this petition for the following reasons: The neighborhood does not support the proposed retail development, the subject site was always identified for residential development and is zoned as such, and adequate commercial development is located within a five minute drive of the subject site. He said an addendum has been passed out containing a request by the petitioner that these items be tabled to the August 15, 2006 Council meeting to allow additional time to resolve neighborhood concerns about this project.

COUNCILMAN BROPHY asked the City Manager's opinion on the merits of the table. He asked if there was anything that could change, and if there would be anything new to come to the Council.

The City Manager said he thinks there would be new things to come, but the question is whether they would be substantial enough to change the basic concerns that the neighbors have. He said one of the items was with the Park District and whether the trail would work there. He said he doesn't think that would change the minds of the objectors, so whether there's anything substantial enough in the tabling action that would change their minds is questionable in his opinion, considering the number of neighborhood meetings that have already been held. He said he thinks it would probably not result in anything substantial enough to change their minds.

COUNCILMAN SHETINA said we've had a lot of meetings and a lot of people have talked and they've heard about every potential aspect that there is to this

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project. He said he would like to have the people that are here that wish to speak go ahead and speak, and tomorrow he would like both the proponents and the objectors speak again at the public hearing if they wish to.

Mr. Nick Sakellariou of 2410 Monterey Drive stated he is an objector to the plan. He said his back yard would look out into the proposed CVS Pharmacy. He said he doesn't think that this is an appropriate zoning use for this area. He said all four corners of this intersection are zoned residential and the actual uses at all four corners are currently residential uses. He said they think that there is sufficient commercial at Route 59 and Caton Farm Road and at County Line and Caton Farm Roads which are 2 minutes away from this intersection. He said there is no need for this development. He said he has photos of the impact of this type of development and he will show them tomorrow night at the hearing.

COUNCILWOMAN QUILLMAN arrived at the meeting during Mr. Sakellariou's comments.

Mr. Mark Goodwin, representing the petitioners, said they feel they do have some new information that they can bring forward. He said they are still trying to work with the people involved as far as some of the objectors. He said they have some updated plans and restrictions they have put in place as far as what they would like to see from comments made by the neighborhood. He said he thinks they do have significant support but they would like the time to prove that as best as they can. He said they are asking for a one month extension and hopefully they can reach more of an agreement with the community.

The City Manager then explained Council Memo #810-06 dealing with the Annexation of 130 E. Laraway Road and Council Memo #811-06 dealing with the Annexation of 2410-2416 South Chicago Street.

Attorney Andy Dystrup was present on behalf of the petitions.

The City Manager then explained Council Memo #815-06 dealing with the Final and Recording Plats of Legacy Pointe Subdivision Unit 3.

Mr. Tony Spinelli of Geotech Inc. was present on behalf of the petition.

The City Manager then explained Council Memo #816-06 dealing with the Preliminary Planned Unit Development of Country Club Villas Subdivision.

Mr. Rod Tonelli of Ruettiger Tonelli & Associates was present on behalf of the petition.

The City Manager then explained Council Memo #817-06 dealing with the Preliminary Plat of Founder's Bank Resubdivision and the Vacation of Founder's Bank Resubdivision Unit 1.

It was requested that these items be voted on today.

1. AN ORDINANCE Approving the Preliminary Plat of Founder's Bank Resubdivision as recommended by the Plan Commission was presented and read. (#P-10-06/Dist. #1)
(Council Memo #817-06)
(ORDINANCE NO. 15590)

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2. AN ORDINANCE Approving the Vacation of Founder's Bank Resubdivision Unit 1 Located at the Southwest Corner of Fiday Road and Essington Road as recommended by the Plan Commission was presented and read. (#V-4-06/Dist. #1)
(Council Memo #817-06)
(ORDINANCE NO. 15591)

COUNCILMAN SHETINA moved that said Ordinances be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

The City Manager then explained Council Memo #829-06 dealing with a Collective Bargaining Agreement between the City of Joliet and the Joliet Police Union Fraternal Order of Police which is effective for four years with an expiration date of December 31, 2008. He said included in the agreement are 4% general pay increases in each of years 2006-2008, an increase in the court allowance and other non-economic provisions.

It was requested that this item be voted on today.

3. AN ORDINANCE Approving and Authorizing the Execution of a Collective Bargaining Agreement between the City of Joliet and the Joliet Police Union Fraternal Order of Police was presented and read.
(Council Memo #829-06)

COUNCILWOMAN QUILLMAN moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15592)

The City Manager then explained Council Memo #830-06 dealing with a Collective Bargaining Agreement between the City of Joliet and the Joliet Police Union Fraternal Order of Police Supervisor's Unit which is effective for eight years with an expiration date of December 31, 2012. He said included in the agreement are 4% general pay increases in each of years 2006-2012, an increase in the court allowance and other non-economic provisions.

It was requested that this item be voted on today.

4. AN ORDINANCE Approving and Authorizing the Execution of a Collective Bargaining Agreement between the City of Joliet and the Joliet Police Union Fraternal

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Order of Police Supervisor's Unit was presented and read.
(Council Memo #830-06)

COUNCILMAN LEDESMA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

AYES: COUNCILMEN LEDESMA, SHETINA, UREMOVIC, BROPHY
GIARRANTE and MAYOR SCHULTZ.

NAYS: NONE.

ABSTAIN: COUNCILWOMAN QUILLMAN.

Prior to her vote, COUNCILWOMAN QUILLMAN said she is abstaining because her husband is a Police Sergeant.
(ORDINANCE NO. 15593)

The City Manager then explained Council Memo #821-06 dealing with the Preliminary/Final and Recording Plats of the Resubdivision of Lot 2 of Caton Farm and Essington Commercial Subdivision.

The City Manager then explained Council Memo #822-06 dealing with a Special Use Permit and a Variation of Use to Allow the Construction of a 38-unit Alzheimer's Care Facility at 3320 Executive Drive, and the Preliminary Plat of NHP Alzheimer's Center Subdivision. He said the developer, South Bay Partners, plans to construct this facility just north of its previously approved 100-bed assisted living center. He said an additional earlier project built by them consists of a 110-unit senior citizen lodging home east of the subject site.

COUNCILMAN UREMOVIC asked the City Manager if he felt comfortable with this developer's track record.

The City Manager said yes, they have done a great job out there and the facilities are well operated and maintained. He said this facility is proposed to be even nicer than the other one.

COUNCILMAN UREMOVIC asked if they have union workers and pay prevailing wages.

The City Manager said yes.

COUNCILWOMAN QUILLMAN stated she knows this is a much needed facility and a long time coming. She asked what kind of background they have as far as running this type of facility.

Mr. Pat McGonigle of South Bay Partners said they are a senior housing developer based in Dallas. He said they built the existing building which is now called the Loyaltan at Joliet (formerly Manor at Essington) on the property. He said they have built about 15 of these facilities. He said it's the same building they have built over and over again. He said their operator is JEA Senior Living based in Vancouver, Washington and they specialize in Alzheimer's care. He said they manage 20 of these buildings throughout the country.

COUNCILWOMAN QUILLMAN said if they haven't hired anyone for this facility yet, how do they know that their 20-25 employees don't need parking because

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they either take public transportation or they have a relative drop them off. She said that's what it says in the packet and she was disturbed by that.

Mr. McGonigle said that's just from their own experience. He said about half of the employees generally drive their own cars and the other half get transportation publicly or through a friend or relative.

COUNCILWOMAN QUILLMAN asked if this will be licensed by the State and subject to all inspections through the Health Department. She also asked about the Joint Commission on Accreditation of Healthcare Organizations and whether they are accredited.

Mr. McGonigle said it will be licensed by the Illinois Department of Health and they are accredited.

It was requested that these items be voted on today.

5. AN ORDINANCE Approving a Special Use Permit to Allow the Construction of a One-Story, 31,000 sq. ft. Alzheimer's Care Facility with 38 Units Located at 3320 Executive Drive as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the structure not be expanded in the future; 2) That the proposed facility conform to the site plan, floor plans, building elevation views and proposed exterior material selection as presented; 3) That the Special Use Permit shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days after the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period; 4) That if the aforementioned condition is not adhered to, this matter shall be scheduled for an administrative hearing; and 5) Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit. (#2006-50/Dist. #3)
(Council Memo #822-06)
(ORDINANCE NO. 15594)
6. AN ORDINANCE Approving a Variation of Use to Allow the Construction of a 38-Unit Alzheimer's Care Facility on a 4-acre site in an R-4 District Located at 3320 Executive Drive as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the structure not be expanded in the future; 2) That the proposed facility conform to the site plan, floor plans, building elevation views and proposed exterior material selection as presented; 3) That the Variation of Use shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days after the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period; 4) That if the aforementioned condition is not adhered to,

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this matter shall be scheduled for an administrative hearing; and 5) Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Variation of Use. (#2006-51/Dist. #3)
(Council Memo #822-06)
(ORDINANCE NO. 15595)

7. AN ORDINANCE Approving the Preliminary Plat of NHP Alzheimer's Center Subdivision as recommended by the Plan Commission was presented and read. (#P-9-06/Dist. #3)
(Council Memo #822-06)
(ORDINANCE NO. 15617)

COUNCILMAN LEDESMA moved that said Ordinances be adopted as recommended.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

8. Citizens to be Heard

- a. Robert Webb re: Housing

Mr. Webb did not attend the meeting.

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

COUNCILMAN TURK arrived at the meeting during the City Manager's explanation of these items.

COUNCILMAN SHETINA asked that the Council go into closed session to discuss personnel.

COUNCILMAN BROPHY moved that the Council recess to closed session to discuss personnel after which the meeting will be adjourned.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape