

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, August 18, 2008 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, DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA, COUNCILMAN AT LARGE MICHAEL F. TURK and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 5 COUNCILMAN WARREN C. DORRIS.

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

The City Manager 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 #981-08 dealing with Proposing the Establishment of the 2008 Joliet Special Service Area No. 13 (Mound Road). He said that Hamilton Partners, who owns the 152 acre parcel of land located at the southeast quadrant of the I-80 and I-55 interchange, has proposed to rebuild and extend Mound Road between the USF Holland facility and I-55 and has requested that the City establish a SSA to pay for the western portion of the improvements. He said the proposed special service tax will be paid only by Hamilton Partners and its future tenants and lot purchasers.

COUNCILMAN BROPHY said it appears that this will be in the southwestern most corner of the City of Joliet and he asked if it's worth reserving a small piece just for monumental purposes for a "Welcome to Joliet" sign or something like that. He asked if that can be done down there especially with the I-55 frontage.

Mr. John Wauterlek of Hamilton Partners said they'd be glad to accommodate that.

COUNCILMAN SHETINA said with respect to moving the sewer and water lines across the Forest Preserve District property, what is the purpose of that.

The City Manager said we need to extend the lines to get to the Hamilton Partners property. He said obviously we are not going to expect recapture or any contribution from the Forest Preserve District for their property, and Hamilton Partners will be paying for that portion of the improvements, but for the road improvements there will be an opportunity to recapture some of those expenses from either the tenants or the buyers that Hamilton Partners has for its property on the corner.

The City Manager then explained Council Memo #978-08 dealing with a Special Use Permit to Allow the Construction of a 100' Tall Cellular Telecommunications Stealth Tower Adjacent to the Northwest Corner of Cemeno's Pizza Located at 1630 Essington Road.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

It was requested that this item be voted on today.

1. AN ORDINANCE Approving a Special Use Permit To Allow the Construction of a 100' Tall Cellular Telecommunications Stealth Tower Adjacent to the Northwest Corner of Cemeno's Pizza Located at 1630 Essington Road as recommended by the Zoning Board of Appeals and subject to the following conditions was presented and read: 1) That the ground-level equipment area be screened by a six-foot tall board-on-board fence; and 2) That the petitioner shall post a bond in the amount of \$35,000.00 to be used for dismantling the tower in the event of future abandonment prior to the issuance of the building permit for the proposed installation. (#2008-46/Dist. #1)
(Council Memo #978-08)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

ABSTAIN: MAYOR SCHULTZ.

(ORDINANCE NO. 16302)

The City Manager then explained Council Memo #985-08 dealing with a Commitment Agreement with the Canadian National Railway (CN) who has petitioned the Surface Transportation Board for permission to purchase the EJ&E Railway (the "J") and has raised concerns regarding the projected traffic increases expected on the "J" line under CN operation. He said the City has negotiated an agreement which will help mitigate the impacts from train traffic on both "J" rail lines and he summarized the commitments CN is prepared to make to address those issues.

Mr. Eric Jakubowski, representing the Canadian National Railway, was present to respond to questions.

COUNCILMAN GIARRANTE commended the staff and said this is a great package.

The City Manager said Jim Haller is our railroad expert on the staff and he has put a lot of time into it and we also thank Eric and his team for being very cooperative. He said he knows this is probably a long way from being approved on a formal basis but we wanted to make sure that the citizens of Joliet were protected and Canadian National has been very cooperative in helping us with that.

It was requested that this item be voted on today.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

2. A RESOLUTION Approving and Authorizing the Execution of a Memorandum of Agreement with the Canadian National Railway was presented and read.
(Council Memo #985-08)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6161)

The City Manager then explained Council Memo #976-08 dealing with the Annexation of 1450 S. Brandon Road. He said the developer, DeBe Land Development, is requesting that this item be tabled until the September 16, 2008 Council meeting to have additional time to review environmental issues and address neighborhood concerns.

Attorney Mike Martin, representing the developer, stated he wanted to alert everyone that they are very, very close to the EPA issuing their permit to operate the site as a CCDD Fill Operation. He said Brandon Road Properties, which are the owners of "D" Construction, have now purchased the quarry and he believes within the next week or two they will be asking the City to go forward with the hearing. He said there were a lot of neighbors in the area who came forward and they were concerned about their wells and water table and those issues. He said the EPA held a hearing at Mt. Zion Baptist Church about 2 or 3 weeks ago and at this point what we've done is address all of the environmental issues with the EPA and once the permit is issued we will be ready to go forward. He said he wanted to let the Council know that ahead of time, and we've done what we can with the EPA to address the concerns of the neighbors.

COUNCILMAN SHETINA said he went to a Plan Commission meeting several months ago and the neighbors were there. He asked if they responded to the neighbors concerns at that point in time.

Mr. Martin said they had a meeting with the people in the neighborhood and then subsequently the EPA held their public hearing down there about 3 weeks ago. He said they've required us to establish a 200 ft. buffer zone that's solid fill material between our site and any of the other neighboring properties to protect the wells. He said the bottom level of their quarry is 65 ft. deep and the shallowest well is 95 ft. deep. He said Midwest Generation across the street is 175 ft. deep and Vulcan was 175 ft. deep. He said they have agreed to establish the well protection program that Vulcan previously had, put up the bond that Vulcan had and have agreed to do the other things that would impact the City like not getting mud on the streets, establishing procedures to clean the tires on the trucks and those sorts of things.

COUNCILMAN SHETINA asked what about some type of clay fill or some kind of a buffer in between the ground and the infiltration of water into the system.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

Mr. Martin said there has to be a 200 ft. wide buffer that the EPA is establishing and before we get our permit we have to submit that to their satisfaction or we will not get the permit issued.

COUNCILMAN SHETINA asked what kind of fill you would put in it.

Mr. Martin said it's just asphalt, road fill. He said this is "D" Construction's own personal site. He said they are regulated and there is concrete allowed and asphalt but there is no rebar allowed and every load has to be checked.

COUNCILMAN SHETINA said as the truck comes in they have to test it.

Mr. Martin said yes and that's all under the EPA and under the permits.

COUNCILMAN SHETINA said the main thing he is concerned about is the water table being protected from what's put in, and the water in the current site.

Mr. Martin said it's still dropping, it drops about a foot and a half a month. He said if they do nothing, in the next year and a half it will be all the way down to the 65 ft. level.

The City Manager then explained Council Memo #1041-08 dealing with an Application for a Drive-Thru Permit for a proposed Fifth Third Bank on Lot 7 in the Millennium Square Subdivision on Route 30.

It was requested that this item be voted on today.

3. Application for Drive-Thru Permit – Fifth Third Bank –
Millennium Square Subdivision
(Council Memo #1041-08)

COUNCILMAN UREMOVIC moved that the Mayor and Council approve the application for the construction of a drive-thru facility for the Fifth Third Bank on Lot 7 in the Millennium Square Subdivision, subject to the review and approval of the Public Service Committee at their meeting tomorrow.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

The City Manager then explained Council Memo #977-08 dealing with an Amended Development Agreement with Mid Central Enterprises for the Redevelopment of the Auditorium Building at 150 N. Chicago Street. He said in 2007 the City entered into a TIF agreement in connection with the \$4 million renovation of the Auditorium Building into a 17 unit residential condominium building which called for construction to be completed in two phases. He said the developer, Mike Petry, is requesting an additional year to complete each phase.

COUNCILMAN SHETINA asked Mr. Petry if he has been getting any interest.

Mr. Petry said they did get some interest during the Car Show and things kind of waned over the last month. He said they get a call about once every two weeks.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

COUNCILMAN GIARRANTE said he went through one of the condos and it's very nice up there but you need to get the elevators put in.

Mr. Petry said he is supposed to be signing the contract on that within the next week.

COUNCILWOMAN QUILLMAN asked if they had a contract on the corner condo.

Mr. Petry said no, he is going to be keeping that one. He said they have made it into an 18 unit building and were able to split one of the large two-bedrooms into two one-bedrooms. He said he knows there's been some discussion about a security system for the parking deck and he thinks everyone is aware that included in the TIF agreement is 35 parking spaces for the condo buyers. He said he is in the process of putting in a bridge in from the deck to the building and there has been some discussion about some environmentally appropriate security around the base of the deck so people can't hop the wall. He said he knows that would be really helpful with the project.

The City Manager said we are working on security issues and hope to bring a proposal back to the Council for security in the decks.

It was requested that this item be voted on today.

4. AN ORDINANCE Approving an Amended Development Agreement with Mid Central Enterprises, Inc. for the Redevelopment of the Auditorium Building at 150 N. Chicago Street was presented and read.
(Council Memo #977-08)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16303)

COUNCILMAN DORRIS arrived at the meeting at this point.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #1039-08 dealing with the Issuance of a Class "I" Liquor License at 500 Wilcox Street.

It was requested that this liquor license be voted on today.

5. Issuance of a Class "I" Liquor License at 500 Wilcox Street (University of St. Francis)
(Council Memo #1039-08)

A communication from the Liquor Commissioner regarding the application of the University of St. Francis for the issuance of a Class "I" Liquor License at 500 Wilcox Street contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILMAN DORRIS.

Deputy Liquor Commissioner Dan Campus then explained Council Memo #1040-08 dealing with the Issuance of a Class "I" Liquor License at 205 N. Chicago Street.

It was requested that this liquor license be voted on today.

6. Issuance of a Class "I" Liquor License at 205 N. Chicago Street
(Council Memo #1040-08)

A communication from the Liquor Commissioner regarding the application of Derek Brenczewski d/b/a The Department for the issuance of a Class "I" Liquor License at 205 N. Chicago Street contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: COUNCILMAN DORRIS.

Police Lieutenant Dennis Goron then drove a T3 Series personal mobility vehicle into the Council chambers.

COUNCILMAN GIARRANTE stated at the Public Safety Committee meeting just prior to this meeting, Lt. Goron demonstrated this electric-powered, three-wheel vehicle. He said it would cost about \$45,000 to purchase four of these vehicles which will be taken out of the Drug Asset Forfeiture money; they will not cost the City anything.

Lt. Goron stated they have had these vehicles for approximately 6 weeks and have tried them at the Race Fan Rally and at the NASCAR events. He said it is an emissions free vehicle which recharges in about four hours by plugging it into a wall. He said they are asking to purchase four of these for use at special events and within the City Center and the Jackhammer games. He said several advantages include the height advantage of approximately 9 feet which enables the officer to see over the top of a car and over a crowd. He said another advantage is their ability to respond to a location very quickly and not be physically exhausted by having to run and things like that. He said they are very

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

maneuverable and it is truly the next generation of a law enforcement tool and they feel it would be a distinct advantage to have these in the fleet and to expand their use, possibly to parking deck security and parking enforcement.

COUNCILMAN SHETINA commented they would work well in high schools with all of the long hallways.

Lt. Goron said absolutely, and inside the malls. He said they are very effective.

COUNCILMAN SHETINA asked who does the maintenance on them.

Lt. Goron said it's very simple. He said the company guarantees that if the electric motor goes out they will overnight a motor to us. He said it is belt driven and you can purchase a new belt at any auto parts store.

COUNCILMAN GIARRANTE said one of the most important things is it's at no cost to the taxpayers; they can be purchased from monies we've received from drug arrests.

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

The City Manager explained Council Memo #986-08 dealing with Renewing the Line of Credit in the amount of \$2,000,000 for the City's Local Homestead Program with First Community Bank.

It was requested that this item be voted on today.

7. A RESOLUTION Authorizing the Renewal of the Line of Credit with First Community Bank for the City of Joliet's Local Homestead Program was presented and read.
(Council Memo #986-08)

COUNCILMAN SHETINA moved that said Resolution be adopted.

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

AYES: COUNCILMAN UREMOVIC, COUNCILWOMAN BARBER,
COUNCILMAN DORRIS, COUNCILWOMAN QUILLMAN and
COUNCILMAN SHETINA.

NAYS: NONE..

ABSTAIN: MAYOR SCHULTZ and COUNCILMEN BROPHY, GIARRANTE and
TURK.

(RESOLUTION NO. 6162)

The City Manager explained Council Memo #988-08 dealing with an Agreement with IDOT for the Route 59 (Caton Farm Road – North of Route 52) Roadway Reconstruction and Traffic Signal Installation Project.

COUNCILMAN SHETINA said both Shorewood and Joliet venues are included in this and he asked if Shorewood is doing the same thing we are doing.

The City Manager said yes. He said we'll have some streetlight issues with them because the City of Joliet is on one side of Rt. 59 and Shorewood is on the other.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of August, A.D. 2008***

The Director of Public Works said the lights are not included in this agreement; we will be doing an addendum to this contract with the State and we'll have to change order the lights at a later date, probably later in the fall. He said right now an estimate might be around \$900,000 for the City of Joliet's share and we think we have around \$550,000 from developers for those lights, but that is not a part of this contract.

COUNCILMAN GIARRANTE asked when are they supposed to start this.

The Director of Public Works said he was told by the State that they are going to plan on adding an additional lane this fall for the temporary pavement on the west side of Rt. 59 and doing utility relocates. He said next spring they will start the project, by around Thanksgiving of 2009 the majority of the roadwork will be done and in 2010 they will actually finish the job.

8. Citizens to be Heard

a. Willie Sellers re: Black Contractors of Will County

Mr. Sellers did not attend the meeting.

The City Manager advised there was a need to go into closed session to discuss personnel, land acquisition and pending litigation.

COUNCILMAN GIARRANTE moved that the Council recess to closed session to discuss personnel, land acquisition and pending litigation at 4:20 p.m. after which the meeting will be adjourned.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape