

## COUNCIL- MANAGER FORM

***Proceedings of the Council of the City of Joliet, Illinois  
held on the 20<sup>th</sup> day of September, A.D. 2010***

PRE-COUNCIL MEETING of the Council of the City of Joliet, Illinois held on Monday, September 20, 2010 at 3:30 P.M. in the Council Chambers, Joliet Municipal Building, 150 W. Jefferson Street, Joliet, Illinois.

ROLL CALL

PRESENT: MAYOR PRO-TEM WARREN C. DORRIS and DISTRICT 4 COUNCILWOMAN SUSIE A. BARBER, DISTRICT 2 COUNCILMAN TIMOTHY M. BROPHY, COUNCILMAN AT LARGE THOMAS C. GIARRANTE, COUNCILWOMAN AT LARGE JAN QUILLMAN and COUNCILMAN AT LARGE MICHAEL F. TURK.

ABSENT: MAYOR ARTHUR SCHULTZ and DISTRICT 1 COUNCILMAN JOSEPH R. SHETINA.

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

COUNCILMAN SHETINA arrived at the meeting after the roll call.

1. Proclamation re: Recognizing the Joliet Area Historical Museum Volunteers

COUNCILMAN BROPHY read a Proclamation issued by Mayor Schultz recognizing the importance and accomplishments of the volunteers at the Joliet Area Historical Museum who have donated 3,922 hours of their time and are essential to furthering the mission of the Museum.

Museum Executive Director Tony Contos, Board Member Virginia Ferry and volunteer Mary Krippel thanked the Mayor and Council for their recognition.

The City Manager then explained Council Memo #718-10 dealing with an Agreement with Senior Services Center of Will County to Provide a Shuttle Bus Service for Senior Citizens.

Executive Director Pat Hensley was present on behalf of Senior Services Center of Will County.

The City Manager stated that currently the City owns a shuttle bus with a part-time employee that drives seniors throughout the Joliet area, and in the City's effort to reduce expenses, the City has looked at the option of discontinuing service or finding an alternative which in this case was asking the Senior Services Center to help. He said that Pat Hensley and her staff have graciously agreed to help and services will continue for the Murphy Building, Park Tower Apartments, Marycrest Village, Victory Senior Center, Kennedy and Stevenson Buildings and other areas as demand increases. He said that the agreement would authorize Senior Services to use the shuttle bus, keep a ridership log and driver information records and submit quarterly reports to the City. He stated that the City will continue maintaining the shuttle bus as in the past and Senior Services will take care of compensation for the driver, as well as providing the gas and storage.

COUNCILMAN SHETINA asked what the parameters are with respect to the route.

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The City Manager stated that an existing route has been followed for the last five or six years that has stopped at the various locations mentioned on certain days so the residents in those buildings know when to expect the shuttle bus to come. He stated that Senior Services will be helping the City with the continuation of that route, looking at bettering it and possibly adding a few stops. He said that the Senior Services Center is closest with the seniors that need the service and this is in addition to the paratransit service that PACE provides.

COUNCILMAN SHETINA asked if the shuttle has to go out to Kendall County.

The City Manager said no, it is strictly used in the heart of the City of Joliet.

It was requested that this item be voted on today.

2. A RESOLUTION Approving an Agreement with Senior Services Center of Will County to Provide a Shuttle Bus Service for Senior Citizens was presented and read.  
(Council Memo #718-10)

COUNCILMAN GIARRANTE moved that said Resolution be adopted.

Motion seconded by COUNCILWOMAN BARBER.

Motion carried by the following vote:

AYES: COUNCILWOMAN BARBER, COUNCILMEN BROPHY, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK and MAYOR PRO-TEM DORRIS.

NAYS: NONE.

(RESOLUTION NO. 6425)

The City Manager then explained Council Memo #723-10 dealing with extending the Solid Waste Contract with Waste Management until December 31, 2017, in exchange for providing 96-gallon waste and recycling carts.

The City Manager stated that the City currently has a contract with Waste Management that runs through the end of 2013 to provide landscape pickup, waste service and recycling service. He stated that when the City applied for a federal energy grant last year, they designated an interest in trying to promote recycling at a better level. He said the recycling rates are somewhat low and the administration thought providing recycling carts in targeted areas would show support for expanding the program. He stated that the City has received a grant from the federal government in the amount of \$519,500 to purchase 7,600 carts. He stated that in working with Mike Morley, Government Affairs Director with Waste Management, there were discussions about possibly expanding the opportunity throughout the City which led to a conversation that said if there is going to be a recycling cart program, there really needs to be a corresponding waste cart program because sometimes customers will throw waste into the recycling cart which ends up with a spoiled recycling base. He continued that the City asked what could be done to provide a recycling cart and a waste cart for all the residents and the result is the proposal addressed in the Council Memo.

The City Manager stated that the proposal is to have delivered sometime in 2011 a recycling cart and a waste cart to every customer in the City of Joliet which would be about 96,000 carts. He said that the City would still purchase the 7,600 carts with the grant money and Waste Management would pay for the rest of the carts without additional charge to the residents. He stated that the

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proposal calls for a recycling schedule to go to an every other week pickup rather than the current weekly pickup. He said the reason for that is the 96-gallon cart is very large and it would take quite a bit to fill it up. He stated that the garbage pickup would continue on the weekly schedule that residents are accustomed to. He said they discussed the financial aspect and what would be required of the City is to extend the current contract by four years and to authorize annual increases in the four year period of 3.5% per year to cover the additional cost that could be incurred. He said there is a contract increase that is scheduled to go into effect on January 1, 2011 and part of the negotiations has led to Waste Management agreeing not to charge the additional 4% increase at the beginning of next year, so this year's rates will continue into 2011. He said that when all of the expenses are projected out over the next seven years, it is apparent that the City can operate the program on the existing rates through the year 2015 so there won't be an additional cost to the residents to go to the two cart program. He stated in 2016 there will possibly be a modest rate increase to cover some of the additional expense, but as now projected, this program could run for the next five years without a rate increase and two years after that with a modest increase.

The City Manager stated that there are obviously a lot of questions with rolling out a program of this nature and a list of frequently asked questions will be posted on the City's website and Waste Management will help with the education of the residents on the two cart program. He stated that the information will probably be distributed by mail, email and the cable TV access channel. He said that the program will serve the residents well, will help increase recycling rates, cut costs and help in the long-term for having a better, more efficient recycling and waste removal program. He stated that Mike Morley from Waste Management is present to answer any questions.

COUNCILMAN BROPHY stated that he wanted to be clear on what each of the following assumptions mean at the end of the Rate Schedule included with the Council Memo:

1. Garbage pickup weekly
2. Recycling pickup bi-weekly beginning January 2011
3. No increase in homeowner and senior rates thru 2017
4. Flat customer base thru 2017
5. No increase in monthly disposal expense in 2011, a 4.0% increase in 2012 and 2013, and a 3.5% increase 2014 to 2017

COUNCILMAN BROPHY said he assumes that the assumptions will be written into the contract.

The City Manager said yes.

COUNCILMAN BROPHY asked about the third and fifth assumption.

The City Manager stated that 2016 would be the earliest they would come back to the Council for a rate increase assuming everything continues on as planned.

Director of Management and Budget Ken Mihelich said that with respect to the third assumption, that just means that the rate table assumed no increases which is why there are negative numbers in those years.

COUNCILMAN BROPHY stated this is not in the agreement.

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Mr. Mihelich said that's correct, this is our side of the equation or the revenue side.

COUNCILMAN BROPHY asked for an explanation of the fifth assumption.

Mr. Mihelich said that talks about the increase on the expense side, which means next year there is no rate change between 2010 and 2011 but there is a 4% increase between 2012 and 2013 and 3.5% thereafter.

COUNCILMAN BROPHY stated that the City will be paying more over time but is not asking the residents for an increase through 2015.

Mr. Mihelich stated that is correct.

COUNCILMAN BROPHY stated so in return for the \$5 million worth of carts Waste Management is providing, there will be increases to the City.

The City Manager stated that the 4% increases are locked in with the contract that was approved three years ago, so that is not a change, the only change is the last four years of the extension period and the City has been able to negotiate a 3.5% increase. He stated based on projected revenue streams, the City can absorb all of these costs through the end of 2015 without going to the residents for a rate increase.

COUNCILMAN BROPHY stated the question would probably be asked by the public why the City wouldn't go out for bid on the proposal and let Waste Management compete. He stated he is very comfortable with the service from Waste Management but how does the City answer the calls to open the process.

The City Manager stated that is a fair question and from the City's perspective, the federal grant helps subsidize the program which could be used with another company, but the City would have to wait until 2014 to start the program. He stated right now the City has a relationship with Waste Management through the end of 2013 and the City would rather not wait on the program any longer. He said this is a program other towns have and it works very well, it increases recycling rates and reduces the chance of cans or bins being blown around.

COUNCILWOMAN QUILLMAN stated she would like to see some homeowner bills, senior bills and average bills to see what the increase is going to be because that is what the citizens are going to be looking at.

The City Manager stated that there will not be any increase passed along to the residents for the next four or five years. He said the current monthly bill averages out to \$23.42 a month for a non-senior and \$18.00 a month for senior citizens. He said the same dollar amount is projected through 2015 and it is frozen for 2016 and 2017, and he can't guarantee they won't come back for an increase, but he doesn't believe it would be until 2016 at the earliest.

COUNCILWOMAN QUILLMAN stated that the problem is when the water rate increased and people got their bills, the percentage was more than what was explained to the residents, and she is afraid the same thing will happen here, so she wants to see, in detail, what an actual bill could look like in the future.

The City Manager stated it will look the same as it does today for the next five years. He said they can show what it will look like for the next five years with it remaining the same.

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COUNCILWOMAN QUILLMAN said that she believes the citizens will understand it better if they can see it in black and white.

The City Manager said they will put some information together to show what the rate looks like today and what it will look like in 2015, and it will look the same.

COUNCILMAN GIARRANTE stated that the City was going to be subject to a 4% increase which is now being removed.

The City Manager stated that the residents wouldn't have seen the change but the City would. He said there is a 4% savings which is around \$300,000 for 2011 by going to this program which helps the City get through the increases without having to go to the residents for rate increases.

COUNCILMAN GIARRANTE stated that the increases being talked about in the proposal are increases to the City, not the residents, and according to the chart, there is enough money to cover the increases through 2015. He said there is no increase to the citizens and they will get both carts free without an increase in the garbage price.

The City Manager stated that is correct.

COUNCILMAN TURK asked about the size of the carts.

Mr. Mike Morley stated that the larger cart is 96-gallons and the smaller cart is 64-gallons. He said Waste Management will work with the City over the next couple of months to communicate the program and the default size will be the 96-gallon pair. He said the City still has a take all program and nothing is being taken away in terms of what can be disposed of at the curb and it is a good, easy program to follow. He said the 96-gallon cart will be necessary for the every other week recycling schedule which will come into play once all of the carts are distributed. He said Waste Management will ask residents prior to distribution if they want to request the smaller, 64-gallon carts which would probably better accommodate residents in townhomes, senior citizens and single residents.

COUNCILMAN TURK asked when the residents would have the carts if the agreement is approved at the meeting tomorrow night.

Mr. Morley stated that Waste Management would probably start delivering sometime in 2011. He said there would be a lot of work to do in terms of communication and determining who is going to request the 64-gallon cart pair. He said Waste Management will work with the City staff in terms of what is coming and how residents will request the smaller pair if that is needed, and once Waste Management has an idea of how many smaller pairs are needed, they will make that order and work with their vendors in terms of distribution and delivery.

COUNCILMAN GIARRANTE asked if residents could get a big cart for refuse and a small cart for recycling or do they have to be the same size.

Mr. Morley stated that for the initial distribution and in order to avoid confusion, they are going to stick to the pairs but there will be an opportunity for residents to change their carts sizes after the distribution for a small fee.

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MAYOR PRO-TEM DORRIS stated that there are a lot of residents that are renting the carts and in the list of questions it states nothing will change with the rented carts. He asked if those would need to be switched out to match the other residents because the tops of the carts are different.

Mr. Morley stated that if a resident is renting a green refuse cart now, Waste Management already knows their address so rather than delivering both carts, they will only deliver a recycling cart to that address and will stop sending them a bill for the rental fee.

MAYOR PRO-TEM DORRIS stated so there will be no more rental fees.

Mr. Morley said that there will be no more fees for the first cart but residents will still be able to purchase or rent carts if they require additional carts.

MAYOR PRO-TEM DORRIS asked if damaged carts are replaced or repaired at the curb.

Mr. Morley stated that routine repairs will be done curbside if it is a broken wheel or lid, and if the body is cracked it is a warranty issue that Waste Management would look at.

COUNCILMAN SHETINA asked what the capacity is at the landfill where Joliet's trash is currently being taken.

Mr. Morley stated that the landfill site life, by legislation, is 23 years from the opening date in 2004. He said Congress could change that by extending the life of the landfill if the Defense Act of 1999 were changed.

COUNCILMAN SHETINA stated the City has a 20 year guarantee of landfill space.

Mr. Morley stated there is no issue with landfill capacity.

COUNCILWOMAN BARBER stated she purchased a large garbage cart a month ago and she asked what she does with it now.

Mr. Morley stated that if the cart was purchased, it will be an extra refuse cart for additional garbage. He said the carts would be the primary containers or what would be used first but additional containers can be placed next to that if there is additional refuse or recycling.

COUNCILMAN SHETINA asked what if a resident doesn't want the carts and wants to keep their own containers.

Mr. Morley stated that Waste Management will work with staff if that situation does come up to see if they can't be convinced otherwise, but it would be a policy issue.

The City Manager stated that the City thought that a six month test period would be needed to see what kind of participation rates there are. He said based on the ease of use and cleanliness compared to the cans, they think they will see a 98% or 99% participation rate from the residents and for the 1 or 2% that don't participate, they are going to work on an education program rather than doing a mandatory policy. He said if someone is abusing the system and placing a large amount of garbage out every week, staff will work with that resident, but if it is an

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individual that only has one small bag every week, they will have some discretion to deal with that properly.

COUNCILWOMAN QUILLMAN stated COUNCILWOMAN BARBER owns a cart, for example, and then is going to have two more carts delivered. She said she is not going to fill up all of those carts so why can't the homeowner receive a credit.

Mr. Morley said that at this time, the customer service center has been advising customers that want to purchase carts to wait a few weeks until this matter is decided by the Council. He said it would be difficult for Waste Management to give a resident a credit unless the cart was just delivered because then they would have to accept an inventory of used carts.

COUNCILWOMAN QUILLMAN asked how much the carts cost Waste Management.

Mr. Morley stated that they buy in bulk so the price varies depending on quantity. He said the price they were giving the City for the grant was \$68.00 per cart which was a bulk purchase that included delivery.

COUNCILWOMAN QUILLMAN stated that Waste Management is giving these residents carts that aren't needed, so why can't they get a credit of \$68.00.

Mr. Morley stated that if the resident doesn't want the cart they don't have to accept it but Waste Management is not equipped right now to give people a credit for a cart that was purchased.

COUNCILWOMAN QUILLMAN stated that she doesn't think that is right and they should give some sort of credit.

COUNCILMAN GIARRANTE stated that he has two big carts already but since they were purchased they could be given to a relative that could use it that doesn't live in the City. He said he has had his for five years and wouldn't expect to get what he paid for out of it but it could still be used.

COUNCILMAN BROPHY asked if there is a contact person on staff that will be dealing with these issues.

The City Manager said Communication Coordinator Peggy Thomas has been the point of contact for refuse questions in general and Contracts Administrator Meg McEvilly has helped in negotiating the agreement and getting the proposal and she will stay involved. He said they will talk about having one other person designated for specific issues.

COUNCILMAN BROPHY stated that Peggy has always done a good job of handling the little nuances of each customer and he thinks this is a very good program.

The City Manager stated they will have Media and Communication Manager Rebecca Barker involved with the communications part of it and working with Mr. Morley's staff who do a great job of getting hard copies to people that don't have access to the internet, and if the resident has the internet, they will be bombarded with emails for scheduling and other details.

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Mr. Morley introduced Brian Miller from Cascade Engineering, the manufacturer of the carts from Grand Rapids, Michigan, and also Aaron Johnson, District Manager for Waste Management, who is responsible for the day to day operations of this district, the truck drivers and the logistics.

COUNCILMAN GIARRANTE stated that this was discussed at the Public Service Committee meeting and the Committee's recommendation was to proceed.

COUNCILMAN TURK asked what the percentage is of residents who use the containers now, he thinks it would be relatively low.

The City Manager stated that 782 of the 96-gallon carts have been sold, 109 residents are renting the 64-gallon carts, and 3,239 residents are renting the 96-gallon carts. He said that is about 4,000 residents total out of 45,000 residential customers, so it is a little less than 10%.

COUNCILMAN GIARRANTE asked if the increase in the number of residents participating in recycling was discussed.

The City Manager stated it was discussed at the Public Service Committee meeting but it has not been addressed here and that is really an important part of the program and why the federal grant is going to a great use.

Mr. Morley stated that on average, Joliet residents are recycling about seven pounds per home per week and Waste Management would like to see that increase to ten to twelve pounds per week with this program. He said when this was rolled out in Shorewood a few years ago, which had a recycling bin program, there was a dramatic increase in the participation and the volume of recyclables. He said Waste Management is making a big commitment in term of the equipment that the recycling participation and volume is going to increase.

The City Manager stated there is one other Waste Management product they would like to show to the Council. He said it has nothing to do with the recycling program but it was presented at the Public Service Committee meeting and they thought it would be helpful for the Council to see.

Mr. Morley stated the product is called the Bagster and it is a portable dumpster currently available at Lowe's, Home Depot and Menards stores. He explained that it is basically a three cubic yard container that can be used for small remodeling jobs or flood clean-up, and once the bag is filled, the resident would call the number or schedule pick up online. He said the charge for pickup is \$129 which is substantially less than the cost of a regular dumpster which is \$300-\$350.

COUNCILMAN SHETINA asked what this size is in gallons.

Mr. Morley stated that a cubic yard is about 200 gallons so the bag would hold approximately 600 gallons.

COUNCILWOMAN QUILLMAN asked if Mr. Morley had one that they could see and a Bagster was opened up for the Council to view.

Mr. Morley stated that if someone were to buy two bags, the first pick-up would cost \$129.00 and the second would cost \$99.00.

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COUNCILWOMAN QUILLMAN asked if the bag could be overfilled as shown in the picture.

Mr. Morley said yes, it holds up to 3,300 pounds and can be overfilled as long as the handles still meet. He said they also offer municipalities the opportunity to be a Bagster vendor.

The City Manager stated the City will follow up and have asked the Neighborhood Services and Inspections Divisions to recommend this product to residents that have a need and it seems very helpful. He said the proposal for the two carts will be on tomorrow night's agenda.

The City Manager then explained Council Memo #710-10 dealing with an Easement Agreement with CenterPoint Joliet Terminal Railroad and Council Memo #703-10 dealing with the Vacation of Millsdale Road between Vetter/Baseline Road and West Noel Road.

Attorney Mike Hansen was present on behalf of CenterPoint.

The City Manager stated that when the closed campus plan was put together to keep all of the truck traffic going in one way and out the other, the City agreed to vacate what was Millsdale Road. He said the City vacated that but wanted to make sure there was an easement created to allow public use of that stretch of Millsdale from Baseline and Vetter Roads up to Patterson and Schweitzer Roads. He said the easement agreement will set forth all of the terms and conditions of the arrangement.

COUNCILMAN SHETINA stated that he has been in that area a few times in the past month and he has been trying to figure out how the final navigation of that area is going to look. He asked that a map be put together to be able to understand and see what that will look like.

The City Manager said that there will be a CenterPoint item on the next Council meeting agenda for October 5<sup>th</sup> and maps will be brought in at that point and the routing will be addressed. He said right now there are still some closures related to CenterPoint and Brandon Road north of Laraway is closed, but that is not a CenterPoint related closure. He said Patterson Road is almost open and it is supposed to be open by September 2010.

COUNCILMAN SHETINA asked where he would go if he were coming from Rockdale on Brandon Road.

The City Manager explained the route and said when Brandon Road was closed, the City assured the residents of Elwood and Jackson Township that there would still be a north-south passageway without having to use Route 53, especially on race weekends.

COUNCILMAN BROPHY stated that the easement would relieve the City of the maintenance that would be necessary with a dedication.

The City Manager said yes, the maintenance responsibility would be on the part of CenterPoint and if the City did take the responsibility, CenterPoint would have to compensate the City, but right now this stretch of Millsdale is all the responsibility of CenterPoint.

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COUNCILMAN GIARRANTE stated that truck traffic out of CenterPoint will not be able to turn right onto Patterson Road.

The City Manager stated that is correct.

COUNCILMAN GIARRANTE asked if there were plans to ensure that trucks don't go down to Millsdale Road and turn left to get to Route 53.

The City Manager said that it has been a challenge but he and Police Chief Hayes met last week and the Chief has a few ideas that will help with that. He said there are a few stray trucks that find their way to Millsdale Road or Schweitzer Road but the City will do some enforcement and other things to minimize that. He said they can not guarantee that it will be 100% fool-proof but they will do what they can to keep the trucks going where they are supposed to go.

COUNCILMAN GIARRANTE asked what the fine is for a truck that travels on a road that it is not supposed to be on.

The City Manager said that it is a \$120.00 traffic citation unless it is overweight and the County recently ran some overweight details there a few weeks ago and were able to catch a few violators.

COUNCILMAN SHETINA asked what gives the City the right to control the Millsdale Road access.

The City Manager said that the easement agreement will do that. He said it was part of the annexation agreement that was approved in July 2008 and it was a concept at that point, but this agreement puts it into place. He stated that the vacation of Millsdale Road west of Vetter has been requested because it no longer needs to be under public ownership. He said a new road network has been created and the road will remain open for Stepan Company use only and an easement will be retained for utility companies.

COUNCILWOMAN QUILLMAN asked how the City is doing with the homeowner's meetings.

The City Manager stated that he believes there is a meeting scheduled but he will check and get back to the Council with the information. He said CenterPoint's commitment was to continue with the meetings.

COUNCILWOMAN QUILLMAN stated that CenterPoint was also supposed to give monthly updates and she has not seen an update in months.

The City Manager stated that from what the City is hearing, there is satisfaction from most people because the road network is getting closer to completion.

Mr. Mike Hansen stated that there is a website set up where CenterPoint has been posting regular updates on a weekly or semi-weekly basis. He said there is another homeowner meeting scheduled for November and he will get back to the Council with the exact dates. He said they have had two homeowner meetings and the good news is that the homeowner's concerns and complaints have been almost eliminated with the reconstruction of Patterson Road.

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COUNCILWOMAN QUILLMAN stated she has had some complaints from a Mrs. Smith who Police Chief Hayes has worked with and she stated she could hardly walk down there because the truck traffic on Schweitzer was horrible.

The City Manager stated there are still some issues on Schweitzer and Chief Hayes is helping with those. He said there are about six or seven homeowners east of the railroad tracks that were not acquired by CenterPoint and they are trying their best to minimize the truck traffic, but there are a couple of businesses on Brandon Road unrelated to CenterPoint that cater to trucks and there is traffic on Schweitzer to get to those businesses and they have a right to use that.

The City Manager then explained Council Memo #704-10 dealing with a Variation of Use to Allow the Construction of an Electronic Digital Bulletin Advertising Sign at 2780 McDonough Street.

Mr. Chris Lupo of Clear Channel Outdoor was present on behalf of the petition.

The City Manager stated that this would be a fully digital 100 foot tall, 14 ft. x 48 ft. billboard that would be located right off of Interstate 80 about 300 feet west of Joliet Junction. He said that this is a full color digital billboard similar to the one on I-55 and other locations and the message would change every 10 seconds with 8 static messages that would appear in sequence and are all computerized and changeable by Clear Channel Outdoor. He said the City has negotiated with Clear Channel to provide the City with 19,000 messages per year plus any additional "space available" ads that would promote community oriented and public safety messages such as Amber Alerts, traffic problems or weather problems. He said Ben Benson and Rebecca Barker of the Marketing Division would work on community messaging to get the word out on City of Joliet sponsored events. He said part of the agreement with Clear Channel is to remove two billboards that Clear Channel currently owns at 2210 W. Jefferson Street and 410 McDonough Street which would come down after the new billboard is constructed.

COUNCILMAN SHETINA stated that he noticed in the Zoning Board of Appeals minutes that Mr. Jim Riggs voted no and he was trying to get some sort of accommodation for the City and he would like to know how that was handled.

The City Manager said that he believes Mr. Riggs may have been looking for a commitment for advertising for other charitable organizations too besides the City and his request was for more than 19,000 messages per year. He said they arrived on the 19,000 messages number based on what Clear Channel has done in other communities. He said that it is a very generous offer and the other members of the Zoning Board thought that was appropriate which is why they voted in favor of it. He said he is not sure what Mr. Riggs had in mind but staff agrees with the majority.

Director of Community and Economic Development stated that before going to the Zoning Board of Appeals the City did not know how many placements the City would get, but after the vote was taken that number was defined to be 19,000. He said he believes Mr. Riggs was looking for a definitive number of placements and his concerns have been addressed.

COUNCILMAN BROPHY asked where those 19,000 placements fall because if they are all between 2:30 and 3:00 A.M. it doesn't benefit the City.

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Mr. Chris Lupo stated that it is an entire space that is available so it is in the loop throughout the day and the 19,000 is the minimum amount that the City will receive. He said he will send a report every three or four months to show how many placements the City is actually receiving.

COUNCILWOMAN QUILLMAN asked when there is an Amber Alert, how long is that alert on the billboard.

Mr. Lupo stated that he is not sure but it would probably depend on how long it is needed.

COUNCILMAN BROPHY asked what the City is exposed to as far as the part of the deal that will have a negative effect on the business owner on Jefferson Street who currently collects rent for the pole that is being removed.

The Corporation Counsel stated that the lease would have to be terminated in accordance with the terms.

Mr. Lupo stated that if their agreement states that they will still have to pay the landowner then they will remove the sign and continue to pay.

COUNCILMAN BROPHY asked if the structure is coming down.

The City Manager stated that one of the conditions states that the sign will be dismantled and removed within 90 days after the issuance of the electronic billboard sign permit.

It was requested that this item be voted on today.

3. AN ORDINANCE Approving a Variation of Use to Allow the Construction of an Electronic Digital Bulletin Off-Premise Advertising Structure at 2780 McDonough Street as recommended by the Zoning Board of Appeals subject to the eight conditions noted in the Council Memo was presented and read. (#2010-33/Dist. #3)  
(Council Memo #704-10)

COUNCILMAN GIARRANTE moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILWOMAN QUILLMAN.

Motion carried by the following vote:

AYES: COUNCILMEN BROPHY, GIARRANTE, COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, COUNCILWOMAN BARBER and MAYOR PRO-TEM DORRIS.

NAYS: NONE.

(ORDINANCE NO. 16694)

The City Manager then explained Council Memo #705-10 dealing with a Special Use Permit to Allow the Replacement of Existing Microwave Dishes on an Existing Building at 500 Wilcox Street (University of St. Francis Tower Hall).

Mr. Daniel Fandler of Cricket Communications was present on behalf of the petition.

It was requested that this item be voted on today.

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4. AN ORDINANCE Approving a Special Use Permit to Allow the Replacement of Existing Microwave Dishes and Associated Equipment on an Existing Building Located at 500 Wilcox Street (University of St. Francis Tower Hall) as recommended by the Zoning Board of Appeals subject to the following condition was presented and read: 1) Receipt of a bond in the amount of \$5,000.00 prior to the issuance of the building permit to be utilized for dismantling the antenna and associated equipment in the event of future abandonment. (#2010-39/Dist. #4)  
(Council Memo #705-10)

COUNCILMAN TURK moved that said Ordinance be adopted as recommended.

Motion seconded by COUNCILMAN SHETINA.

Motion carried by the following vote:

AYES: COUNCILWOMAN QUILLMAN, COUNCILMEN SHETINA, TURK, COUNCILWOMAN BARBER, COUNCILMAN BROPHY and MAYOR PRO-TEM DORRIS.

NAYS: NONE.

COUNCILMAN GIARRANTE was out of the room when the vote was taken.  
(ORDINANCE NO. 16695)

5. Citizens to be Heard

- a. Kathy Brockett, 24810 Hemphill Drive, Elwood re:  
Traffic Safety Issue on Route 53 between Patterson Road and Doris Avenue

Mrs. Brockett stated that over a year ago her son Mark was struck by two cars under the viaduct on Route 53 between Doris and Patterson Road. She said that in May she received a letter from IDOT about her request for lighting in that area and a huge step forward is that IDOT recognizes that, however the bid letting will not be until 2012-2016 and will probably be toward the latter part of the time frame. She said she thinks this is unacceptable, she understands long range planning but the fact of the matter is the area has been neglected for over 40 years since I-80 was built. She said she is here to ask the Council to put some kind of political pressure, whether it is individually, collectively or through a resolution, to try to get IDOT to move this project further up on their list of priorities. She said she has not met anyone that disagrees that it is an unsafe area, it will be improved when I-80 is improved, but in the meantime it is dangerous and there are people who walk through the area. She said it is no longer an argument that lights are warranted, it is now a matter of accelerating the process to get the project done and she would hope that whatever powers the Council has individually or collectively they could get the project to move along.

COUNCILWOMAN QUILLMAN asked the City Manager what they could do and if this has also gone before the Will County Board.

The City Manager stated that several elected officials and governmental officials have been involved in this and the biggest challenge is that there is a lighting problem and having lighting will help with the viaduct, but the bigger problem is

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that Route 53 was not made for any type of pedestrian traffic at all. He said heading south before the viaduct there is no sidewalk at all, and staff has had meetings to figure out how to get people from downtown Joliet across I-80 south of town. He said there needs to be a route to do that and specifically it needs to go either under or over I-80. He said the way Route 53 is configured right now, there is nothing the City can do to condone any type of pedestrian traffic and by adding lighting, it would help those that are doing it out of necessity but it is still not going to be the long-term solution. He said Public Works Director Jim Trizna has been working with IDOT in trying to find a way to get across I-80 and the solution might be Gardner Street which is about a quarter of a mile east of Route 53.

COUNCILWOMAN QUILLMAN asked if the City could put pressure on IDOT to expedite this matter because although it is not meant for pedestrian traffic, people are going to use it because that is the only way they have whether the City condones it or not.

The City Manager stated that he and Mr. Trizna have met with Senator Wilhelmi and IDOT officials including Diane O'Keefe.

Mrs. Brockett said there is no question there needs to be a long-term solution and that will take some time, but the lights will be a great improvement because literally neither driver saw her son and the lights would at least allow a driver to see someone or something in the road. She said people used to walk on Route 53 but when I-80 was built it changed everything. She said she is pretty sure he son didn't realize there was no place to walk until he got there because when you are used to driving on a road, you assume you can walk there also.

COUNCILWOMAN QUILLMAN said if lights were installed there would it make the City or anyone else liable since there shouldn't be pedestrian traffic.

The City Manager stated he is not sure on the liability issue and there is always the risk of increased liability when something is improved, but he doesn't think the risk is big enough to hold back on trying to make the current situation safer. He said Mr. Trizna has stayed fully engaged in the process, Senator Wilhelmi has written letters and as far as a citizen advocate, you wouldn't find one any better than Mrs. Brockett who has knocked on every door and has raised the issue to the point where at least there is a response from IDOT and it is now a timing issue. He said the City will continue working with Mrs. Brockett and the committee she sits on with Mr. Trizna to see if the schedule can be moved up.

b. Trista Brown, 7 N. Raynor re: October 23, 2009  
Sewage Spill

Ms. Brown stated she is here again because sewage has gotten into her home and she wants this to be resolved. She said this is not the first time this has happened, she had a water leak in November 2006 and had to wait two years for the City to deal with that issue. She said she is a homeowner and a single parent and she was very proud when she purchased her home on Raynor and her home is not being destroyed just by natural things, it is getting destroyed by things happening from water and sewage. She said all she wants the City to do is be fair and resolve her claim.

COUNCILMAN SHETINA asked what her claim is.

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Ms. Brown stated that six feet of sewage flooded her home on October 23<sup>rd</sup> and she has already spent \$8,500.00 of her own money. She said she just wants her basement back the way it was and she is just looking for something reasonable. She said the letters she gets from Assistant Corporation Counsel Wise are telling her to sue the City and she would have to pay for a lawyer for something the City has admitted to doing and she doesn't have that kind of money.

COUNCILMAN SHETINA asked if the original cause of the damage has been repaired.

The Corporation Counsel stated that Ms. Brown has a lawyer who is negotiating with one of the Assistant Corporation Counsels and there is an offer that is pending. He said what this relates back to is Ms. Brown's home did receive a sewer backup in the basement last November, and it is the City's belief that when Jefferson Street was resurfaced that the contractor that did that work accidentally allowed some blacktop to get down into the sewer and Ms. Brown suffered from it because the line was obstructed and then there was a backup after a big rain. He said Ms. Brown filed a claim and the claim was handled like all the others, the City made contact with the homeowner after reviewing the claim and the City was unable to finalize any negotiation at the time. He said the Utilities Department authorized a local contractor to do the clean-up who gave the City information about the condition of the property and items that were damaged due to the backup and the City proceeded based on that information. He said over the summer the City was told an attorney would be handling the case on behalf of Ms. Brown and that is who the City is supposed to be dealing with.

MAYOR PRO-TEM DORRIS asked how far apart the negotiations are. He said there has to be a number that she feels her damages were.

The City Manager stated that the City doesn't know that number. He said the City made an offer, and have paid \$5,700.00 for clean-up after the damage was done, and there has been an offer of \$9,400.00 made to Ms. Brown but there has been no response back to that number.

Ms. Brown stated that she begs to differ because she has copies of letters and emails from Mr. Wise and the attorneys and she disagrees with the amount that she is being offered. She said that her attorney is waiting on a response from Mr. Wise to set up a meeting to try and resolve it.

The City Manager stated that the City would love to have the claim resolved, it is a communication issue and if a meeting needs to take place they would be more than happy to do that. He said a response to set what her counterclaim is would help frame the issue.

MAYOR PRO-TEM DORRIS asked Ms. Brown if she is willing to sit down with her attorney and the City to try and settle the matter.

Ms. Brown stated that she has been ready for that.

The Corporation Counsel stated they will contact Ms. Brown's lawyer and set up a meeting to figure it out.

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The City Manager stated that the City has started a LED Traffic Signal project using federal and state grant funds and they wanted to give the Council some additional information on the project.

Mr. Trizna stated LED means Light Emitting Diode, which are diode bulbs in place of the standard incandescent light bulb. He said one of the benefits of using the LEDs is that they use very little power or energy; they use about 8 watts compared to 22 watts with the standard incandescent bulb. He said they are low maintenance and since they use less energy, they are environmentally friendly which is part of the green movement the City is trying to do as a whole. He said as far as the life of the bulbs, the typical incandescent bulb lasts one to two years and the LED bulbs will last anywhere from seven to ten years which also helps with the efficiency of the electrical department which was a four man staff and is now a three man staff. He said there is also a great benefit to safety, because the LED lights are a brighter light and when an incandescent bulb fails the bulb just goes out, and when the LED light fails, there are so many light diodes they don't all go out at the same time. He said currently in the City there are 123 signalized intersections and of those, 66 have been changed out already. He said there are 57 remaining intersections to convert and these are intersections that are partially City and partially IDOT or another agency. He said the new project will cost about \$1.1 million and the remaining \$683,000 will come from IDOT money and this new project is more substantial because it is not just changing out the bulbs, the signal heads are being upgraded also. He said this project will convert the rest of the traffic signals to LED lights.

MAYOR PRO-TEM DORRIS asked if there was a U.S. manufacture of the lights; the back of the light says "Made in Mexico".

Mr. Trizna said that there is not and they have actually already received a Department of Energy exclusion for the lights. He said a local contractor will be doing the work but there is no one in the U.S. currently making the product.

COUNCILMAN BROPHY asked if any of the remaining grant funds could be used to solve the lighting problem at the Route 53 viaduct.

Director of Planning Kendall Jackson stated if there is money for the program that comes back, those dollars can be programmed to other activities as long as it is done within the two year time period which is what is left on the original contract with the federal government.

COUNCILMAN SHETINA asked what the difference is between the LED lights and the polybrite light bulbs made by the Goeken company.

The City Manager stated that it is the same product and the City has met with Sandra Goeken and they are working on a couple of demonstration projects with that company.

COUNCILMAN SHETINA asked if their product was made in the United States.

The City Manager said yes but they don't make the LED lighting for traffic signals. He said they do make LED lighting for office, residential and commercial applications. He said they are working with the Goeken Group to do a demonstration project that would not cost the City anything or very little in exchange for publicizing the company's involvement. He said the company thought it was appropriate here because Joliet is Mr. Goeken's hometown.

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

The City Manager explained Council Memo #696-10 dealing with filling position vacancies due to retirements and changing the titles of two positions. He stated that the City has been looking for ways to reduce the work force in light of the economic challenges the City has and the early retirement incentive program was renewed. He said that as of the September 9<sup>th</sup> deadline, 28 employees have submitted signed agreements to take one of the three options that were available and with that reduction in force, the City is looking at saving between \$1.5 to \$2 million per year beginning in 2011. He said the expected cost for the incentive program in 2010 is about \$500,000 and of the 28 employees, 18 of them are members of the AFSCME bargaining group and 10 are management employees.

The City Manager stated that it has become necessary to fill some of the positions and two of the positions involve division head positions, the re-titled Information Technology Director and the Utility Billing and Collection Manager, both of whom are long-term employees and are retiring in the near future. He said there are three other positions in the Public Utilities Department, a Chemist, Chief Wastewater Plant Operator and an Operator II that they are looking to fill through promotions within and subsequent vacancies would be left unfilled. He said in addition to filling these five positions there are two part-time positions in the parking garages where they are down substantially.

COUNCILMAN SHETINA asked what the criteria is in saying they need to be filled.

The City Manager stated that there had been seven or eight people employed as parking attendants and several have left. He said that the remaining employees are part-time and only want to work about three days a week and several are retired and have Social Security or pension issues where they can't earn over a certain amount so it is necessary to bring more folks in. He said if the employees work over 20 hours per week they would be entitled to health insurance benefits, but it is the City's intention to hire two part-timers and keep their time under twenty hours.

COUNCILMAN SHETINA asked why those people are needed.

The City Manager stated it is a scheduling issue, the parking garage is open all of the time and is staffed from 8:00 A.M. until 7:00 P.M. and those hours can not adequately be covered with just four part-time employees.

The City Manager explained Council Memo #707-10 dealing with a Special Use Permit to allow the installation of a Wireless Communications Tower at 1599 John D. Paige Drive (Fire Station #10), and a Lease Agreement with Verizon Wireless.

Ms. Marisa Green was present on behalf of Verizon Wireless.

The City Manager stated there is a big need for wireless communications and the City has been approached by Verizon Wireless to construct a new pole at Fire Station No. 10. He said the proposal is for Verizon to construct the pole and then convey title to the pole to the City of Joliet so the City would have it to lease to others. He said that Verizon would have the ability to use the facility

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without compensation and anyone else that would add to the pole would pay the City. He said the City thought this would be a better arrangement than Verizon owning the pole and having to pay rent to the City for using the property.

COUNCILMAN SHETINA asked if this relieves Verizon of the bond for the fall zone.

The City Manager said yes, the City will own this pole so it will be under the City's control.

COUNCILMAN BROPHY asked what the expected life is for the building and structure.

The City Manager stated he is unsure but he would guess that it is a thirty or forty year life expectancy and a lot of it will be driven by technology.

COUNCILMAN BROPHY stated that the more assets the City acquires, the more money needs to be set aside for the maintenance and replacement.

The City Manager stated that the tower would be the City's responsibility.

Ms. Marisa Green stated that Verizon would retain ownership of the equipment shelter and the equipment inside of the shelter and also would retain interest in the lease area around the shelter and a portion of the fence that is around the entire compound. She said that the City would retain its ownership of the other portion of the fence area that is around the tower. She said in regard to actual maintenance and other responsibilities, once the bill of sale is in effect and the tower is turned over to the City, the maintenance and future responsibilities would be through the City of Joliet for the tower and the building would be the responsibility of Verizon.

The City Manager asked what normal maintenance on a monopole would be.

Ms. Green said that normal maintenance on a monopole, considering the weather conditions in the area, would be some painting in about 15-20 years.

COUNCILMAN BROPHY asked if the companies that co-locate on the tower would be able to use the equipment shelter or would they need to construct their own.

Ms. Green said the shelter would be only for Verizon Wireless use and Verizon would not sublease the building out to anyone.

The City Manager stated there are some security issues with sharing the building but not with sharing the pole, and the City would have existing land that could be leased for additional buildings.

It was requested that this item be voted on today.

7. AN ORDINANCE Approving a Special Use Permit to Allow the Installation of a 150 ft. tall Monopole Wireless Communications Tower at 1599 John D. Paige Drive (Fire Station #10) as recommended by the Zoning Board of Appeals was presented and read. (#2010-28/Dist. #3)  
(Council Memo #707-10)  
(ORDINANCE NO. 16696)

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8. A RESOLUTION Approving a Telecommunications Site Lease Agreement with Verizon Wireless for the Installation of a 150 ft. tall Monopole Wireless Communications Tower at 1599 John D. Paige Drive (Fire Station #10) was presented and read.  
(Council Memo #707-10)  
(RESOLUTION NO. 6426)

COUNCILMAN BROPHY moved that said Ordinance and Resolution be adopted.

Motion seconded by COUNCILMAN GIARRANTE.

Motion carried by the following vote:

AYES: COUNCILMEN SHETINA, TURK, COUNCILWOMAN BARBER,  
COUNCILMEN BROPHY, GIARRANTE, COUNCILWOMAN  
QUILLMAN and MAYOR PRO-TEM DORRIS.

NAYS: NONE.

The City Manager then explained the remaining items on the agenda.

MAYOR PRO-TEM DORRIS stated that the Will County Center for Community Concerns, which helps a lot of people all over the County but the majority are from the east side of Joliet, is considering relocating out to Rock Run. He said he would hate to see this office leave and he understands they need more space and more parking, but he hopes the City would do everything in its power to keep this program in the City Center.

The City Manager stated he is aware of the situation and has spoken to David Sullivan, the Chair of the Commission and Mr. Sullivan expressed some frustration in looking at other buildings that they feel don't address the parking situation so they have started looking on the west side. He said the City has been working with them and will do its best to try and keep them downtown.

9. JADA/Transportation Management Association  
Presentation by Rick Kwasneski and Rodney Tonelli

The City Manager advised that this presentation will be made at the next Council meeting.

COUNCILMAN TURK moved that the meeting adjourn at 5:30 p.m.

Motion seconded by COUNCILWOMAN QUILLMAN.

AYES: COUNCILMAN TURK, COUNCILWOMAN BARBER, COUNCILMEN  
BROPHY, GIARRANTE, COUNCILWOMAN QUILLMAN,  
COUNCILMAN SHETINA and MAYOR PRO-TEM DORRIS.

NAYS: NONE.

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ARTHUR SCHULTZ  
Mayor

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JANET K. TRAVEN  
City Clerk

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Recorded on Tape