

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of July, A.D. 2006***

VISION MEETING of the Council of the City of Joliet, Illinois held on Tuesday, July 25, 2006 at 4:00 P.M. at Joliet Union Station.

ROLL CALL

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

ABSENT: COUNCILMAN WARREN C. DORRIS.

ALSO PRESENT: CITY MANAGER JOHN M. MEZERA, DEPUTY CITY MANAGER JIM SHAPARD, CORPORATION COUNSEL JEFFREY S. PLYMAN, POLICE CHIEF FRED HAYES, FIRE CHIEF LARRY MORES, MANAGEMENT AND BUDGET DIRECTOR ROBERT FRASER, ACCOUNTING MANAGER KEN MIHELICH, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR JAMES HALLER, PLANNING DIRECTOR DON FISHER, PUBLIC WORKS ADMINISTRATOR JAMES TRIZNA, UTILITIES ADMINISTRATOR JIM EGGEN, HUMAN RESOURCES DIRECTOR MIKE SUPPAN, COUNCIL LIAISON WILLIE JAEGER.

The Deputy City Manager advised the Mayor and Council that COUNCILMAN DORRIS was in the hospital and being checked out but he is doing fine.

The City Manager stated there is no particular agenda for this Visioning Session, but an opportunity for the Council to talk about things that they think are priorities and things they would like the staff to work on or look into and get back to the Council.

COUNCILMAN SHETINA stated he would like the Corporation Counsel to predicate the meeting on what the Council/Manager form of government is, what it stands for and how it's supposed to operate.

The City Manager stated the Corporation Counsel just got out of another meeting and will be here shortly.

COUNCILMAN SHETINA said he was involved in a couple of court cases recently that required going to a couple of County Board committee meetings and they were not able to constitute a quorum. He said he had the same thing happen with one of his committees here. He said at the County every County Board member acts as what he thinks is an ex officio member if that's the correct connotation. He said they can call any County Board member and they can serve on whatever committee doesn't have a quorum. He said he would like us to consider some kind of a quorum policy whereby staff or a council member, or Mayor Pro-tem could be called to make a quorum at a meeting that is short even though they aren't on that committee.

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COUNCILMAN GIARRANTE said maybe just make the committees have four members. He asked what the quorum would be then.

The Corporation Counsel said you would still need a majority which would be three.

COUNCILMAN SHETINA said let's try to figure out a way as a result of not having a quorum. He said this costs thousands of dollars for people who bring their lawyers or appraisers to a meeting and there isn't a quorum. He said they are still going to charge for their time. He said if we could get an ex officio member whoever it might be at least we would have a shot at getting a quorum. He said if its staff people and you had a Plan Commission meeting you couldn't have Jim Haller there or if it were Public Safety you couldn't have the Police Chief. He said if we could figure out a way.

The Corporation Counsel said since most of the subjects that are dealt with by the Plan Commission and the ZBA half the time anyway are advisory only. He said the real function they serve is to accept public comment. He said they do make a recommendation, true, but what they do is provide an opportunity for the public to speak. He said he doesn't know if you need to operate under a quorum paradiem anyway. He said you could set them up as a hearing body.

COUNCILMAN GIARRANTE said they wouldn't have to take the official status. He said they could hear it and report it.

The Corporation Counsel said they would accept public comment and they report. He said if they want to make a recommendation they can make it because it's advisory.

COUNCILMAN SHETINA said there is a situation where if the Plan Commission has a negative vote they have to have a super majority on the Council. He said so that would have to be taken out of play.

The Corporation Counsel said there are two areas where it may make sense to maintain a quorum requirement. He said one would be when the body you created exercises final authority on behalf of the City like the Board of Fire and Police Commissioners. He said they act on your behalf in hiring and disciplining. He said you would want to maintain a quorum in that example and also the super majority. He said if you want to maintain a super majority requirement based on an advisory opinion of an inferior commission or board. He said that would be discretionary, but if you're going to have that policy in place then he said he would definitely keep the quorum in place.

COUNCILMAN SHETINA said he would ask the staff to figure out a way that we could look at and vote on a way to vote on this.

The Corporation Counsel said right now Jim Haller is an ex officio member of the Plan Commission, he is the secretary which is a non-voting member. He said if you are a non-voting member the quorum issue is not helped in any way. He said you want to be careful that if you change the significance of the Plan Commission you don't devalue their contributions.

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COUNCILMAN SHETINA said I don't want to do that that's why I'd rather see us have an ex officio member. He said if you could figure out a way and bring it back to us.

The Corporation Counsel said the only legal significance the Plan Commission really serves under the municipal code is their the body designated by law to conduct a public hearing on zoning changes or on an amendment to the comprehensive plan. He said the rest of what they do is really under our ordinance, it's not a function of state law. He said the jurisdictional rules about quorum and all that really don't need to apply.

The City Manager said you could set a minimum number of people. He said say three people have to be there because right now the quorum causes you to go higher.

COUNCILMAN GIARRANTE asked are our hands tied legally.

The Corporation Counsel said there needs to be a public hearing.

COUNCILMAN GIARRANTE said but if there going to take an official position that doesn't come to the council on a variation or something, then they have to have a quorum.

The Corporation Counsel said that was one of my exceptions.

The City Manager said but that's not law.

COUNCILMAN BROPHY said but the answer might be contained in the people we already have. He asked both commissions contain how many people.

The Corporation Counsel said nine and seven.

COUNCILMAN BROPHY said if you simply lowered the number to seven and five respectively as the full board and have the other two as extras, now you've just reduced the quorums respectively in both cases.

COUNCILMAN GIARRANTE said along the same lines if those are the Mayoral appointments if we have people that are consistently not showing up, maybe they need to be addressed and notified if there's a problem maybe they need to be replaced.

The Planning Director said in 19 years on the Zoning Board they've never had a problem with a quorum.

The Community and Economic Development Director said we had a problem with the June meeting where we didn't have enough because a bunch were on vacation and we had slots that weren't filled. He said that was probably the first time in 20 years that that has happened.

COUNCILMAN SHETINA said had we had an ex officio member that would have solved it.

COUNCILMAN BROPHY asked if they could simply reduce the number.

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The Corporation Counsel said what function are these guys actually performing. He said the legally significant function the Plan Commission performs is conducting a public hearing. He said because were home rule we can designate whoever we want to conduct that public hearing. He said right now our ordinances say you need a quorum for the Plan Commission to duly meet. He said but the ordinance doesn't have to say that. He said you could have the ordinance say "Plan Commission will conduct a public hearing and at least 3 members must present and in the room for the hearing to be held". He said the zoning issues and whether or not the zoning board is acting with finality. He said with a setback variation, even though it's a small item sometimes, they are the final say so before they go to court. '

The Corporation Counsel said he would recommend that we keep with the quorum requirement.

COUNCILMAN BROPHY said if we lower the total number of people that serve on the Zoning Board which is 7, lower it to 5 and then 3 comprise a quorum. He said we ask all 7 to continue to serve. He said what happens if 7 show up do all their votes count if we've lowered that number to 5.

The Corporation Counsel said it would be defintial and slight of hand. He said if you had x number of voting members the core is defined by the number of voting members.

The City Manager said why don't we try to do what Jeff is suggesting a little modification. He said those items that are final we stay with a quorum. He said those that are not where it's just a recommendation and the Mayor is saying this stuff is just recommendations to the council, set your minimum at 3 instead of a quorum. He said and then you'll always have a tiebreak there. He said if there's final action and you don't have a quorum they can't take final action.

The Corporation Counsel said you could have an administrative decision like we do right now with building permits, Dave Mackley decides whether or not a permit gets issued and he makes that decision on behalf of the City. He said one of the functions of the ZBA which is never exercised, is their an appeals body of decisions made by the building permit officer. He said you could use that approach in all your zoning matters. He said you could say whether it be the department head in planning or zoning, makes an administrative decision as to a variation or setback or some minor manner and then that would stand as the City's decision until it got to the council and you would have that public hearing still with the ZBA but you would avoid the quorum issues because if there is no action by the Zoning Board at their next regular meeting then the decision of the administrator would stand.

The City Manager said why don't we set the minimum at 3. He said we haven't had a problem with ZBA. He said they are the only ones that take final action and if we start having a problem we could look into it. He said set it at 3 and accept for any final action and then leave it at a quorum and see what happens. He said that way if you run into a jam and you only have 3 and its non final action and it's only recommending it can go ahead. He said but anything final probably should have a hearing and there probably should be a few more people there.

COUNCILMAN SHETINA asked the Corporation Counsel to explain the role and the function of the City Manager form of government.

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The Corporation Counsel said Joliet has been a council/manager form of government for about 50 years. He said another form is called a strong mayor where the Mayor is essentially the City Manager and has some legislative responsibilities. He said Aurora is an example of that. He said then you have a weak Mayor form of government and Chicago is an example of that, where the Mayor requires the council's concurrence in executive decisions. He said the fourth form is the commission form of government where the elected officials actually take over and run the department. He said so basically those are the four forms in a nutshell and basically they just allocate the executive, legislative and administrative powers to various components of city government. He said what is distinctive about the council/manager form is that it separates the administrative and the executive functions of city government from the legislative and the council under that format has 100% of the legislative authority and in Joliet's example by referendum, the Mayor is a co-equal legislator with the elected councilman. He said there are some cities where the Mayor doesn't have the same extent of legislative authority. He said there is veto, there's tie breaking legislative authority, but in Joliet under our form of government, by referendum, the Mayor has the same legislative authority as all of the other elected councilman. He said so that's the legislative side. He said the Mayor in our form retains some executive authority, for example Liquor Commission and presiding over meetings.

COUNCILMAN BROPHY asked what about business on the table, can the Mayor make a motion or second a motion.

The Corporation Counsel said yes. He said there is nothing illegal whatsoever about the Mayor making a motion. He said its parliamentary custom. He said but under the law Mayor Schultz is a co-equal legislator with the at-large and the district can initiate legislation and can vote on every matter that comes before the council, unlike other communities where the Mayor can only break ties and veto legislation but doesn't vote on everything. He said so Joliet's a little different.

The Corporation Counsel said Joe's question goes to what's the difference between the council and manager and what's the difference between the legislative functions that council has vs. the administrative and the executive functions under Illinois municipal law the manager has. He said theoretically in a pure City Manager form of government if you look at the code, the City Manager has the day to day responsibilities, all the personnel responsibilities unless there taken away by a special statute for example Police and Fire Board. He said the City Manager does not hire and fire police officers nor does he discipline them traditionally. He said not that's changed with collective bargaining a little bit. He said the executive functions of the city and the administrative functions of the city rest with the manager and what the council is supposed to do is two things basically, pick policy issues and then oversee the manager. He said so there is a check and balance on the administrative and the executive function. He said so what were doing today with Visioning and what we've done in the past with Visioning Sessions that's a pure example of what the policy function is, the legislative function. He said you guys come up with the big picture decisions, do you want attract a NASCAR track, do you want to bring minor league baseball, do you want to take a limited budget and spend it on water and sewer or do you want to spend it on streets, do you want to spend it on incentives to attract businesses and that sort of thing. He said those are the policy choices that the Manager can consult and advise and recommend but the call is completely with the Council. He said once those policy calls have been made and the budget

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has been approved by the Council and that's part of that policy call, then it's the Manager's job to take your direction and implement the details.

COUNCILMAN SHETINA said so within that same vein then, home rule, how does that all coordinate with this.

The Corporation Counsel said it really doesn't change the division. He said there are certain things where home rule which is a diminishing authority. He said just about every municipal statute that comes out of the general assembly preempts home rule. He said the way the lobbies work in Springfield now, the original concept of allowing cities to come up with their own set of rules, it doesn't work. He said there's too much work for the lobbyists to do if they go into each community. He said they fight one fight in Springfield and they usually win and there's a preempt home rule. He said but that being said, home rule does not allow a municipality to alter its form of government without a referendum. He said so let's say Joliet wanted to take one of the traditional power of the City Manager, the hire and fire function, and give it to a committee of the council or to the Mayor or to another officer, that would be a alternation in the form of government and it would require a referendum. He said let's say the Council wanted to take away the power of the Mayor to regulate liquor. He said that would be an alteration in the form of government, it would be a fundamental change in the powers that the law gives to the Mayor and that would require a referendum. He said so home rule wouldn't allow you to do it.

COUNCILMAN GIARRANTE said along those same lines, years ago the Fire and Police Board used to hire the Police Chief and Fire Chief and that was changed without referendum. You're not referring to that?

The Corporation Counsel said no I'm not. He said under the municipal code, a city can elect to allow the Police and Fire Board to appoint the fire and police chiefs. He said if they don't elect it's done like any other position, a City Manager appointment.

COUNCILMAN GIARRANTE said but other than that any positions have to go to a referendum.

The Corporation Counsel said that's basically true. He said there are liquor commissioners, for example, there are exceptions on the statutes, but the question on the home rule and when you alter the form of government from council manager to something different, even if keeps 99% of the attributes of Council Manager, unless there's statutory authorization.

COUNCILMAN TURK said in the same vein then, say if there was any expansion of the number of city council members, say another at-large and another district seat that would have to go to referendum also?

The Corporation Counsel said right. He said any increase or decrease in the number of council manic positions or reallocation of at-large districts would require referendum. He said our 5 and 3 split and the Mayor being a co-equal member of the council, that was the specific result of a referendum. He said if you look in the municipal code there are 3 or 4 sections that allow this outcome to occur. He said our form of government is the result, not because someone dreamed it up in the mid '50s, he said there are 2 or 3 or 4 sections of the municipal code which allow you to go in a mix of at-large and district, that allow

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you to have a Mayor who is a full member of the council, that allows the City Clerk and the City Treasurer to be appointed rather than elected.

COUNCILWOMAN QUILLMAN said she received a letter from the ADA accessibility, Chris Brook, and she thought all the council received a copy. She said they came up with an idea that handicap people can't get downtown because they can't access building stairs, curbs or whatever and they came up with an idea perhaps maybe giving business owners incentives to make their buildings more accessible by doing a 50/50 program like were doing with the sidewalks. She asked if maybe we could get a committee to look into that.

COUNCILMAN GIARRANTE said he did receive the letter and he talked to the City Manager about the non-accessible washrooms at City Hall. He said they are accessible downstairs but not upstairs. He said he's looking into the feasibility of doing that downtown. He said that she claimed there were no washrooms in City Hall that were accessible to wheelchairs.

The City Manager stated they would take a look at them and see what they can do. He said you have a wheelchair that these were designed for and now a lot of people have the motorized scooters that don't turn the same radius as a chair does so they have to take a look at that also.

The Deputy City Manager said the problem with the woman's washroom is the door. He said it is the right dimensions but they just have to reverse the hinges on the door and it should be ok.

The City Manager said they will respond to them on that issue. He said on the 50/50 issue that should go to Public Service Committee and see if you want to do that. He said currently that 50/50 comes out of the District's NIP so you would want to be a little careful because if you had 100 businesses decide to do that and you are doing 50/50 on removal, keep in mind there is a replacement ramp that goes in there too, so you could be spending \$5,000 - \$15,000 on one business and if you had 50 or 100 of them it could burden the NIP beyond its capacity within the sidewalk portion of it. He suggested maybe setting aside \$50,000 in each District out of the NIP so there is a known, fixed amount and you could only do so many per year out of that.

COUNCILWOMAN QUILLMAN also said along the same lines as the 50/50, but some incentives for businesses if they wanted to go smoke free. She said it would be voluntarily. She said they talked about making a whole ban like City of Chicago did. She said they would start voluntarily and make some people happy here.

COUNCILWOMAN QUILLMAN stated she thinks the Jefferson Street corridor needs some revitalization. She said it is one of the main arteries to downtown and it doesn't look very nice between Larkin and all the way downtown. She said there are some businesses that are remodeling now, but some businesses are not kept up. She said also maybe they could get some decorative lighting in there. She also said maybe some more restaurants so people would want to come downtown Joliet.

COUNCILWOMAN QUILLMAN said there are many, many beautiful, antique buildings down there and we need something else to draw people to come on a Saturday afternoon, maybe to have lunch. She suggested maybe antique stores, boutiques or something that would be a big draw and others will follow.

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COUNCILWOMAN QUILLMAN said she is very concerned about our water. She said a few years back we were supposed to tap into the Kankakee but that didn't work out. She said that it would be too costly to tap into Lake Michigan. She said we need to find some other source for water instead of digging wells all the time because there was just a boil order south of us just the other day.

The City Manager said you have a watermain break and you lose pressure.

COUNCILWOMAN QUILLMAN said we have a lot of watermain breaks too because we're pushing so much water out to the far west side and on the east side she said people are complaining about their water pressure that they don't have enough when they're trying to take a shower at 6 a.m. when everybody else is taking a shower. She said these are quality of life issues and she believes they need to be looked into.

COUNCILWOMAN QUILLMAN said as far as our growth out west, this Kendall County project with all the annexations coming up on the next council meeting, she said she doesn't know what happened with our staff and Kendall County. Now people, there is some type of miscommunications. She said she read the article that John had given her and she said she doesn't see anything where they slammed us. She said it just said "were following a plan".

The City Manager said that's a slam in itself. He said we are following a plan.

COUNCILWOMAN QUILLMAN said she thinks both sides need to get together and talk about this. She said the growth is going to continue and we have to move forward. She said we need more quality homes, more open spaces. She said we don't have to build on every single square inch of property. She said let's be the model here for other expansions. She said we need to give the people that are selling off their property the incentives to preserve part of their land instead of selling everything off to the developers.

The City Manager said the one you're going to see in the next month or so has 30% of it as open space which is the highest that we've ever had. He said the Council has made a lot of changes in what you do and the amount of land you set aside. He said the Aux Sable Creek has a lot of flood plain areas that by virtue of their existence you can't build on them so there's going to be a lot of open space.

The Director of Planning said the project at Caton Farm Road and I-55 is probably one of the best examples of conservation design. He said the flood plain is preserved and 75% open space with trails. He said it's basically what's in our Kendall County Plan. He said Jim Haller and himself would be happy to go over the plan with any of the Council. He said there is a significant amount of open space preservation due to the flood plain and the nature of the land. He said they are asking for higher and higher quality of development, be it the developers or the land itself. He said they should be happy the next year or so with the different types of projects that will be coming in. He said Walgreen's are doing new designs just for Joliet because we're asking for high quality.

COUNCILWOMAN QUILLMAN said that's good, but she's tired of looking at all the homes with little plans, it's a lot of vinyl with a little brick.

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The Director of Planning said they have one coming in behind Picardy that will have a minimum house size of 3,200 sq. ft., with beautiful, unique architecture. There will be 8 different plans with 3 different elevations for each one and a significant amount of brick.

COUNCILMAN SHETINA said we need to listen to people when they have concerns and the staff needs to respond. He said we need to let the Kendall County people come in and make their concerns and the staff will respond.

COUNCILWOMAN QUILLMAN said the annexation that's coming up this next meeting she would like it tabled until we can meet with the Kendall County Now.

The City Manager said they are requesting a table and staff is working with them on a lot of issues.

The City Manager said we have a great relationship with Kendall County, the County Board members, were insinque, they like our plan. He said much of the Aux Sable plan that we put together, the other cities now have taken it and are introducing it to their communities. He said they are doing protection on the creeks and we led the way on a lot of that stuff. He said we led the way on the storm water run-off rates, we led the way on the road improvements and the County is changing now they are going to let people put in curb and gutter. He said what Protect Kendall Now is is a private, not-for-profit corporation headquartered in Naperville that is run by Brook McDonald. He said what he did was he asked Jim to come out and make a presentation about our plan and Jim did it and made a great presentation. He said afterwards Mr. McDonald went to the media and he told the media that's a good plan but Joliet is not implementing the plan, they don't do what they say. The City Manager said he lied to the media and the media printed it and that was offensive. He said other people read and thought Joliet's not living up to its bargain. He said when people do that they shouldn't be able to get away with it and we shouldn't do business with them. He said we asked him to come in and meet with us so we could clarify what their position is. He said he thinks we put together a good Aux Sable plan, we brought them in and they gave us some good ideas on best management practices. He said Cindy Ellis and the Aux Sable group all came in and we said these are the things were going to do and were going to move forward with that and everybody said fine. He said now that that level was approved, now there coming back for the other stuff that we said we weren't going to do, like having brick pavers in all driveways. He said that is not something that this City Council is going to require for developers to do because nobody else around here or Kendall County is doing it, but that's one of the things they're asking for.

COUNCILWOMAN QUILLMAN said the only thing she's talking about is the incentives for these land owners to donate portions of their land for preservation. She said her only concern is when these people sell their farms off that they have an incentive to designate a portion of their property for preservation.

The City Manager said the farmers can do that with Protect Kendall Now. He said the point he was trying to make is that you have a private entity that is trying to make things different and trying to give Joliet a bad name.

COUNCILWOMAN QUILLMAN said there's some problem here and that's a whole different animal that you're talking about than what I'm talking about. She said she wants the people that are selling it to give them the incentive not the developers. She said some of the Kendall County people were giving 20 and 40

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acres. She said she just went to this one thing and they had a little presentation, nothing to do with what you're talking about. She said it was getting the land owners to give them incentives to put a portion of the land aside.

COUNCILMAN GIARRANTE asked what kind of incentives are they giving them.

COUNCILWOMAN QUILLMAN said she thinks some kind of tax incentives.

The City Manager said those are available to all of the property owners that we work with.

The Corporation Counsel said your talking about a conservation easement which is basically an owner restricting development for the construction upon a portion of his or her land and in exchange for that there is a tax credit that the owner gets that's related to the value loss because of the donation. He said basically it's a gift that the owner is making to future generations in restricting the land. He said so there's appraisal function and a legal function there. He said one catch is that the land has to have some ecological or natural significance. He said so if your dealing with Aux Sable Creek that is fine. He said our ordinances are already giving the public benefit from preserving the Aux Sable Creek because we have the preservation ordinance. He said if you're talking about the middle of a cultivated field, I don't know that the IRS approves a conservation easement because there's no natural or ecological significance in the middle of a cultivated field. He said so he doesn't know if every landowner is in a position to make a significant donation of a conservation easement.

COUNCILWOMAN QUILLMAN said she just thinks its worth exploring. She said people look to Joliet to see what were doing and this would be something out of the ordinary.

COUNCILMAN BROPHY said there is nothing you can do to force people to give away their land and force people to do this.

The City Manager said that the Clublands and Wesmere are very nice subdivisions with open space between 15% to 20%. He said Neumann Homes came to us and said they would like to do another and the city said ok. He said what we want in addition to your 15% to 20% open space we want you to build a golf course and give us the land. He said the project is going to be 1,500 to 1,700 acres with a 300 acre golf course. He said they're going to donate the land to the park district and pay 50% of the construction and the clubhouse and 300 acres of open space on top of that. He said this is going to be exactly what you're looking for and what the staff has been asking for from the various developers. He said that we are committed to going with conservation design. He said were still working on the vinyl and look of the new homes.

COUNCILMAN UREMOVIC said we are at the crossroads and the city deserves more quality development. He asked about the 400 acres at I-80 and I-55, which is an important piece of property. He wants staff to make sure it is developed properly, something that the city can be proud of.

COUNCILMAN UREMOVIC said he was stopped three times today and asked about the garbage cans. He said we are not going to make people buy \$100 garbage cans.

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The City Manager said the garbage contract is up this year and we need to rebid. He said why don't we bid the contract just like it is and then get an alternate bid if they were to provide these containers and charge the residents.

COUNCILMAN UREMOVIC asked would if someone doesn't want one.

The City Manager said they wouldn't have to take one. He said that's the way we'll proceed with the contract and bring you that information with all the facts. He said if there is a garbage problem in a neighborhood that needs to get to Jim Shapard and they would hold a hearing and they could force that person to put in containers if there's a problem.

COUNCILMAN UREMOVIC said congestion is going to slow the growth of the city in areas like Black and Bronk Road.

The City Manager said traffic signals will be installed at the Black Road library next year and Black Road and Bronk Road will also be installed next year. He said they are both on County highways. He said they had a meeting with neighbors near the library and they were objecting to the problem if a traffic signal goes in then there will be people cutting through their neighborhoods and would like a cul de sac. He said they told the residents if they get the homeowners associations from both Timberline and Twin Oaks West to agree that they want a cul de sac, the city would bring it to the council and recommend a cul de sac. He said so this is causing a delay and the County won't proceed until these things are cleared up.

COUNCILMAN BROPHY suggested doing the Bridge Street and Jackson Street corridors because they are heavily used and it would be more inviting for people to visit downtown if it were easier to get in and out of there.

The City Manager asked if he wanted to connect it to U.S. 30.

COUNCILMAN BROPHY said yes.

The Planning Director said that he and Jim Haller met with Rod Tonelli about a month ago and they have a meeting with Rod, the City Manager and the University of St. Francis staff on Thursday. He said they are also looking at Jefferson Street corridor adjacent to the St. Pat's area and Cathedral area and they have some new recommendations for those areas. He said maybe some different land uses at the corners. These areas would be landscaped and take on a whole new look.

The City Manager said what COUNCILWOMAN QUILLMAN is talking about is the decorative elements. He said a standard needs to be developed that any redevelopment that occurs there should have the decorative lights and the brick, combined with landscaping.

COUNCILWOMAN QUILLMAN said we need to express the City of Joliet needs to set higher standards.

COUNCILMAN BROPHY said he would like to get rid of Evergreen Terrace and he knows it is in court but that is the catalyst to all downtown redevelopments.

The Corporation Counsel said we originally filed a condemnation case in Will County and the case was moved to Federal Court. He said HUD's time to file a

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response to the lawsuit is very soon, possibly a week or two. He said HUD has to file a response to our condemnation. He said Burnham Development has shown no interest in selling the property.

COUNCILMAN BROPHY said he thinks the older parts of town need to have sidewalks for people to walk on and kids to ride their bikes. He said if he can get the majority to agree with him he thinks they need to put the sidewalks "on sale" and get more of them done.

The City Manager said if you wanted to do a special assessment for all vacant sidewalks and the City pays half of it and you assess the other half over a 20 year period so it's a very small amount. He said people could object but you could get a lot of sidewalks installed.

COUNCILMAN BROPHY suggested something higher than the 50%.

The City Manager said maybe 75%.

COUNCILMAN BROPHY said he would like to see the city purchase more properties that really don't function anymore. He said Brentwood and Black has been worked on the last 20 years. He said some of the homes don't have any backyards in that area and they tend to attract owners that don't maintain them and they are less desirable. He said if we were to buy some of those and turn them into either additional storm retention or mini-parks or both. He said we would have a win situation. He said we have done it on Bluff Street and we need to continue to do it.

COUNCILMAN TURK said in another month the budget process will start. He asked the City Manager if it was a 5 year projection. The City Manager said it was a 3 year projection. COUNCILMAN TURK said he knows this year were running ahead of expected revenues which is a good thing, but are we going to keep adding a year.

The City Manager said yes, it's not real difficult to get the format set up. He said they went through 2009 last time, so it was a 4 year projection.

The Director of Management and Budget said the budget went out to department heads on Friday so they can get it back by September 1st.

COUNCILMAN TURK also mentioned with aesthetics things like grass under a bus bench or a dead parkway tree. He said people notice these things and he said we need a cosmetic upgrade. He suggested having someone who isn't from around here and they may see something different that we don't see.

COUNCILMAN TURK said the Episcopalian church has been sold and he heard something about St. Mary's church is real close to being closed. He said he knows it's not city money but he hopes they are successful.

The City Manager said out of 9 inquiries for nightclubs, one may go.

MAYOR SCHULTZ said the owner of the church across from Harrah's went through it with the Liquor Commissioners and he thinks that is going to possible be a blues club.

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The City Manager said the Hispanic concert is still going to go on as planned but with a different promoter.

COUNCILMAN GIARRANTE stated he keeps reading in the Open Line of the Herald News about the concert performances and that the City should have gotten performance bonds from them. He asked if Kevin Hegarty could answer these things and say Joliet has nothing to do with them.

The City Manager said we could respond.

COUNCILMAN UREMOVIC suggested meeting with the new editor of the Herald News at our next Pre-Council meeting.

The City Manager said we'll do that.

The City Manager said the Deputy City Manager is doing a letter to the editor regarding the landfill. The Deputy City Manager said the letter has gone out and the wording is "if the Herald News takes the trouble to publish emotional critiques from anomious sources, it ought to obtain comment from the person or agency being criticized to attempt some degree of balance".

COUNCILMAN SHETINA said he thinks we need to respond to them.

COUNCILMAN GIARRANTE said we could talk with the editor and maybe he could screen these calls a little better and make them a little more responsible and if that doesn't happen maybe we should have Kevin Hegarty start answering these.

MAYOR SCHULTZ said he thinks it's a good idea.

COUNCILMAN GIARRANTE said we discussed growth. He said we got the taxes down and that's a result of growth. He said he thinks we need to be very careful because a lot of cities would give a lot of money to have the growth we have. He said to require better materials, absolutely. He said but we cannot be stringent when they people want to annex we have to do whatever we can to let them annex and keep growing. He said we need to be careful when we talk about controlled growth.

COUNCILMAN GIARRANTE said we have to be careful with spending. He said there are a lot of streets in the city that need curbs, gutters and storm sewers. He said a lot of people are still worried about basement flooding. He asked where are we with the storm sewer separation in Parkwood.

The Utilities Administrator said they have been working on the project for 2 years and are in the final stages. He said they are trying to get assistance from the Public Works side and he has a staff engineer working with him now on the project. He said letters have just gone out and have been putting money into it. He said they weren't going to do 100% of that area but they have budgeted more money for the project and will be able to do more houses. He said they are going to be able to do the Parkview Subdivision between Barney Drive and Fairlane. He said that will be very expensive and a lot more restoration will be required for that program. He said they should start the project this year.

The City Manager said that is one of the best projects they have done.

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COUNCILMAN GIARRANTE said he knows staff is trying hard but maybe they need to give some incentives to get some business and industry in the area and get more jobs.

The City Manager said right now the pressure for industrial is enormous. He said the Rt. 53 corridor and down at Centerpoint, they can't move as fast as they need to so people are looking at all that land down there. He said we've had all the industrial developers in the last 2 weeks and there all buying that land down there. He said the industrial is going to explode in that corridor to the point where some of the residential that is proposed will probably flip back now to industrial. He said there will be a lot of job potential and a great assessed valuation down there. He said they told them all they want first class, higher stands, ponds and aerators in front, beautiful entryways and they haven't gotten any objection from anybody.

COUNCILMAN GIARRANTE said we need to get people downtown so restaurants don't start closing and more can open up. He said what's happening with the YMCA should be good.

The Director of Planning said it's been really hot as far as new developers coming in downtown. He said the YMCA project is a \$18 million project and there supposed to break ground in September. He said the auditorium building will be a 17 condominium unit with a \$4 million project. He said the units will be in the \$280,000.00 range and they are spectacular. He said the developers now that are coming in and looking at properties all around Union Station and the waterfront and there big name companies, where now there's 2 and 3 different companies looking at the same sites. He said the City Manager and himself feel pretty confident that they will have something big in the downtown are this year from a high quality developer. He said there all looking at Waukegan, Elgin, Aurora and Joliet. He said they say Joliet has a great look and it's more vibrant than the other towns. He said one of the main things is because we have 7,000 employees down here. He said they like the traffic jams and parking garages are full.

Don Fisher said they are also doing a market analysis for housing that should help with the sales and condos and these new projects to get financed.

The City Manager said regarding incentives for downtown, we have a special service area for downtown and it provides for about \$220,000.00 a year that goes to the City Center Partnership that expires this year. He said so the City Center Partnership is going to hold a meeting and invite all the owners downtown and ask them to do it for another ten years. He said right now there is about \$400,000.00 in that fund for incentives.

COUNCILMAN GIARRANTE asked about Chicago Street.

The City Manager said there is no indication that the County places any priority on that whatsoever. He said between the Judge and the executive and legislative branches they can't come to grips with what to do. There is absolutely no movement on opening that up.

COUNCILMAN GIARRANTE mentioned an article in the newspaper this morning and said he hopes the council read it when it comes time to spend money for Friends of Community Public Art. He said he wanted to read one quote "and if

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you don't like what they look like you can blame the councilmen on this too". He said that was a quote from Kathleen Farrell.

The City Manager said you won't find me defending Kathleen Farrell a lot, but when I read this this is a Joe Hosey article. He said Joe is writing articles now to create attention at the Herald News and he says he's going to cover both sides. He said but if you look closely at it, it is not a quote although it sounds like one. He said it's a cleverly disguised statement that makes it look like that's exactly what she said. He said he called her and asked her what she told him and she said she told him there is a team process. She said they have to come and they have to see the council, staff, the City Manager and then they work with the community and get the location and get the contact work out and then they proceed. The City Manager said he wrote this and it says "Farrell argues", but all the words after that are all his words. The City Manager said he doesn't believe Kathleen said it like that and this is an indication of what you are going to be seeing in these kinds of articles in the future and we'll have to watch very closely what we say and what we're reading. He said there is some deceptive journalism that can take place and we have to make sure we don't just crucify everybody because of it.

COUNCILMAN UREMOVIC said he doesn't like the idea that only one person does the art. He said he thinks we should have an art committee and have people bid on it from anywhere. He said he doesn't think we get the diversity that we should get.

COUNCILMAN GIARRANTE said still in all just to spend money to put art out there, he sees no point. He said he sees stuff out there and he doesn't know what it is. He said we need to start looking a little more closely because \$2.5 million could fix a few streets and a few storm sewers.

The City Manager said there are places where you can buy bronze statues that are beautiful and cost less money. He said the amount of artwork that we can do now is getting smaller and smaller because the expense for each piece is bigger. He said it's like \$50,000.00 per piece now.

MAYOR SCHULTZ asked about the steel workers hall on Ottawa Street and if the city owns that.

The Planning Director stated they own it.

MAYOR SCHULTZ asked do we know how much money we have in it.

COUNCILMAN SHETINA said they paid \$230,000.00.

The City Manager said in Joliet alone they are making payments of maybe \$15,000 - \$18,000 a year and they probably owe \$150,000.00 on it. He said he asked what happens if you pay the building off, what happens to the disposition of the building if you are no longer an organization. He said in the by-laws it says they have to offer that building to another not-for-profit in the community. He said it wouldn't go to any individual that's within the organization.

The City Manager stated they bought the building from Rudy Mahalik who brought it from the steelworkers.

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COUNCILMAN LEDESMA discussed how Jefferson Street and Collins Street look. He said there are junk yards and businesses that are going up there are very shady. He said he knows were very limited on our boundary there and we should call the County and make them do some landscaping, it looks terrible.

COUNCILMAN LEDESMA said the we need to hurry up with the flood plain map revision on the east side. He said people cannot do any additions on their houses because this is not done yet.

The City Manager stated we can't change it until we get rid of the flooding. He said the problem is the project is only about half done. He asked Jim Trizna to look into applying for a map revision based on where they are now. He said it might let half the houses out of the flood plain, but it might not. He said that would be the only thing they could do right now.

COUNCILMAN LEDESMA said he would like us to look into it very seriously and take care of it because the insurance on those houses is higher than the value of the houses.

COUNCILMAN LEDESMA said he is concerned about the garbage in his district. He asked the council to go through his neighborhood on Thursday and Friday to see the problem. He said if they don't want to do anything on the west side that's there business, but he needs the cans in his district.

COUNCILMAN UREMOVIC suggested having a neighborhood meeting and educating the residents.

COUNCILMAN LEDESMA said if we don't force them to do it, it will never be done. He asked how can we following the way Lockport did it and they aren't getting riverboat money. He said it looks very clean on garbage days. He said he thinks Channahon did it too and why can't we do it the same way. He said what about 50/50, it's a neighborhood improvement, a clean up. He said another way is to add a \$1.00 or \$1.50 to the water bill and people won't notice that. He said he needs the council's help because if it goes to a vote he wants it in his area because it is a pig sty.

The Corporation Counsel stated if we were to mandate the use of these containers it would have to be city-wide.

The City Manager said COUNCILMAN LEDESMA said what he's talking about doing is purchasing them through his NIP or leasing them, so the city wouldn't force the people to do it.

The Corporation Counsel said he could provide it and they could be used on a voluntary basis.

COUNCILWOMAN QUILLMAN asked why can't we change the ordinance that says everything has to be contained, there would be no paper or plastic bags allowed.

The City Manager said they'll take another look at that.

COUNCILMAN LEDESMA said sidewalks in the Forest Park area from Woodruff to the north there are a lot of seniors out there and the sidewalks are all uneven. He said they are the old sidewalks and those people cannot afford the 50/50

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program. He said he would like to see if we could use NIP funds to redo these sidewalks. He said he thinks most of the sidewalks and streets that need to be done are on the east side and this is a big concern of his.

COUNCILMAN LEDESMA said there is a detention pond on Mulberry and Harwood between the townhomes and the single-family homes that is overgrown with weeds and he would like a one-time clean up of the pond. He said he is going to talk to the residents and tell them they need to organize an association so they can take care of the pond in the future.

COUNCILMAN LEDESMA said the police are doing a fantastic job but he doesn't want to see any more taverns in his area. He said over the weekend there were a lot of hit and run accidents on Collins and Jackson Streets and they knocked over a lot of control boxes. He said there have been some shootings and they were caught. He said they need to talk to the States Attorney and tell them they need to be stricter on them. He said there is a new gang over there also and we need to stay on top of that.

COUNCILMAN LEDESMA also said there were some loud music complaints in the Ingalls and Moran area and that needs to be enforced. He said he would like to see more undercover cars in the areas where the crime is.

COUNCILMAN LEDESMA said Parks School is going to be vacant in a year and Lincoln School is empty now. He asked if staff could have the buildings torn down and have the areas to build new homes. He said there is a vacant lot at the corner of Youngs and Columbia and would like to see the city purchase it and build homes there or put in a neighborhood park.

COUNCILMAN LEDESMA asked if the fire department could recruit more minorities and be able to go out of the city limits to recruit like the police department. He said he would like to see more Latinos on the fire department.

COUNCILMAN GIARRANTE said the reason you have to be a resident of Joliet to apply for the fire department and not the police department is that the police chief went to the Fire and Police Board and said he was having trouble getting resident, qualified applicants and he asked to open it up to go outside the city limits. He said the fire chief at that time, Larry Walsh, said he wasn't because they had plenty of resident, qualified applicants. He said this last test they had 380 fire applicants. He said they are getting a lot of qualified applicants. He said personally he doesn't think a person that lives and pays taxes in the city should have to compete with somebody that does not live here and pay taxes here. He said if were having problems with getting qualified people fine, but we are not. He said if you open it up outside of the City of Joliet you will go from 380 to about 600 or 700 applicants and it costs money. He said they do go out to different areas and talk to minorities and try to get them to apply.

COUNCILMAN LEDESMA said maybe it is political or a minority thing. He said 10 or 15 white applicants get hired and a minority gets passed over because maybe he was late on his credit card or a psychological thing.

COUNCILMAN GIARRANTE said nobody here would know why they didn't make it because that is kept confidential. He said he thinks COUNCILMAN LEDESMA is questioning the integrity of the Fire and Police Board and he doesn't agree with that. He said yes, they are a little more particular because we do get a lot of applicants, but he said he thinks they are all looked at individually and if they are

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not hired there is a reason and if they are not hired they have the option of getting an attorney and challenging the Board. He said it has been done in the past and one time there was a settlement.

MAYOR SCHULTZ asked if there was a test coming up.

The Human Resource Director said we are taking applications until August 11th and they have until August 19th or 20th to turn them in.

MAYOR SCHULTZ asked how would the average citizen know if that test is being conducted.

The Human Resource Director said we've advertised extensively in the newspaper and radio. He said additionally the himself, COUNCILMAN LEDESMA, the Fire Chief, a couple of minority firemen got together for two informational meetings for candidates earlier this month and they had a great turnout and they did see a lot of minority applicants apply.

MAYOR SCHULTZ so then it is not a lack of publicity and they have been given the opportunity to apply.

COUNCILWOMAN QUILLMAN stated she thinks we are limiting are options by not going outside of the city limits.

MAYOR SCHULTZ asked how much it costs an applicant.

The Human Resource Director stated it costs the applicant \$40.00 for an application and they waive that for anyone who can't afford it.

COUNCILMAN SHETINA stated he wants to make sure that the finance committee and the rest of the council get more involved with the budgeting process and that we have some discretionary dollars for emergencies that may come up and have some leeway with it.

He said also he wants to make sure that all of these agencies that apply to the city that we look at what's duplicating in terms of services. He said we don't need to create any more agencies that are duplicating services that are already here.

COUNCILMAN SHETINA also said he is looking for ideas to get residents to know that they are citizens of the City of Joliet. He said we are having a hard time getting people to come to council meetings and he is looking for reasons to get them here.

COUNCILMAN UREMOVIC said some of the funding that we have for tourism could be funneled in this area to do a little bit more to educate these people. He said we do have reserve funds in place that are semi-restrictive and we can only restrict those funds at any time. He said he thinks reserve funds is a better term than discretionary funds.

COUNCILMAN BROPHY suggested putting the City of Joliet's name at the entrances of the new subdivisions or on businesses and maybe in a park on their gazebos you could put this park provided by City of Joliet, Illinois.

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COUNCILWOMAN QUILLMAN said looking back over her notes, we are a home rule. She said you said the home rule can be overturned by the general assembly at any time, so is there any other city job that does not hire from outside of the city limits besides the fire department.

The Corporation Counsel said we have a residency requirement that requires them to move into the city when they are hired. He said the fire department is the only pre-employment residency requirement.

COUNCILWOMAN QUILLMAN said is that because we are home rule that that is allowed.

The Corporation Counsel said basically that's correct.

COUNCILWOMAN QUILLMAN said so if someone outside the city limits really wanted a job they could sue us and might be able to win because the general assembly could overturn that.

The Corporation Counsel said the general assembly could always pass a law that superceded our ability to do residency.

COUNCILMAN GIARRANTE said she thinks they can turn it over, they can pass laws that are exempt from home rule. He asked if they could take home rule away from us.

The Corporation Counsel said they will always call us home rule, that's in the Constitution of the State of Illinois, but the Constitution says that with a 3/5 vote the state can supercede home rule powers. He said the home rule powers basically have to do with local government issues i.e. police, fire, public works, tax, debt, regulations. He said but with a 3/5 vote any of those local ordinances which require home rule could be superceded by a state statute. He said for example on the issue of residency it wasn't that long ago when a police or fire fighter union could not arbitrate the question of residency, home rule or otherwise they couldn't do it. He said that was a municipal prerogative. He said Springfield wrote a law that said every community, home rule or otherwise, would have to arbitrate residency if a police and fire union wanted to take that issue up. He said the state could decide the question for us. He said a court, the general assembly could do it.

COUNCILWOMAN QUILLMAN said say I live in Chicago and I want to apply for the fire department and they said no you don't live here. She said could I file suit.

The Corporation Counsel said yes.

ADJOURNMENT

COUNCILMAN BROPHY moved that the Council adjourn.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape