ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Monday, September 13, 2010

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers


Members Absent:

Staff Present: Kathy Agonis, Tom Anger, Wally Bobkiewicz, Dolores Cortez, Joellen Earl, Chief Eddington, Grant Farrar, Sarah Flax, Doug Gaynor, Curtis Hanawalt, Lonnie Jeschke, Mary Johns, Chief Klaiber, Marty Lyons, Dennis Marino, Sabina Mora, Joseph McRae, Steve O’Sullivan, Suzette Robinson, Dave Stoneback, Evonda Thomas, Rickey Voss, Davon Woodard

Others Present: Alderman Grover
Chamber of Commerence – Dan Mennmeyer
303 Taxi – Gibson Meo
American Taxi – Adam Zayed, Attorney
Hilton Orrington Hotel – Russ Abell
NorthShore Cab – Adrien Castel, Mike Decker, Patrick Fernades, Jake Grinshpun, A. Kahn, and Ronald Michel.
Purple Taxi – Augustin Bazelais
Taxicab Advisory Board - Alan Miller – President and Marie Figaro

Presiding: Ald. Jean-Baptiste

I. DECLARATION OF QUORUM
With a quorum present, Chairman Jean-Baptiste called the meeting to order at 5:50 p.m.

II. APPROVAL OF MINUTES OF REGULAR MEETING of August 9, 2010
Minutes were approved unanimously 5 - 0.

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through 08/15/10 $2,387,300.80
City of Evanston Payroll through 08/29/10 $2,297,424.13
A1 was approved unanimously, 5 – 0

(A2) City of Evanston Bills through 09/14/10 $4,358,060.65
City of Evanston Credit Card Bills through 07/31/10 $ 105,210.42
Ald. Rainey stated that she was very dissatisfied with the answers to her questions. She said most of her questions were rewritten. For example, she was not asking for more information about the Library but specifically asking about current expenses. She wanted to know if the charges were spread across three sites. Please, she reiterated, do not
rewrite my questions. Joe McRae (Assistant to the City Manager) related that he understood that when the question was forwarded to his staff, the expenses were shown but there was no question. He apologized for the misunderstanding. Ald. Rainey said that she would resubmit her questions. A2 was approved unanimously, 5 – 0

(A3.1) Approval of Contract Award for Asphalt Crack Sealing Contract (Bid 11-31)
Staff recommends City Council approval of a contract in response to Bid 11-31 to award the 2010 Asphalt Crack Sealing Program to lowest responsive and responsible bidder, SKC Construction Inc., (P.O. Box 503, West Dundee, IL) in the amount of $40,000, which is the budgeted amount for this project. Funding for this work will be from General Fund Street Maintenance Account (2670.62509). A3.1 was approved unanimously, 5 – 0

(A3.2) Approval of Single Source Purchase from IPS Group, Inc., of Forty-One (41) IPS Single Space Parking Meters
Staff and the Transportation/Parking Committee recommend approval of the single source purchase from IPS Group, Inc. (6195 Cornerstone Ct E., Suite 114, San Diego, CA) of Forty-One (41) IPS Single Space Parking Meters for $20,295. Funding provided by the Parking Fund (7015.62230). Ald. Jean-Baptiste asked if the new meters, which allow for the use of credit cards, would be for longer hours or have the same as it is currently configured. Ricky Voss (Manager Parking Systems) said that the current times would apply. A3.2 was approved unanimously, 5 – 0

(A3.3) Approval of Purchase of One Ambulance for the Fire & Life-Safety Department
Staff recommends City Council approval to purchase one (1) ambulance (Emergency Medical Technician - E.M.T. vehicle) for the Fire & Life-Safety Department in the amount of $213,847.00 from Foster Coach Sales Incorporated (1231 W. 4th Street, Sterling, IL). Funding provided by Fleet Services Capital Outlay Budget for Automotive Equipment (7720.65550) which has an approved budget of $1,700,000.00 of which $260,000.00 was allocated for this replacement vehicle. A3.3 was approved unanimously, 5 – 0

(A3.4) Approval of Contract Extension to Groot for Recycling Collection
Staff recommends City Council approval of an additional three (3) month contract extension until December 1, 2010 for residential and condominium recycling collection with Groot, Inc (2500 Landmeier Road Elk Grove Village, IL) at the rate of $4.36 per residential unit, per month, and the collection of the condominiums at $2.03 per unit. The extension is needed to allow for continued recycling collection until the sanitation Request for Proposal can be evaluated and awarded. A3.4 was approved unanimously, 5 – 0

(A3.5) Approval of Contract Extension to Flood Brothers for Condo Garbage Collection
Staff recommends City Council approval of an additional three-month contract extension until December 1, 2010 for the collection and disposal of condominium refuse with Flood Brothers Disposal & Recycling Services (17 W. 697 Butterfield Rd. Oakbrook Terrace, IL) at the rate of $8.08 per unit per month. The extension is
needed to allow for continued condo garbage collection until the sanitation Request for Proposal can be evaluated and awarded.

A3.5 was approved unanimously, 5 – 0

(A3.6) Approval of Change Order No. 1 for the High Lift Pumping Station Roof Replacement Project (Bid 11-27)
Staff recommends City Council approval of Change Order No. 1 to the contract with G.E. Riddiford Company (2333 Hamilton Road, Arlington Heights, IL) for the High Lift Pumping Station Roof Replacement (Bid #11-27) project in the amount of $33,384.00. This would increase the contract amount from $76,378.00 to $109,762.00.
Ald. Rainey said she was curious about this item. She asked who the roofer was in 1990 and who took the core samples for this new work. Was a core sample taken in 1990? Dave Stoneback (Director of Utilities) related that core samples were done by staff in 1989/90. They came to concrete and assumed it was structural. This time a core sample was not taken since staff was familiar with the work done in 1990. To take a core sample, you put a four-inch pipe through the area and you stop when you hit something hard. Ald. Rainey asked what was reported and D. Stoneback stated, there was an eight-ply roofing system in 1990. The current contractor discovered that the lightweight concrete, which was originally thought to be the structural concrete deck, was over eight piles of built-up roofing and two inches of corkboard insulation. Ald. Holmes asked how many inches in total and D. Stoneback said eleven, which included the lightweight concrete. Had the new roof been put on top and the solar panels installed, it could have been disastrous. Ald. Rainey thought that this change order was a good thing. Ald. Jean-Baptiste asked if outside consultants were used. D. Stoneback said no. Since the staff had done the most recent core study contractors were asked to bid on the information provided to them by the City. Ald. Jean-Baptiste asked how much work has been done. D. Stoneback said that about a fourth of the roof area had been torn off. The contractor notified him and the staff and immediately a temporary roof was put on to protect the exposed areas. Ald. Jean-Baptiste expressed his desire that the Rules Committee become involved in change order usage. At what point does the City go out again for bid? D. Stoneback said the current policy is that if the change order is over fifty percent of the original bid price, a re-bid must be done. Ald. Jean-Baptiste thought this needed to be studied further. Ald. Rainey agreed but felt this was a unique situation. This is not like others where work is added after the fact. This could not be avoided. The City was lucky the roofer came forward immediately. Ald. Fiske asked what was under the cork insulation. D. Stoneback said it is a vapor barrier, like a sheet of felt. Ald. Fiske asked how old it was and D. Stoneback said it is from the original construction in 1949.
A3.6 was approved unanimously, 5 – 0

(A4) Approval of Contract Settlement with the International Association of Fire Fighters Local 742
Staff recommends approval to authorize the City Manager to execute a two-fiscal year collective bargaining agreement with International Association of Fire Fighters Local 742 effective March 1, 2010 through December 31, 2011. City Council approval will ratify the tentative agreements executed throughout the negotiation process.
A4 was approved unanimously, 5 – 0
(A5) **Resolution 51-R-10 Authorizing the City Manager to Enter into Sublease Renewal of Certain Property at Green Bay Road and Central Street with Mary Lou Smith for Operation of Top of the Tracks, Inc. Coffee Shop**

Staff recommends approval of Resolution 51-R-10 authorizing the City Manager to enter into sublease renewal of property at 1826 Central Street from the Union Pacific Railroad Company (UPRC) with Mary Lou Smith for Operation of Top of the Tracks, Inc. Coffee Shop. The lease term will be for five years beginning September 15, 2010 and ending September 14, 2015. A five percent increase in monthly rent is built into the agreement.

A5 was approved unanimously, 5 – 0

(A6) **Resolution 53-R-10 Requesting Certification from Cook County Clerk in Order to Amend Title 1, Chapter 13 of the City Code, “Municipal Elections”**

Staff recommends that the City Council approve Resolution 53-R-10 asking that the City Clerk obtain a certification from the Cook County Clerk’s Office certifying that the Cook County Clerk’s Office is able to administer an election using a “ranked ballot” in local City and Township elections. Only certain absentee voters are affected. Upon receipt of that certification, the Council would then need to pass an ordinance that allows for the use of ranked ballots.

Ald. Rainey asked why we cannot just count the votes. Tom Anger (Assistant City Attorney) said the purpose of a ranked ballot is to give voters in the military or out of the country a chance to vote with one ballot. Ald. Jean-Baptiste said this was very convenient, it means a voter does not have to submit a second absentee ballot. Ald. Burrus thanked the Legal Department and others for making this possible for our armed forces.

A6 was approved unanimously, 5 – 0

(A7) **Ordinance 52-O-10 Regarding Taxicab Regulation**

Ordinance 52-O-10 amending sections of the City Code relating to Taxicab Service Regulations are presented for Council consideration. The ordinance was discussed at the July 26, 2010, Administration and Public Works committee meeting. This ordinance was held in Committee on August 9, 2010.

Ald. Jean-Baptiste noted that this ordinance has already been introduced and will go to Council with a request for suspending the rules and voting for action tonight. In addition, he noted that several residents have asked to speak to the issue, which will come before the committee discusses the ordinance.

Gibson Meo of 303 Taxi began by stating that he has been driving a taxi and living in Evanston for twenty years but lately it has become hard to pay his bills. He said that he has had to drop his health and life insurance. He noted that the economy is not good and he called American Cab to see if he could work for them. They said no since American only has seven licenses in Evanston. He continued that he is a good driver, but American sends cabs from Lincolnwood to Evanston for pick-ups. He ended by saying he fully supports this ordinance.

Augustin Bazelaids of Purple Taxi mentioned that he has been driving since 1988. He stated that he is one of the cab drivers who built the business in Evanston. However, other companies are sending their cabs (from Skokie, Wilmette, Oak Park) into Evanston for pick-ups. They say that the COE ordinance allows for pick-ups by outside cabs. He stated that he is losing money. The opportunity is there but outside cabs are sent in. By the time the Police are called and arrive, the cabs have left with their fares.
Ald. Rainey asked if the Chief of Police was in the chambers and could he explain the enforcement procedures. Ald. Jean-Baptiste said yes, a good idea and then asked Steve O’Sullivan (License and Measures Inspector) to address the system. S. O’Sullivan stated that he has heard for a number of years of the need to better identify the cabs registered in Evanston. He suggested that the letter “E” be incorporated in the license. Ald. Jean-Baptiste asked him what he does concerning cabs. S. O’Sullivan said that four times a year cabs are inspected for safety, insurance and appearance. On an annual basis, all drivers are recertified. New drivers have to take a class and have to pass a test. Ald. Jean-Baptiste asked if he or the City had any authority over outside cabs and S. O’Sullivan said the answer is no.

Mike Decker of NorthShore Cab sits on the Taxi Advisory Board. He stated that he has been in the business for thirty-three years. He noted that the article in the newspaper has debatable facts. Evanston customers do not suffer. There are five companies providing 140 cabs. There is no lack of cabs. Chicago has 4600 cabs for eight million residents. That is a different story. He continued, taking away a man’s livelihood, makes for a desperate situation. With no regulations, any cab can come into Evanston. More cabs mean more pollution and more traffic on the streets.

Marie Figaro, a member of the Taxi Advisory Board said she was speaking tonight to inform the committee about this matter. She noted that Northwestern University students do not compete with citizens for taxis. NU provides shuttles so student business is minimal. This ordinance is needed to stop businesses in Evanston from calling for cabs other than those with an Evanston license. Only the Evanston driver knows the territory. One cab company has questioned the legality of this ordinance but similar ones are in place in other municipalities she concluded.

A. Kahn from NorthShore Cab related that he had been with the company five years. He told how he had been with another company before and they did not perform inspections and they had few customers. A friend told him to come to Evanston and until lately, it has been very good. Recently he related, he sat outside the Orrington Hotel from 9 to 11:30. An outside cab was called for a trip to the airport and he said he finally got a fare from an elderly lady with coupons. He ended with a plea to Evanston to help the registered taxi cab drivers.

Alan Miller, the President of the Taxi Cab Advisory Board noted that he had driven a cab for many years and worked for many companies in Evanston. He mentioned that the Board had passed on many items to the A & P W members. We compared Evanston to many of the communities in the area and produced a demographic study. The ratio of cabs to residents is 1 to 665 in Skokie, 1 to 620 in Chicago and 1 to 539 in Evanston. The article that has been referred to says more cabs are needed in Evanston. There is a process already in the ordinance to address this issue. The Board also has factual objections to the article in the Review. Fact vs. spin. The article is just that. This ordinance only changes the penalty level, nothing else is changed. Ald. Jean-Baptiste pointed out that there is the additional clause concerning enforcement and towing.

Ronald Michel of NorthShore Cab expressed the idea that his family is here to make money. If they go into Chicago, there is a $1000.00 fine, you can go to jail and you will lose work time. However, all cabs can come into Evanston with no penalty. I believe, he stated, that drop offs are all right but pick-ups are not.

Adrien Castel also of NorthShore Cab, simply stated that you cannot make money anymore in Evanston. Too many cabs come in from outside of Evanston, they are coming in for pick-ups.
Patrick Fernades also from NorthShore Cab thanked the committee for the chance to talk. He claimed that he is the oldest driver in Evanston, he had been at it for thirty-eight years. This is an old problem he said but during these economic times, it is more obvious. He continued that outside cabs are putting their hands in Evanston cab drivers pockets. It is appreciated he said in closing what the City is attempting to do.

Dan Mennmeyer an Economic Development Committee member and with the Chamber of Commerce, noted that he only read of this issue this afternoon. Ald. Jean-Baptiste said that that was not the amended version of the ordinance. Grant Farrar (Corporation Counsel/City Attorney) agreed that the changes are not in the PC version but are in the packet. It is the one written after the Taxi Cab Advisory Board meeting on 8-9-10. D. Mennemeyer said he was for enforcement noting that it is difficult. If you don’t see a medallion call the police. He disagreed he said slightly with the arranged cab ride clause. He noted that he has three companies on speed dial to provide good service. Sending in a non-licensed cab is good competition. But he finished, enforcement should be followed through on.

Adam Zayed from American Taxi noted that he was mentioned in the Evanston Review article. He is an attorney for American Taxi. He said that he has no issue with the enforcement clause. However, concerning pre-arranged rides, that is a different point. He said that Chicago allows cabs in to make a pick-up and go out of the city for the drop-off. It is to avoid an unreasonable constraint on trade. He asked why Evanston would want to limit this service. The citizens have the right to pre-arrange a cab pick-up. He has 120 petitions from residents stating that they should not be told who to call for a pre-arranged ride.

Jake Grinshpun from NorthShore Cab noted that most of what he wanted to say has been said. But, to the gentleman from American Taxi, I do not believe the City of Evanston needs more cabs to serve the residents. Many years ago he remembered, there were several hundred cabs in Evanston compared to the number today. And, he said, those need to be supported.

Russ Abell representing the Hilton Orrington Hotel said they were in favor of the ordinance from the outside cabs at the cabstands or cruising the streets. As a business he declared, we need them to be available. The goal of the hotel is to bring more visitors to Evanston. Any City ordinance that makes it less friendly to get in or out of Evanston is putting a limit on competition and makes it harder for us, the hotel, to compete with other hotels in nearby suburbs. We support the Evanston drivers but cannot limit our ability to compete.

Ald. Rainey wanted to know how out-of-town visitors knew to call out-of-town cabs. Does the hotel call out-of-town companies. Do you Mr. Abell encourage using the cabstand at the hotel or outside cabs. Why would you ever call an outside cab company to come into Evanston. R. Abell said the hotel does promote the outside cabs for pick-ups to Evanston and this is part of a round trip policy available to hotel guests and at a discount. Ald. Jean-Baptiste asked what happens when a guest goes to the doorman for a cab. Does he flag to the cabstand or call an outside cab. R. Abell stated that the hotel offer is for a round trip to and from the airport. We use American Taxi. Ald. Jean-Baptiste noted that they are licensed at other cities. R. Abell thought most likely they were. No one has proposed that business model that he is aware of.

Ald. Jean-Baptiste thanked all of the speakers and noted that those who did not get a chance to speak could do so at the full City Council meeting. He than proposed that since the item has already been introduced, it be held now for further discussion in the full Council. Ald. Burrus agreed. Ald. Rainey said that she had no problem with the
ordinance. However, the enforcement issue is very important. Perhaps at Council, instead of here, it can be discussed. Ald. Holmes asked which version was going to be discussed. Ald. Jean-Baptiste said it is the one with the $750.00 fine. Ald. Burrus stated that she believed the public is confused. She recommended that the Council be very clear concerning what is before them. G. Farrar suggested that hard copies of the August 9, 2010 meeting be passed out and that it supersedes the packet (electronic) version. Wally Bobkiewicz (City Manager) noted that there had already been an introduction in committee and in Council so they could move on now.
A7 was approved unanimously to go to full Council for action, 5 - 0

IV. ITEMS FOR DISCUSSION

(APW1) Proposed Ordinance 67-O-10 Enacting a Tax on Disposable Plastic Shopping Bags

Proposed Ordinance 67-O-10 would place a $0.25 tax on each disposable plastic shopping bag given to customers of stores in Evanston.
This item was taken off of the agenda. The guest speaker will be here at the next meeting for the presentation.

V. COMMUNICATIONS

VI. ADJOURNMENT
The meeting adjourned at 7:05 p.m.

Respectfully submitted,
Phillip Baugher
Administrative Secretary, Administrative Services