

***Proceedings of the Council of the City of Joliet, Illinois
held on the 18th day of September, A.D. 2006***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, September 18, 2006 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR ARTHUR SCHULTZ and DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, DISTRICT 4 COUNCILMAN ALEX LEDESMA, COUNCILWOMAN AT LARGE JAN QUILLMAN, DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA and DISTRICT 3 COUNCILMAN ANTHONY UREMOVIC.

ABSENT: DISTRICT 5 COUNCILMAN WARREN C. DORRIS and COUNCILMAN AT LARGE MICHAEL F. TURK.

ALSO PRESENT: CITY MANAGER JOHN M. MEZERA and CORPORATION COUNSEL JEFFREY S. PLYMAN.

1. Introduction of Herald News Publisher Larry Randa

Mr. Randa stated they are in the process of making an already great newspaper even greater by including more significant local news. He said probably of particular interest to the City is the fact that they are changing some guidelines for some of their columns, including Open Line. He said soon Open Line comments will require the name of the caller in addition to their town. He said they now require a phone number, and they do call them back to make sure they are indeed the person making the comment.

COUNCILMEN DORRIS and TURK arrived at the meeting at this time.

COUNCILMAN GIARRANTE said he thought the policy for Open Line and Letters to the Editor is that there would be no personal attacks on individuals and naming names. He asked if that has changed or if that is the policy.

Mr. Randa said that is the policy and it has not changed, but that doesn't mean that things don't slip by, and if they do, their editors hear about it.

Mr. Randa said he is looking forward to an exciting time in the City of Joliet and if anybody ever has any questions or concerns, he would be happy to meet with them.

2. Citizens to be Heard

a. Lorna Paisley re: Landscape Recommendations

Ms. Paisley of 664 Hickory Street said she has been listening to the Council when they talk about landscaping certain areas in the City, and she has talked with the St. John's and St. Peter's neighborhood group and they decided they would like to suggest the following spots for landscaping: Nicholson and Ruby, Stone and Bridge, any of the 3 corners at Ruby and Bluff that are green and the southwest corner of Ingalls and Broadway. She said she went and visited the Children's Garden in Elwood and it was one of the most beautiful things she has seen, and she suggested that maybe the City of Joliet could do something like that.

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Ms. Paisley said the St. John's and St. Peter's group has their neighborhood meetings every 3rd Thursday of the month, and she welcomed anyone to come to their meetings.

b. Ed Pultorak re: Property Taxes

Mr. Pultorak of 911 Donnie Court said in these last two years, he has received a 10% or more increase in his property taxes for a total of a 24% increase. He said with the two casinos you would think that the property taxes could be in better control. He said the housing market is slowing down so you would think that his property assessment might be coming down, but that's not the case. He said his most recent bill shows they will receive another 11% increase next year. He asked why the City's budget requires such a high increase in property taxes. He asked what we can do as a City to help reduce the high yearly increase in property taxes and to bring down that percentage. He asked the Council to consider discussing this question and he said he does understand some of the struggles we have in trying to keep taxes down.

COUNCILMAN SHETINA said the City has lowered its portion of the tax bill through the benefit of riverboat gaming and by eliminating City stickers, giving senior citizens a discount on their water bills, etc.

The Director of Management and Budget distributed a copy of the City's "Real Estate Tax Rate History Comparison". He said the 2005 levy is the same as the last four years and the City Council has established a policy of setting the annual real estate tax rate at the same rate or lower than the previous year.

COUNCILMAN UREMOVIC said the City of Joliet is not the culprit in terms of the total bill nor do we have the answer to get other taxing bodies to lower their tax rates.

MAYOR SCHULTZ said we are trying to reduce rates by getting more attractions in the City of Joliet like the Baseball Stadium and the Racetracks which bring revenue into the City of Joliet. He said Mr. Pultorak has a good point because we have to work together to find a better solution, but you can't blame Joliet because we do bring revenue into the City and we are trying really hard. He said not many cities can say they don't have a vehicle sticker plus a senior citizen discount on the water bills.

COUNCILMAN GIARRANTE said the City is doing everything it can to keep the taxes down. He said the rest is up to the other taxing bodies and we have no control over them.

The City Manager then asked the Council's indulgence in moving several items up on the agenda due to the presence of interested individuals.

The City Manager explained Council Memo #1061-06 dealing with the Annexation of 164 Acres Located at the Northeast Corner of Laraway and Rowell Roads and the Preliminary and Final Plats of Laraway Distribution Center Subdivision.

Mr. Steve Hess of Exel Corporation was present on behalf of the petition.

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The City Manager then explained Council Memo #1062-06 dealing with the Annexation of 2419 South Chicago Street and the Preliminary, Final and Recording Plats of Stone City Commercial Park Subdivision.

Mr. Tom Carroll of Jacob & Hefner Associates was present on behalf of the petition.

COUNCILMAN BROPHY questioned the right in, right out access points nearest the intersection. He said we need to talk about the specifications of these things if we are going to continue to require them. He said they need to be set back into the property a little farther with more of a median to deter abuse, because it creates a situation that is less safe than if you were to leave the entrance completely open. He said we don't want it used by left turns but they tend to get used anyway even though there may be another option right down the street. He said he sees it done at the Auto Zone on Larkin Avenue all the time and he regularly has to avoid someone coming in or out the wrong way.

The City Manager said he has asked our staff not to use right in, right out unless it is absolutely essential. He said in this situation the State of Illinois and the County are both requiring these so we have to do it to their specifications.

The City Manager then explained Council Memo #1078-06 dealing with Amending the Building Code Regarding Use and Installation of Vinyl Siding. He said we do not want to see any more waves in the siding. He said he thinks the Land Use Committee felt that this is a huge step to getting things under control and to making sure that the people installing the siding are installing it properly.

COUNCILMAN SHETINA said the original thought was to eliminate allowing the placement of the vinyl siding and particularly the .035 gauge right on the foam. He said the Inspections Director explained that a lot of it was in the application, and it would help if we could increase the vinyl thickness from .035 to .042 and have the provision in place that the installer be certified before they install the siding.

The Director of Inspections said within 120 days after adoption of this Ordinance, at least one certified installer must be on the job to supervise the others doing the installation. He said hopefully within the year everyone doing installations will be certified.

The City Manager said one of the other issues was that the Vinyl Siding Institute had a process where you could get certified on-line. He said that meant there was no requirement that there be some hands-on experience. He said what we are now requiring is that within the year they have to take a 40 hour training course which will certify them and then one certified installer will need to be on site when siding is being installed.

COUNCILWOMAN QUILLMAN asked the Inspections Director how soon they notice the waving in the siding after the buildings are put up.

The Inspections Director said it varies but a lot of it has to do with the temperature and time of the year. He said what they are seeing is something called "oil canning" where you get real short waves in the siding from improper installation and that is affected by the temperature, or if it gets hit by an early morning sun you can see it worse at certain times of the day. He said it is directly related to the installation of the vinyl.

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COUNCILWOMAN QUILLMAN asked the Inspections Director if in his opinion the certification of the vinyl installers and the thicker vinyl will solve the problems, and will he be able to tell when he reinspects it.

The Inspections Director said that will absolutely resolve a lot of those types of problems. He said they are going to go back a year from now and see how things are looking and if this has resolved the problem.

It was requested that this item be voted on today.

3. AN ORDINANCE Amending the Building Code Regarding Use and Installation of Vinyl Siding was presented and read.
(Council Memo #1078-06)

COUNCILMAN BROPHY moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15649)

The City Manager then explained Council Memo #1066-06 dealing with the Preliminary Plat of Liberty Meadow Estates Subdivision. He said the Housing Authority of Joliet, owner and developer of the subject site located at the southwest corner of Briggs and Rosalind Streets, is planning a mixed-density residential subdivision consisting of 92 single-family residential lots and 45 duplex lots with 90 units.

Housing Authority Director Henry Morris, Mr. Jerry Papesh of Geotech and Attorney Eric Hanson were present on behalf of the petition.

COUNCILMAN SHETINA asked at what point in time would the homeowners take over the association.

The Corporation Counsel said he doesn't know if the homeowners association will ever take over because the Housing Authority for the foreseeable future owns the majority of the property. He said the Housing Authority or an entity it creates will run the facility. He said they could create a sub-association for the individually owned properties.

Mr. Hanson stated the majority of the properties are going to be owned by the Housing Authority of Joliet for at least 15 years. He said that is the compliance period for the state.

The City Manager said they have done a really great job on the housing designs. He said some of the market rate houses are over 3,000 sq. ft. and the ones being proposed by the Housing Authority are averaging 1,700 sq. ft. - 1,800 sq. ft. and are two story homes.

COUNCILMAN DORRIS asked when they will begin construction.

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Mr. Morris said they hope to start construction by March or April of next year. He said the top priority right now after City Council approval would be to get HUD authorization for demolition of Poole Gardens. He said they should make a decision within 90 days, so once they get authorization for demolition they will proceed and they also have to relocate the 95 families that live in the development who will all be receiving Section 8 vouchers.

MAYOR SCHULTZ asked if every family would have a home before demolition begins.

Mr. Morris said yes. He said under the Uniform Relocation Act we have to provide decent, safe and sanitary housing at affordable costs for every family and also be responsible for associated moving expenses.

MAYOR SCHULTZ said we don't want anyone left without a home.

It was requested that this item be voted on today.

4. AN ORDINANCE Approving the Preliminary Plat of Liberty Meadow Estates Subdivision as recommended by the Plan Commission was presented and read. (#P-19-06/Dist. #4)
(Council Memo #1066-06)

COUNCILMAN LEDESMA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15650)

The City Manager then explained Council Memo #1069-06 dealing with the Recording Plats of Sable Ridge Subdivision Phase 2, Units 5, 6 and 7.

Mr. Alex Jensen of Centex Homes was present on behalf of the petitions.

COUNCILMAN UREMOVIC asked the City Manager if all first floor elevations will be brick or stone on the townhomes section.

The City Manager said the first floor elevations on all sides of the townhomes will be brick.

COUNCILMAN BROPHY asked if the new vinyl requirements apply to projects that are in progress now.

The City Manager said it will take effect in 120 days.

COUNCILMAN BROPHY asked if we can strongly suggest the new requirements, but not legally require it.

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The City Manager said yes, and he asked Mr. Jensen if their siding would meet the requirements that were previously discussed on the vinyl siding.

Mr. Jensen said he would have to check with their architectural department but he thinks currently they are at a .040 gauge. He said he knows they have been in discussions with the Building Department and the inspectors and are meeting all the requirements in place now.

COUNCILMAN BROPHY said it seems like the installation is a big factor.

Mr. Jensen said it is a great concern of theirs also.

COUNCILWOMAN QUILLMAN said the Gemstone collection of townhomes are pretty monotonous looking and she asked Mr. Jensen if there were going to be any changes made to them. She said we have an anti-monotony ordinance and she doesn't care for these because they all look the same. She said the single family homes are very different, but these are all together and they all look the same.

Mr. Jensen said he doesn't know of any changes right now. He said some of these may have different elevations and different colors so that as a whole it doesn't look as it appears when you have a blow up of just one building.

COUNCILMAN SHETINA said we want them to look different. He said if someone came in and did some outstanding quality that was all brick and had some beautiful English Tudor type things and you could see that the quality overrides the monotony of it, that was one of the nuances that we talked about. He said we would like to see more than just two windows here and one window there. He said the single family houses look fine; they are different. He asked the City Manager and staff to look at the Gemstone collection and to realize that we want more than just a nuance, we want some real differences.

The City Manager said some of the things that they do are very different from the other ones. He said if you look at the roof lines on this, the other ones that you've been seeing have a solid roof line all the way through even if they have gables. He said the entryway features are set back and they also poled the roof down there so from the street when you look at this you get more of a feeling of a single family type home. He said that is a real nice feature that you haven't seen in a lot of the other ones. He said they introduced the shingle on the front gables and the colors also provide some of the additional anti-monotony. He said that's what we've been doing a lot in the multi-family. He said if there is any more that you'd like to see on the exteriors and to get some more variety, just let him know.

The City Manager then explained Council Memo #1074-06 dealing with a Variation of Use to Allow a Frozen Ice Cream Distribution Center at 712 Landau Avenue.

Ms. Gabriela Orozco was present on behalf of the petition.

COUNCILMAN LEDESMA stated he checked out the facility and saw the commercial vans that they are going to use and he didn't see any problems with the way they are going to pull up in the rear area. He said there will not be a lot of traffic. He said he likes the way they operate and it should be very safe.

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COUNCILMAN GIARRANTE asked if they were going to sell ice cream out of the building.

The City Manager said no.

COUNCILMAN BROPHY mentioned they said in their application that the only negative impact could be many children surrounding the store. He asked what that meant.

Ms. Orozco stated their initial request was to make it retail, but they have decided to make it just distribution.

COUNCILMAN LEDESMA asked if the neighbors had any problems with this.

Ms. Orozco said no, and they have spoken to a lot of the current ice cream vendors and they think it will be a lot safer.

COUNCILMAN BROPHY asked the Corporation Counsel if this is precedent setting since this is a property much like many others on the east side. He asked how we turn down the next request for commercial operations on a first floor.

The Corporation Counsel said all of the zoning cases have some amount of precedence and you can't avoid that. He said they are all fairly fact specific and you never really see two of the same kind. He said this was a retail bakery with a lot of coming and going and there will probably be less traffic under the proposed use.

It was requested that this item be voted on today.

4. AN ORDINANCE Approving a Variation of Use to Allow a Frozen Ice Cream Distribution Center in an R-3 District Located at 712 Landau Avenue as recommended by the Zoning Board of Appeals and subject to the 13 conditions listed in the Council Memo was presented and read.
(#2006-89/Dist. #4)
(Council Memo #1074-06)

COUNCILMAN LEDESMA moved that said Ordinance be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

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

NAYS: NONE.

(ORDINANCE NO. 15651)

The City Manager then explained Council Memo #1084-06 dealing with the Conveyance of 1107 Garvin Street to James V. Foster for the amount of \$7,000.00. He advised that three bids were received for this property, and it was felt that Mr. Foster's bid to build a two-story single-family owner-occupied home is the best proposal. He said Mr. Foster is the owner of the adjacent lot and wants to consolidate this lot to make a 15,000 sq. ft. buildable parcel.

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COUNCILMAN SHETINA stated this was not an easy decision for the Land Use Committee to make because they had a legitimate bidder who bid \$15,000 who does a lot of work and builds a lot of homes in Joliet. He said he would like staff to send AH Partners a letter and give him the reason why they were not chosen so they know that this will not affect them in any future bidding for any of the lots in the City.

The Director of Community and Economic Development said he talked to one of the owners and explained the reason why they were recommending that Mr. Foster be awarded the bid. He said although she was not happy with the decision, she understood it and he said he would still send them a letter with an explanation.

COUNCILMAN SHETINA said they are a valuable resource for the City. He said they are happy with Mr. Foster and they are awarding it to him because he is local and will do a great project.

The Director of Community and Economic Development said he doesn't think they will lose AH Partners as bidders because they are still interested in other lots in the City.

It was requested that this item be voted on today.

5. A RESOLUTION Authorizing the Conveyance of 1107 Garvin Street to James V. Foster for the amount of \$7,000.00 was presented and read.
(Council Memo #1084-06)

COUNCILWOMAN QUILLMAN moved that said Resolution be adopted.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

(RESOLUTION NO. 5833)

The City Manager then explained Council Memo #1095-06 dealing with Awarding the 2006-2009 Contract for the Removal of Abandoned Vehicles to A-Affordable Auto Reports at a cost to the vehicle owner reclaiming the vehicle of \$50 per tow, \$15 per storage/day and \$75 in salvage fees to the City. He said A-Affordable offered the lowest price for towing and storage to the citizens whose vehicles are abandoned, and the highest price to be paid to the City for salvage vehicles.

Mr. Bill Clemmons of All Will County Auto Wreckers stated he disagrees with the criteria used in the contract awarding process. He said he was awarded this contract a little over 5 years ago because the company that previously had the contract could no longer fulfill the contract and junk cars were piling up on the streets. He said in the beginning he made a little bit on the contract and now that he will be able to make a little more, they are going to give it to someone else. He said he disagrees with their decision to go outside the City when they have someone capable inside the City.

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COUNCILMAN LEDESMA asked where A-Affordable Auto Parts is located.

A representative said they are located in Joliet Township.

COUNCILWOMAN QUILLMAN asked Mr. Clemmons how long he has lived in the City.

Mr. Clemmons stated he has been in business in the City for 20 years but he lives in Lockport.

COUNCILMAN BROPHY asked him to specify what criteria he has a problem with.

Mr. Clemmons said he doesn't think there really is a good criteria because it's not a criteria used for any other towing company in the City and he doesn't think it should be. He said he doesn't think the City should make money off people's hardships of losing their cars.

COUNCILMAN BROPHY said an abandoned vehicle is a nuisance and of some cost to the City. He asked how we should make this decision if not at the lowest cost to the City. He said he understands there is some value to Mr. Clemmons' corporate citizenship, but how else should we make this decision if not by a competitive bid like we've done.

Mr. Clemmons said he doesn't know.

COUNCILMAN BROPHY asked how many cars we're talking about.

The Purchasing Director said in each of the last three years, the average number of cars destroyed was 716 cars, and the revenue to the City based on that would be \$53,700 a year with A-Affordable Auto Parts versus \$35,800 a year with All Will County Auto Wreckers. She said the average number of cars that have been reclaimed over the last three years is 64 per year.

COUNCILMAN DORRIS asked why we would want to give the lowest cost to a citizen that has broken the law. He said they have a car that's been an eyesore and we give them a \$75 compliance ticket. He said if we pick them up without insurance we tow their car and charge them \$250 to get it back. He said we should be trying to impose a penalty that says if you do that and you want that car back you are going to pay a higher price for it.

The City Manager said most of the people that do come in end up seeing the Deputy City Manager and they are poor people that are looking for a little bit of a break.

MAYOR SCHULTZ asked if any of the three bidders are union.

Police Commander Richard Fonck stated Affordable Auto Parts and All Will County Auto do not have union drivers. He said Pens Collision does have some union drivers which are the ones on the day shift which is when we tow them.

Commander Fonck explained that 15 years ago Berlinsky's had the contract and we received a \$30 - \$35 salvage fee. He said six years ago Berlinsky's said they weren't going to do it any more because the scrap price went down and they weren't making anything. He said then All Will County Auto Wreckers came in

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and asked if they could do it and they started towing for the City and the salvage fee went to the wayside. He said now we have a chance by putting this out to bid to see if we could get the salvage fee back for income to the City because we do assign 1 full-time officer and a 20 hour auxiliary officer just to abandoned cars. He said years ago there was a fee to the City and it dropped to the wayside and now we are trying to bring it back.

The City Manager said All Will County Auto Wreckers has done a great job for the City but these things do come and go and it's a bid process. He said we have provided all the information and we know that it is not easy to make a decision.

MAYOR SCHULTZ asked why this is a three year contract.

The Purchasing Director said the last contract was for five years and they tried to reduce it because with the price of scrap fluctuating so much, they didn't want to lock someone in for five years, nor did they want to do it on a yearly basis.

The City Manager said Mr. Clemmons has been great to work with and the citizens have received good service from him.

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

The City Manager explained Council Memo #1076-06 dealing with Declaring Certain Properties as Public Nuisances, including the U.S. Steel building at 927 Collins Street.

COUNCILMAN BROPHY said it seems to him that the U.S. Steel building is kind of important to the history of Joliet. He said that steel put us on the map for a long time, besides the beauty of the building. He said it is just a wish of his that the building could be maintained and preserved.

The City Manager said he thinks it has been landmarked so it can't be torn down. He said the City has been after the owners to repair the wood soffits and they have been reluctant to spend any money on the property and we can't let it sit much longer.

COUNCILMAN BROPHY said he would like to encourage the District 4 Councilman and the Collins Street Taskforce to look at that as a possible asset for whatever they are working on.

COUNCILMAN GIARRANTE said he thinks that's part of the plan.

COUNCILMAN LEDESMA asked if the building was for sale.

The City Manager said it's possible but he doesn't know anything about a sale. He said U.S. Steel sold the property to Bethlehem Steel and then a few years ago they bought it back.

MAYOR SCHULTZ asked if it was landmarked then.

The Director of Community and Economic Development said he didn't know but he would check into that.

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The City Manager advised there was a need to go into closed session to discuss pending litigation including worker's compensation and personal injury cases and personnel.

COUNCILMAN BROPHY moved that the Mayor and Council recess to closed session to discuss pending litigation including worker's compensation and personal injury cases and personnel after which the meeting will be adjourned.

Motion seconded by COUNCILMAN DORRIS.

Motion carried by the following vote:

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

NAYS: NONE.

ARTHUR SCHULTZ
Mayor

JANET K. TRAVEN
City Clerk

Recorded on Tape