

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, September 14, 2009 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 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.

The City Manager asked for 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 #808-09 dealing with a request by Matheson Tri-Gas Inc. for the Annexation of 6.5 Acres at 200 Alessio Drive located about ¼ mile southwest of the intersection of Richards Street and Manhattan Road (Route 52).

Representatives of Matheson Tri-Gas Inc. were present on behalf of the petition.

The City Manager then explained Council Memo #812-09 dealing with a Special Use Permit to Allow a Tattoo Studio at 915 W. Jefferson Street. He said staff had previously recommend approval based on two assumptions: 1) There would not be the addition of another tattoo studio because the existing tattoo studio on Ruby Street would be transferred to Jefferson Street; and 2) The relocated business would have been subject to several conditions that would have minimized the impact of the relocated business to the surrounding area. He said two key conditions of approval dealt with hours of operation and signage, and the petitioner has since indicated that he is no longer agreeable to those two conditions.

The City Manager said with the petitioner's reconsideration of his position on the hours of operation and sign restrictions as well as the possibility that the special use permit for a tattoo studio at 650 Ruby Street would remain active, the staff is changing its recommendation and now recommends denial of the petition.

COUNCILWOMAN QUILLMAN asked the petitioner why he is no longer agreeable to the conditions that he agreed to at the August 17th meeting.

Mr. Mark Tomac of 1105 Richmond Street said the main reason is that he doesn't see any difference between this business and the other surrounding businesses; they all have neon signs and are open past 10 p.m. so he thinks he should be granted the same rights they have.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

COUNCILWOMAN QUILLMAN asked about the hours of operation.

Mr. Tomac said that is to allow enough time so if he's in the middle of working on someone and 10 p.m. rolls around, he can finish what he is doing and there won't be any trouble just because he is there after hours. He said in the location he's been in the past five years he doesn't think they've ever been there much past midnight so he is just trying to allow extra time in case they were there past 10 p.m.

COUNCILMAN UREMOVIC said Issue 1 in the Council Memo states "There is no comprehensive plan or development plan for the Jefferson Street corridor." He said one recommendation he is going to make is that we put together a meeting either through the Land Use Committee or just have an independent meeting of stakeholders along Jefferson Street including CAPA, St. Pat's, the Chamber of Commerce and the Herald News because they've always asked what our plan is for redeveloping Jefferson Street. He said as he previously stated, he is not against tattoos but that is not the issue, the issue is whether this really fits on Jefferson Street and in his eyes clearly it doesn't. He said he knows Mr. Tomac will still do well on Ruby Street or wherever he locates. He said at this time he moves to go ahead with staff's recommendation and deny this petition.

COUNCILMAN DORRIS seconded the motion.

COUNCILMAN TURK said this is on the agenda for tomorrow evening and he would rather vote on it tomorrow.

COUNCILMAN UREMOVIC asked if we can vote on it today.

The Corporation Counsel said the Council does have the prerogative to vote on this today.

COUNCILWOMAN QUILLMAN said she had one more comment about what COUNCILMAN UREMOVIC said. She said back in the spring before Don Fisher retired she knows that he had been meeting with the Chamber members and a lot of the business owners along Jefferson Street because they were trying to get some kind of comprehensive plan together and then after Don left that kind of all went by the wayside. She said she did ask the City Manager about it but she doesn't think he was too much aware of it at the time.

The City Manager said actually he did attend one of the meetings at which a general discussion was held on various issues dealing with property maintenance, signage and things that businesses are interested in, but those meetings didn't really focus on the development of a commercial corridor plan. He said he has asked Community and Economic Development Director Jim Haller and his team to look into it and he has started that process. He said he doesn't think any of those meetings came close to developing any kind of plan.

COUNCILWOMAN QUILLMAN said but we were getting the ideas of some of the business owners that have a stake on Jefferson Street because she did talk to a couple of them along there and they were kind of frustrated that it never went any further because they have an invested interest in that as well.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager said he doesn't think there has been a meeting since last summer and that was more of a property maintenance and signage issue. He said we'll follow up on it and see if we can resurrect the group and he'll start that process again.

COUNCILMAN BROPHY asked about the Near West Side Comprehensive Plan. He said he thinks that plan went as far as Raynor and Jefferson so there is a little bit there that might have had some treatment.

The City Manager said it stops at Prairie Avenue which is one block east of this particular location at 915 W. Jefferson. He said we need to do the same for this area; we've got stretches along Jefferson Street that need attention. He said we have a lot of good things on Jefferson such as the Wal-Mart and Menard's project, two Walgreen's and the Bill Jacob Chevrolet renovations, but we've got several pockets that are in stress right now because of the economy and the types of businesses that have located there. He said rather than having a lot by lot squabble as we now have, we would rather have a plan in place that would help us with these types of requests that come in.

The City Manager said he does have a recommendation that we look at some regulations on tattoo studios and that is in the Council Memo. He said he's assuming the Council would like the staff to continue with that and take that before the Plan Commission and bring that back. He said we'll certainly vet it with the Land Use Committee before we move any further with it.

COUNCILWOMAN QUILLMAN asked about the proposed regulations,

The City Manager said there are several other communities that have imposed regulations and some focus on the health and safety aspect of operating a tattoo studio and others deal with the geography or placing spatial limitations such as being a certain distance from schools, parks and churches. He said we'll look at all of those and provide a sample to the Land Use Committee and get their input before we bring it back to the Council.

COUNCILWOMAN QUILLMAN asked if they are subject to inspection by the Illinois Department of Health.

The City Manager said he believes there is a new statute that went into effect just recently and he thinks there might be a state licensing requirement as of January 1st. He said we will look into that and find out what the requirements are.

COUNCILWOMAN QUILLMAN said the reason she asks, and she's not accusing these business owners at all, is that she knows that there are other tattoo places that re-sterilize their needles to try and save costs and it's not done properly and that's why she was wondering if there were any state regulations.

The City Manager said we'll find out and let the Land Use Committee know as more of a comprehensive treatment of this issue.

COUNCILMAN GIARRANTE said in Exhibit A, there's a condition stating that the Special Use Permit for the existing tattoo establishment at 650 Ruby Street would be repealed and he asked if this has been agreed upon.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager said that has not; that was the recommendation. He said when we started this process a few months ago it was our understanding that this was going to be a relocation of an existing tattoo studio so it would be basically a one for one move. He said we've since learned though that the owner of the property at 650 Ruby Street may have a strong interest in keeping the Special Use Permit alive at Ruby Street which will then result in a net gain of one additional tattoo studio. He said he's not sure if that's what the staff understood this process to result in and that's why with that change we thought it would be appropriate to bring it back to the Council and highlight that.

COUNCILMAN TURK asked if anybody has talked to the owner at 650 Ruby Street to make sure that is a fact.

The City Manager said he has not talked to him personally, but he has been informed that he is interested in maintaining that.

Mr. Eric Tezak said he is the current landlord at 650 Ruby Street and has served Mr. Tomac with an eviction notice for failure to pay rent.

COUNCILMAN TURK asked if he still plans on operating a tattoo shop at that location.

Mr. Tezak said he would like to.

COUNCILMAN TURK asked the Corporation Counsel if he has to come before the Council for that.

The Corporation Counsel said he did review the original variation that was granted by the Zoning Board twenty or so years ago to this property and it was a standard form that was used at the time and did not include automatic repealer language. He said it is his opinion that it would not be automatically repealed with the approval of this Ordinance, it would run with the land and continue to be in place on Ruby Street no matter what the Council did on Jefferson Street, so it would require the owner's consent or finding some condition in the original approval ordinance which had been violated by the operator.

MAYOR SCHULTZ asked if we are ready to vote on this.

COUNCILMAN TURK said he would rather vote tomorrow. He said his only concern is for everybody to have their say. He asked if the petitioner has seen Exhibit A because apparently he wasn't aware of the hours.

The City Manager said he met with Mr. Tomac and his father last week and went through quite a few things, including the landlord/tenant dispute which doesn't involve the City as it is a private matter. He said from his perspective our intent when we started this process was a one for one trade to just basically relocate an existing business. He said we learned at one of the Pre-Council meetings a few weeks ago that there might be an opportunity for a second tattoo studio to continue in the area and that was probably a little bit more than what we had expected, and that's why we brought forth the recommendation we did today.

COUNCILMAN SHETINA said the recommendation today does not preclude the operation of a tattoo studio on Ruby Street.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager said it does stay on the property; the repeal of the Special Use Permit for Ruby Street would have to be brought to the Council for a vote.

COUNCILMAN SHETINA said what we're doing now does not repeal it.

The City Manager said it does not; no matter how the Council votes today it will not result in the repeal of the 650 Ruby Street Special Use Permit.

COUNCILMAN GIARRANTE asked if we have done any searching to find an alternative place to put this.

Mr. Tomac said he looked into licensing for another tattoo studio and he was told that within the City of Joliet there were only two licenses for tattoo studios and there were no more business licenses available. He said he held one and another business on Route 30 held one. He said one of the reasons why he's moving from the establishment where he's at is he hasn't had hot water there for over five months. He said he would appreciate it if this gets voted on today so he can move on with his life.

1. Ordinance re: Approving a Special Use Permit to Allow a Tattoo Studio Located at 915 W. Jefferson Street (#2009-34/Dist. #2)
(Council Memo #812-09)

A communication from the City Manager contained the recommendation of the Administration that the Mayor and Council deny the petition, and no recommendation by the Zoning Board of Appeals due to a tie vote at their public hearing.

COUNCILMAN UREMOVIC moved that the recommendation of the Administration be concurred in and that the petition be denied.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: COUNCILWOMAN BARBER, COUNCILMEN SHETINA and TURK.

ABSTAIN: COUNCILMAN BROPHY

Prior to his vote, COUNCILMAN BROPHY stated on advice of the Corporation Counsel, he abstains.

Prior to his vote, COUNCILMAN GIARRANTE voted aye and suggested that Mr. Tomac look elsewhere.

Prior to her vote, COUNCILWOMAN QUILLMAN voted aye and said she hopes that Mr. Tomac can find another place to put his business.

Prior to his vote, COUNCILMAN SHETINA said he is going to vote no out of deference to COUNCILMAN TURK who wants to hold it off a day.

COUNCILMAN TURK said he would rather vote on this tomorrow evening.

COUNCILMAN DORRIS said the petitioner asked that we vote on it and that's why he wanted to vote on it.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

Mr. Tomac said he is fine with it, he wants to get it over and done with. He said he doesn't foresee it being any different tomorrow night than it is today.

COUNCILMAN TURK said we have been going back and forth on this for a long time. He said he has based his decision on some of the concessions made and on reading the Plan Commission minutes that said the property owner immediately behind the business didn't have a problem with it and a fence would be put up. He said he's always respected Rebecca Darley and the CAPA organization and their input, but for this one he is going to vote no.

Prior to his vote, MAYOR SCHULTZ said he hopes Mr. Tomac finds a new spot and he votes aye.

The City Manager then explained Council Memo #814-09 dealing with a Special Use Permit to Allow a Home Day Care Facility at 6606 Whalen Lane.

Ms. Colleen Beres, the applicant, was present on behalf of the petition.

It was requested that this item be voted on today.

2. AN ORDINANCE Approving a Special Use Permit to Allow the Operation of a Home Day Care Facility Located at 6606 Whalen Lane as recommended by the Zoning Board of Appeals subject to the following conditions was presented and read: 1) That the applicant obtain and maintain the necessary approvals from the Illinois Department of Children and Family Services; 2) That the maximum capacity of the facility not exceed 12 children (8 full-time and 4 part-time); 3) Only one employee may not reside on the property; 4) That the site be developed in accordance with the site plan; 5) That if the required conditions are not met, the matter shall be scheduled for an administrative review hearing with possible revocation of the Special Use Permit; and 6) Should the property be declared a public nuisance, the petition will be scheduled for review by the Zoning Board of Appeals with the possibility of the revocation of the Special Use Permit. (#2009-42/Dist. #1)
(Council Memo #814-09)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16526)

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

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager explained Council Memo #803-09 dealing with Position Vacancies in the Police Department due to the retirement of the incumbent and promotions that were made a few weeks ago. He said he is asking for authorization to fill 1 Lieutenant position and 3 Sergeant positions. He said there will be vacancies in entry level police officer positions and due to the hiring freeze those four positions would not be filled at this time unless we came back to the Council, and he doesn't see that happening in the foreseeable future.

COUNCILWOMAN QUILLMAN said she has some concerns and questions that she thinks need to be answered. She said we had so many police sergeants leave and we did promote some, and she asked if we have a figure on what the savings was on that.

The City Manager said there are 32 sworn positions that are currently not filled due to retirements.

COUNCILWOMAN QUILLMAN asked if we haven't filled some of those already.

The City Manager said no, we have done promotions and we have gone through a reorganization where some people were taken out of the special units and placed back in patrol. He said we are still at the same level of staffing for patrol division as we were a year ago so that part hasn't changed, but we have taken some people out of special units so we can cover the streets and the neighborhoods as we've been doing for many years prior to this.

COUNCILWOMAN QUILLMAN asked if some sergeants were promoted not too long ago.

The City Manager said yes and with the large number of people we had leave we are very thin at the command staff. He said we are still down three captains and one commander position is still vacant and he is not asking for authority to fill those yet, but through this reorganization plan we do have a need to have additional promotions for sergeants and a lieutenant so we have supervision on the streets during all three shifts.

COUNCILWOMAN QUILLMAN said the reason she asks all this is because there is a memo here from the Police and Fire Board dated 8/4/09 to extend the promotional list and there is another memo dated 8/17/09 to go ahead with more testing at a cost of \$140,000 to the taxpayers, so if we're not hiring and promoting from within, why do we need to have another test and also do we have a plan in place for the reorganization.

The City Manager said Police Chief Hayes and retired Deputy Chief Kerr put a lot of time into a reorganization plan about six months ago when the writing was on the wall and it was unlikely we'd be able to fill positions due to the financial challenges we were going to be facing. He said we started the early retirement incentive program and that's when the process speeded up so we made sure we had a reorganization plan. He asked Chief Hayes to explain that.

Police Chief Hayes said we have worked on a restructuring plan that took several months to put together and they have presented that plan to all members of the department. He said they met with the different bargaining units in the department and they seem to have consensus on the restructuring plan. He said it's focus is to ensure that we have proper essential services on the front lines of

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

the Police Department. He said as the City Manager explained, our operation for patrol function in the department is really the essential services that we provide to the community. He said our restructuring plan eliminated positions in all of these support units but did not eliminate any positions in our patrol operations. He said the position vacancies that we're requesting are front line supervisors out on the street and also a watch commander's position. He said these are mid-level management and front line supervisory positions.

COUNCILWOMAN QUILLMAN asked if this isn't something that should have come to the Public Safety Committee for review.

The City Manager said we distributed the plan and had a few conversations about it probably going back about 6 or 7 months ago.

COUNCILWOMAN QUILLMAN said that was a long time ago.

Police Chief Hayes said it has been some time but we did present the restructuring plan, not at a committee level, but we did distribute it for discussion.

COUNCILWOMAN QUILLMAN said her concern is everybody deserves their due with promotions, but we're looking at possible layoffs and budget crunches and she still hasn't gotten the whole picture of what we need to do to get to where we need to be to balance the budget for this year and to get on with next year's budget. She said she's missing something here, we're promoting people yet we're in negotiations and there is a lot on the table here. She said she just wants to see dollar amounts because if we're not going to be hiring anybody new and then we're going to be promoting and then we're going to spend another \$140,000 for new testing when the Police and Fire Board have already said the current list is all right, she's missing something.

COUNCILMAN UREMOVIC suggested that this be tabled to a Public Safety Committee meeting to at least get some numbers and more information and find out exactly what we're looking at here.

Police Chief Hayes said COUNCILMAN GIARRANTE has asked him for a report for the Public Safety Committee based on what cost saving measures the Police Department has undertaken. He said he is ready to present that report to the Public Safety Committee and he could have that report available for the Mayor and Council's review for tomorrow night's meeting.

COUNCILWOMAN QUILLMAN asked if we could have a Committee meeting.

COUNCILMAN GIARRANTE said absolutely, he thinks he had asked at the last meeting for that report. He said we can have another one for the Committee to review the plan, but we don't have time to have one tomorrow. He said also he would like to see the vacant positions in the officer's rank, what positions are vacant and the savings, and he assumes that's part of the report.

Police Chief Hayes said he can bring that to the Public Safety Committee and give a full presentation of that restructuring plan since we haven't had an opportunity to do that.

COUNCILMAN GIARRANTE said we'll get together and set up a meeting.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager said just so we're clear on Council Memos #817-09 and #818-09 dealing with the request for the extension of lists, there are two lists that we're asking to extend so we do not have to go through a testing process and these are for original appointment to the Police Department and original appointment to the Fire Department. He said the reason why we're asking to extend the two existing lists is that we're not hiring and we currently have enough people on those two lists where there is no need to start that testing process again. He said the testing process for original appointment to both departments is very expensive and could run into six figures for both so the recommendation is to extend the two lists. He said the Police Department list expires in November of 2009 and we're asking for that to be extended to November of 2010, and the Fire Department list expires February of 2010 and that would be extended to February of 2011.

The City Manager said on the promotions though we have a request to do new testing because we have lists expiring. He said he knows the Fire and Police Board made a recommendation to extend all of the promotional lists, but we are making a recommendation that those lists not be extended and that we start the testing process. He said in the Police Department we have gone through most of the list because of the numerous promotions we've had over the last 5 or 6 months. He said of the 32 officers who retired, 11 of them were in the supervisory ranks so there has been some upward movement there and those lists will need to be updated at some point so we are making a recommendation to move forward with that. He said for the Fire Department list there is a State statute that controls our ability to extend the list and the State statute would prohibit us from doing it unilaterally without negotiating the impact of that extension with the fire union, and it is our recommendation rather than negotiating that we would just do new lists for the Fire Department.

COUNCILMAN UREMOVIC asked if the Fire Department wants to go ahead with the extension.

The City Manager said the two fire unions are making a recommendation to do new testing for promotional positions but not new testing for original appointment. He said his recommendation is consistent with what he believes to be the union's requests.

COUNCILMAN GIARRANTE asked the Fire Chief for a list of vacancies in the Fire Department that have not been filled. He stated he believes there is a State statute that says that if an opening occurs, that the filling of that opening must come from the list in existence at the time. He asked the Corporation Counsel how long does that carry forth.

The Corporation Counsel said under our rules which were approved by the collective bargaining units, when a vacancy occurs the list in existence at the time of that vacancy controls who gets to take that position. He said if we were to leave the position unfilled for 5 years then a new list would control the promotions.

COUNCILMAN GIARRANTE asked if that would supersede the collective bargaining agreement.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The Corporation Counsel said yes, unless the collective bargaining agreement is specific on that subject which ours is not. He said right now we have a Police and Fire Board rule that says the list in existence at the time the vacancy occurs controls but it doesn't say for how long. He said under State law the person that is next on the list for that vacancy has five years before his or her eligibility would terminate and the new list would kick in.

COUNCILMAN BROPHY said so why retest prior to five years.

The Corporation Counsel said under both our agreement and State law the unions have to agree to waive the retesting and in the absence of that agreement, then the Promotions Act in the Fire Department takes over and the list remains in place for 3 years, so at some point the list will expire.

COUNCILMAN UREMOVIC said in regards to the entry level police and fire positions, if there are layoffs, would those people that got laid off be the first ones called back if entry level positions became available.

The City Manager said yes.

COUNCILMAN UREMOVIC said no matter if we extend the list or have new testing.

The City Manager said irrespective of what happens with the list, the contract provides that there would be recall of any police officer or firefighter who would be laid off so they're guaranteed the opportunity to return at a later date should we have the funding to fill those positions again. He said that has nothing to do with the list.

The City Manager said just so it's clear, for original appointment we are not asking for new testing, we have plenty of applicants on both lists and again his recommendation is going to be that we not fill vacancies for a while so that will save us money by not having to do new testing for new hires. He said for promotions though, his recommendation is that we do it for both police and fire because in the Police Department for example we have one list that is down to four people and there will be a need at some point for promotions. He said we may have some additional retirements after the first of the year where the existing list will be needed but we need a new one after that in the Police Department. He said in the Fire Department we have not been able to negotiate an extension of the existing list nor do we want to. He said the union has made it clear that they would like new testing. He said he thinks it's a reasonable request and that's why he's bringing that back to the Council.

COUNCILMAN SHETINA said with respect to the promotions, who determines who gets promoted.

The City Manager said the five members of the Fire and Police Board make the promotions in both the Police and Fire Departments. He said those are five appointees of the Mayor with the consent and advice of the City Council.

COUNCILMAN SHETINA said he would like to have a copy of a wire diagram from both departments as to who's in what position and who stands to be promoted, names and all. He said he would also like to have another copy of the Police Department reorganization structure.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager said we will provide that to the Mayor and Council. He said we'll also work to schedule a Public Safety Committee meeting in the next week or two to discuss these items.

3. Position Vacancies
(Council Memo #803-09)
4. Authorization to Proceed with Promotional Testing
(Council Memo #804-09)
5. Ordinance re: Authorizing the Extension of the Police Patrol Officers Eligibility List
(Council Memo #817-09)
6. Ordinance re: Authorization the Extension of the Firefighters Eligibility List
(Council Memo #818-09)

COUNCILWOMAN QUILLMAN moved that these four items be tabled to the October 6, 2009 City Council meeting.

Motion seconded by COUNCILMAN DORRIS.

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.

The City Manager explained Council Memo #815-09 dealing with Amending Chapter 31 of the Code of Ordinances in Regards to Water and Sewer Rates by increasing the volume charge for water and sewer usage by 35% on October 1, 2009 followed by 5% increases on October 1, 2010 and October 1, 2011.

The City Manager said two town hall meetings were held last week and this has been referred to the Finance Committee for review and they will be meeting immediately after the Pre-Council meeting today. He said one change has been made to what was previously recommended which deals with a senior citizen discount. He said he believes that there was consensus at the last City Council meeting to give a break to senior citizens who are on a fixed income. He said what we are proposing is basically to negate the 35% rate increase for a senior who has an average consumption of 500 cubic feet per month. He said we came up with that average consumption by reviewing the water and sewer services in 5,551 senior bills. He said we are recommending that we add a \$5.36 credit to the bill which will take that 35% increase and erase it from the bill for a senior citizen. He said the average senior bill still will go up about \$12 but that's because of the elimination of the gaming abatements that were approved in 1993 and 1994. He said the Council at that time had the benefit of having a surplus of gaming revenue available and the decision was made to assist the property owners in the City and grant those abatements as long as the gaming revenue was sufficient to sustain the abatements. He said now it's not and we're making a recommendation to eliminate those. He said for seniors who have average consumption, they won't feel the effect of the 35% rate increase.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

COUNCILWOMAN QUILLMAN asked how are the negotiations going with Waste Management for the garbage disposal.

The City Manager said we had a lengthy meeting with Mike Morley of Waste Management and it's unlikely that we will be able to extract \$1 million in savings as we were hoping to do. He said in order for us to do that it would result in a substantial decrease in service. He said he doesn't have the information in front of him but one particular component is leaf pick up and we have that in a few areas of town and that is about a \$100,000 cost that we have been incurring year after year and we think there might be some additional expenses in the form of overtime that we've spent in the past, so that would be one area where we could reduce some of our expenses. He said he could get that report for the Council but it was not the \$1 million savings that we were hoping for.

COUNCILWOMAN QUILLMAN asked what he thinks is a ballpark figure.

The City Manager said there could probably be a reduction of \$200,000 or \$300,000 and that's without a substantial decrease in services. He said we've got some issues that we're looking at as far as pulling back on services that are currently provided, for example the pickup of appliances. He said right now pretty much anything that's deposited at the curb is disposable through this City contract.

COUNCILWOMAN QUILLMAN asked if we can't change that part.

The City Manager said we can and that's a policy decision the City Council will have to make. He said we'll bring that back to the Council in a comprehensive form showing all of the items on the menu that will result in a cost savings, but the problem we have is that will mean a reduction in services for our residents.

COUNCILWOMAN QUILLMAN said but our regular garbage will be picked up and the City Manager said yes. She said what about tree branches that are bundled and she asked if that is an extra cost or part of the garbage cost.

The City Manager said that's already in the contract that's covered and we pick that up as long as it's bundled properly. He said we have a couple of other very expensive items such as waste pickup on weekends if somebody is missed on a Friday and there is a callout, and Waste Management said if we waited until Monday we could accrue a very substantial savings by doing that rather than requiring them to send somebody out on overtime to do a pickup on a Saturday or a Sunday.

COUNCILWOMAN QUILLMAN said she thinks these are all things we really need to look at whether it's \$200 or \$1 million, every penny counts.

The City Manager said absolutely.

COUNCILWOMAN QUILLMAN asked when can we have that report.

The City Manager said we'll put it in the Council mailboxes tomorrow morning.

COUNCILMAN SHETINA asked about the leaf pickup.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The City Manager said we have certain neighborhoods going back 25 years ago or so that were designated with special leaf pickup where the residents do not have to bag or can the leaves, they can be pushed out to the curb and then Waste Management with the assistance of the City Public Works Department will come by and pick them up using a series of loaders and trucks to dispose of the leaves. He said he believes the added expense to that is around \$100,000 a year that we've been paying for those 4 or 5 neighborhoods that get special pickup. He said we've got a lot of maturing trees and a lot of areas that are probably eligible for that treatment, and he is certainly not recommending that we expand the program, his recommendation would probably be to eliminate the program and require everybody in the City to do what we all do which is bag them and put them at the curb and let Waste Management pick them up as part of the disposal of the landscape waste.

COUNCILMAN BROPHY said or people can mulch them and leave them on their lawn.

COUNCILMAN SHETINA said so the savings is effective because we stopped the service.

The City Manager said we haven't stopped anything yet, that is the Council's call.

COUNCILMAN SHETINA asked about other savings.

The City Manager said we have two or three pages of potential savings. He said for example we had asked them to look at doing twice a month recycling pickup but unfortunately that doesn't save us as much as he thought it would. He said he doesn't have those numbers but he will give them to the Council tomorrow so they can see the expense for some of the add-ons that have been tacked onto the City's garbage contract over the last 20 years.

COUNCILMAN SHETINA said he would look awful long and hard on not doing the pickups in those 4 areas but that's a decision the Council has to make.

COUNCILMAN TURK said we have a multi-year contract with Waste Management.

The City Manager said we have a seven year contract and we're in the third or fourth year.

COUNCILMAN TURK asked if that's a fixed amount per year.

The City Manager said it is.

COUNCILMAN TURK said for example if next year a subdivision went in and built 100 homes, our cost wouldn't change.

The City Manager said actually we pay on a per house basis and there is a built in increase in the Ordinance that will increase the garbage pickup fee as of January 1st. He said he doesn't have the number but he can get that.

COUNCILMAN TURK said so as long as the house is there we are charged for it and it doesn't matter if it's in foreclosure or abandoned or no one is living there.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

The Director of Management and Budget said essentially if they have water service then they are getting garbage service and it assumes that somebody lives there. He said we work with Waste Management on a monthly basis along with Neighborhood Services to adjust those and there is a reconciliation done at the end of the year too.

COUNCILMAN GIARRANTE asked if there isn't an exception for apartment buildings; don't they have to pay for private service.

The Director of Management and Budget said for anything above 4 units the apartment owner is responsible for separate service so they're not billed.

COUNCILMAN SHETINA said when the County landfill went in we got something like a 20 year guarantee for us to use that as the place for Waste Management to drop our refuse. He asked how long is that good for, is it still in effect and can we extend it to guarantee ourselves landfill space.

The City Manager said we confirmed with Waste Management that there is adequate capacity in the County's landfill on the old Arsenal property to handle the City's garbage for many years to come. He said he believes there is a restriction on the acceptance of waste from outside of the County. He said residents of Will County have priority disposing privileges at the Will County Landfill Facility.

The City Manager said we'll review Council Memo #815-09 with the Finance Committee after this meeting and bring it back to the Council tomorrow.

COUNCILMAN TURK said it will also be on the agenda for the Public Service Committee tomorrow morning.

The City Manager explained Council Memo #822-09 dealing with the Purchase of 412 S. DesPlaines Street for the Neighborhood Stabilization Program (NSP). He said we are demolishing the structure and it would be eligible for a new house.

COUNCILMAN BROPHY said a significant amount of subjectivity could come into play with the selection of buyers for certain properties. He said the City cannot make a profit on these, we can only resell them for what we have in them plus costs so relative to comparable properties they will be sold at a discount. He said that leaves our employees open to significant scrutiny and some sort of open criticism for those selections. He said we should probably have in place a little protection for Neighborhood Services and the employees so that the process is at least a little open maybe through the Community Design Review Board. He said he doesn't know that there is any competition for these homes yet, he just foresees that with few numbers come potential for both abuse and criticism and he wants to protect our employees from that.

The City Manager said he thinks it's a good suggestion and we'll look into developing some kind of check and balance.

The City Manager advised there was a need for a closed session to discuss personnel and collective bargaining.

COUNCILWOMAN BARBER moved that the Mayor and Council recess to closed session at 4:45 p.m. to discuss personnel and collective bargaining after which the meeting will be adjourned.

***Proceedings of the Council of the City of Joliet, Illinois
held on the 14th day of September, A.D. 2009***

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape