

**CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
CITY COUNCIL MEETING
Monday, August 10, 2009
8:30 P.M.
ORDER OF BUSINESS**

(I) Roll Call – Alderman Tendam

(II) Mayor Public Announcements

(III) City Manager Public Announcements
Labor Day Trash Collection Schedule
Community Picnic

(IV) Communications: City Clerk

(V) Citizen Comment

The Council, as part of the agenda, shall at the commencement of each regular Council meeting, provide a period for citizen comment. Interested persons shall sign their name, address and state the topic to be addressed on a posted list. If there are five or less speakers a period not to exceed fifteen minutes shall be provided. If there are more than five speakers a period not to exceed forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that citizen comment does not exceed forty-five minutes. The business of the City Council shall commence no later than forty-five minutes after the beginning of Citizen Comment. Aldermen do not respond during Citizen Comment. (Council Rule 6)

(VI) Consent Agenda: Alderman Rainey

(VII) Report of the Standing Committees

Administration & Public Works	-	Alderman Rainey
Planning & Development	-	Alderman Wynne
Human Services	-	Alderman Jean-Baptiste

(VIII) Call of the Wards

(Aldermen shall be called upon by the Mayor to announce or provide information about any Ward or City matter which an Alderman desires to bring before the Council.) {Council Rule 2.1(10)}

(IX) Adjournment

**NOTE: Administration and Public Works Committee held at 5:30 p.m.
Planning and Development Committee held at 7:00 p.m.**

CONSENT AGENDA

(M1)* Approval of Minutes of the Regular City Council Meeting of July 27, 2009

ADMINISTRATION & PUBLIC WORKS

(A1)* City of Evanston Payroll through 08/02/09 \$2,590,565.19

(A2)* City of Evanston Bills through 08/11/09 \$1,986,963.16

(A3.1)* Approval of Art Work for the 2010 City Vehicle Sticker

Request for City Council to select and approve the artwork for the 2010 City Vehicle Sticker. Four non-profit organizations have requested that their artwork be placed on the vehicle sticker.

(A3.2)* Approval of Lowest Responsible and Responsive Bid (10-05) for the Dempster Street Non-Motorized Boat Storage Facility Project

Recommend approval of the lowest responsible and responsive bid (10-05) for the Dempster street Non-Motorized Boat Storage Facility project from Tri-State Enterprises, Inc. (150 Anton Drive, Romeoville, IL) in the amount of \$392,786. Funding for this contract will come from the Capital Improvements Fund in account numbers 415383 Boat Storage project (\$100,000 budget), 416127 Clark Street Beach project (\$200,000 in savings – budget to actual bid price), and 415857 Street Improvement Project Contract (\$100,000 in savings – budget to actual bid price).

(A3.3)* Approval of Lowest Responsible and Responsive Bid (10-30) for the Heated Intake System Contract

Recommend award of the lowest, responsive, and responsible bid (10-30) for the Heated Intake System Contract to Lake Erie Diving Inc. (362 Blackbrook Rd., Painesville, OH) in the amount of \$579,064.00, contingent upon receiving appropriate funding from the IEPA revolving loan fund.

(A3.4)* Approval of Lowest Responsible and Responsive Bid (10-42) for the Foster Field Renovations Project, Phase 1B

Recommend approval of the lowest responsible and responsive bid for the Foster Field Renovations Project, Phase 1B from G.A. Johnson & Son (828 Foster Street, Evanston, IL) in the amount of \$275,490. Funding for this contract will come from Community Development Block Grant Funds.

(A4.1)* Approval of Change Order #3 for the Basin S82B Contract 2 Relief Sewer Project (Bid 07-43)

Recommend approval of change order #3 for the Basin S82B Contract 2 Relief Sewer Project (Bid 07-43) with DiPaolo Company (4350 DiPaolo Center, Glenview, IL). This change order will decrease the contract amount by \$438,195.55, from \$6,591,958.25 to \$ 6,153,762.70 and grant a 224-day extension to the contract period. An IEPA loan funds approximately 93% of the project costs. The remaining portion is funded by the Sewer Reserve fund.

(A5)* Resolution 45-R-09 Establishing a City Investment Policy and Procedures
Consideration of resolution 45-R-09 establishing an Investment Policy and Procedures Manual. This policy shall apply to all City of Evanston non-fiduciary (non-pension) cash and non-library endowment fund investments.
For Action

(A6)* Resolution 65-R-09 Authorizing the City Manager to Enter into a Cooperation and Grant Agreement by and between the County of Cook Judicial Advisory Council and the City of Evanston, and Accept the Youth Outreach Initiative Grant, Continuing the Evanston Police Department's Neighborhood Youth Outreach and Intervention Project
Consideration of resolution 65-R-09 authorizing acceptance of the Federal Fiscal Year 2006 Justice Assistance Grant in the amount of \$9,160.00.
For Action

(A7)* Resolution 66-R-09 Authorizing the City Manager to enter into a Co-lease Agreement with Gail Cotovsky, Sheila Ganch, and Joyce Marcus for use of Studio 215 at the Noyes Cultural Arts Center
Consideration of resolution 66-R-09 authorizing the City Manager to enter into a co-lease agreement with Gail Cotovsky, Sheila Ganch, and Joyce Marcus for use of Studio 215 at the Noyes Cultural Arts Center.
For Action

(A8)* Ordinance 34-O-09 Authorizing the City Manager to Execute a Real Estate Contract for the Sale of the City Owned Real Property Located at 425 Dempster Street (Chiaravelle Montessori School)
Consideration of proposed ordinance 34-O-09 authorizing the City Manager to execute a real estate contract for the sale of the city owned real property located at 425 Dempster Street (Chiaravelle Montessori School) an Illinois not-for-profit corporation.
For Introduction

(A9)* Ordinance 56-O-09 to amend Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 12 (H): Schedule XII; Parking Meter Zones
Consideration of proposed ordinance 56-O-09 by which Council would amend Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 12 (H): Schedule XII; Parking Meter Zones.
For Introduction

- (A10)* **Ordinance 64-O-09 Approval of Change of Hours for City Snow Emergency**
Consideration of proposed ordinance 64-O-09 to amend Title 10, Chapter 4 Section 13 Snow Emergency, Snow Route Parking Ban, Other regulations.
For Introduction
- (A11)* **Ordinance 71-O-09 Increase in the Number of Class U Liquor Licenses, The Mather**
Consideration of proposed ordinance 71-O-09 amending Section 3-5-6(U) of the City Code to increase the number of Class U licenses from 2 to 3 due to the opening of The Mather (425 Davis Street, 60201).
For Introduction
- (A12)* **Ordinance 72-O-09 Increase in the Number of Class B1 Liquor Licenses, Here's Wings II, LLC**
Consideration of proposed ordinance 72-O-09 amending Section 3-5-6(B1) of the City Code to increase the number of Class B1 licenses from 6 to 7 due to the opening of Buffalo Wild Wings (1741 Maple Avenue, 60201).
For Introduction
- (A13)* **Ordinance 73-O-09 Increase in the Number of Class Y Liquor Licenses, Vinic Wine Company**
Consideration of proposed ordinance 73-O-09 amending Section 3-5-6(Y) of the City Code to increase the number of Class Y licenses from 1 to 2 due to the opening of Vinic Wine Company (1509 Chicago Avenue, 60201).
For Introduction and Action
- (A14)* **Ordinance 58-O-09 Amending the Evanston City Code Title 3, "Business Regulation," Chapter 29, "Real Estate Transfer Tax," Section 19, Payment of Obligations**
Consideration of proposed ordinance 58-O-09 amending the Evanston City Code Title 3, "Business Regulation," Chapter 29, "Real Estate Transfer Tax," Section 19, regarding payment of obligations and liens.
For Action
- (A15)* **Ordinance 61-O-09 Decrease in the Number of Class R Liquor Licenses, Taylor Street**
Consideration of proposed ordinance 61-O-09 amending Section 3-5-6(R) of the City Code to decrease the number of Class R liquor licenses from 1 to 0 due to the liquor license expiration of Harlow LLC, dba Taylor Street (2916 Central Street, Evanston, IL)
For Action

PLANNING & DEVELOPMENT

- (P1)* **Authorization of an Application to Cook County, Illinois for Neighborhood Stabilization Program I Funds**
Authorization of submittal of an application to Cook County Illinois for funding under the Neighborhood Stabilization Program (NSP1) in the amount of approximately \$4,000,000. This application for funds must be submitted to Cook County by August 14, 2009.
For Action
- (P2)* **Ordinance 74-O-09 Granting a Special Use for a Type 2 Restaurant (“Ultimate Chicken Bar”) at 1739 Sherman Avenue**
Consideration of ordinance 74-O-09 permitting a Special Use for “The Ultimate Chicken Bar” restaurant at 1739 Sherman Avenue in the D2 “Downtown Retail Core District”. ZBA recommends approval with condition regarding litter and garbage collection plan.
For Introduction
- (P3)* **Granting Major Variations to Allow Reduction of Parking Aisle Width for a 14 Car Parking Lot at 2150 Sherman Avenue in the R5 General Residential Zoning District**
Consideration of ordinance 70-O-09 to grant major variations at 2150 Sherman Avenue from Section 6-16-2-7 of the Zoning Ordinance. These variations would allow an aisle width of a double loaded module parked at 90 degrees to be 19.9’ where the minimum requirement is 24’; and to allow the double loaded module width parked at 90 degrees to be 55.7’ where the minimum requirement is 60’.
ZBA Recommends Approval.
For Introduction
- (P4)* **Consideration of Approval for a Sidewalk Café for Type 1 Restaurant: Las Palmas**
Consideration of approval for a Sidewalk Café for Type 1 Restaurant Las Palmas. This is a first-time request.
For Action
- (P5)* **Recommendation to Extend Interest Payment Supplements of up to \$26,400 in HOME Funds over Six Months for Two City-assisted Affordable Condominium Developments**
The Housing Commission recommends continuing the monthly assistance with construction loan interest payments for Reba Place Development Corporation (RPDC) and Evanston Community Development Association (ECDA), as they attempt to close out sales of the affordable units at 602 Mulford and 736-38 Dobson. The monthly funding consists of \$2,800 for RPDC and \$1,600 for ECDA, totaling \$4,400 per month.
For Action

- (P6)* **Ordinance 63-O-09 Granting a Major Variation and Amending a Special use for a Religious Institution with Accessory Parking Located at 1825 Dodge Avenue (Seventh Day Adventist Church) in the R4 Residential District**
Consideration of ordinance 63-O-09 amending the special use permit and variations at the Seventh Day Adventist Church at 1825 Dodge Avenue due to the acquisition of additional lots and proposed addition. ZBA recommends approval of amendment but denial of the front yard setback variance.
For Action
- (P7)* **Ordinance 43-O-09 Amending the Text of Subsection 6-9-5-7(H) of the Zoning Ordinance, "Yard Requirements" for the B1a Business District**
Consideration of ordinance 43-O-09 amending the text of Subsection 6-9-5-7 (H) of the Zoning Ordinance, "Yard Requirements" for the B1a Business District. This amendment corrects an error in the yard requirements regulations.
For Action
- (P8)* **Ordinance 44-O-09 Amending the Sections of the Zoning Ordinance Relating to Office Uses in Residential Districts**
Consideration of ordinance 44-O-09 amending sections of the Zoning Ordinance relating to office uses in residential districts. This amendment moves an important section regarding conditions for office uses in residential districts into Chapter 8, "Residential Districts."
For Action
- (P9)* **Ordinance 45-O-09 Amending the Text of Section 6-16-2 and Table 16-B of the Zoning Ordinance, "General Off-Street Parking Requirements"**
Consideration of ordinance 45-O-09 amending the text of Section 6-16-2 and Table 16-B of the Zoning Ordinance, "General Off-Street Parking Requirements." This amendment reformats a critical table of parking requirements to be more identifiable and useful.
For Action
- (P10)* **Ordinance 46-O-09 Amending the Text of Subsection 6-3-8-3 (A) of the Zoning Ordinance, "Minor Variations"**
Consideration of ordinance 46-O-09 amending the text of Subsection 6-3-8-3 (A) of the Zoning Ordinance, "Minor Variations." This amendment removes an unnecessary variance for lot depth from the list of eligible minor variances.
For Action
- (P11)* **Ordinance 47-O-09 Amending the Text of Subsection 6-1-2 (H) of the Zoning Ordinance, "Purpose and Intent"**
Consideration of ordinance 47-O-09 amending the text of Subsection 6-1-2 (H) of the Zoning Ordinance, "Purpose and Intent." This amendment corrects a grammatical error.
For Action

(P12)* Ordinance 48-O-09 Amending the Text of Subsection 6-15-1-8 of the Zoning Ordinance, "Historic Preservation"

Consideration of ordinance 48-O-09 amending the text of Subsection 6-15-1-8 of the Zoning Ordinance, "Historic Preservation." This amendment fixes an incorrect cross-reference.

For Action

(P13)* Ordinance 49-O-09 Amending the Definition of "Rooming House" in Section 6-18-3 of the Zoning Ordinance

Consideration of ordinance 49-O-09 amending the definition of "Rooming House" in Section 6-18-3 of the Zoning Ordinance. This amendment brings the zoning definition of "Rooming House" into conformity with that used by Property Standards.

For Action

(P14)* Ordinance 50-O-09 Re-Titling Subsection of the Zoning Ordinance Relating to Access to On-Site Parking in Residential Districts

Consideration of ordinance 50-O-09 re-titling Subsection of the Zoning Ordinance relating to access to on-site parking in residential districts. This amendment re-titles a critical section of regulations to be more reflective of the content.

For Action

(P15)* Ordinance 62-O-09 Amending the Special Use for a Sheltered Care Home/Skilled Care Home Located at 2520 Gross Point Road in the C2 Commercial Zoning District Granted and Amended by Ordinances 147-O-89 and 29-O-96

Consideration of a request by Alden Estates of Evanston to amend the conditions of the special use permit to allow a change from 42 skilled care beds and 57 sheltered care beds to 52 skilled care beds and 47 sheltered care beds.

For Action

HUMAN SERVICES COMMITTEE

(H1)* Township of Evanston Monthly Bills

Recommendation that the City Council approve the Evanston Township bills, payroll, and medical payments for the month of July 2009 in the amount of \$109,982.81.

For Action

(H2)* Ordinance 41-O-09 Amending Title 8, "Health and Sanitation," Chapter 8, "Food Service and Retail Food Store Sanitation," Section 4 (4), "Issuance of License," of the City Code of the City of Evanston.

Consideration of ordinance 41-O-09 amending the Public Health Director's authority to deny a license to operate a food establishment based on poor performance of food establishment inspections, persistent sanitation complaints, foodborne illness outbreaks, or persistent violations of other application codes, which negatively impact the health and welfare of Evanston residents.

For Introduction

OTHER COMMITTEES

- (O1)* **Resolution 64-R-09 Approving a Substantial Amendment to the City's FY2009/2010 One Year Action Plan as recommended by the Housing & Community Development Act Committee**
 Consideration of proposed resolution 64-R-09 approving a Substantial Amendment to the City's One Year Action Plan for FY 2009/2010 to allocate \$120,615 in incremental CDBG funds, as recommended by the Housing & Community Development Act Committee. The Substantial Amendment increases funding for eleven programs and projects already included in the One Year Action Plan.
For Action
- (O2)* **Resolution 67-R-09 Amending Section A of the By-Laws for the Housing and Community Development Act Committee**
 Consideration of resolution 67-R-09 amending section A of the by-laws of the Housing and Community Development Act Committee expanding the number of members from eight (8) to nine (9), four of which shall be aldermen and five of which shall be citizens at large.
For Action

APPOINTMENTS

MEETINGS SCHEDULED THROUGH SEPTEMBER 14, 2009

Upcoming Aldermanic Committee Meetings:

Tuesday, August 18	7:30 pm	Housing & Community Dev Act Committee
Wednesday, August 26	6:00 pm	Parking Committee
Wednesday, August 26	7:30 pm	Economic Development Committee
Thursday, August 27	7:00 pm	Emergency Telephone System Board
Tuesday, September 8	6:00 pm	Rules Committee
Tuesday, September 8	7:30 pm	Human Services Committee
Monday, September 14	5:30 pm	Administration & Public Works Committee
Monday, September 14	7:00 pm	Planning & Development Committee
Monday, September 14	8:30 pm	City Council Meeting