

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

REGULAR MEETING of the Council of the City of Joliet, Illinois held on Monday, September 15, 2008 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

An Invocation was delivered by Father Stephen Bithos, All Saints Greek Orthodox Church, 102 N. Broadway Street, Joliet, Illinois.

Father Bithos 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**

COUNCILWOMAN QUILLMAN moved that the minutes of the Regular Meeting of the Council of the City of Joliet, Illinois held on Wednesday, September 3, 2008 at 5:00 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.

**APPOINTMENT OF MAYOR PRO-TEM**

COUNCILMAN SHETINA moved that COUNCILMAN GIARRANTE be appointed Mayor Pro-Tem for the period October 1, 2008 thru December 31, 2008.

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.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

COUNCIL COMMITTEE REPORTS AND AGENDA ITEMS

A. City-County Advisory

COUNCILMAN SHETINA stated the Committee is in the process of putting together an agenda along with getting some reports from the County and City staff.

B. Finance

COUNCILMAN UREMOVIC stated the Finance Committee conducted their regular monthly meeting yesterday and reviewed and approved the minutes of the regular meeting of August 13<sup>th</sup>. He said they reviewed the renewal of the Group Health, Dental and Life Insurance program and unanimously recommended it for approval.

COUNCILMAN UREMOVIC said there was a request for matching funding by the Fire Department for their Muscular Dystrophy "Fill the Boot" campaign. He said they generated \$8,000.00 in contributions and the Committee recommended approving a donation of \$5,000.00.

COUNCILMAN GIARRANTE moved that the funding request by the Fire Department for Muscular Dystrophy in the amount of \$5,000.00 from the General Corporate Contingency Fund be approved.

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.

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

C. Land Use

COUNCILMAN SHETINA stated the Land Use Committee met on September 10<sup>th</sup> with one major item on the agenda being the vacation of Laraway Road west of Patterson Road. He said there were attorneys and representatives from Waste Management present explaining their reasoning. He said when we learned of this potential vacation we asked staff to look at the potential for a bridge being sited anywhere near that location so if in the future we had any interest in doing a bridge there we would try to protect somehow a way of doing that. He said he thinks staff found that if a bridge did occur at some point in time as the result of the CenterPoint project or something else that might create a lot of traffic, it would probably be better served if it were west and it would probably be easier to get some land to the west. He said we could negotiate for it with Challenge Park because there is an opportunity to go to that area. He said we are not really in any hurry; it could be 20 or 30 years before that would occur but we want to make sure we've protected ourselves. He said the Township Board met today and he asked the Director of Community and Economic Development

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

to explain.

The Director of Community and Economic Development stated they did approve the vacation of that right-of-way. He said their remuneration for that was \$160,000.00 for the value of that right-of-way back to the Township Highway Commissioner.

The City Manager said the Land Use Committee meeting will meet again on September 22<sup>nd</sup> at 4 p.m. He said one of the items on the agenda will be a presentation by the general manager from Empress Casino on the \$50 million renovation project that the Empress has planned for its property. He said the University of St. Francis and Rialto Square Board will be coming in to make a presentation on their plans for the renovation of two floors at the Rialto office building for housing the Performance Arts Department of the University of St. Francis.

**D. 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-thru permit for the Rax Restaurant on Jefferson Street and the easements for 1209 and 1211 Caton Avenue along with a Resolution authorizing the City of Joliet's participation in the application for funding for the Clean Water Act which would be for the water in Hickory Creek.

**E. Water Park**

COUNCILMAN GIARRANTE said he talked to Park District Director Dominic Egizio and he has given him some preliminary numbers. He said attendance was up 17,000 this year, season pass sales were up almost \$70,000 from last year, total income was up about \$22,000 and wages were down \$23,000 because they closed earlier and opened later. He said all in all the numbers look good but these are not the final numbers.

There were no other Committee reports.

MAYOR SCHULTZ moved up the Proclamation on the agenda at this time.

**MAYOR**

**A. Proclamation re: Recognizing the Joliet Catholic High and St. Francis Academy Class of 1958**

COUNCILMAN GIARRANTE read a Proclamation issued by MAYOR SCHULTZ recognizing the Joliet Catholic High and St. Francis Academy Class of 1958 and welcoming all of the graduates to celebrate their 50<sup>th</sup> Class Reunion with a weekend of activities planned including a JCA football game, golfing and tours throughout the City of Joliet, ending with a mass and breakfast at Joliet Catholic Academy on Sunday, October 6, 2008.

Mr. Bill Ferguson thanked the Mayor and City Council for their recognition.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

PUBLIC HEARINGS

A. Public Hearing re: Annexation of 1.73 Acres at 7902 Caton Farm Road (formerly 1060 Caton Farm Road)

1. Resolution re: Approving an Annexation Agreement for 7902 Caton Farm Road (formerly 1060 Caton Farm Road) (#A-98-08/Dist. #3)  
(Council Memo #1091-08)
2. Ordinance re: Approving the Annexation of 1.73 Acres at 7902 Caton Farm Road (formerly 1060 Caton Farm Road) (#A-98-08/Dist. #3)  
(Council Memo #1091-08)
3. Ordinance re: Approving the Classification of 1.73 Acres at 7902 Caton Farm Road (formerly 1060 Caton Farm Road) to B-3 Zoning (#A-98-08/Dist. #3)  
(Council Memo #1091-08)

B. Public Hearing re: Annexation of 5 Acres at 10006 Caton Farm Road (formerly 3660 Caton Farm Rd)

1. Resolution re: Approving an Annexation Agreement for 5 Acres at 10006 Caton Farm Road (formerly 3660 Caton Farm Road) (#A-99-08/Dist. #3)  
(Council Memo #1092-08)
2. Ordinance re: Approving the Annexation of 5 Acres at 10006 Caton Farm Road (formerly 3660 Caton Farm Road) (#A-99-08/Dist. #3)  
(Council Memo #1092-08)
3. Ordinance re: Approving the Classification of 5 Acres at 10006 Caton Farm Road (formerly 10006 Caton Farm Road) to R-B Zoning (#A-99-08/Dist. #3)  
(Council Memo #1092-08)

C. Public Hearing re: Annexation of 411 Scribner Street

1. Resolution re: Approving an Annexation Agreement for 411 Scribner Street (#A-100-08/Dist. #4)  
(Council Memo #1093-08)
2. Ordinance re: Approving the Annexation of 411 Scribner Street (#A-100-08/Dist. #4)  
(Council Memo #1093-08)
3. Ordinance re: Approving the Classification of 411 Scribner Street to R-2 Zoning (#A-100-08/Dist. #4)  
(Council Memo #1093-08)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

D. Public Hearing re: Annexation of 415 Harwood Street

1. Resolution re: Approving an Annexation Agreement for 415 Harwood Street (#A-101-08/Dist. #4)  
(Council Memo #1093-08)
2. Ordinance re: Approving the Annexation of 415 Harwood Street (#A-101-08/Dist. #4)  
(Council Memo #1093-08)
3. Ordinance re: Approving the Classification of 415 Harwood Street to R-2 Zoning (#A-101-08/Dist. #4)  
(Council Memo #1093-08)

E. Public Hearing re: Annexation of 410 Scribner Street

1. Resolution re: Approving an Annexation Agreement for 410 Scribner Street (#A-102-08/Dist. #4)  
(Council Memo #1093-08)
2. Ordinance re: Approving the Annexation of 410 Scribner Street (#A-102-08/Dist. #4)  
(Council Memo #1093-08)
3. Ordinance re: Approving the Classification of 410 Scribner Street to R-2 Zoning (#A-102-08/Dist. #4)  
(Council Memo #1093-08)

F. Public Hearing re: Annexation of 412 Scribner Street

1. Resolution re: Approving an Annexation Agreement for 412 Scribner Street (#A-103-08/Dist. #4)  
(Council Memo #1093-08)
2. Ordinance re: Approving the Annexation of 412 Scribner Street (#A-103-08/Dist. #4)  
(Council Memo #1093-08)
3. Ordinance re: Approving the Classification of 412 Scribner Street to R-2 Zoning (#A-103-08/Dist. #4)  
(Council Memo #1093-08)

G. Public Hearing re: Annexation of 411 Harwood Street

1. Resolution re: Approving an Annexation Agreement for 411 Harwood Street (#A-104-08/Dist. #4)  
(Council Memo #1093-08)
2. Ordinance re: Approving the Annexation of 411 Harwood Street (#A-104-08/Dist. #4)  
(Council Memo #1093-08)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

3. Ordinance re: Approving the Classification of 411 Harwood Street to R-2 Zoning (#A-104-08/Dist. #4)  
(Council Memo #1093-08)

A communication from the City Manager contained a request by City staff that these items be tabled to the City Council meeting to be held on October 7, 2008 to allow for the re-noticing of the public hearings due to the cancellation of the September 16<sup>th</sup> City Council meeting.

COUNCILMAN GIARRANTE moved that said items be tabled to the October 7, 2008 City Council meeting.

Motion seconded by COUNCILWOMAN BARBER.

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.

- H. Public Hearing re: Annexation of the 655 Acre Hadley Valley Preserve at the Northwest Corner of Route 6 and Gougar Road

1. Resolution re: Approving an Annexation Agreement for the 655 Acre Hadley Valley Preserve at the Northwest Corner of Route 6 and Gougar Road (#A-105-08/Dist. #4)  
(Council Memo #1094-08)
2. Ordinance re: Approving the Annexation of the 655 Acre Hadley Valley Preserve at the Northwest Corner of Route 6 and Gougar Road (#A-105-08/Dist. #4)  
(Council Memo #1094-08)
3. Ordinance re: Approving the Classification of the 655 Acre Hadley Valley Preserve at the Northwest Corner of Route 6 and Gougar Road to R-1B Zoning (#A-105-08/Dist. #4)  
(Council Memo #1094-08)

- I. Public Hearing re: Annexation of .24 Acres North of Route 6 and West of Gougar Road

1. Resolution re: Approving the Annexation of .24 Acres North of Route 6 and West of Gougar Road (#A-106-08/Dist. #4)  
(Council Memo #1094-08)
2. Ordinance re: Approving the Classification of .24 Acres North of Route 6 and West of Gougar Road to R-1B Zoning (#A-106-08/Dist. #4)  
(Council Memo #1094-08)

A communication from the City Manager contained a request by the petitioner, the Forest Preserve District of Will County, that these items be tabled to the City Council meeting to be held on November 18, 2008 due to scheduling issues.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

COUNCILMAN BROPHY moved that said items be tabled to the November 18, 2008 City Council meeting.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

J. Public Hearing re: Annexation of 39.51 Acres South of Route 6 and East of Terry Drive – Land “1”

1. Resolution re: Approving an Annexation Agreement for 39.51 Acres South of Route 6 and East of Terry Drive – Land “1” (#A-90-08/Dist. #3)  
(Council Memo #1095-08)
2. Ordinance re: Approving the Annexation of 39.51 Acres South of Route 6 and East of Terry Drive – Land “1” (#A-90-08/Dist. #3)  
(Council Memo #1095-08)
3. Ordinance re: Approving the Classification of 39.51 Acres South of Route 6 and East of Terry Drive – Land “1” to I-2 Zoning (#A-90-08/Dist. #3)  
(Council Memo #1095-08)

K. Public Hearing re: Annexation of 13.9 Acres South of Route 6 and East of Terry Drive – Land “2”

1. Resolution re: Approving an Annexation Agreement for 13.9 Acres South of Route 6 and East of Terry Drive – Land “2” (#A-91-08/Dist. #3)  
(Council Memo #1095-08)
2. Ordinance re: Approving the Annexation of 13.9 Acres South of Route 6 and East of Terry Drive – Land “2” (#A-91-08/Dist. #3)  
(Council Memo #1095-08)
3. Ordinance re: Approving the Classification of 13.9 Acres South of Route 6 and East of Terry Drive – Land “2” to I-2 Zoning (#A-91-08/Dist. #3)  
(Council Memo #1095-08)

L. Public Hearing re: Annexation of 11.88 Acres East of Terry Drive – Land “3”

1. Resolution re: Approving an Annexation Agreement for 11.88 Acres East of Terry Drive – Land “3” (#A-92-08/Dist. #3)  
(Council Memo #1095-08)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

2. Ordinance re: Approving the Annexation of 11.88 Acres East of Terry Drive – Land “3” (#A-92-08/Dist. #3)  
(Council Memo #1095-08)
  3. Ordinance re: Approving the Classification of 11.88 Acres East of Terry Drive – Land “3” to I-2 Zoning (#A-92-08/Dist. #3)  
(Council Memo #1095-08)
- M. Public Hearing re: Annexation of 36.58 Acres South of Terry Drive – Land “4”
1. Resolution re: Approving an Annexation Agreement for 36.58 Acres South of Terry Drive – Land “4” (#A-93-08/Dist. #3)  
(Council Memo #1095-08)
  2. Ordinance re: Approving the Annexation of 36.58 Acres South of Terry Drive – Land “4” (#A-93-08/Dist. #3)  
(Council Memo #1095-08)
  3. Ordinance re: Approving the Classification of 36.58 Acres South of Terry Drive – Land “4” to I-2 Zoning (#A-93-08/Dist. #3)  
(Council Memo #1095-08)
- N. Public Hearing re: Annexation of 14.38 Acres South of Terry Drive – Parcel 1C
1. Resolution re: Approving an Annexation Agreement for 14.38 Acres South of Terry Drive – Parcel 1C (#A-94-08/Dist. #3)  
(Council Memo #1095-08)
  2. Ordinance re: Approving the Annexation of 14.38 Acres South of Terry Drive – Parcel 1C (#A-94-08/Dist. #3)  
(Council Memo #1095-08)
  3. Ordinance re: Approving the Classification of 14.38 Acres South of Terry Drive – Parcel 1C to I-2 Zoning (#A-94-08/Dist. #3)  
(Council Memo #1095-08)
- O. Public Hearing re: Annexation of 23.02 Acres South of Terry Drive – Building “C”
1. Resolution re: Approving an Annexation Agreement for 23.02 Acres South of Terry Drive – Building “C” (#A-95-08/Dist. #3)  
(Council Memo #1095-08)
  2. Ordinance re: Approving the Annexation of 23.02 Acres South of Terry Drive – Building “C” (#A-95-08/Dist. #3)  
(Council Memo #1095-08)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

3. Ordinance re: Approving the Classification of 23.02 Acres South of Terry Drive – Building “C” to I-2 Zoning (#A-95-08/Dist. #3)  
(Council Memo #1095-08)
- P. Public Hearing re: Annexation of 23.02 Acres South of Terry Drive – Building “D”
1. Resolution re: Approving an Annexation Agreement for 23.02 Acres South of Terry Drive – Building “D” (#A-96-08/Dist. #3)  
(Council Memo #1095-08)
  2. Ordinance re: Approving the Annexation of 23.02 Acres South of Terry Drive – Building “D” (#A-96-08/Dist. #3)  
(Council Memo #1095-08)
  3. Ordinance re: Approving the Classification of 23.02 Acres South of Terry Drive – Building “D” to I-2 Zoning (#A-96-08/Dist. #3)  
(Council Memo #1095-08)
- Q. Public Hearing re: Annexation of 22.31 Acres South of Route 6 – Building “E”
1. Resolution re: Approving an Annexation Agreement for 22.31 Acres South of Route 6 – Building “E” (#A-97-08/Dist. #3)  
(Council Memo #1095-08)
  2. Ordinance re: Approving the Annexation of 22.31 Acres South of Route 6 – Building “E” (#A-97-08/Dist. #3)  
(Council Memo #1095-08)
  3. Ordinance re: Approving the Classification of 22.31 Acres South of Route 6 – Building “E” to I-2 Zoning (#A-97-08/Dist. #3)  
(Council Memo #1095-08)

A communication from the City Manager contained a request by the petitioner, CenterPoint Joliet, LLC, that these items be tabled to the City Council meeting to be held on October 21, 2008.

COUNCILWOMAN QUILLMAN moved that said items be tabled to the October 21, 2008 City Council meeting.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

R. 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 #1096-08)
2. Ordinance re: Approving the Annexation of 1450 S. Brandon Road (#A-20-07/Dist. #5)  
(Council Memo #1096-08)
3. Ordinance re: Approving the Classification of 1450 S. Brandon Road to I-1 Zoning (#A-20-07/Dist. #5)  
(Council Memo #1096-08)

A communication from the City Manager contained a request by the petitioner, DeBe Land Development, that said items be tabled indefinitely as they require additional time to review environmental and State regulatory permitting regarding the proposed project.

COUNCILWOMAN QUILLMAN moved that said items be tabled indefinitely.

Motion seconded by COUNCILWOMAN BARBER.

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.

**APPROVAL OF REGULAR CURRENT BILLS**

A. Treasurer's Disbursements – August, 2008 - \$30,771,810.05

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

B. Regular Claims – August, 2008 - \$4,057,416.26

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

C. Regular Payroll – August 23 – September 5, 2008 - \$3,099,014.13  
(Council Memo #1097-08)

Biweekly Payroll Summary Reports of the total cost of regular salaries for the period August 23, 2008 through September 5, 2008 and additions to regular salaries for the period August 15, 2008 through August 28, 2008 including a 2008 Overtime Budget Status Report and a Biweekly Summary of Overtime and Temporary Assignments were accompanied by a recommendation from the City Manager that said Regular Payroll be allowed.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

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

Motion seconded by COUNCILWOMAN QUILLMAN.

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. (COUNCILWOMAN QUILLMAN abstained from voting on any items dealing with Silver Cross Hospital)

ORDINANCES AND RESOLUTIONS

A. ORDINANCES

1. AN ORDINANCE Approving a Variation of Use to Allow the Construction of a 10.5' x 36' Off-Premise 50' High Advertising Sign Located at 515 South Chicago Street and I-80 as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: 1) That a "Welcome to Joliet" sign be attached to the billboard as per plan at the time the sign is constructed. (#2008-55/Dist. #5)  
(Council Memo #1098-08)

COUNCILMAN UREMOVIC moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16308)

2. AN ORDINANCE Amending Compliance Ticket Penalties was presented and read. (Increase in Penalties)  
(Council Memo #1099-08)

COUNCILWOMAN QUILLMAN moved that said Ordinance be adopted.

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.

Prior to her vote, COUNCILWOMAN QUILLMAN stated she is so happy to see this. She said just so people know what we're voting on, compliance tickets have been raised to \$150.00 but if you are cruel to animals, have vicious dogs or leave unattended children in vehicles the penalty is \$300.00 and it will be strictly enforced. She said she is very happy with this and she votes aye.

(ORDINANCE NO. 16309)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

3. AN ORDINANCE Approving a Special Use Permit to Allow the Continued Operation of a Truck Dealership, Truck Parts Sales and Service and the Addition of Truck Leasing and Rental Located at 4040 Mound Road as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: 1) Should the property become a Public Nuisance, it shall be subject to rehearing and a possible revocation of the Special Use Permit. (#2008-49/Dist. #3)  
(Council Memo #1101-08)

COUNCILMAN SHETINA moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN UREMOVIC.

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.

(ORDINANCE NO. 16310)

4. AN ORDINANCE Approving a Special Use Permit to Allow the Co-Location of Wireless Telecommunications Antennas on an Existing Telecommunications Pole Located at 270 Southeast Frontage Road as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: 1) That the petitioner shall post a bond in the amount of \$5,000.00 prior to the issuance of the building permit for the proposed installation to be utilized for dismantling the tower and associated equipment in the event of future abandonment. (#2008-53/Dist. #5)  
(Council Memo #1102-08)

COUNCILMAN BROPHY moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN TURKC.

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.

Prior to his vote, COUNCILMAN BROPHY said he just wanted to clarify that the owner, Joliet Civic Center Building Corporation, does not have a municipal connection and is actually a private organization connected to the Elks.

The City Manager stated it is privately owned by the folks that own the Elks.  
(ORDINANCE NO. 16311)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

5. Ordinance re: Approving a Special Use Permit to Allow a Payday Loan Store in a New Commercial Strip Center Located at 2410 W. Jefferson Street (#2008-63/Dist. #3)  
(Council Memo #1104-08)

A communication from the City Manager contained a recommendation by both the Zoning Board of Appeals and the Administration that the petition be denied.

COUNCILWOMAN QUILLMAN moved that said petition be denied.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

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

NAYS: NONE.

6. AN ORDINANCE Accepting a Temporary Easement for 1209 Caton Avenue and a Permanent Easement for 1211 Caton Avenue to Construct a Rear Yard Drain at 1211 Caton Avenue was presented and read.  
(Council Memo #1105-08)

COUNCILMAN BROPHY moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 16312)

**B. RESOLUTIONS**

1. A RESOLUTION Declaring Certain City of Joliet Property as Surplus for the City Auction to be Held on September 27, 2008 was presented and read.  
(Council Memo #1110-08)

COUNCILMAN UREMOVIC moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

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.

Prior to his vote, COUNCILMAN BROPHY asked if we give first pick of our vehicles to storm ravaged areas that may have lost many municipal vehicles and may need them, much like we get the tax parcels from the County.

The City Manager said we have done that in the past with some fire equipment.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

The Director of Management and Budget said one of the things that we do with our regular vehicles is cannibalize them. He said the Motor Maintenance Department will use every last part so by the time you get to a lot of these, they are not in very good condition.

(RESOLUTION NO. 6175)

2. A RESOLUTION Adopting and Authorizing the Execution of the Tri-County Auto Theft Unit Amended Agreement for 2008 was presented and read.

(Council Memo #1111-08)

COUNCILMAN TURK moved that said Resolution 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.

(RESOLUTION NO. 6176)

3. A RESOLUTION Amending the Siding Unveiling Grant Program for Residential and Mixed-Use Residential Historic Landmarks and Historic Districts was presented and read.

(Council Memo #1112-08)

COUNCILMAN BROPHY moved that said Resolution be adopted.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 6177)

4. A RESOLUTION Authorizing the City of Joliet Participation in the Application for Funding under Section 319(h) of the Clean Water Act to Preserve Hickory Creek and Improve Water Quality as Administrated by the Illinois Environmental Protection Agency was presented and read.

(Council Memo #1113-08)

COUNCILMAN TURK moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN QUILLMAN.

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. 6178)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

**BIDS AND CONTRACTS**

A. Award of Contracts

1. Renewal of Group Health, Dental and Life Insurance Program  
(Council Memo #1117-08)

A communication from the City Manager contained his recommendation that the Mayor and Council authorize the renewal of the PPO Program with Blue Cross Blue Shield for the plan year October 1, 2008 thru September 30, 2009 at the rates outlined in the Council Memo.

COUNCILMAN SHETINA asked how this compares to prior years.

The Director of Risk Management stated basically there has been no change in our renewal rates for medical and dental administration. She said discounts have gone up and the prescription rebate has gone up to \$18.00 from \$14.84. She said our one problem was the Specific Stop Loss which increased from \$24.14 to \$27.49 per head. She said we have had some really heavy shock loss cases and just for this year we have gotten back \$521,000 from our re-insurer and our premium is about \$369,000 for the year. She said last year we received over \$400,000 back so we're pushing close to \$1 million between the two years and the Specific was going to go up.

COUNCILMAN GIARRANTE asked what percentage of the employees are using prescription mail order.

The Director of Risk Management said it's pretty good for the maintenance medication and a lot of people are using it. She said they are also switching over and using it when they have a multi-source drug or a brand name drug that has a generic, but they do not want the generic. She said if they go through the mail order instead of paying \$35.00 a month you have a 3 month supply for the same co-pay amount.

2. Authorization to Purchase Vehicle for the Public Works Department  
(Council Memo #1118-08)

A report on two quotes received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council approve the purchase of one 2009 Ford F-250 4x4 Pickup Truck from Rod Baker Ford in the amount of \$22,859.04.

3. Authorization to Purchase Office Furniture for Phase 1 of the City Hall Remodeling Projects  
(Council Memo #1119-08)

A report on six bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to McGrath Office Equipment in the amount of \$63,996.00.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

4. Award of Contract for the 2008 Fall Tree Planting Program and Approve Change Order No. 1 for the Replacement of Trees in the Legacy Pointe Subdivision  
(Council Memo #1120-08)

A report on six bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Alaniz Landscaping in the amount of \$63,315.00 and that Change Order No. 1 in the amount of \$3,969.00 be approved.

COUNCILMAN UREMOVIC asked for a list of the locations where the trees are going to be planted. He asked if the trees in Legacy Pointe Subdivision were the ones that weren't properly planted by the developer

The City Manager said yes. He said we drew down on their Letter of Credit last year when it appeared that the developer was not going to be finishing the public improvements. He said with that money the Public Works Department has arranged for the final lift of blacktop to be put down which was done about two weeks ago and now this is following up on the additional public improvement of getting the trees in that were the obligation of the developer using the money that we received from the company that issued the Letter of Credit.

COUNCILMAN UREMOVIC asked if the Letter of Credit will be exhausted.

The City Manager said no, there is still some money left on that. He said it's one of those situations where we've seen an increase in costs and the Letter of Credit, as it was approved several years ago for this project, is not enough to cover all of the improvements, so what we've done is we've prioritized and decided that the final lift of blacktop was the most important thing and then getting the common areas straightened out by getting the trees in and getting the landscaping done. He said there is a very large dirt pile located in this subdivision that is going to be very expensive to move. He said we won't have enough money from what we drew down on the Letter of Credit to finish that, but we're going to do what we can with what's left which is about \$80,000.00. He said we're doing the best we can and taking what was actually given to us through the Letter of Credit process and we're going to work with a couple of other agencies on the dirt pile to see what we can do with it.

COUNCILMAN SHETINA said the winning bidder, Alaniz Landscaping, is unknown to him. He said he assumes they and their experience are known to staff.

The City Manager said he would have staff follow-up and provide some background information on the bidder.

COUNCILMAN SHETINA said he just wants to make sure they understand we have the same guarantees on the trees we would have under normal circumstances.

The City Manager said they'll be required to comply with all of the bid specifications that were issued initially.

COUNCILWOMAN BARBER asked who designates where the trees go.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

The City Manager said as far as the location of the trees, the Director of Community and Economic Development and the Director of Public Works have that mapped out and he will have them contact COUNCILWOMAN BARBER regarding the location of trees in her District.

5. Award of Contract for Printing of the 2008 – 2009 Joliet Fall & Winter Events Guide  
(Council Memo #1121-08)

A report on one bid received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Segerdahl Group in the amount of \$8,550.00.

6. Authorization to Purchase Water Meters  
(Council Memo #1122-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to HD Supply in the amount of \$51,554.00.

7. Authorization to Purchase Parking Meters  
(Council Memo #1123-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to POM Inc. in the amount of \$8,590.50.

8. Award of Contract for the Ferris Place/Ivy Place/Margaret Street/Morris Street Roadway Improvements Project – 2008 Neighborhood Improvement Program  
(Council Memo #1124-08)

A report on three bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to P.T. Ferro Construction Company in the amount of \$434,220.56.

9. Award of Contract for the 1211 Caton Avenue/3001 Jefferson Drainage Improvement Project  
(Council Memo #1125-08)

A report on nine bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to G-3 Construction in the amount of \$18,814.37.

10. Award of Contract for the Well #10D Rehabilitation Project - 2008  
(Council Memo #1126-08)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Water Well Solutions in the amount of \$99,550.00.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

11. Award of Contract for Janitorial Services for Public Works and Public Utilities Department  
(Council Memo #1127-08)

A report on two bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Alpha Building Maintenance in the amount of \$11,340.00.

12. Authorization to Approve Purchase of Utilities Work Order and Planning GIS Computer Hardware  
(Council Memo #1128-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to Dell Computers in the amount of \$33,947.44.

13. Authorization to Approve a Professional Services Agreement for the Enterprise GIS Utilities Mapping Project  
(Council Memo #1130-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to PlanGraphics, Inc. in the amount of \$30,000.00.

14. Award of Contract for the 609 Raub Street Alley Drain Project – 2008 Neighborhood Improvement Program  
(Council Memo #1131-08)

A report on ten bids received for the above contract was accompanied by a recommendation from the City Manager that the Mayor and Council award the contract to Austin Tyler Construction in the amount of \$23,584.00.

15. Authorization to Purchase Firefighter Turnout Gear for New Firefighters and a Newly Promoted Battalion Chief  
(Council Memo #1132-08)

A communication from the City Manager contained his recommendation that the Mayor and Council award the contract to MES-Globe Fire Equipment in the amount of \$6,180.50.

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

Motion seconded by COUNCILMAN GIARRANTE.

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.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

B. Amendments, Change Orders and Payments:

1. Approve Change Order No. 5 and Payment No. 12 and Final for the Enterprise GIS Project – Phase 1  
(Council Memo #1136-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 5 in the amount of \$4,311.75 and Payment No. 12 and Final in the amount of \$4,311.75 on behalf of PlanGraphics Inc.

2. Approve Change Order No. 2 and Payout No. 6 and Final for the 2007 Streetscape – Crowley/Joliet Project  
(Council Memo #1137-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2, a deduction in the amount of \$19,203.17, and Payment No. 6 and Final in the amount of \$82,672.08 on behalf of Austin Tyler Construction.

3. Approve Payment No. 14 for the 15D and 16D Water Treatment Plants Project  
(Council Memo #1138-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment No. 14 in the amount of \$44,972.60 with a reduced retainage of \$32,386.39 on behalf of Williams Brothers Construction.

4. Approve Change Order No. 1 and Payment Request No. 1 for the Kellogg Street (Millennium Square Subdivision) Roadway Improvements – 2007 Neighborhood Improvement Program  
(Council Memo #1139-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$16,312.50 and Pay Request No. 1 in the amount of \$132,970.93 on behalf of NEG Corporation.

5. Approve Progress Payment Request No. 1 to the Village of Rockdale for the City's Share of the Belleview Avenue Roadway Improvements - 2008  
(Council Memo #1140-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Payment Request No. 1 in the amount of \$117,632.23 on behalf of the Village of Rockdale.

6. Approve Change Order No. 2 and Payment Request No. 2 for the 2807 Billie Limacher Lane/6502 Morningstar Lane/1214 Ryehill Court/2244 Stonehaven Drive Drainage Improvements Project - 2008  
(Council Memo #1141-08)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2 in the amount of \$5,900.60 and Payment Request No. 2 in the amount of \$16,646.45 on behalf of Duke Construction, Inc.

7. Approve Change Order No. 4 and Payment Request No. 4 for the 2008 Plant Mix Contract  
(Council Memo #1142-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4 in the amount of \$28,826.50 and Payment Request No. 4 in the amount of \$381,717.79 on behalf of P.T. Ferro Construction.

8. Approve Change Order No. 1 and Payment Estimate No. 1 for the 2008 Sidewalk/Curb Replacement Project – 2008 Neighborhood Improvement Program  
(Council Memo #1143-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$29,005.00 and Payment Estimate No. 1 in the amount of \$73,981.24 on behalf of M&A Cement Work.

9. Approve Change Order No. 2 and Payment Request No. 3 and Final for the 1529 N. May Street Rear Yard Drainage Improvements Project – 2008 Neighborhood Improvement Program  
(Council Memo #1144-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2, a deduction in the amount of \$322.25 and Payment Estimate No. 3 and Final in the amount of \$12,372.98 on behalf of Construction by Camco.

10. Approve Change Order No. 2 and Payment Estimate No. 2 for the Douglas/Wilcox Roadway Improvement Project – 2008 Neighborhood Improvement Program  
(Council Memo #1145-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 2, a deduction in the amount of \$4,786.17 and Payment Estimate No. 2 in the amount of \$18,957.09 on behalf of P.T. Ferro Construction.

11. Approve Change Order No. 4 for the Well 22D to Well 10D Raw Water Transmission Main Construction Project  
(Council Memo #1146-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 4 in the amount of \$12,515.00 on behalf of Len Cox & Sons.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

12. Approve Change Order No. 3 and Payment Estimate No. 3 for the Farrell-Rosalind Watermain Project - 2008  
(Council Memo #1147-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 3 in the amount of \$78.00 and Payment Estimate No. 3 in the amount of \$155,296.97 on behalf of C. Thompson & Sons.

13. Approve Change Order No. 1 for the Black Road/County Line Watermain Project - 2008  
(Council Memo #1148-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$65,150.60 on behalf of Bish Excavating Co.

14. Approve Change Order No. 4 and Payment Estimate No. 5 for the Taylor Street (Springfield-Westnedge)/Westnedge Road (Taylor-Douglas) Roadway Improvements Project – 2008 Neighborhood Improvement Program  
(Council Memo #1149-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order no. 4 in the amount of \$12,799.52 and Payment Estimate No. 5 in the amount of \$16,535.34 on behalf of P.T. Ferro Construction.

15. Approve Change Order No. 1 and Payment Request No. 2 and Final for the 2007 – 2008 Landscape Restoration Program  
(Council Memo #1150-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Change Order No. 1 in the amount of \$1,630.05 and Payment Request No. 2 and Final in the amount of \$22,639.79 on behalf of George's Landscaping.

16. Approve Change Order No. 1 and Payment Request No. 5 and Final for the Walnut Avenue (Cass – Jackson) Decorative Street Lighting Project – 2006 Neighborhood Improvement Program  
(Council Memo #1151-08)

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 \$29,547.30 and Payment Request No. 5 and Final in the amount of \$21,077.02 on behalf of Utility Dynamics.

17. Approve Change Order No. 1 and Payment Request No. 5 and Final for the Campbell Street (Raynor – Clement) Decorative Street Lighting Project – 2007 Neighborhood Improvement Program  
(Council Memo #1152-08)

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

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 \$3,232.50 and Payment Request No. 5 and Final in the amount of \$14,237.08 on behalf of Utility Dynamics.

18. Approve Progress Payment No. 8 for the Arbeiter Road Public Works Facility and the Gael Drive Fire Maintenance Facility  
(Council Memo #1153-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve Progress Payment No. 8 in the amount of \$577,471.05 on behalf of Tri-State Enterprises.

COUNCILMAN SHETINA 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.

LICENSES AND PERMIT APPLICATIONS:

- A. Application for a Temporary Drive-Thru Permit – Rax Restaurant –  
2136 W. Jefferson Street  
(Council Memo #1158-08)

A communication from the City Manager contained his recommendation that the Mayor and Council approve the application for a temporary drive-thru for a three year period for the Rax Restaurant located at 2136 W. Jefferson Street.

COUNCILMAN GIARRANTE moved that the recommendation of the City Manager be concurred in.

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: NONE.

COUNCILMAN BROPHY asked why this is a temporary drive-thru permit.

The City Manager stated there is a property line issue where the property line of the ownership that now has control over the Marycrest Shopping Center goes almost up to the building of the restaurant where its current drive-thru is. He said apparently there were some arrangements made in the past and it wasn't formalized with easements or transfers of property, so now we have a situation where the adjoining property owners aren't in agreement on the use of that property so the owner of Rax has come in and asked if we could make a temporary modification to allow the drive up facility to be on the west side of the property rather than the east side. He said from an engineering perspective it's not an ideal situation and when he reviewed it last week with the Director of

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

Public Works they had recommended that it be a temporary solution and try and encourage the property owners to work out an arrangement where we can get it back to the east side of the building. He said there may be some stacking on Jefferson Street and if we see that happening we need to be able to step in and terminate its use. He said that's why we designated it as temporary and are looking for a little better solution on a long-term basis.

COUNCILWOMAN QUILLMAN asked why the three year limit, can we try it for six months or three months and see how it works.

The City Manager said if we do see a stacking situation we'll be pursuing termination of it earlier. He said if we see lines going out to Jefferson Street what he will be doing is similar to some of the other facilities that will allow you to place your order and then have you park in a staging area and bring the food out to you so the cars are not sitting at the drive-thru window waiting for their food to be prepared. He said we're not real comfortable about this but we'd like to accommodate the property owner who has been a long-time Joliet business person. He said unfortunately there is a property line dispute and we're in the middle of it and we don't think we can get it resolved on quickly, so this is a temporary solution. He said the three years can be shortened and if we see a problem we'll bring it back to the City Council for another review.

COUNCILMAN GIARRANTE said the owner of this establishment also owns the establishment to the west so if it doesn't work out they are prepared to do something as far as straightening it out so it will work out. He said if they see that the cars are backing up onto Jefferson Street they do have an alternative plan that was discussed at the Public Service Committee meeting this morning.

COUNCILMAN BROPHY said there is a bit of a "David and Goliath" situation here. He asked if there is anything else we can do to help because he believes Goliath will be in to see us for some permits and he asked if there is anything we can do to make sure that at least they communicate with this business owner.

The City Manager said we've had communication with Goliath on a few occasions about different things and we'll certainly keep this in mind because we would like to see it get worked out. He said it's something that obviously should have been taken care of years ago but he thinks there was a level of trust between the previous ownership group at Marycrest and Rax and unfortunately that didn't get formalized.

**B. Issuance of a Class "C-D" Liquor License at 1820 W. Jefferson Street  
(Council Memo #1159-08)**

Deputy Liquor Commissioner Dan Campus explained Council Memo #1159-08 dealing with the Issuance of a Class "C-D" Liquor License at 1820 W. Jefferson Street.

A communication from the Liquor Commissioner regarding the application of Aldi Inc. #40, d/b/a Aldi contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

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

Motion seconded by COUNCILMAN TURK.

Motion carried by the following vote:

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

NAYS: COUNCILMAN DORRIS.

C. Issuance of a Class "C-D" Liquor License at 2301 Route 59  
(Council Memo #1160-08)

Deputy Liquor Commissioner Dan Campus explained Council Memo #1160-08 dealing with the Issuance of a Class "C-D" Liquor License at 2301 Route 59.

A communication from the Liquor Commissioner regarding the application of Aldi Inc. #44, d/b/a Aldi contained his recommendation that the issuance of this license is in the best interest of the City, and therefore, approval is recommended.

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

Motion seconded by COUNCILMAN UREMOVIC.

Motion carried by the following vote:

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

NAYS: COUNCILMAN DORRIS.

MAYOR:

A. Proclamation re: Recognizing the Joliet Catholic High and St. Francis Academy Class of 1958

This item was presented earlier in the meeting.

MAYOR AND COUNCIL COMMENTS:

COUNCILMAN TURK said for the most part the City did survive the rainy weekend pretty well but he did receive some calls this morning from some residents of Deer Run Estates. He said he went out there and met with them and COUNCILMAN UREMOVIC had already met with them. He said the Director of Public Utilities and the City Manager were also out there. He said there is obviously some problem on Doe Court, just that one street is affected. He said they had no water in their basements or streets until 3:00 a.m. and then everything started coming up and there is water all over the place. He said the storm detention pond is completely empty so City staff is taking a look at it. He said the residents of Doe Court would like to meet with City staff and the Council next week.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

COUNCILMAN SHETINA stated he was surprised he only received one call today. He said he usually gets a lot of calls during that kind of a rain event. He said it was a steady rain and the sewer system handled it. He said most of the detention ponds in his area were all working properly, some were close but only one subdivision had infiltration into the basements in the same areas that we had a couple of years ago. He said apparently one of them worked and the other one didn't but there was an amazing small number of calls. He said the ponds are working and that is good. He said he knows City staff were out Saturday and Sunday and were busy and he appreciates what staff did.

COUNCILWOMAN QUILLMAN said she would have to agree with that, our staff worked really hard all weekend. She said she didn't have any complaints, just some concerns which is a good thing when they don't complain. She said she knows the City Manager was on top of it and she thanked City staff for all their hard work and if anybody else has any problems, they should call City Hall and we'll be happy to attend to your needs.

COUNCILMAN BROPHY thanked City staff for helping out an 80+ year-old couple in Glenwood Manor that had backup in their basement. He said a neighbor around the corner on Palladium also had sewer backup. He said while we have done a lot with the system in removing storm volume from our sanitary lines, there is still that mysterious something somewhere that fills up the sanitary lines and backs up into somebody's basement. He said we can't let up on this until everybody has a dry basement as far as the backup of the sanitary system. He said with big storms people may get their basements leaking from Mother Nature and storm water, but backing up the sanitary we have to remain diligent and keep working until we find all of these mysteries and eliminate all of these backups. He thanked staff for the progress we have made.

COUNCILMAN BROPHY said there is a Spaghetti Dinner fundraiser at Cantigny Post this Wednesday from 11 a.m. to 7 p.m. for anyone who could make; it would be appreciated.

COUNCILMAN BROPHY said he raised an issue about emergency readiness and asked if staff has scheduled anything on this.

The City Manager said EMA Director Greg Sebben is going to schedule that so we will have Police, Fire, Public Works and all the departments involved. He said he'll ask them to move that up as quickly as possible. He said we had a little bit of a warning this weekend and it worked and he was real pleased. He said he didn't have to call anybody to do their jobs; he did call them all and they were already doing their jobs. He thanked the staff for everything they were doing which started Friday night and it wasn't a situation where they waited for it to get bad before they responded.

COUNCILMAN BROPHY said they are raising money for the Joliet Area Historical Museum via a Car Raffle. He thanked the people who have already purchased a ticket and he has more for those who would still like to purchase one. He said they are \$35.00 each or 3 for \$100.00.

COUNCILMAN SHETINA stated former Councilman Alex Ledesma called him regarding some structures that have been built on properties and staff has identified about 20 that they've asked to be torn down and he would like to make a comment on that.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

Mr. Alex Ledesma thanked the Mayor for allowing him to speak. He said some people received a notice about carports which they put up 15 years ago and just recently received letters that they had to be removed. He said he thinks it's silly after 15 years that they have to be removed. He said there are quite a few of them throughout the City of Joliet. He asked that the people who have had them for a long period of time be grandfathered in and an announcement made that they are illegal and will not be allowed for anybody else that has plans of buying them. He said some of these people cannot afford to pay to tear them down.

The City Manager stated he had met with Mr. Ledesma a couple of weeks ago to talk about this and also with Director of Inspections Dave Mackley. He said he saw some of the pictures and some are not very attractive or in the greatest shape. He said the problem started when they were put up without a permit. He said he thinks the notices that have gone out deal with the fact that they didn't obtain a permit to put the structure up so that is problem number one and the second problem is the unattractiveness of some of the carports. He said he believes it was the direction of the Council a few years ago not to allow the carports and the Director of Inspections is now in a position where he is trying to do some catch up work and has sent the notices out. He said if it's the Council's wish that we work with the property owners on a case by case basis, we can certainly do that, and if you think we should just continue on we'd be happy to continue on the path that we've started now. He said we understand the situation where some folks have had the carports up for many years but the absence of a permit and the fact that they don't look very good gives us good reason to go ahead and pursue it. He said we'll certainly work with the property owners if that's your wish.

Mr. Ledesma said they would be willing to pay for the late permit instead of having to remove them.

COUNCILMAN GIARRANTE asked if they are allowed under our ordinances.

The City Manager said they're not and that's the problem. He said most of the carports that are in existence do not meet code. He said certainly there are some wind issues and if we have a strong 50 mph day they do present a safety hazard, so that's why the Inspections Department has looked at them and has documented each one of them. He said notices were sent out and it is staff's recommendation that we do continue working with the property owners. but those that are unattractive and unsafe we do need to move ahead to removal. He said if a property owner can bring it into compliance with the code we will certainly work with them on that but it's not a situation that is going to happen overnight. He said it is our recommendation that we proceed forward.

COUNCILMAN SHETINA said there are about 20 of them and obviously some are not very sightly and others are very nice. He said he would like to see the ordinance that we did; he doesn't remember it. He said he thinks we have to look at them on a case by case basis. He said he thinks we should take it to a Committee and see if there is some way we can comply in some way, shape or form. He said some of them are very nice and very expensive. He said sometimes all you can afford is a carport rather than a full garage. He said he thinks nine people have taken them down already.

The City Manager said we'll get the information to you before the next Council meeting. He said we don't mind looking at it on a case by case basis.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

COUNCILMAN UREMOVIC asked if any more of these things will be put up.

The City Manager said they're not allowed, and if someone comes in now and asks for a building permit for a carport it is not issued. He said we'll find out what we did a few years ago and give you the ordinance and information on it.

The Corporation Counsel said he doesn't know that we have a carport ordinance but we do have an ordinance that requires a permit for the construction of any structure whether it be permanent or temporary. He said what we have here is people who in good faith went to a retail store and bought what amounts to under our code to be a temporary structure. He said they didn't know there was a local ordinance that applied but there is. He said so there isn't an ordinance that might outlaw a metal, temporary structure which is the type of carport that Menard's might sell, but a permit is required and so there is an ordinance in that sense that would authorize staff to take a look at each property and see if a permit is worthy of being issued and if so we can take that up with that individual property owner.

Mr. Ledesma said they are more than willing to pay the late permit fee; they just don't want to be forced to remove them. He asked what happens with the ones that were subpoenaed to go to court the first of the month.

The Corporation Counsel said they should go to court if they have been subpoenaed to go to court. He said before that time they should contact him in the Legal Department.

The City Manager said we have had a request by the operator and his Attorney Carl Buck to speak on Council Memo #1104-08 which is the Special Use Permit to Allow a Payday Loan Store at 2410 W. Jefferson Street which was denied by the Council earlier in the meeting.

Attorney Carl Buck said when they were before the Zoning Board of Appeals they made a pretty lengthy presentation regarding this particular operation. He said he knows we have an ordinance that requires a Special Use Permit for a consumer installment loan contract business or a payday loan store in a B-3 District. He said there were three objections that were made at the ZBA meeting by Director of Planning Don Fisher, the first one being that there were other businesses concentrated in this area. He said the second one was they didn't want to have this kind of business and the third was the Chamber of Commerce had objected or did not feel that it was going to promote commerce within the City of Joliet. He said he spoke with Russ Slinkard of the Chamber and explained that their business, Cottonwood Financial, is required by Illinois law to be licensed. He said they are required to follow the Illinois Consumer Installment Loan Act and the Payday Loan Act and they are audited and their rates set by law.

Mr. Buck said we are going to locate between Joyce and Caterpillar in the Menard's Shopping Center plaza and are paying top dollar for rent and are committed to a three-year lease. He said regarding the businesses you see that you don't like that are painted yellow with "Car Loan" painted on the side of them and have drive-thru signs, it is their intent to drive those people out of business. He said Cottonwood Financial is a legitimate lending institution. He said CitiFinancial and Wells Fargo do the same thing that they do but they are brick and mortar banks. He said there is no difference between what they do and what we do other than they also provide banking services and Cottonwood doesn't.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

He said when he had a chance to explain that to Russ Slinkard he said that was not his understanding when he was originally approached and asked for his comments, that the Chamber supported good business and he would support a project like this. He asked that the Council revisit this issue because their store is better. He said there is nothing within the Special Use Permit application or analysis by staff or the hearings or the evidence that suggests that they don't meet all the criteria, and ZBA Member Merriman said she liked the look of their plans, and ZBA Chairman Hennessy wished we would have been here earlier so these were the stores Joliet had and not the other ones.

COUNCILWOMAN QUILLMAN said you keep referring to Russ Slinkard and she asked when Mr. Buck spoke to him.

Mr. Buck said he spoke with him again today. He said Mr. Slinkard was here tonight and was going to speak but he felt he didn't need to, and she is more than welcome to speak to him directly about it.

COUNCILMAN SHETINA asked if the petitioner is here.

Mr. Rob Jacknewitz said he was present on behalf of Cottonwood Financial and the Cash Store.

COUNCILMAN SHETINA asked Mr. Jacknewitz what is the borrowing limit.

Mr. Jacknewitz said the State regulates the limits and a payday loan is up to \$1,500.00.

COUNCILMAN SHETINA asked what is the term of the loan.

Mr. Jacknewitz said the loans can range from 1 month to 180 months.

COUNCILMAN SHETINA asked what is the rate of interest.

Mr. Jacknewitz said it varies by credit history, repayment and everything like that.

COUNCILMAN SHETINA asked for an example of someone with bad credit.

Mr. Jacknewitz said he is not one of the actuaries and couldn't comment on that type of loan.

COUNCILMAN SHETINA said he is trying to get an idea if it's usurious or not. He said he wanted to know things like how long he would have to pay back a certain amount, if he's late what is the payment penalty and if he's not late and pay it on time what would be his rate of interest.

Mr. Jacknewitz said he could not answer those types of questions.

COUNCILMAN SHETINA asked if he just owned the building or is the landlord.

Mr. Jacknewitz said no, the landlord is not here. He said he represents the tenant.

COUNCILMAN SHETINA asked him in what way.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

Mr. Jacknewitz said he handles all of the approvals and development of new stores.

COUNCILMAN SHETINA asked who knows about the interest rates and rate of repayment and those kinds of things.

Mr. Jacknewitz said the people that operate the store would know that and unfortunately they are not here, but there are many variables that affect how much a loan costs as it does with any bank.

COUNCILMAN SHETINA said that's his concern.

Mr. Buck said State statute actually prescribes the maximum rates but he doesn't know it off the top of his head, but then those rates are derived based on numbers with respect to credit score, whether or not there's security, the term of the loan and the amount of the loan. He said Illinois sets the maximum rates by statute.

COUNCILMAN SHETINA asked if he knew what the rate is.

Mr. Buck said he doesn't know what the maximum rate is off the top of his head.

COUNCILMAN SHETINA said the rate and also the penalty for late payment and those kinds of things is what he's looking for.

Mr. Buck said he doesn't know if the statute governs penalties.

COUNCILMAN SHETINA said what Mr. Buck is asking is that this be revisited in some way, shape or form and upon revisiting he would like to know all of that.

Mr. Buck said in the Illinois Guide to Payday Loans and Illinois Guide to Installment Loans under Consumer Rights it says you cannot be charged fees of more than \$15.50 per \$100.00 borrowed. He said they are regulated by the State.

COUNCILMAN BROPHY said we have 17 other similar stores operating in the City of Joliet and they got in before we passed the ordinance.

COUNCILWOMAN QUILLMAN said you're regulated by the State so how is your store different than any other payday loan store.

Mr. Buck said we have the licenses through the State of Illinois. He said if people don't have licenses and don't come in here and prove to you that they've complied with the laws of the State of Illinois but they want to have an installment contract loan store they can do that, but they don't have a license from the State of Illinois. He said Cottonwood Financial does have a license through the State of Illinois to run both of those businesses.

COUNCILWOMAN QUILLMAN said you're telling me that all of these businesses in our town don't have licenses.

Mr. Buck said no, they have to have the same or similar licenses that we do.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

COUNCILWOMAN QUILLMAN said so how is your store different. She said it's the same thing, it's still a payday loan store only it's in a different building without electric signs in the windows.

Mr. Buck said no, it's not the same thing because in those instances some stores will have just payday loans. He said this store also offers auto insurance and life insurance so they have other products that they sell as well.

COUNCILWOMAN QUILLMAN asked if any of these others offer those services.

Mr. Buck said he doesn't know that they do or that they all do. He said but for instance CitiFinancial, which is a bank, has to comply with the same laws that we do in this instance.

COUNCILWOMAN QUILLMAN said exactly, so you're not any different than any of these other ones that we already have here.

Mr. Buck said he doesn't know that all of those stores are licensed.

COUNCILWOMAN QUILLMAN said so you're saying the difference is you have a license and some of these stores do not.

Mr. Buck said he doesn't know that they do and he can't represent which ones do.

COUNCILWOMAN QUILLMAN said you can't say that if you don't know that.

Mr. Buck said he is not, he is saying he doesn't know whether they do or not. He said he's saying they have gone through the process to follow the laws of the State of Illinois.

COUNCILWOMAN QUILLMAN said how are you any different, you are not, you are still a payday loan store. She said the amounts are the same and you are regulated by the State. She said you just aren't going to have a bunch of signs in the window, it's just going to be a nicer storefront.

Mr. Buck said he didn't think he characterized it like that.

COUNCILWOMAN QUILLMAN said she is not quoting him, she is just summarizing basically what he said.

Mr. Buck said the point he is trying to make is that the State of Illinois has taken upon itself to pass laws to regulate this kind of business so that the image that you have of unregulated loan sharking or bullet proof glass with drawers that you slide something in and they slide money out, this isn't that kind of store. He said they do have laws that they have to follow, they have requirements that they have to meet, they have audits, there is a complaint process, there is an Illinois Guide to Consumers as to what your rights are and their hours of operation are less than the other hours of operation for the other businesses within the mall.

COUNCILWOMAN QUILLMAN asked what the difference is between Household Finance Corporation or Beneficial and you. She said these are two of the pretty well known payday stores and she asked how are you any different from them.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

Mr. Jacknewitz said one is the physical layout of their store.

COUNCILWOMAN QUILLMAN said again that's cosmetics, how are you different because not all of these stores are like that.

Mr. Jacknewitz said no, not all of them are.

COUNCILMAN SHETINA said personally he doesn't mind revisiting this issue but he thinks COUNCILWOMAN QUILLMAN asked a question about Household Finance, American General, Personal Finance that are all companies that have been here for a long time and we've never heard a complaint on any of these. He said if you were like Household or American General or Personal Financial he knows over the years those people provide a great function making car loans, making short loans and they used to go up to \$800.00, and now they go a lot higher than that. He said he knows they provide a function in a town and those kinds of organizations we have never heard anything bad about. He said when he hears "payday loan" it makes him nervous and when he sees the "cash loans" sign it makes him nervous. He said he feels like it's not quite solid, and maybe you are, but you are following with a reputation that is not good. He said it may not be your fault but it does have the connotation "payday loan store", and it is not something that we look at and say oh great, let's go chase a payday loan store and get them on Jefferson Street. He said he knows these other ones as COUNCILWOMAN QUILLMAN mentioned have good reputations and they do provide a function and he doesn't think they're usurious and maybe they're under the same loan patterns you're under. He asked Mr. Buck if they sell insurance also to cover the loan.

Mr. Buck said no, it is separate insurance like car insurance.

COUNCILMAN SHETINA said so you sell car insurance. He asked him why do you have to use that name, "payday loan".

Mr. Buck said the State of Illinois calls it the Payday Loan Act.

COUNCILMAN SHETINA said for us it looks cheap.

Mr. Buck said that's part of the education that they have to do to overcome that burden and there is no dispute over that. He said what Household and Beneficial and CitiBank are doing is exactly in the same statutes that we're following to do the exact same thing.

COUNCILMAN SHETINA said if that's the case and he doesn't know that, that gives you a lot more credibility.

Mr. Jacknewitz said some of the things they are not doing is wire transfers, currency exchange, check cashing, they are not open 24 hours and are not open on Sundays. He said the hours are Monday thru Saturday 9 a.m. to 6 p.m.

COUNCILMAN BROPHY said it's a big economy and it's a big world and we have big grocery stores and little grocery stores and we have big car dealers and little car dealers. He said we shouldn't be here to judge or evaluate this gentleman and his store and operation. He said he thinks the question before us is we have 17 of this type of provider in the City of Joliet and do we want an 18<sup>th</sup>. He said we're saying we have an inventory of 17 providers of this sort and that's enough. He said that's the only policy question in front of us and as a small

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

business owner he doesn't think it's fair to criticize this gentleman and how they do business. He said the fact is they are a legal operating entity in the State of Illinois and across the country. He said the question before us is do we want an 18<sup>th</sup> such store.

COUNCILMAN SHETINA said there are a lot more banks than that in the City. He said can we have this discussion with these folks and can we talk about things we like and don't like and is that fair game.

The Corporation Counsel said the ultimate issue before the Council, setting aside the fact that you voted on it already and the next parliamentary procedure would be a motion to reconsider, but to deal with the substantive issue, this is a zoning request filed by this particular business owner and in our Zoning Ordinance we have a set of criteria that deal with whether or not a Special Use Permit should be granted. He said among those factors are the land use factors: does this particular business bring in more tax revenue to the City or does it not; are there other better land uses for this area under our comprehensive plan; does this particular business further our comprehensive plan or promote the orderly development of nearby areas or doesn't it. He said that's the primary issue, whether or not the land use is right. He said this is a regulated business, it is a legal business and it has a right to operate within the City of Joliet in some location, but it has to pass a site-specific review under our Special Use Permit guidelines. He said the burden is on Mr. Buck and his client to establish that this location is in the public interest and would benefit the public and the public interest and that would be the development of the area, the tax revenue of the area and making sure that neighboring properties are not harmed should this business be approved.

COUNCILMAN SHETINA said the main thing with him is the financial trap if in fact that's what's happening to residents of the City of Joliet, and this may not be the case. He said if they set up a financial trap for someone to come in and borrow \$1,500.00 and all of a sudden they're past due and they owe \$3,000.00 or more, he doesn't want to see that. He said that's why he voted no, because of the previous history of payday loan stores.

The Corporation Counsel said he would say that if the ordinance before the Council is whether or not to license payday loan stores, your issue would be right on point. He said whether or not it's fair consumer practice to allow an interest rate at a certain level, this is more of a land use question and so the answer to a land use question doesn't necessarily deal with the financial charges that this business is allowed to operate, although it would be a fair point to say that until the State does a better job of regulating this type of business Joliet has enough businesses if we already have 17. He said so they are connected although he doesn't think a land use decision should be based simply on whether or not this is a subjectively acceptable business within the City.

COUNCILMAN SHETINA said that's what it is with him, it's a subjective thing based on past history and financial traps set for people. He said he is not accusing these folks of that but is it fair game for us to be talking about that.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

The Corporation Counsel said he would say it's not the first question before the Council. He said for example, COUNCILMAN SHETINA has talked before about car washes and has had the opinion expressed publicly that he doesn't want too many of the same type of business. He said that's a fair land use factor and the question could be put in this context as well as to whether or not 17 is enough for the Joliet community.

COUNCILMAN SHETINA said that's not his concern; he doesn't care about that.

COUNCILMAN TURK asked if they have 46 offices in Illinois.

Mr. Jacknewitz said yes.

COUNCILMAN TURK asked if they all go under the name of "Cash Store".

Mr. Jacknewitz said yes.

COUNCILMAN TURK said he thinks that's one of the problems. He said if you see a sign that says CitiFinancial or Household Finance that's one thing, but when you see a big black and yellow sign saying "Cash Store", that just sends the wrong message to him. He said it doesn't look right. He said if it was Cottonwood Financial Illinois LLC he thinks it would be a whole different connotation to ourselves and the public. He said it looks like it's your policy to go by the name "Cash Store".

Mr. Jacknewitz said it's the retail name; if you ran Cottonwood Financial through the State's database they would all pop up d/b/a Cash Store.

COUNCILWOMAN QUILLMAN said her concern is there are already 7 of these facilities on Jefferson Street and you would be the 8<sup>th</sup> and Larkin Avenue has three. She said to her it is just a very high density of cash stores in a small area and we're a big town, can't you find someplace else.

Mr. Jacknewitz said they did look around extensively. He said the ordinance allows them only in B-3 zoning districts by special permit and that is somewhat limiting.

COUNCILWOMAN QUILLMAN said there are a lot of little strip malls on the far west side that are looking for businesses to go in there and they have B-3 zoning.

Mr. Jacknewitz said Cottonwood looks to always go into Class A space and this is a brand new, very nice building.

COUNCILWOMAN QUILLMAN said there are a lot of nice buildings out there as well. She asked if they looked out there.

Mr. Jacknewitz said yes, they did look out there.

COUNCILWOMAN QUILLMAN said you probably looked for your demographics.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

Mr. Jacknewitz said yes and he doesn't know how they get there. He said they have folks that do that and the formulas are plugged in. He said Cottonwood is here to provide a better service and to possibly drive some of these other ones out of business. He said the market will dictate that and additionally this is a Special Use Permit and if Cottonwood can't make it here or is not successful it goes away and so does the Special Use Permit so it doesn't sit there with the land for someone else to just come back three years later and try their hand at it as well, they have to come back before you. He said they feel Cottonwood is a better product and they have been around for quite a while. He said there are 250 locations and there are no complaints with the State. He said regarding price gouging he thinks that would be detrimental to the business. He said they do have repeat customers and that's what they intend to do here.

COUNCILMAN BROPHY said we appreciate the fact that you looked at Joliet for a site. He said the problem is you come in on the heels of a lot of operators that in some towns have signaled blight or have signaled an economic condition that we would rather not communicate to our own constituents and those who visit. He said that's where we are here. He said it's not whether or not you run a good operation or whether or not you're a good person or your company does a good thing. He said we know it's a legal operation but he doesn't know if anywhere in town this Council would find in favor of your business.

Mr. Jacknewitz said just from appearance's sake, there are no bullet proof glass partitions, sliding doors or buzzers. He said you sit down at a desk with a representative and go over what you want.

COUNCILMAN SHETINA said Cottonwood Financial is a pretty nice name. He said he thinks he ought to tell his boss to forget about this "Cash Store" stuff.

COUNCILWOMAN QUILLMAN said the way she looks at it we already voted on it, it came before the Council and nothing was said then. She said we're talking about something that we've already denied and we don't need 18 of them and that's just her opinion.

COUNCILMAN GIARRANTE said that doesn't preclude him from the right to talk and he's sure a lot of study went into this and to where you wanted to put it and he doesn't think we should get involved in telling you where to put your store. He said he agrees with COUNCILMAN BROPHY that we have 17 now and the connotation is not good. He said he's sure you run a top shelf business but it's just the connotation that we already have 17.

**CITIZENS TO BE HEARD**

A. Trista Brown, 7 N. Raynor Avenue, re: Water Damage Claim

Ms. Brown withdrew her request to speak.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

B. Thomas Rubin, 1515 Ridge Brook Drive, re: Compliance Fee Increase, Acquisition of EJ&E Railroad and The Boulevard

Mr. Rubin stated he moved to Joliet last December after returning from a tour in Iraq to raise a family. He said regarding the increase in the compliance fees, he doesn't feel his income and other people's incomes have increased to go along with the theory that these fees haven't been raised since the 1990's and it's time they be raised.

Mr. Rubin said he read that the City is going to give \$1 million towards The Boulevard. He said he would love to see the economy increase but unfortunately he doesn't see that happening any time soon. He said he would suggest putting that \$1 million towards the Police Department so they can put a couple more police officers on the force.

Mr. Rubin said he reads about these things in the newspaper because he can't come to the City Council meetings because he works days and the meetings are generally held in the afternoon and he asked if we could reconsider the time of our meetings.

Mr. Rubin said regarding the Canadian National Railway acquisition, the EJ&E railroad tracks run about 125 ft. behind his house and the train runs about a quarter mile and goes through three times a day and he was disappointed when he read that the City Council decided to support the acquisition of the Canadian National Railway. He said now it may be a 3 mile long train multiple times a day behind his house. He said he doesn't think his foundation will be able to stand the vibration let alone the noise.

COUNCILMAN SHETINA asked what subdivision he lives in and Mr. Rubin said Fall Creek.

COUNCILMAN SHETINA said generally our Council meetings are at 6:30 p.m. with Pre-Council at 3:30 p.m. and it is on television. He said today's meeting at 3:30 p.m. was an unusual case.

COUNCILMAN GIARRANTE said he believes the agreement we signed with CN Railway in no way says that we support it. He said we didn't guarantee them our support or anything with that agreement. He said all it says is if this sale goes through they have to do certain things to our crossings.

COUNCILMAN SHETINA asked the Director of Community and Economic Development how Fall Creek Subdivision is affected by the proposed CN acquisition.

The Director of Community and Economic Development said nothing is going to change; there will be one train in the morning and one in the afternoon. He said the interesting thing about this line is we were able to secure that the intersection at Caton Farm Road and the intersection at Theodore Street will be changed into a whistle free zone if this goes through, so it would be quiet zones for both.

COUNCILMAN SHETINA said the only thing we can't control is the length of the train.

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 15th day of September, A.D. 2008***

The Director of Community and Economic Development said that's a different animal because that really is a long spur line that goes down to Morris to serve the businesses down in Morris. He said there is no train that will be 3 miles long, they'll probably be a 1 mile to 1 ¼ mile at the most even on the main line. He said there will still be two trains a day and he doesn't think he's ever seen a train that's been 100 cars long and he doesn't think this particular line could accommodate that.

**ADJOURNMENT**

COUNCILMAN GIARRANTE moved that the Council adjourn at 5:00 p.m.

Motion seconded by COUNCILWOMAN QUILLMAN.

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.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

Recorded on Tape