I. DECLARATION OF A QUORUM: ALDERMAN GROVER, CHAIR
With a quorum present, Chair Grover called the meeting to order at 5:48 p.m.

II. APPROVAL OF MINUTES OF REGULAR MEETING OF September 10, 2012
A voice vote was taken and the minutes of September 10, 2012 were unanimously approved.

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through 09/09/12 $2,538,746.09
A voice vote was taken and the Payroll through 09/09/12 was unanimously approved.

(A2) City of Evanston Bills FY2012 09/25/12 $3,823,091.11
Ald. Rainey noted that she had asked that such items, as seized funds, on the Bills List, give the information of where the incident took place. Deputy Chief Jamraz said that he only had the case numbers with him. He would get that information to her. M. Lyons (Assistant City Manager/Treasurer) asked if it could be supplied this evening and the Deputy Chief said he would email it tonight. A voice vote was taken and the Bills through 09/25/12 were unanimously approved.

(A3.1) Approval of Agreement with CTL Group for Inspection of 1934 Reservoir and 1948 Settling Basins at the Water Treatment Plant (RFP 12-158)
Staff recommends that City Council authorize the City Manager to execute an agreement for professional services for inspection of the 1934 Reservoir and 1948 Settling Basins at the Evanston Water Treatment Facility (RFP 12-
158) to CTL Group (5400 Old Orchard Road, Skokie, IL) in the not-to-exceed amount of $89,000. Funding is provided by the Water Fund General Support Account 7100.62180, which has a FY 2012 budget allocation of $75,000, with additional funding of $14,000 from the Water Fund CIP Account 733097.65515 due to deferral of other projects.
A voice vote was taken and A3.1 was unanimously approved.

(A3.2) Approval Engineering Services Agreement with Baxter & Woodman, Inc. for Water Treatment Plant Master Flow Meter and Chemical Feed Improvements (RFP 12-151)
Staff recommends City Council authorize the City Manager to execute an agreement for engineering services for the water treatment plant master flow meter and chemical feed improvements project (RFP 12-151) with Baxter & Woodman, Inc. (39 S. LaSalle Street, Suite 816, Chicago, IL) in the not-to-exceed amount of $95,900. Funding is provided by the Water Fund, Capital Improvement Account 733074.62140 which has a FY 2012 budget allocation of $50,000 and a proposed FY 2013 allocation of $50,000 for engineering services.
A voice vote was taken and A3.2 was unanimously approved.

(A4) Resolution 67-R-12 Authorizing the City Manager to Sign Notifications of Grant Awards to Fund a Senior Meal Congregate Program
Staff recommends City Council approval of Resolution 67-R-12 authorizing the City Manager to sign notification of grant awards to help fund and operate a congregate senior meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center.
A voice vote was taken and A4 was unanimously approved.

(A4.1) Approval of Contract Renewal with Catholic Charities Lunch-n-More for Senior Meal Food Programs
Staff recommends City Council authorize the City Manager to renew the contract with Catholic Charities Lunch-n-More (6212 S. Sangamon, Chicago, IL) to provide a senior meal congregate program at the Levy Senior Center and Fleetwood-Jourdain Community Center from October 1, 2012 through September 30, 2013 in the not-to-exceed amount of $4.27 per lunch meal. Total meal program contract value is projected at $43,456. Funding is provided by General Fund Accounts within the Fleetwood-Jourdain and Levy Center business units.
A voice vote was taken and A4.1 was unanimously approved.

(A5) Resolution 68-R-12 Assignment of a Sublease of Real Property at Green Bay Road and Central Street by Top of the Tracks, Inc. Coffee Shop to SEG Café LLC
Recommend the City Council’s approval of Resolution 68-R-12 authorizing the City Manager to sign the assignment of the sublease agreement by Top of the Tracks to SEG Café LLC.
A voice vote was taken and A5 was unanimously approved.

(A6) Ordinance 99-O-12, Relating to Bicycle Use in Alleys
Staff recommends consideration of Ordinance 99-O-12 which amends portions of Title 10 Chapter 9, and Section 10-1-3 of the Evanston City Code
of 2012 ("City Code"), as amended, relating to bicycles and the use of bicycles within the City.

Gladys N. Bryer – Resident – 550 Sheridan Square, member of the Citizens Greener Evanston, (CGE), addressed the group’s project to encourage more bike riding in Evanston. One item on there agenda is to designate certain north-south alleys as bike alleys to reduce car usage and thusly greenhouse gases. Increasing bike usage on streets may result in more accidents. The CGE is looking to designate certain north/south alleys to alleviate any increase in street traffic. They could become safe routes. Chair Grover thanked her for her comments. Ald. Burrus asked to hear from staff. Grant Farrar (Corporation Counsel/City Attorney) addressed the proposed ordinance. G. Farrar said staff submitted this ordinance as a prudent way to reduce liability for the City based on a prudent risk management approach. The issue of alley use in the Illinois Tort Immunity Act which speaks to immunities and liabilities under State law affects us. In respect to alleys, no municipality can be held libel due to pedestrians or bicyclists using an alley for certain uses. We are trying to clarify that bicyclists can use alleys, they are permitted users but under the law they are not intended or permitted users. There are 70 miles of alleys in Evanston. If we make one a preferred route the City will have to maintain it. Ald. Rainey asked if this was a housekeeping issue. G. Farrar stated that it is more than housekeeping. Ald. Rainey asked if it restricts an alley and G. Farrar replied the ordinance states residents can use alleys but the City will not designate them as an alternate route. Ald. Rainey wondered about bikes on sidewalks. She thought the City needed better signs, more education. G. Farrar said he would look in to it. Ald. Holmes conveyed that as beautiful as Church Street is beginning to look, residents still ride on the sidewalks. The other day she and Ald. Braithwaite saw a biker going down the middle of the street. What she wondered can we due to get the idea across. Ald. Rainey said that it is a learning process. Ald. Grover thought this ordinance was a good effort at risk management but it will not undermine organizations trying to increase bike usage.

A voice vote was taken and A6 was unanimously approved.

(A7) Ordinance 100-O-12, Decreasing the number of Class C Liquor Licenses Due to Closure of Hota Restaurant, 2545 Prairie Avenue
Staff recommends adoption of Ordinance 100-O-12, which amends Subsection 3-5-6-(C) of the Evanston City Code of 1979 ("City Code"), as amended, to decrease the number of Class C liquor licenses from 29 to 28 due to the closure of Hota Restaurant, 2545 Prairie Avenue.
A voice vote was taken and A7 was unanimously approved.

(A8) Ordinance 101-O-12, Increasing the number of Class N Liquor Licenses for Issuance to Whole Foods, 1111 Chicago Ave.
Staff recommends adoption of Ordinance 101-O-12 which amends Subsection 3-5-6-(N) of the Evanston City Code of 1979 ("City Code"), as amended, to increase the number of Class N liquor licenses from six to seven to permit issuance to Whole Foods Market, 1111 Chicago Avenue.
A voice vote was taken and A8 was unanimously approved.

(A9) Ordinance 102-O-12, Decreasing the Number of Class O Liquor Licenses for Class N Issuance to Whole Foods, 1111 Chicago Ave.
Staff recommends adoption of Ordinance 102-O-12 which amends Subsection 3-5-6-(O) of the Evanston City Code of 1979 (“City Code”), as amended, to decrease the number of Class O liquor licenses from three to two.
A voice vote was taken and A9 was unanimously approved.

(A10) Ordinance 103-O-12, Increasing the Number of Class O Liquor Licenses for Issuance to Trader Joe’s, 1211 Chicago Avenue
Staff recommends adoption of Ordinance 103-O-12 which amends Subsection 3-5-6-(O) of the Evanston City Code of 1979 (“City Code”), as amended, to increase the number of Class O liquor licenses from two to three, permitting issuance to Trader Joe’s East, Inc., d/b/a, Trader Joe’s, 1211 Chicago Avenue.
A voice vote was taken and A10 was unanimously approved.

(A11) Ordinance 104-O-12, Creating O-1 Liquor License Classification and Permitting Issuance to Jayharipath, Inc., d/b/a 7-Eleven (817 Emerson)
Staff recommends adoption of Ordinance 104-O-12 which amends Title 3 Chapter 5 Section 6 of the Evanston City Code of 1979 (“City Code”), as amended, to create the O-1 liquor license classification. Adoption of the ordinance will create a liquor license class applicable to grocery stores and combination stores with less than 12,000 square feet of production, preparation, and display area.
Ald. Rainey said she thought this is a case where an ordinance should be divided. This is often a city-wide issue where we could be in a position of receiving applications from every gas station that has a convenience store and every convenience store in town, it makes me think we are treading into very scary territory. Chair Grover asked if she wanted this item returned to committee and divided into two separate items. Ald. Rainey said correct and there should be a city-wide public hearing notice to discuss this item. G. Farrar stated that in relation to Ald. Rainey’s request, he will have the ordinance bifurcated into two separate ordinances for the October 22 meeting. Chair Grover stated that this ordinance being rewritten would take some more time. There will be two items, one to create the O-1 liquor license classification and two, another to consider issuance to 817 Emerson.
This item is to be held in committee until the October 22, 2012 meeting.

(A12) Ordinance 105-O-12, Increasing the Number of Class T Liquor Licenses Permitting Issuance to Smylie Bros. Restaurant and Brewery, 1615 Oak Ave.
Staff recommends adoption of Ordinance 105-O-12 which amends Subsection 3-5-6-(T) of the Evanston City Code of 1979 (“City Code”), as amended, to increase the number of Class T liquor licenses from zero to one to permit issuance to Smylie Bros. Restaurant and Brewery, 1615 Oak Ave.
Ald. Rainey asked when this license was created. G. Farrar replied that it was created in 2001 – 2002 but has not been used since then.
A voice vote was taken and A12 was unanimously approved.

IV. ITEMS FOR DISCUSSION

(APW1) Proposed Ordinance 76-O-12 Amending the Evanston City Code Title 4, Chapter 6, Relating to the Plumbing Code
Staff recommends Committee consider of Ordinance 76-O-12 amending the Evanston City Code, Title 4, Chapter 6 – Plumbing Code, Section 3, paragraph (S) relating to Subsoil Drain Pipe and provide direction.

David Stoneback (Director of Utilities) presented a power point for “Proposed Modifications Regarding New Sump Pump Discharges.” He stated that any new sump pump discharge shall be made to the storm sewer system (where available) or onto the premise without causing retention of stagnant water thereon. He continued saying there are four key benefits to the City. 1) Help prevent sewage backups during rain events. Relief sewer improvements and restrictors successfully reduced basement backups resulting from surface runoff. 2) Make code consistent with current policy and other sections of the code. Footing drains shall be connected to the sump pump and discharge shall be made to the storm or combination sewers and not to sanitary sewers. 3) Minimize the environmental impacts of sump pump discharges. It is more environmentally responsible to discharge to the ground surface and allow at least a portion of the flow to infiltrate into the soil before it reaches street inlets. 4) Defines requirements to obtain permission to connect to the sewer system. The ordinance provides clearly defined requirements to obtain permission to connect to the sewer system. Ald. Rainey asked for those of us who have sump pumps, where does it go. D. Stoneback answered that it goes into the sewer service unless it is splashing into the yard. Ald. Holmes reiterated that this is only for new pumps being installed. D. Stoneback said yes. Ald. Holmes asked if hers goes out and she replaces it, would it be considered as new. D. Stoneback replied the answer is no. This ordinance is for those building a home. Ald. Holmes noted that she could just imagine her phone ringing. Questions such as what does this have to do with all the fees we have paid for years, where are the new sewers, and with a splash into the yards, is that healthy. D. Stoneback said that only a modification to an existing house that puts in a new sump pump is involved. The rate is high. But now, rain water does not go into basements. Larger pipes contain the storm water. Ald. Rainey said it applies to new family homes, can’t we figure out if a renovation includes a new pump. D. Stoneback said it only applies if a pump is installed where there was not one before. We are addressing storm water retention in large size developments. M. Lyons noted that falling water goes in to sump pumps, not sewage. D. Stoneback said only clean water is getting pumped out. A sump pump only pumps ground water, It does not get dishwasher water, etc. from a home. Ald. Rainey says that hers seems to run when it is not raining. D. Stoneback replied that this city is built on a swamp, there will always be ground water even between rains. Chair Grover commented that Mr. Stoneback only wants to amend a policy that has been in place for ten years. She then thanked Mr. Stoneback for the presentation,

V. COMMUNICATIONS

VI. ADJOURNMENT

Ald. Burrus moved and Ald. Holmes seconded that the meeting be adjourned. Chair Grover adjourned the meeting at 6.47 p.m.
Respectfully Submitted,
Phillip Baugher
Administrative Assistant, Administrative Services