MEETING MINUTES
Administration & Public Works
Monday, September 12, 2011
5:45 P.M.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston
Council Chambers


Members Absent:

Staff Present: Wally Bobkiewicz, Godwin Chen, Don Cornelius, Paul D’Agostino, Rajeev Dahal, Hitesh Desai, Grant Farrar, Doug Gaynor, Stephen Griffin, Curtis Hanawalt, Jewell Jackson, Lonnie Jeschke, Chief Klaiber, , Marty Lyons, Joe McRae, Sat Nagar, Nancy Radzevich, Suzette Robinson, Paul Schneider, Dave Stoneback, Evonda Thomas, Paul Zalmezak

Others Present: Steve Bartlebaugh – Executive Director - ECTV
John Rossi – Baker Tilly Auditors
Residents – Scott Baker, Cheryl Muno, Eric Thompson, James A. Zimmer

Presiding Member: Delores Holmes

I. DECLARATION OF QUORUM
With a quorum present, Chairman Holmes called the meeting to order at 5:50 P.M.

II. APPROVAL OF MINUTES OF REGULAR MEETING of August 8, 2011
It was moved by Ald. Burrus and seconded by Ald. Braithwaite that the minutes of the August 8, 2011 meeting be approved. A voice vote was taken and the minutes were approved.

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through 08/14/11 $2,745,227.46
City of Evanston Payroll through 08/28/11 $2,590,693.33
It was moved by Ald. Burrus and seconded by Ald. Grover that the payrolls of 08/14/11 and 08/28/11 be approved. A voice vote was taken and they were approved 5 – 0.

(A2) City of Evanston Bills FY2011 through 09/13/11 $4,575,116.80
Credit Card Activity for Period Ending July 31, 2011 $ 101,491.79
It was moved by Ald. Grover and seconded by Ald. Braithwaite that the bills list of 09/13/11 and the credit card activity through 07/31/11 be approved. A voice vote was taken and they were approved 5 – 0.

(A3.1) Approval of Contract Award to DEM Services, Inc. for the Evanston Water Utility Asbestos Abatement Phase 2 (Bid 12-55)
Staff recommends that City Council authorize the City Manager to execute a contract for Asbestos Abatement Phase 2 at the Water Utility (Bid 12-55) with DEM Services, Inc. (1765 Cortland Court, Suite A, Addison, IL) in the amount of $27,530.20. Funding for this work will be from the Water Fund, Account 733095.65515. This Capital Improvement account has a budget of $50,000 specifically allocated for the engineering and abatement associated with this project.
It was moved by Ald. Burrus and seconded by Ald. Grover that A3.1 be approved. A voice vote was taken and it was approved 5 – 0.

(A3.2) Approval of Contract Award to Mechanical Concepts of Illinois, Inc. for Service Center Air Unit Project (Bid 12-12)
Staff recommends that the City Council authorize the City Manager to execute a contract for the Service Center Fleet Services Make Up Air Unit Replacement Project (Bid 12-12) to Mechanical Concepts of Illinois, Inc. (333 S. O'Hare Drive, Romeoville, IL) in the total amount of $102,350. Funding will be provided by FY 2011 Capital Improvement Plan Account #416427 in the amount of $85,000 and from General Fund Account 2610.62446 in the amount of $17,350.
It was moved by Ald. Burrus and seconded by Ald. Braithwaite that A3.2 be approved. A voice vote was taken and it was approved 5 – 0.

(A3.3) Approval of Contract Award to Office Concepts for a Three Year Office Furniture Supplier Contract (RFP 12-31)
Staff recommends that the City Council authorize the City Manager to execute an office furniture supplier contract with Office Concepts (965 W. Chicago Avenue, Chicago, IL) in response to RFP 12-31. The contract will be valid for three years beginning January 1, 2012. Funding will be provided by individual departments as budgeted annually for furniture replacements.
It was moved by Ald. Grover and seconded by Ald. Burrus that A3.3 be approved. A voice vote was taken and it was approved 5 – 0.

(A3.4) Approval of Contract Award to Utility Dynamics Corporation for SNAP Lighting Project (Bid 12-53)
Staff recommends that the City Council authorize the City Manager to execute a contract in response to Bid 12-53 to award the Darrow Avenue (Simpson Street to North Dead End) Safer Neighborhood Area Project (SNAP) Lighting Contract to the lowest responsive and responsible bidder, Utility Dynamics Corporation (23 Commerce Dr., Oswego, IL) in the amount of $52,839.75. Funding for this work will be from Community Development
Block Grant Fund (CDBG) (5170.62780) in the amount $50,807 and Traffic Operations Fund (2640.65515) in the amount of $2,032.75.
Ald. Rainey asked if the amount afforded by Community Development Block Grant from last year is in this year’s total. Suzette Robinson (Director Public Works) replied that the sum is a combination of last year and this year. Paul Schneider (City Engineer) stated that the work was approved for 40K last year. A rollover of 10K from the previous year was added. Two thousand was found elsewhere. Ald. Rainey thought the money was not SNAP and P. Schneider replied that yes, the 10K was SNAP money.

It was moved by Ald. Grover and seconded by Ald. Braithwaite that A3.4 be approved. A voice vote was taken and it was approved 5 – 0.

(A3.5) **Approval of Contract Award to D’Land Construction for 2011 Block Curb, Sidewalk & ADA Curb Ramp (Bid 12-54)**
Staff recommends that the City Council authorize the City Manager to execute a contract in response to Bid 12-54 to award the 2011 Block Curb, Sidewalk & ADA Curb Ramp Program to the lowest responsive and responsible bidder, D’Land Construction (600 S. County Line Road, Bensenville, IL) in the amount of $361,976.40. Funding for this work will be from CDBG Fund (5170.62780 & 5170.63030) in the amount of $220,000 and Special Assessment Reserve Fund (6365.65515) in the amount of $141,976.40.
It was moved by Ald. Grover and seconded by Ald. Burrus that A3.5 be approved. A voice vote was taken and it was approved 5 – 0.

(A3.6) **Approval of Contract Award for Economic Development Consulting Services to Kane McKenna and Associates, Inc. (RFP 12-39)**
Staff and the Economic Development Committee recommends City Council authorize the City Manager to execute a contract in response to RFP 12-39 for consulting services pertaining to economic development activities to Kane McKenna and Associates, Inc. with Special Consultant: Michio Murakishi (150 North Wacker Drive, Chicago, IL) for an amount not to exceed $80,000. Funding will be provided by the Economic Development Fund-Other Consulting Services - Account 5300.62185.
Ald. Burrus opened the discussion saying that she would like to hear from the Economic Development team. Do we not have the expertise to do this task in house she asked. It is a lot of money and I know it is important for the long-term strategy. Nancy Radzevich (Economic Development Division Manager) said a significant amount of time and hours are required to decide if a TIF district is appropriate and should be created. Because of the Evanston Plaza being sold and the Chicago/Main area going out for bid, we need these consultants to judge how far the City can go or even should go to be involved. We need to design tools to go forward. Ald. Rainey said that every time she talks to TIF consultants there is always some new fact to be considered. They are worth their money. I am confident about this she concluded.
It was moved by Ald. Rainey and seconded by Ald. Grover that A3.6 be approved. A voice vote was taken and it was approved 5 – 0.
Accept and Place on File the FY2010-11 Audited Annual Financial Report

Staff recommends that the City Council accept and place on file the City of Evanston FY2010-11 Audited Annual Financial Report. The full report is available at: http://www.cityofevanston.org/transparency/budget-financial-reports/.

Ald. Rainey asked if the Auditor was present and would talk to the committee. She finds this report disturbing. Some things she said continue to be in the audits. Marty Lyons (Assistant City Manager/Interim Administrative Services Director) introduced John Rossi of Baker Tilly Auditors. Ald. Rainey said she was interested in the management letter and especially in the recommendations regarding the Collectors Office. J. Rossi noted that there were two material weaknesses. One is the approval of journal entries; one person can approve and can enter the information as well. It is not a perfect control system. It is considered a possible risk. The second weakness is the restatement of financial statements. He noted that previous auditors did not know about this. Ald. Rainey asked how did that affect what is seen on the bottom line of previous year's budgets. J. Rossi mentioned that there where some early retirements taken but not listed. They became a liability when the city applied for a bond. M. Lyons stated that when the ERI was done, it was recorded to IMRF and the City paid it each year. It was not recorded as a debt, it was included in the City's IMRF rate. Ald. Burrus said that she was still concerned with what was done. It seems that we are not showing all our debt. Would it have changed our credit rating. Where did the call to do this come from. M. Lyons replied that GASB is the source relied upon to guide the City. In another year, all outstanding debt will be in our funding books. It was disclosed with Moody’s and Fitch. It could be seen. Ald. Burrus thought this was not as straight forward as it could have been. Ald. Rainey said that she always tells the public to read the financial pages. She asked if the “other funds” are related to this. She asked about the comments concerning the Collector’s Office. M. Lyons said that this will be revisited if the answers are not satisfactory. He suggested that this item can be held and they will return with the auditors who did this part of the audit. Wally Bobkiewicz stated that it was just a final question of cash handling in the Collector’s Office. If we can answer your questions, we can send this item on to Council. The firm is represented tonight. Ald. Burrus asked if there is a time element to this item and M. Lyons said there is not.

Chairman Holmes agreed to hold this item in committee. It will be back on the agenda at the first opportunity.

Resolution 50-R-11, Authorizing the Lease of Space within the City’s Service Center to Evanston Community Media Center

Staff recommends that City Council approve Resolution 50-R-11 authorizing the City Manager to lease space within the City’s Service Center to Evanston Community Media Center (ECMC) from October 1, 2011 to September 30, 2014. Due to budget constraints, (including reductions in the allocation received from the City) ECMC has been looking for a more affordable location to house its PEG channel operations.

Ald. Rainey stated that as she read through the document, she saw that the current lease is for approximately ninety-four thousand dollars a year and expires in 2012. She asked if there is an escape clause in the contract. Joe McRae
(Interim Assistant City Manager) responded that the Law Department is reviewing the papers. Steve Bartlebaugh (Executive Director ECTV) stated that there was an out clause that had to be met at a specific time and that that time was missed. The current company they lease from is aware of tonight’s meeting. Ald. Rainey asked if there is a buy out clause. S. Bartlebaugh replied not in the lease but he felt it would be worked out. Ald. Rainey noted that the City lease said September 15. S. Bartlebaugh said that they hope to be out by November and only have to pay an extra month rent. Ald. Rainey wondered that they did not want to negotiate a release before they moved. Did your property owner say he would let you out of your lease if you signed elsewhere. S. Bartlebaugh replied, not specifically. Ald. Grover asked if this move would put a closure to ECMC being financially dependent. S. Bartlebaugh said it would. Ald. Rainey asked if ECMC would do advertising. S. Bartlebaugh said they have been looking into it as a not for profit organization. Ald. Burrus thanked him and ECMC for their work with the City and S. Bartlebaugh thanked the City for their help. It was moved by Ald. Burrus and seconded by Ald. Grover that A5 be approved. A voice vote was taken and it was approved 5 – 0.

(A6) Resolution 52-R-11, Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County Board of Directors
Staff recommends City Council consideration of Resolution 52-R-11, which appoints Mayor Tisdahl to serve as Director of the Solid Waste Agency of Northern Cook County, with City Manager Bobkiewicz as Alternate Director, with terms to expire April 30, 2013, or until a successor is appointed.
It was moved by Ald. Rainey and seconded by Ald. Braithwaite that A6 be approved. A voice vote was taken and it was approved 5 – 0.

(A7) Ordinance 69-O-11, Authorizing the Sale of Surplus Fleet Vehicles Owned by the City of Evanston through Obenauf Auction Service Municipal Equipment Auction
Staff recommends that the City Council authorize the City Manager to publicly offer for sale through public auction various vehicles and equipment owned by the city based on Ordinance 69-O-11. The vehicles and equipment are presently out of service or will be in the next few weeks and were assigned to various divisions/departments within the City of Evanston.
It was moved by Ald. Burrus and seconded by Ald. Braithwaite that A7 be approved. A voice vote was taken and it was approved 5 – 0.

(A8) Ordinance 65-O-11, Amending Subsection 3-5-6-(O) of the City Code to Increase the Number of Class O liquor licenses from 2 to 3 to Permit Issuance to ALDI, Inc., 2211 Oakton Street
Local Liquor Commissioner recommends City Council adoption of Ordinance 65-O-11. ALDI, Inc. has paid the annual Class O liquor license application fee and provided proof of Surety Bond and Liquor Liability Insurance. At the July 13 Liquor Control Review Board meeting, the Commissioner and the Board Members voiced concern over applicant’s plan for placement of the beer and wine for sale. Section 2 of Ordinance 65-
O-11 conditions ALDI’s license on compliance with recommendations from Evanston Police Chief Eddington regarding placement.

Ald. Rainey said that she had asked Chief Eddington about shoplifting at ALDI’s. She said that she would like to know more on this subject. She noted that there is a skeletal staff there most times. W. Bobkiewicz said that the Chief could not attend but Corporation Counsel Grant Farrar should be able to address the question. Grant Farrar responded that at the latest Liquor Commission Board meeting this item was discussed. At the Mayor’s request, this item is under review as pertains to future petitions. Ald. Rainey said her concern is not the selling of liquor but the safeguard polices from the various stores around town. Ald. Holmes felt they could get information. Ald. Braithwaite questioned where the liquor would be placed in the store. G. Farrar referred to a memo from Chief Eddington that said it would be placed up front by the cashiers where access is limited. Ald. Holmes asked that the Chief provide an update. It was moved by Ald. Grover and seconded by Ald. Burrus that A8 be approved.

A voice vote was taken and it was approved 5 – 0.

(A9) Ordinance 72-O-11 Amending Subsection 3-5-6-(D) of the City Code to Decrease the Number of Class D Liquor Licenses from 24 to 23 Due to a Change in License Class for Peter Mills Productions, Inc., d/b/a “Chef's Station,” 915 Davis Street

The Local Liquor Commissioner recommends adoption of Ordinance 72-O-11, which decreases the Number of Class D Liquor Licenses due to a change in license class for Chef’s Station.

It was moved by Ald. Grover and seconded by Ald. Burrus that A9 be approved. A voice vote was taken and it was approved 5 – 0.

(A10) Ordinance 73-O-11 Amending Subsection 3-5-6-(C) of the City Code to Increase the Number of Class C Liquor Licenses from 25 to 26 Due to a Change in License Class for Peter Mills Productions, Inc., d/b/a “Chef's Station,” 915 Davis Street.

The Local Liquor Commissioner recommends adoption of Ordinance 73-O-11. On August 11, 2011, the Liquor Control Review Board met and voted to recommend an increase in the number of Class C liquor licenses due to a change in license class for Chef’s Station.

It was moved by Ald. Burrus and seconded by Ald. Braithwaite that A10 be approved. A voice vote was taken and it was approved 5 – 0.

(A11) Ordinance 74-O-11 Amending Subsection 3-5-6-(K) of the City Code to Increase the Number of Class K Liquor Licenses from 1 to 2 to Permit Issuance to Sodexo America, LLC, 1501 Central Street

Local Liquor Commissioner recommends City Council adoption of Ordinance 74-O-11, which Increases the Number of Class K Liquor Licenses to permit issuance to Sodexo America. Sodexo has paid the annual Class K liquor license application fee and provided proof of Surety Bond and Liquor Liability Insurance.
It was moved by Ald. Rainey and seconded by Ald. Burrus that A11 be approved. A voice vote was taken and it was approved 5 – 0.

(A12) **Ordinance 76-O-11, Amending Section 10-11-16 of the City Code to Update Designated Truck Routes**

Staff recommends the consideration of proposed ordinance 76-O-11 by which the City Council would amend Section 10-11-16 to update the designated truck routes within the City. Funding for any necessary sign updates would be provided through the General Fund budget, 2670.65115, traffic control supplies.

Chairman Holmes offered those residents who had signed in to speak.

* Eric Thompson – 1805 Oakton Street. I am a new resident of six months. I support both A12 and A13 on tonight’s agenda. Obviously living on Oakton, I have been awakened many times. Our 1946 home was built as a bomb shelter and yet it shakes as trucks pass by. I am here to support A12 and A13.

* Cheryl Muno – 1729 Oakton Street. In 1999 there were few trucks on Oakton, now after 2006, there are many. Tractor trailers have doubled and then tripled. Cracks are appearing in my home. Three windows developed hairline cracks. I am not alone, my neighbors have the same problems. All of this occurs on a street designated as a non-truck street. We call the police and we call 311. I support your designating truck routes and for more Police enforcement.

* Scott Baker – 436 Oakton Street. My question is more about enforcement. There is an elementary school on Oakton and it is marked for speed limits, etc. What will these new tools change?

* James Zimmer – 1101 Oakton Street. My house rattles. A section of Oakton needs to be repaired. The patches are not holding from east of Dodge towards Chute. In addition, I own a tow truck of 15 to 16 thousand pounds. Will I be ticketed when I go home? School buses are as heavy as are the Groot trucks. How do they get in to the area? Ald. Burrus assured him that the new ordinance defines what local traffic means. S. Robinson said local traffic means you can travel up to one-half mile without receiving a ticket. Ald Holmes told Mr. Zimmer that if he had further questions, he should feel free to call Ald. Burrus.

It was moved by Ald. Burrus and seconded by Ald. Braithwaite that A12 be approved. A voice vote was taken and it was approved 5 – 0.

(A13) **Ordinance 37-O-11, Amending the City Code to Establish a City Wide 8,000 Pound Weight Limit on City Streets**

Staff recommends the consideration of Ordinance 37-O-11 by which the City Council would amend Section 10-1-3, 10-1-9-2, and delete 10-11-13, Schedule XIII to establish a City-wide eight thousand (8,000) pound weight limit on City streets unless otherwise designated. The City-wide 8,000 pound limit will not apply to streets under the jurisdiction of the Illinois Department of Transportation (IDOT), City designated truck routes or prohibited truck routes.

Ald. Rainey said that there are probably more exceptions than restrictions in this ordinance like the man who owns a tow truck. All emergency vehicles are exceptions as are buses and garbage trucks. I went on line she continued to see vehicle weight standards and they are based on 6000 and 8500 pounds. None were based on 8000 pounds. What are we restricting she asked. Oakton had an
enormous construction project this year. They were an exception. She stated that almost all trucks can go one-half mile to a truck route and get along with this ordinance. Ald. Burrus said that once a truck passes east on Oakton at Dodge, they would be going more that one-half mile to the next truck route. Also of note, the 8000 pound limit was changed by the State to 8400 pounds. Ald. Rainey said the drivers when stopped by a policeman should show them the map. S. Robinson noted that with regards to the map, the Police are familiar with the map and the ordinance. There will be a re-training of truckers to get them the new map and to show them which routes to use. Oakton Street will not be a pass through. Ald. Holmes felt that once a resident calls the police, by the time the Police arrive, the truck is long gone. S. Robinson replied that the Police will do random stops in the no-go areas. A MPH speed sign has been purchased to alert drivers to their speed and hopefully will act as a reminder the next time they come down the street. This sign is portable and will be moved to numerous spots. Ald. Holmes suggested that more are needed on Church Street. When the Police leave said, the offenders return. The 20 mile speed limit is not upheld by drivers on Church Street near Dodge Avenue. Resident Scott Baker asked if this piece of equipment can film a license plate. S. Robinson said that it is a passive machine but it will weigh the truck and the speed it is going. This recorded information will supply stats for a specific time period to help in addressing the problem. Ald. Rainey asked if the number of trucks on Oakton have ever been counted. S. Robinson said that a study was done. Rajeev Dahal (Senior Traffic Engineer) said trucks were counted for three days between 7:30 am and 6 pm. East bound on Oakton they counted 99 trucks and 88 on Custer. West bound on Oakton the number was 30 and 18 on Custer for a total of 235 trucks. 38 were landscape trucks with trailers, 34 were waste pick-up trucks, 44 were from the City, 32 were tow trucks and construction trucks equaled 35. In addition there were 59 tractor trailers and 162 single unit box trucks. Ald. Rainey asked if they noted which trucks were exempt as put forward in this ordinance and R. Dahal said they did. As shown above, the COE trucks, construction trucks and waste pick-up trucks were identified as those that would be an exception.

It was moved by Ald. Burrus and seconded by Ald. Grover that A13 be approved. A voice vote was taken and it was approved 5 – 0.

(A14) Ordinance 50-O-11, Provisionally Adopting, Enacting and Re-enacting Titles 3 and 7 of the Evanston City Code
Staff submits for review and consideration adoption of Ordinance 50-O-11 provisionally amending the following Titles to the Evanston City Code: Title 3, Business Regulations; and Title 7, Public Ways.
Please note: Due to length, proposed Ordinance 50-O-11 with blackline revisions to Titles 3 and 7 are included on the City Council Agenda & Minutes Webpage with the Council agenda packet as a separate document.
It was moved by Ald. Grover and seconded by Ald. Burrus that A14 be approved. A voice vote was taken and it was approved 5 – 0.
IV. ITEMS FOR DISCUSSION
(APW1) Comcast Cable Franchise Negotiation Update

J. McRae noted that there have been two preliminary meetings with Comcast and he wanted to update the committee. The goal is to get another franchise in place. The current agreement expires in November 2011. Ald. Rainey felt that this is an item of great concern to the community. I am surprised she said that no one from the City has been allowed to participate. W. Bobkiewicz said the hard reality is the State and Federal government has taken away all issues the citizens would be concerned about. We hope to accomplish a couple of things. The franchise fee Evanston collects is the Federal maximum allowable. The Peg fees Evanston collects are the highest in the area. The question is what else the City can leverage for the citizens. We are looking at high-speed internet access provided by Comcast. Normally they would not discuss this item but they are with us at this time. Ald. Rainey asked that at least something would be put on our web site to explain why citizens are not on the committee. W. Bobkiewicz replied that it can be done.

V. COMMUNICATIONS

VI. ADJOURNMENT

Ald. Burrus motioned and Ald. Braithwaite seconded to adjourn. A voice vote was taken and the motion was approved at 7:15 p.m., September 12, 2011.

Respectfully Submitted,
Phillip Baugher
Administrative Assistant, Administrative Services