

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 31st day of July, A.D. 2006***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, July 31, 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 COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, DISTRICT 4 COUNCILMAN ALEX LEDESMA 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 #872-06 dealing with a Vacation of Two Adjoining 10' Public Utility Easements on Property Located South of Route 6 to be known as Weston Way Subdivision.

Mr. Matthew Klabisch was present on behalf of the petition.

The City Manager then explained Council Memo #873-06 dealing with the Final Plat of NHP Alzheimer's Center Subdivision.

Mr. Patrick McGonigle was present on behalf of the petition.

The City Manager then explained Council Memo #875-06 dealing with a Variation of Use to Allow the Continuation of a Four-Unit Structure at 302-304 Herkimer Street.

Mr. Robert Brown was present on behalf of the petition.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #914-06 dealing with the Transfer of a Class "C" Liquor License at 83 W. Jefferson Street.

MAYOR SCHULTZ said the applicant has to resolve the problem of people hanging around the front of the liquor store, especially before opening hours.

Mr. Campus said he initially had some problems with Ranch Liquors when he took over that business. He said the applicant said they have cleaned up that problem and there are no problems at that store, and they intend to do the same thing here.

COUNCILMAN GIARRANTE said what happens if he doesn't and there are still people hanging around.

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The Corporation Counsel said there is an ordinance establishing a loitering-free zone 200 feet away from a package liquor store. He said the police could intervene and a compliance ticket could be issued.

COUNCILMAN GIARRANTE said we need to start enforcing that.

Mr. Campus said they could also get a trespass agreement with the Police Department.

MAYOR SCHULTZ said he has no problem if they resolve the loitering problem.

It was requested that this item be voted on today.

1. Transfer of a Class "C" Liquor License at 83 W. Jefferson Street  
(Council Memo #914-06)

A communication from the Liquor Commissioner regarding the application of Bashir & Sons Inc. d/b/a Basha Liquor for the transfer of a Class "C" Liquor License at 83 W. Jefferson Street contained his recommendation that the transfer of this license is in the best interest of the City, and therefore, approval is recommended.

COUNCILMAN GIARRANTE moved that the recommendation of the Liquor Commissioner be concurred in.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

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

He explained Council Memo #870-06 dealing with the Preliminary and Recording Plats of Rock Run Business Park Unit 4E Subdivision.

COUNCILMAN BROPHY arrived at the meeting at this point.

The City Manager explained Council Memo #876-06 dealing with a Special Use Permit to Allow an Audio Equipment Installation Service at 901 W. Jefferson Street.

Mr. Jorge Arias, the petitioner and owner, was present to respond to questions.

COUNCILMAN UREMOVIC stated he has a problem with this. He said he's not sure this is something we want to get into. He said we hear all these complaints about noise and traffic with these radios blasting and the equipment that they have. He said two things you have here is the memo says when they test the equipment the door will remain closed, and if you do that right now with this 98 degree weather everybody would be boiling. He said at 7:30 p.m. they can test this equipment and the volume levels from the testing of any equipment will be kept at a level that does not disturb adjacent properties, but he doesn't know how

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you interpret that and it leaves it wide open; it doesn't have any limits. He said he's not sure this is the business we want there.

COUNCILMAN BROPHY said if he's pulling cars in the garage we have to worry about the carbon monoxide.

The Director of Community and Economic Development said the Fire Department does an annual inspection and the Fire Chief said they inspect all commercial businesses for fire safety codes.

COUNCILMAN BROPHY said if the Fire Department is on a schedule it could be several months before this one comes up and it could be operating unsafely. He said he'd rather the inspection occur on a new use prior to approval.

COUNCILMAN GIARRANTE said it used to be a heating and cooling business so they have parked trucks in there before.

COUNCILWOMAN QUILLMAN asked what the hours of operation are.

The City Manager stated they are 9:30 a.m. to 7:30 p.m. Monday through Friday and 9:30 a.m. to 6:00 p.m. on Saturday. He said they will be closed on Sunday.

The Director of Community and Economic Development said in talking to the Planning Department, the petitioner said the primary focus of their business is on automatic starters and car alarms, not really a lot of stereos, but they will be doing some.

COUNCILMAN UREMOVIC asked why that wasn't included in the addendum.

The Director of Community and Economic Development said they don't require a special use for car alarms.

COUNCILMAN SHETINA said one of the conditions of the permit is that should the property become a public nuisance, it shall be subject to rehearing and a possible revocation of the Special Use Permit. He asked what would constitute a nuisance where you could actually revoke a permit.

The Corporation Counsel said legally a nuisance is some activity that's unreasonable and prevents a neighboring property owner from using his or her property in a legal way. He said it could be an ongoing situation like noise, and it could be intermittent or steady. He said in this particular case we don't know what circumstances would develop that would constitute property maintenance; it could be drainage or cars running all night long.

The City Manager said if we get complaints we go out and warn them, and if we get a third complaint they have to come in for a hearing. He said it goes before the Deputy City Manager and if he finds that the people can correct the problem then they would be allowed to stay open, and if they can't correct it, then they would pull their license.

COUNCILWOMAN QUILLMAN said she has a problem with the hours of operation since this is a residential area. She said she thinks 7:30 p.m. in a residential neighborhood is kind of late.

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The City Manager said they probably need time for people to pick up their vehicles and drop them off after work, but that is a good question. He asked Mr. Arias if he could close at 6:00 p.m. or 6:30 p.m. because of the close proximity to the residents.

Mr. Arias said his business has been here about 5 years. He said now they are trying to offer a new product, stereos and alarm systems. He said their business hours are 9:30 a.m. to 7:30 p.m., but a 6:00 p.m. closing time would be fine.

The City Manager said an addendum would be prepared for tomorrow setting the closing time at 6:00 p.m. for the audio portion of this business.

The City Manager explained Council Memo #915-06 dealing with an application for a Drive-In Permit for Starbucks located on Lot 1 of Menard's Subdivision, and Council Memo #916-06 dealing with an application for a Drive-In Permit for Wal-Mart Pharmacy at Theodore Street and Route 59.

COUNCILMAN TURK arrived at the meeting at this point.

The City Manager said there was no need for a closed session.

COUNCILMAN BROPHY moved that the meeting adjourn.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape