

***Proceedings of the Council of the City of Joliet, Illinois
held on the 19th day of August, A.D. 2008***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Tuesday, August 19, 2008 at 6:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

An Invocation was delivered by Pastor Larry Tyler, Second Baptist Church, 156 S. Joliet Street, Joliet, Illinois.

Pastor Tyler then led the pledge to the flag.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, DISTRICT 5 COUNCILMAN WARREN C. DORRIS, 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: NONE.

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

APPROVAL OF MINUTES

COUNCILMAN GIARRANTE moved that the minutes of the Special Meeting of the Council of the City of Joliet, Illinois held on Tuesday, July 29, 2008 at 6:00 p.m. and of the Regular Meeting held on Tuesday, August 5, 2008 at 6:30 p.m. stand approved as recorded.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. City-County Advisory

COUNCILMAN SHETINA stated he gave his report at the last Council meeting and that the County will determine the date and time of the next meeting.

B. Communication, Technology and Information Systems

COUNCILMAN BROPHY said the Committee will meet Monday at 3:00 p.m. prior to the Land Use Committee meeting.

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C. Finance

COUNCILMAN UREMOVIC stated the Finance Committee conducted their regular monthly meeting yesterday and reviewed and approved the minutes of the regular meeting of July 14th. He said the Committee also approved a funding request of \$4,000.00 for the Joliet Federation of Musicians in order to provide live entertainment for senior citizens and other residents of Joliet.

COUNCILMAN GIARRANTE moved that the funding request from the Joliet Federation of Musicians/American Federation of Musicians Local #37 in the amount of \$4,000.00 from the General Corporate Contingency Fund be approved.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC said the Committee also reviewed and approved a funding request in the amount of \$2,500.00 for the 6th Annual Community Fest by Saint Mark Christian Methodist Episcopal Church. He said this approval was contingent upon the receipt of their 2007 Festival Income and Expense report which has been received and reviewed by the Director of Finance.

COUNCILMAN DORRIS moved that the funding request from the Saint Mark C.M.E. Church in the amount of \$2,500.00 from the General Corporate Contingency Fund be approved.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN UREMOVIC stated the Committee also reviewed additional information on the Certificate of Deposit Account Registry Service (CDARS) and said there will be additional information at their next meeting and possibly a recommendation to the full Council.

COUNCILMAN UREMOVIC said there was also a review of the Neighborhood Improvement Program for the month of July, a review of the Cash Flow, Personnel Summary, July Conference, Travel and Seminar Expense Report and the Treasurer's Disbursements and Regular Claims.

D. Land Use

COUNCILMAN SHETINA stated the Land Use Committee will be meeting on Monday.

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E. Legislative

COUNCILMAN SHETINA stated the Legislative Committee met on August 14th. He said the Committee reviewed the City Ordinances and determined that a number of sections are obsolete. He said the Corporation Counsel will make a proposal to determine where and how to begin the update. He said the topic will be discussed at the next Legislative meeting.

The Corporation Counsel said we discussed a clean-up of our Code of Ordinances which is around 40 years old and also improving its website appearance. He said we have a choice to either use our codification company that currently publishes our code or to do some of that work in-house. He said he is going to work with the City Clerk and bring a recommendation back to the Committee.

COUNCILMAN BROPHY said he had suggested the possibility of instituting an internship program because of the scope and the size of everything to review and he asked if it's possible for that kind of work.

The Corporation Counsel said we have a Legal Clerk now in a summer internship program and maybe as part of the budget he could make a proposal to the City Manager that would combine the code issue with the internship issue.

COUNCILMAN SHETINA said they were also looking for kind of a direction of what the Legislative Committee ought to be doing. He said over the years it's been lax in terms of meeting because everything kind of overlapped other committees so there wasn't really anything to talk about. He said apparently we ought to be looking at the State laws as they affect the City of Joliet, obviously the State trumps us and whatever we do they have control over us. He said anything that the State comes up with we probably should take a good look at. He said it was also suggested that whatever anybody wants to bring to the Legislative Committee we would take that on and work on it.

COUNCILMAN SHETINA said they had a discussion regarding the increase in Compliance Ticket Fees and he asked COUNCILWOMAN QUILLMAN to explain.

COUNCILWOMAN QUILLMAN stated it was brought to her attention when we put the dog ordinance in place that compliance tickets are only \$75.00 and that has been in place since 1993. She said she asked the Corporation Counsel and the Police Chief to do a survey of surrounding communities and we are on the low side. She said an increase from \$75.00 to \$150.00 was discussed. She said there's going to be further discussion on whether there should be a tiered system as well because \$150.00 seems less of an amount for a landlord that is violating property codes because that's nothing to them. She said that will be up for further discussion with the Committee and it will come back to the Council for final review.

COUNCILMAN GIARRANTE asked if the \$150.00 applies to trucks that illegally use City streets or is that something totally different.

The Corporation Counsel said we had two discussions along those lines at the Legislative Committee. He said one was truck route enforcement and the other was the general size of a fine under the compliance ticket system. He said the compliance ticket system is not used for vehicle code enforcement, it's used for

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misdemeanors and general City code issues so it would not apply to truck routes. He said the Vehicle Code probably provides a more robust fine for many of the violations that are cited by the Police Department.

COUNCILMAN GIARRANTE asked if he knew what the fine was. He asked if a truck illegally uses Millsdale Road or Laraway Road do we know what the fine is going to be.

The Corporation Counsel said under our Code a fine for violating the Vehicle Code goes up to \$750.00. He said that's the maximum fine that a judge can impose. He said he doesn't know what their current standard fine would be for that but he could let him know. He said they had a recommendation from the Committee to increase the general compliance ticket amount to \$150.00 and the premise was that in the early 1990's when we adopted the compliance ticket system, the prevailing standard fine in court for these offenses tended to be about \$75.00. He said that is no longer the case; the prevailing fine is much closer to the \$150.00 amount. He said his office along with the Police Chief's office will put together an ordinance probably for the next Council meeting. He said he understands COUNCILWOMAN QUILLMAN would like to identify a couple of offenses where perhaps a compliance ticket could be a higher amount so the ordinance will include that as well.

COUNCILMAN SHETINA said they also talked about the recent increase in truck traffic through the City of Joliet and the downtown area and were talking about some more compliance and he asked the Police Chief what his thoughts are on what we're going to do.

The Police Chief stated they discussed the need for the Police Department to be a little more involved in truck enforcement issues as the City continues to grow. He said the fine for a truck being on a non-designated truck route is basically a \$75.00 citation but really it is up to the judge to actually set the final court costs and fees. He said if a truck is operating on a route that is not designated as a truck route there is an overweight issue and under the overweight enforcement section of the Illinois Vehicle Code, the punishment for violation of that is much more punitive. He said the fines can be pretty hefty for that. He said they discussed the need for our traffic unit to have officers specifically assigned for truck enforcement. He said there are currently 10 officers assigned to this unit. He said their primary focus in the traffic unit is speeding in residential areas and the secondary duties have been some truck enforcement. He said we don't really get enough time committed to that and we are going to change that.

COUNCILMAN SHETINA asked if we have sufficient scales to do that.

The Police Chief said yes, we actually have eight scales. He said he recently was out with the Traffic Unit at the Route 59 bridge going into Plainfield over the DuPage River which has a 4 ton limit on it. He said it's as simple as them catching a violator coming through that area where it is well signed and they have plenty of warning. He said they are able to pull a violator over in the shopping center at Caton Farm and Rt. 59 and it takes about 5 minutes to set up the portable scales and we are able to cite the violator right then and there. He said they have written over 30 violations just for that particular bridge in the City.

COUNCILMAN SHETINA asked if that is going to be upgraded so heavier traffic is allowed over the bridge.

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The Police Chief said yes, there is a construction project going on right now that will change that but for right now IDOT has limited the overweights on that particular bridge because of its safety.

COUNCILMAN UREMOVIC thanked Chief Hayes for the work and research done on this. He said they've been talking about this for some time and he knows it takes a lot to put this all together and the task force is up and running now and he really appreciates it.

F. Public Safety

COUNCILMAN GIARRANTE stated the Committee met Monday afternoon and discussed purchasing thermal imagers for the Fire Department that helps find victims in smoke filled rooms and extrication equipment which is budgeted. He said they also discussed the three new hires going to the Elgin Fire Academy.

COUNCILMAN GIARRANTE said they also discussed newly annexed property out west. He said there are 10 homes and numerous barns and silos. He said there is no water out there and the Fire Department is currently in the process of making sure they have enough manpower and water because there are no fire hydrants out there.

COUNCILMAN GIARRANTE stated the Fire Chief is going to meet with the Fire Chief from Elwood to discuss firefighting and the Elwood CenterPoint.

COUNCILMAN GIARRANTE said they also discussed the need for more sirens. He said there is an area in Heritage Lakes Subdivision which is on the north end of Joliet where they cannot hear the sirens. He said they are going to put one at Fire Station #10 and they have recommended installing one at the Aux Sable Sewer Treatment Plant and replacing the one at Inwood Golf Course because the trees are blocking the signal. He said they will come back with a cost at a later meeting.

COUNCILMAN GIARRANTE said regarding the T3 vehicle that the Police Department wants to purchase that was demonstrated at the Pre-Council meeting yesterday, he was mistaken and money that is budgeted for vehicles will be used for the purchase, not drug asset forfeiture money.

COUNCILMAN GIARRANTE said the Police Department is looking to install monitoring cameras in part of the Watch Commander's area and turning part of it into a control room. He said the total cost for that is about \$111,000.00 and that is going to come out of drug asset forfeiture monies. He said they also want to purchase a small camera that they can throw through a window of a home that operates remotely and they can direct it around inside the home if they have a hostage situation to see exactly what's going on. He said the total for that is \$11,600.00 and that will come out of drug asset forfeiture money also.

G. Public Service

COUNCILMAN TURK said the Public Service Committee met this morning and reviewed the contracts, change orders, pay estimates and final payments and found them all to be in order and recommended their approval. He said they also reviewed the drive-in permit for the Fifth Third Bank and found that to be in order. He said that was voted on and approved yesterday pending this morning's review.

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H. Water Park

COUNCILMAN GIARRANTE said he believes this was the last weekend the Water Park was open. He said he can either get the figures of how they did from Director Dominic Egizio or they can have a meeting, whatever the Committee would like. He said supposedly they had a good year between the season passes and the attendance.

COUNCILMAN SHETINA stated one of his constituents asked why they are not staying open on the weekends during this nice period. He said he knows it takes a lot of lifeguards.

COUNCILMAN GIARRANTE said a lot of their lifeguards are college kids and they go away to college. He said they also found over the past few years with the weather being a little shaky that attendance was low.

There were no other Committee reports.

CONSENT AGENDA

A. Treasurer's Report – June, 2008

A communication from the City Manager contained his recommendation that the report be received and placed on file.

B. Position Vacancy
(Council Memo #971-08)

A communication from the City Manager contained his recommendation that he be authorized to fill one Maintenance Foreman II position and any subsequent vacancies directly related to this position.

C. 2008 Neighborhood Improvement Program Modification No. 11 –
Modification to the 2008 District 2 Neighborhood Improvement
Program
(Council Memo #972-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the modification to the 2008 District 2 Neighborhood Improvement Program by adding the Terry Drive at Black Road Decorative Pillar Project (\$40,000.00).

COUNCILMAN BROPHY moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

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PUBLIC HEARINGS

A. Public Hearing re: Annexation of 1450 S. Brandon Road

1. Resolution re: Approving an Annexation Agreement for 1450 S. Brandon Road (#A-20-07/Dist. #5)
(Council Memo #976-08)
2. Ordinance re: Approving the Annexation of 1450 S. Brandon Road (#A-20-07/Dist. #5)
(Council Memo #976-08)
3. Ordinance re: Approving the Classification of 1450 S. Brandon Road to I-1 Zoning (#A-20-07/Dist. #5)
(Council Memo #976-08)

A communication from the City Manager contained a request by the petitioner that these items be tabled to the City Council meeting to be held on September 16, 2008 to allow additional time to review environmental issues and to address concerns of the surrounding neighbors.

COUNCILWOMAN QUILLMAN moved that said items be tabled to the September 16, 2008 City Council meeting.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

APPROVAL OF REGULAR CURRENT BILLS

A. Treasurer's Disbursements – July, 2008 - \$22,972,924.68

A communication from the City Manager contained his recommendation that the report be received and placed on file.

B. Regular Claims – July, 2008 - \$3,401,027.75

A communication from the City Manager contained his recommendation that the report be received and placed on file.

COUNCILWOMAN BARBER moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE. (COUNCILWOMAN QUILLMAN abstained from voting on any items dealing with Silver Cross Hospital)

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COUNCILWOMAN QUILLMAN stated she had some issues with CenterPoint as far as the homeowners go and that they haven't gotten back to them with their offers or counteroffers. She said she spoke with the City Manager this evening along with CenterPoint's attorney for the homeowners, Mike Hansen. She said he is here this evening and she asked Mr. Hansen to respond to those complaints.

Mr. Hansen stated when they were here on July 29th and the Council approved the project, he informed the Council that CenterPoint, through his office, would be sending out letters to all of the property owners within the next week informing them we would be extending our offers to purchase their property as well as any counteroffers until August 29th. He said those letters were sent out within the next week and two weeks have gone by since that date. He said during that time a lot of other things have happened and we couldn't get together with the CenterPoint people to see what the program was going to be. He said he had an extensive telephone conversation today with the CenterPoint people and they reviewed all the various properties and various situations and what was going to be happening. He said they will be sending out letters this Friday to all of the property owners responding to their counteroffers. He said during the interim time period, many people have called his office and he believes he has returned or taken all of those phone calls himself or his assistant in charge of this. He said they are trying to be responsible to all of those people knowing this is a very important thing. He said the key message he would like to relay today is they want to be very consistent with all of the property owners during this time period, and try to still be open and committed. He said they will be informing the Council at the end of the week what their procedure is going to be and how they intend to handle all of these offers. He said it is a little later than they would have liked to have done this, although they are still in their 5 week time period, albeit a little later than they had anticipated.

COUNCILWOMAN QUILLMAN said she just wanted to give him a heads up that she is true to her word and she did say that she would hold their feet to the fire and follow up on this, and since it had been 3 weeks and she had received several phone calls where people had made counteroffers and they had heard nothing for almost a month, she thought as a good gesture she would let him know where she stands with this.

Mr. Hansen said they are aware of that and they appreciate the phone call today and they intend to keep their word. He said this is still a top priority on CenterPoint's obligation with the City and they intend to keep that.

COUNCILMAN GIARRANTE said yesterday at the Public Safety Committee meeting he brought to Chief Hayes' attention that he got a couple of phone calls that people are out there stripping aluminum siding off of buildings and trailers and one home was broken into and the people haven't left yet. He said the Police Chief was going to increase the patrols and he asked Mr. Hansen if he could get a list to the Police Chief of the houses they have purchased that are vacant.

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Mr. Hansen said he would be happy to do that, there has only been one house that has been closed on and he doesn't know if they have actually vacated the house or not because they gave them seven days to vacate the premises. He said he knows that is a problem that CenterPoint has experienced out there and they have been working with Will County and they should certainly be working with Chief Hayes right now. He said it is a tough issue to take care of and he will get back with the Chief.

COUNCILMAN SHETINA said we have spent a lot of time working with CenterPoint and their urgency was considered during that period and we put our imprimatur on their particular project and we feel strongly about that. He said at the same time we hope that you bring to their attention that it is very urgent and important to us that they keep their word with respect to the homeowners. He said COUNCILWOMAN QUILLMAN has already made that comment and he is making it also.

Mr. Hansen said he appreciates that and he knows where he's coming from and understands totally.

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. Ordinance re: Approving an Amended Development Agreement with Mid Central Enterprises, Inc. for the Redevelopment of the Auditorium Building at 150 North Chicago Street
(Council Memo #977-08)
2. Ordinance re: 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 (#2008-46/Dist. #1)
(Council Memo #978-08)

The City Clerk noted that these items were approved at the Pre-Council meeting yesterday.

3. AN ORDINANCE Approving a Special Use Permit to Allow the Co-Location of a Wireless Facility on the Existing ComEd Transmission Tower Located at 1999 Black Road as recommended by the Zoning Board of Appeals was presented and read. (#2008-47/Dist. #2)
(Council Memo #979-08)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16304)

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4. AN ORDINANCE Declaring the following properties as Public Nuisances and authorizing application to the Circuit Court for demolition, injunction or other relief was presented and read: 1317 Ada Street, 809 Ewing Street, 29 Osgood Street and 14 York Avenue.
(Council Memo #980-08)

COUNCILWOMAN BARBER moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16305)

5. AN ORDINANCE Proposing the Establishment of the 2008 Joliet Special Service Area No. 13 – (Mound Road) was presented and read.
(Council Memo #981-08)

COUNCILMAN DORRIS moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN BROPHY.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16306)

B. RESOLUTIONS

1. Resolution re: Authorizing a Commitment Agreement with the Canadian National Railway
(Council Memo #985-08)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

COUNCILMAN SHETINA asked the City Manager to explain this agreement.

The City Manager stated a Commitment Agreement with the Canadian National Railway Corporation (CN) was presented to the Mayor and Council yesterday. He said the Commitment Agreement has built into it several safety precautions and noise control measures that staff has negotiated with CN. He said if CN's petition with the Surface Transportation Board is approved, then this Commitment Agreement becomes effective and CN will be required to develop quiet zones at all of its at-grade crossings throughout the City of Joliet. He said there are six at-grade crossings that will be affected by the acquisition of the "J". He said there are also two other crossings that CN will acquire as part of this acquisition of the EJ&E property and that line is called the "river line" and it runs in the Plainfield Township portion of the City of Joliet and crosses Caton Farm

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Road and Theodore Street. He said we are in the process of doing some improvements at Theodore Street right now and CN will be reimbursing us for some of those improvements and also helping us with the improvements for the Caton Farm Road crossing.

The City Manager said one of the main features that is built into the agreement is a commitment by CN to spend \$5 million on developing a "run through" line that will allow the trains to go through the rail yard that CN will be acquiring so the trains will not have to slow down and be able to go through at a 35 mph to 45 mph clip and thereby not tie up the at-grade crossings as much as it might had they not made those improvements. He said he knows this is a little different direction than a lot of other communities are taking, but we have done quite a bit of research with the Surface Transportation Board history of reviewing these petitions and it appears that they approve almost all of the petitions, so we tried to take a business-like approach with CN representatives and we believe what's been negotiated with them is in the best interest of the citizens of Joliet, builds in the most safety protections and also provides a lot of assistance for our emergency response teams from the Police Department and Fire Department. He said it will have a lot of new technology that will help us identify where the trains are located and when they're coming through town so if we do have an emergency call the folks that are working in the communications center will be able to route either the fire response team or the police officers around the at-grade crossings that may be affected.

The City Manager said Joliet was the beneficiary of some foresight when Senator Richard Barr was able to obtain funding to have most of the tracks in downtown Joliet and across key streets in Joliet elevated, and because of that we're reaping the benefits of that where this will not have the impact on the City of Joliet that it will on other communities. He said we are pleased that the Canadian National folks have been receptive to our negotiations and we believe this Commitment Agreement will go a long way to protect the City.

COUNCILMAN SHETINA said Community and Economic Development Director Jim Haller's railroad background has been very helpful and he thanked him for his insight.

The City Manager stated staff does a great job all of the time but Jim did an exceptional job this time. He said Jim also negotiated the donation of several pieces of surplus railroad equipment that will be donated to Splash Station which will help with their amenities and create a little better atmosphere there.

MAYOR SCHULTZ asked how many more trains are going to go on Washington Street and Woodruff Road.

The City Manager said currently there are roughly 18 trains and we're probably looking at a range of 35-45 per day. He said we're looking at about a tripling of the train traffic on Woodruff Road and Washington Street. He said those are the two main at-grade crossings that will be affected by this transaction if it is approved so we are looking at a substantial impact. He said those two at-grade crossings were identified in the EIS (Environmental Impact Study) that was issued by the Surface Transportation Board a few weeks ago. He said we understand that there will be some challenges with this but we think the protections that have been built in the agreement will help us deal with it.

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2. Resolution re: Authorizing the Renewal of the Line of Credit for the City of Joliet's Local Homestead Program
(Council Memo #986-08)

The City Clerk noted that this item was approved at the Pre-Council meeting yesterday.

3. A RESOLUTION Conveying City Owned Property Located at 926 Magnolia Avenue to Neighboring Property Owners was presented and read.
(Council Memo #987-08)

COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6163)

4. A RESOLUTION Approving an Agreement with the Illinois Department of Transportation for the Route 59 (Caton Farm Road – North of Route 52) Roadway Reconstruction and Traffic Signal Installation was presented and read.
(Council Memo #988-08)
(RESOLUTION NO. 6164)

5. A RESOLUTION Appropriating Funds in the amount of \$542,800.00 for the Route 59 (Caton Farm Road – North of Route 52) Roadway Reconstruction and Traffic Signal Installation Project was presented and read. (Section No. 08-00412-00-TL)
(Council Memo #988-08)
(RESOLUTION NO. 6165)

COUNCILMAN DORRIS moved that said Resolutions be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

6. A RESOLUTION Appropriating Motor Fuel Tax Funds in the amount of \$9,759.53 for the Caton Farm Road and I-55 West Frontage Road Roadway Improvements Project was presented and read. (Section No. 07-00381-01-WR)
(Council Memo #989-08)
(RESOLUTION NO. 6166)

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7. A RESOLUTION Appropriating Motor Fuel Tax Funds in the amount of \$12,596.00 for the Black Road and Timberline Drive Roadway Widening and Traffic Signal Improvements Project was presented and read. (Section No. 06-00401-00-TL)

(Council Memo #990-08)

(RESOLUTION NO. 6167)

COUNCILMAN GIARRANTE moved that said Resolutions be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

8. AN ORDINANCE Approving an Intergovernmental Agreement with the Joliet Housing Authority for Watermain Oversizing in the Liberty Meadows PUD was presented and read.

(Council Memo #991-08)

COUNCILWOMAN BARBER moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16307)

BIDS AND CONTRACTS

A. Award of Contracts

1. Authorization to Purchase Office Equipment – Police Department

(Council Memo #995-08)

A report on four quotes received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Martin Whalen Office Solutions in the amount of \$8,613.36.

2. Authorization to Purchase One Bullard T3 Max Thermal Imager for the Fire Department

(Council Memo #996-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Environmental Safety Group in the amount of \$11,798.00.

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3. Authorization to Purchase Extrication Tool for New Engine #7
(Council Memo #997-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Equipment Management Company in the amount of \$20,410.00.

4. Authorization to Award a Professional Services Contract for the Washington Street Metra Parking Lot Project
(Council Memo #999-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to STS Consultants in an amount not to exceed \$28,202.00.

5. Award of Contract for the Purchase of Replacement Parts for the Poly Blend Polymer Feed System at the Eastside Treatment Plant
(Council Memo #1000-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Siemens Water Technologies/Stranco in the amount of \$17,236.85.

6. Award of Contract for the Emergency Repairs to the No. 2 Caterpillar Raw Influent Pump Motor at the Eastside Treatment Plant
(Council Memo #1001-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Patten Industries in the amount of \$5,192.41.

7. Award of Contract for the Westminster Road Sanitary Sewer Replacement and Storm Sewer Extension Project - 2008
(Council Memo #1002-08)

A report on thirteen bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to J.S. Alberico Construction in the amount of \$170,922.00.

8. Award of Contract for the Inspection Services on the Parkwood Drive One Million Gallon Elevated Tank Project
(Council Memo #1003-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Tank Industry Consultants in the amount of \$45,475.00.

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COUNCILWOMAN QUILLMAN moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

B. Change Orders and Payments:

1. Approve Change Order No. 12 and Payment Request No. 15 and Final for Fire Station No. 10
(Council Memo #1008-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 12, a deduction in the amount of \$7,639.10, and Payment Request No. 15 and Final in the amount of \$8,401.00 on behalf of R.L. Sohol.

COUNCILWOMAN QUILLMAN said that this memo is a change order but it's for a credit of \$7,639.10. She said change orders are not always increasing the contract; sometimes they are giving us a credit.

2. Authorization to Pay Tuition for Firefighter II Academy
(Council Memo #1009-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$8,475.00 to the Elgin Fire Department for three firefighters to attend the Elgin Fire Department Firefighter II Academy.

3. Authorization for Payment of Emergency Repairs to HVAC Unit at Fire Station No. 8
(Council Memo #1010-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$5,150.00 to Johansen and Anderson.

4. Authorization for Payment of Emergency Repairs to the Air Conditioner Unit in the South Half of the Police Building
(Council Memo #1011-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the payment of \$14,642.35 on behalf of Johnson Controls.

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5. Approve Change Order No. 3 and Final Payment to Gabriel Construction for the New Housing Construction Project at Second and Mississippi Avenues
(Council Memo #1012-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$3,986.51 and Final Payment in the amount of \$35,236.46 on behalf of Paul Gabriel Construction.

6. Approve Payment No. 1 and Final for Emergency Repairs of Well 24D
(Council Memo #1014-08)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the purchase of a 400-HP Centrilift Well motor from Water Well Solutions for \$81,854.00; 2) Approve the emergency repair to Well 24D in the amount of \$40,448.00; and 3) Approve Payment No. 1 and Final in the amount of \$122,302.00 on behalf of Water Well Solutions.

7. Approve Payment No. 28 for the System-Wide SCADA System Construction Project
(Council Memo #1015-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 28 in the amount of \$69,953.37 on behalf of Wunderlich-Malec Services.

8. Approve Payment for Emergency Repairs of Bicentennial Park Decorative Entrance Pillar
(Council Memo #1016-08)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the increase to Purchase Order No. 96585 by \$7,699.50; and 2) Approve payment to Wellner Construction in the amount of \$8,689.50.

9. Approve Change Order No. 3 for the 2008 Plant Mix Contract
(Council Memo #1017-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$253,161.70 on behalf of P.T. Ferro Construction Company.

10. Approve Progress Payment No. 7 for the Arbeiter Road Public Works Facility and the Gael Drive Maintenance Facility
(Council Memo #1018-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Progress Payment No. 7 in the amount of \$409,049.10 on behalf of Tri-State Enterprises, Inc.

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11. Approve Payment Request No. 8 for the Construction Management Services for the Arbeiter Road Public Works Facility and Gael Drive Fire Maintenance Facility
(Council Memo #1019-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Request No. 8 in the amount of \$7,400.00 on behalf of Jacob & Hefner Associates.

12. Approve Payment for Emergency Sanitary Sewer Repairs (Joliet Street and Shelby Street)
(Council Memo #1020-08)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Approve the increase to Purchase Order No. 94516 by \$9,841.52; and 2) Approve payment to Austin Tyler Construction in the amount of \$10,840.52.

13. Approve Change Order No. 2 and Payment Request No. 5 for the Caton Farm Road and I-55 West Frontage Road Roadway Improvements Project
(Council Memo #1021-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$9,759.53 and Payment Request No. 5 in the amount of \$68,632.16 on behalf of P.T. Ferro Construction Company.

14. Approve Payment Request No. 2 and Final for the Caton Farm Road and I-55 West Frontage Road Temporary Traffic Signal Improvements Project
(Council Memo #1022-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Request No. 2 and Final in the amount of \$2,584.25 on behalf of Hawk Enterprises, Inc.

15. Approve Change Order No. 1 and Payment Request No. 2 for the Black Road and Timberline Drive Roadway Widening and Traffic Signal Improvements Project
(Council Memo #1023-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$12,596.00 and Payment Request No. 2 in the amount of \$135,710.10 on behalf of P.T. Ferro Construction Company.

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16. Approve Change Order No. 3 and Payment Estimate No. 2 for the Herkimer Street Storm Sewer Separation Project - 2008
(Council Memo #1025-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$10,838.00 and Payment Estimate No. 2 in the amount of \$126,516.44 on behalf of Austin Tyler Construction.

17. Approve Change Order No. 3 and Payment Estimate No. 5 for the 9D and Ottawa Street Well Rehabilitation Project
(Council Memo #1026-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$66,200.00 and Payment Estimate No. 5 in the amount of \$13,527.00 on behalf of Water Well Solutions.

18. Approve Change Order No. 3 and Pay Estimate No. 4 for the Belmont/Elizabeth/Irving Roadway Improvements Project – 2008 Neighborhood Improvement Program
(Council Memo #1027-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$10,363.43 and Pay Estimate No. 4 in the amount of \$22,728.68 on behalf of P.T. Ferro Construction Company.

19. Approve Change Order No. 1 and Pay Estimate No. 1 for the Douglas/Wilcox Roadway Improvement Project – 2008 Neighborhood Improvement Program
(Council Memo #1028-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1, a deduction in the amount of \$95.00 and Pay Estimate No. 1 in the amount of \$191,199.14 on behalf of P.T. Ferro Construction Company.

20. Approve Change Order No. 1 and Payment Request No. 2 for the 1529 N. May Street Rear Yard Drainage Improvements Project – 2008 Neighborhood Improvement Program
(Council Memo #1029-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$3,603.05 and Payment Estimate No. 2 in the amount of \$4,213.25 on behalf of Construction by Camco.

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21. Approve Payment Estimate No. 3 and Final for the Sanctuary Subdivision Driveway Improvements Project – 2007 Neighborhood Improvement Program
(Council Memo #1030-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Estimate No. 3 and Final in the amount of \$965.09 on behalf of J & J Newell Concrete Contractors.

22. Approve Change Order No. 2 and Payment Estimate No. 2 and Final for the Hartman Field Sidewalk Improvement Project – 2007 Neighborhood Improvement Program
(Council Memo #1031-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$1,701.00 and Payment Estimate No. 2 and Final in the amount of \$8,021.65 on behalf of J & J Newell Concrete Contractors.

23. Approve Change Order No. 4 and Payment Estimate No. 4 and Final for the Chicago Street/Ruby Street Sidewalk Project
(Council Memo #1032-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4, a deduction in the amount of \$70.68 and Payment Estimate No. 4 and Final in the amount of \$3,548.09 on behalf of Ed Henry Concrete Construction.

24. Approve Payment to Commonwealth Edison Company for Electric Service for the Gael Drive Fire Maintenance Facility
(Council Memo #1033-08)

A communication from the City Manager contained his recommendation that the Mayor and Council take the following actions: 1) Authorize the Administration to enter into an Electric Facilities Services Agreement with Commonwealth Edison to provide three-phase electric service; and 2) Approve the payment of \$5,952.87 to Commonwealth Edison Company.

25. Approve Progress Payment No. 52 for the Radium Compliance and Water Supply Improvement Engineering Services Agreement
(Council Memo #1034-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Progress Payment No. 52 in the amount of \$58,488.81 on behalf of Strand Associates.

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26. Approve Change Order No. 4 and Payment No. 11 and Final for the Enterprise GIS Project Phase 1
(Council Memo #1035-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4, a deduction in the amount of \$4,311.75 and Payment No. 11 and Final in the amount of \$15,629.90 on behalf of PlanGraphics, Inc.

COUNCILMAN DORRIS moved that the recommendations of the City Manager be concurred in.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

LICENSES AND PERMIT APPLICATIONS:

- A. Issuance of a Class "F" Liquor License at 500 Wilcox Street
(Council Memo #1039-08)
- B. Issuance of a Class "I" Liquor License at 5 W. Cass Street
(Council Memo #1040-08)
- C. Application for Drive-Thru Permit – Fifth Third Bank – Millennium Square Subdivision
(Council Memo #1041-08)

These items were approved at the Pre-Council meeting yesterday.

MAYOR:

- A. Proclamation re: Proclaiming the Month of September 2008 as "National Alcohol and Drug Addiction Recovery Month"

COUNCILMAN TURK read a Proclamation issued by MAYOR SCHULTZ proclaiming September 2008 as "National Alcohol and Drug Addiction Recovery Month" and calling upon the people of Joliet to observe this month and support this year's theme "Join the Voices for Recovery: Real People, Real Recovery". He invited everyone to attend the Fourth Annual Will County Rally Round Recovery celebration at the Billie Limacher Bicentennial Park on September 6, 2008 from 10 a.m. to 3 p.m.

Mr. Don Malec accepted the Proclamation on behalf of the Southwest Coalition and members of the recovery community. He said it would be wonderful if every community throughout the State of Illinois would do what the City of Joliet is doing by acknowledging such a worthy cause.

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B. Presentation by Guardian Angel Community Services

Guardian Angel CEO Sheila Schmitz expressed her appreciation for the donation the City of Joliet made to enable them to renovate their ramp at Guardian Angel and said it is now fully accessible. She said they could not have done this without the generous donation from the City and she presented the Mayor and Council with a Certificate of Appreciation and a plaque dedicating the ramp to the City.

INTRODUCTION OF NEW DEPUTY FIRE CHIEF

Fire Chief Joe Formhals introduced new Deputy Fire Chief Ray Randich. He said he has been with the department for 23 years and has worked his way up through the ranks. He said he has been a great asset to the department and they are honored to have an individual with the character and experience of Chief Randich to step up and fill the job responsibilities of Deputy Fire Chief.

Deputy Chief Randich said it is a great honor to have been selected to this position. He thanked all the members of his department that represent this City. He also thanked the Mayor and City Council along with the City Manager and the Director of Management and Budget for their support.

MAYOR AND COUNCIL COMMENTS:

COUNCILWOMAN QUILLMAN stated that starting yesterday every Pre-Council meeting and every Council meeting will be televised on Channel 6, the local TV station. She said she wanted the people at home to know they are now able to watch the meeting at 3:30 p.m. on Mondays prior to the regular Council meetings.

COUNCILMAN DORRIS moved that Mr. Willie Sellers be allowed to address the Mayor and Council at this time.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

Ms. Burneva McCullom of 1203 Brentwood Place, secretary for the Black Contractors of Will County, spoke on behalf of Willie Sellers. She said they are here today to start a new process in dealing with the economic status of the African American community. She said it is time for change and they do recognize the recent commitment that the City of Joliet helped document with CenterPoint on their current project, however this is still just a promise on paper and they are awaiting finalization and the start of their people working on this project. She said they are here requesting that a process be put in place that ensures their involvement in every future contracting decision that is made by our City.

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COUNCILMAN DORRIS said along with the City Manager and attorney Mike Hansen they have worked with CenterPoint to make sure we had a minority piece in this new development and that is in there. He said last night at church they had a meeting with CenterPoint and they committed that they would follow what they said they would do. He said CenterPoint made a commitment here on July 29th and he asked Ms. McCullom if they are meeting that commitment.

Ms. McCullom said they are and they have met with CenterPoint. She said they are looking for the same type of commitment from the Council for future jobs that become open.

COUNCILMAN DORRIS said there are also a lot of Hispanic contractors out there plus all of the other contractors and he asked the City Manager if they could have a meeting to explain how the bidding process works. He said years ago we passed a set-aside for every contract over \$100,000.00 in the City of Joliet and he asked if he could have that Ordinance available so we can start that dialogue. He said CenterPoint has done everything they have committed to so far. He said he thinks in the next week or so once a contract is let, Willie Sellers and Sellers Trucking will be the company that is going to be organizing for all of the truckers. He said if everything goes the way it was promised last night he thinks it is the beginning of a new era but it is only the beginning and we need to continue the dialogue. He said CenterPoint has done exactly what they said they were going to do and he hopes they follow-up on the residential piece. He said as far as this piece they have stepped up to the table and really done a good job.

Mr. Sellers thanked the Mayor and City Council for their support.

The City Manager said the Silver Cross issue has dominated the conversation in the community for quite some time and there was a decision that was issued yesterday by the Illinois Health Facilities Planning Board that was actually a follow-up order to the order that it issued in July approving the replacement hospital to be located in New Lenox. He said the original order omitted two key conditions that were imposed by the Planning Board at its July 1st meeting. He said that omission was brought to the Planning Board's attention and they reissued the order yesterday and it included those two conditions which were: 1) Making sure there is a health care facility at the current Silver Cross campus after they make their move to the replacement hospital; and 2) Making transportation available to patients that don't have access to their own transportation to get to the new replacement hospital. He said Silver Cross has confirmed in writing that it will abide by those conditions but it was an omission on the part of the Planning Board. He said the reissuance of the order will trigger a new 35 day appeal period which has now started to run as of yesterday. He said we will continue having a dialogue with the representatives of Silver Cross and will bring back information to the Mayor and City Council with the anticipation that a decision will be made in the near future about whether an appeal will be filed.

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ADJOURNMENT

COUNCILMAN DORRIS moved that the Council adjourn at 7:31 p.m.

Motion seconded by COUNCILMAN GIARRANTE.

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