CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, April 28, 2014

Town Board Meeting

Roll Call: Alderman Braithwaite Alderman Grover
Alderman Wynne Alderman Rainey
Alderman Wilson Alderman Burrus
Alderman Holmes Alderman Fiske
Alderman Tendam

Mayor Proclamations and Public Announcements
National Drinking Water Week, May 4-10, 2014 (Presentation of awards will be at A&PW at 6 pm)
National Public Service Week, May 4-10, 2014

City Manager Public Announcements

Communications: City Clerk
City Clerk Greene had no communications

Citizen Comment:
The following persons spoke on item A4:

Johnathan Nieuwsma, 1408 Dempster is the Vice President of Citizen’s For Greener Evanston congratulated the council for meeting the first goal of the Climate Action Plan to becoming a greener Evanston.

Chuck Carrington, 825 Oakton thanked the council for the aggregation plans.

Lisa Medeon, 1051 Madiero was in support of the council’s commitment for cleaner energy.

Ron Fleckman, spoke in support of the aggregation proposal and the Council to approve it as well.

Christine Westword, 525 Grove she is the President of the 525 Grove Condo Association was talking about the 1515 Chicago Development, and the five-foot parking setback to the alley. She was asking the Council to take a look at the alley and the saving of the tree.

Mike Taff, President of the Evanstonian Cooperative Apartments at 1508 Hinman, where they overlook 1515 Chicago Ave. he wanted to encourage the Council to save the tree
that is there as well.

These citizens spoke on item P3
Bill Schemerhorn, 2737 Central Street stated he was here to support the project, because it will bring in money, and it is a win, win opportunity.
Greg Hughes, 2737 Central Street spoke of his support for the project as well.
Leigh Anderson, 1123 asked the council to drop the proposal of cutting down the Elm tree. She stated that every Elm tree is important and should not be cut down.
Dennis Kelly, 525 Grove stated loosing the five-foot parking setback will cause added problems.

These citizens spoke on CARE
Ann Mallow, 2315 Hartzell read various documents that supported the organization of CARE as a notable organization that was in partnership with the City.
Jeffry Mallow, 2315 Hartzell
Mike Vasilko, 2728 Reese Ave. stated his wife is very upset with the eviction of CARE.
Kirsten Carlson, 2325 W. Farwell
Karen Straws, 1616 Hinman Ave. a 14 year CARE fund raiser who is a cat advocate who stressed the partnership between CARE and the City.

Concerns about water
Junad Rizki, 2784 Sheridan questioned the logic of repairing Sheridan road but not touching the water pipes that are over 100 years old.
Kirsten Carlson, 2325 W. Farwell
Mike Vasilko, spoke about the water system and he discovered a book concerning water and sewer hat he distributed to the Council members and the City Manager, in hopes it will inform the Council in looking at alternative measures in dealing with our water system.
Junad Rizki, 2784 Sheridan talked about the operation of the water business and how it should be broken into two businesses 1) distribution business where the Evanston residents pay for, and 2) a basic water plant operation where the residents pay 20%. He also stated if the Council follows through with his suggestion, he would stop coming to speak.

Non-Agenda
Matt Rogers, 133 Clive Ave, he is the chairman of the Zoning Board of Appeals suggested the Council look at some of the loop-holes in the Zoning Ordinance that will allow density changes to be addressed before the ZBA, or place more parking regulations in place.
IZZAH (aka Ty Gibbs) spoke of his concerns with the lack of black men and women on the various construction sites around the City, and there should be a stiffer penalty on the contractors

Items not approved on Consent Agenda:
(A4) Approval of 2014 Community Choice Electricity Aggregation Supplier Agreement (RFP 14-26)
Staff recommends that City Council authorize the City Manager to execute a Master Agreement to Provide Services to an Aggregated Group with the pre-
qualified Alternate Retail Electric Supplier (ARES) that provides the most favorable price per kilowatt hour ($ / kWh) for the length of term and renewable energy mix that the City Council determines to be the most advantageous. At the City Council meeting on April 28, 2014, staff will present a recommendation to the City Council for the prequalified ARES that submits the most favorable pricing.

For Action

(A7) **Ordinance 60-O-14, Amending the Minority, Women and Evanston Based Employer (MWEBE), and Local Employment Programs (LEP)**

The MWEBE Committee and staff recommend consideration of an amendment to the MWEBE/LEP revising the penalty section from a $100/per day to a 3.0% of total project value penalty.

For Introduction

(P4) **Ordinance 32-O-14, Granting Special Use for a Planned Development at 835 Chicago Avenue (Chicago and Main)**

The Plan Commission and City staff recommend the adoption of Ordinance 32-O-14, granting Planned Development approval to construct a nine-story mixed use commercial, office, and residential building at the southeast corner of Chicago Avenue and Main Street, commonly known as 835 Chicago Avenue. This ordinance was introduced at the March 24, 2014, City Council meeting and referred back to committee. *This item will be continued to the May 12, 2014 City Council meeting.*

For Action

SPECIAL ORDERS OF BUSINESS

(SP1) **Update Regarding Request For Letter of Interest for Volunteer Animal Care Organization**

Staff recommends consideration of responses to the request for Letters of Interest. The deadline for submission of Letters of Interest is Friday, April 25, 2014. Staff will provide an update at the City Council meeting on April 28, 2014.

For Action

Police Commander Pickett stated he has had many calls for citizens who are volunteering their services to the animal shelter watch is in the range of 100 or more. He also gave the schedule for all of the hours for the working of the facilities after May 9th. Alderman Rainey motioned to accept the SP1 item, and it was seconded and unanimously accepted with a Voice Vote.

(SP2) **Supplemental Legal Opinion Regarding Private Citizen Donations to CARE, and the City's Legal Options**

A report follows from Corporation Counsel Grant Farrar regarding the donations made by private citizens to C.A.R.E for the renovation and expansion of the City’s animal shelter. Staff recommends that City Council authorize the City Manager to go back to C.A.R.E. for further discussion and report back to City Council at the May 12, 2014 meeting.

For Action
Grant Farrar, City Attorney reported on the Legal aspects of private donation to CARE and the City’s Legal options. Alderman Wilson motioned for acceptance of item SP2 and it was seconded, and with a unanimous Voice Vote the item was approved.

**CONSENT AGENDA**

(M1) Approval of Minutes of the Regular City Council Meeting of April 8, 2014

**ADMINISTRATION & PUBLIC WORKS COMMITTEE**

(A1) City of Evanston Payroll through April 6, 2014 $2,624,609.88

(A2) City of Evanston Bills -- April 29, 2014 $3,637,765.55 

**For Action**

(A3.1) Approval of Renewal Agreement with Open Kitchens Inc. for the 2014 Summer Food Service Program (Bid 11-01)

Staff recommends authorization for renewal of the 2014 Summer Food Service Program with Open Kitchens Inc. (1161 West 21st Street, Chicago, IL) in the not-to-exceed amount of $2.498 per lunch, for an estimated total of $86,200. This is a reimbursement program in which the amount of reimbursement the City will receive is dependent upon the number of lunches served. Funding is provided by Recreation Outreach Program Account 3050.65025, with anticipated reimbursement of $94,500.

**For Action**

(A3.2) Approval of Northeastern Illinois Public Safety Training Academy (NIPSTA) 2014 Membership Dues

Staff recommends approval of payment of the 2014 Fire and Public Works Departments membership fees in the amount of $23,545. Funding for this membership is budgeted under the Fire Department Account 2305.62360 for both the Fire and Public Works Departments.

**For Action**

(A3.3) Approval of 2014 Crack Sealing Contract Extension

Staff recommends City Council authorize the City Manager to execute a contract extension for the 2014 Crack Sealing Contract to the lowest responsive and responsible bidder, Denler Inc. (19148 S 104th Ave. Mokena, IL) in the amount of $70,000. Last year the City participated as a member of the Municipal Partnership Initiative to collectively bid this work. This is the first of two possible contract extensions. Funding is provided by the General Fund Street Maintenance Account (2670.62509).

**For Action**

(A3.4) Approval of Contract with Landscape Concepts Management, Inc. for Sherman Plaza Rodent Abatement
Staff recommends City Council authorize the City Manager to execute a single source contract with Landscape Concepts Management, Inc. (3200 S. Kolin Ave, Chicago, IL) to install rodent abatement and replacement plantings for the 14 planter beds in the City’s right of way adjacent to Sherman Plaza in the amount of $40,377. Funding is provided by the Washington National TIF.

**For Action**

(A3.5) **Approval of Contract with Christopher B. Burke Engineering, Ltd. for Sheridan Road Design (RFQ 14-16)**

Staff recommends City Council authorize the City Manager to execute an agreement for engineering services for the Sheridan Road-Chicago Ave Alternative Analysis in the amount of $265,099.84 with Christopher B. Burke Engineering, Ltd. (9575 W. Higgins Road, Suite 600, Rosemont, IL). Funding is provided by Washington National TIF and FY2014 Capital Improvement Plan (CIP).

**For Action**

(A3.6) **Approval of Contract with Steiner Electric for Arrington Lagoon Lighting**

Staff recommends City Council authorize the purchase of lighting materials for the Arrington Lakefront Lagoon Renovation Project in the amount of $26,358.04 from Steiner Electric located (1250 Touhy Avenue, Elk Grove Village, IL). Funding is provided by the FY2014 Capital Improvement Plan (CIP), Arrington Lagoon Project.

**For Action**

(A3.7) **Approval of Contract with A. Lamp Concrete Contractors Inc. for 2014 Water Main Replacement & Street Resurfacing CIP 1 Project (Bid 14-21)**

Staff recommends that City Council authorize the City Manager to execute a contract for the 2014 Water Main Replacement & Street Resurfacing CIP 1 Project with A. Lamp Concrete Contractors Inc. (1900 Wright Blvd., Schaumburg, IL) in the amount of $2,129,128.10. Funding is provided by the Water Fund, Sewer Fund, Business District Improvement Fund, Parking Fund, and FY2014 CIP Street Resurfacing Account.

**For Action**

(A5) **Resolution 23-R-14, Amending the Plan of Operation and Governance for the City of Evanston Electricity Aggregation Program**

Staff recommends adoption of Resolution 23-R-14 amending the Plan of Operation and Governance for the City of Evanston Electricity Aggregation Program.

**For Action**

(A6) **Resolution 24-R-14, Authorizing the City of Evanston to Enter Into An Agreement with the Cook County Assessor’s Office for Access to a Geographic Information System**
Staff recommends that the City Council authorize the City Manager to sign an agreement with the Cook County Assessor’s Office for access to Geographic Information System (GIS) data.

**For Action**

(A8) **Ordinance 37-O-14, Amending Parking Schedules for Howard Street and Custer Avenue**
The Transportation/Parking Committee and staff recommend that the City Council consider Ordinance 37-O-14, which amends Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 12, to include two hour and four hour parking limits on Howard Street and Custer Avenue.

**For Introduction**

(A9) **Ordinance 38-O-14, Amending Residential Parking Schedules for Greenwood Street, Hinman Avenue to Forest Avenue**
The Transportation/Parking Committee and staff recommend that the City Council consider Ordinance 38-O-14, which amends Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 12, Schedule X (F) 1. The amendment corrects an error and codifies the original intent to include in the Residential Exemption Parking District B, Greenwood Street, Hinman Avenue to Forest Avenue, on the north side.

**For Introduction**

(A10) **Ordinance 51-O-14, Approving and Authorizing Revenue Bonds and Related Matters Thereto (Chiaravalle Conduit Financing)**
Staff recommends City Council approval of Ordinance 51-O-14 as introduced, for purposes of final action on April 28, 2014. Chiaravalle has requested the City act as the conduit financing authority for their debt issuance as a part of the expansion of their renovations originally started with the City’s initial conduit debt issuance in April 2010. The City will not incur a liability to repay this debt in the event of a default by Chiaravalle. This ordinance was introduced at the April 8, 2014 City Council meeting.

**For Action**

(A11) **Ordinance 41-O-14 Amending the City Code to Establish a 4-Way Stop Control at the Intersection of Broadway Avenue and Jenks Street**
Staff recommends adoption of Ordinance 41-O-14 by which the City Council would amend Section 10-11-5(D), Schedule V(D) of the City Code to establish a 4-Way Stop Control at the intersection of Broadway Avenue and Jenks Street. This ordinance was introduced at the April 8, 2014 City Council meeting.

**For Action**

(A12) **Ordinance 43-O-14, Decreasing the Number of Class C Liquor Licenses for La Macchina Café, LLC d/b/a La Macchina Café, 1620 Orrington Avenue**
Staff recommends City Council approval of Ordinance 43-O-14 which decreases the number of authorized Class C liquor licenses from 23 to 22, due to issuance of an upgraded liquor license C-1 to La Macchina Café, LLC d/b/a La Macchina
Café (“Company”), 1620 Orrington Avenue. This ordinance was introduced at the April 8, 2014 City Council meeting.

For Action

(A13) **Ordinance 44-O-14, Increasing the Number of Class C-1 Liquor Licenses for La Macchina Café, LLC d/b/a La Macchina Café, 1620 Orrington Avenue**

Staff recommends City Council approval of Ordinance 44-O-14 which increases the number of authorized Class C-1 liquor licenses from five to six to permit issuance to La Macchina Café, LLC d/b/a La Macchina Café (“Company”), 1620 Orrington Avenue. This ordinance was introduced at the April 8, 2014 City Council meeting.

For Action

(A14) **Ordinance 45-O-14, Decreasing the Number of Class I Liquor Licenses for Ward Eight LLC d/b/a Ward Eight, 629 Howard Street.**

Staff recommends City Council approval of Ordinance 45-O-14 which amends Evanston City Code of 2012 Subsection 3-4-6-(I), as amended, to decrease the number of authorized Class I liquor licenses from one to zero due to issuance of an upgraded Class D liquor license to Ward Eight LLC d/b/a Ward Eight (“Company”), 629 Howard Street. This ordinance was introduced at the April 8, 2014 City Council meeting.

For Action

(A15) **Ordinance 46-O-14, Increasing the Number of Class D Liquor Licenses for Ward Eight LLC d/b/a Ward Eight, 629 Howard Street**

Staff recommends City Council approval of Ordinance 46-O-14 which amends Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class D liquor licenses from 49 to 50 to permit issuance to Ward Eight LLC d/b/a Ward Eight (“Company”), 629 Howard Street. This ordinance was introduced at the April 8, 2014 City Council meeting.

For Action

(A16) **Ordinance 40-O-14, Recognizing the Cessation of Evanston Township and Codifying the City’s Assumption of the Duties and Obligations of Evanston Township**

Staff recommends City Council adoption of Ordinance 40-O-14. This ordinance is companion legislation to Ordinance 52-O-14. A companion resolution, 1T-R-14, is on the agenda for action by the Town Board at the April 28, 2014 meeting. That resolution will discontinue, abolish, and cease Township operations as of April 30, 2014. This ordinance was introduced at the April 8, 2014 City Council meeting.

For Action

(A17) **52-O-14, Creating the City of Evanston General Assistance Fund and Defining Other City Duties and Obligations**

Staff recommends City Council adoption of Ordinance 52-O-14. This ordinance is companion legislation to Ordinance 40-O-14. This ordinance was introduced at the April 8, 2014 City Council meeting.
For Action

PLANNING & DEVELOPMENT COMMITTEE

(P1) Ordinance 59-O-14, Granting a Special Use for a Type 2 Restaurant, Kung Fu Tea, at 726 Clark Street
The Zoning Board of Appeals and City staff recommend the adoption of Ordinance 59-O-14 granting a special use permit for a Type 2 Restaurant, Kung Fu Tea, at 726 Clark Street. The requested special use permit will allow a unique business to operate in the downtown and increase pedestrian activity that will encourage success for other businesses in the area.

For Introduction

(P2) Ordinance 58-O-14, Granting a Special Use for a Type 2 Restaurant, Frio Gelato, at 1701 Simpson Street
The Zoning Board of Appeals and City staff recommend the adoption of Ordinance 58-O-14 granting a special use permit for a Type 2 Restaurant, Frio Gelato, at 1701 Simpson Street. The requested special use permit will allow an existing local business to expand operations and provide a unique business to the surrounding neighborhood. Suspension of the Rules is requested for Introduction and Action by City Council on April 28, 2014.

For Introduction and Action

(P3) Ordinance 53-O-14, Granting a Special Use Permit for a Planned Development, 1515 Chicago Avenue
Ordinance 53-O-14 allows the applicant to remove the existing elm tree in the rear of the property, but the applicant must install a new 9-inch caliper tree in the southeast corner of the property and provide additional parking. This ordinance was introduced at the April 8, 2014, City Council meeting.

For Action

HUMAN SERVICES COMMITTEE

(H1) Resolution 29-R-14, Authorizing Renewal of Noyes Cultural Arts Center Tenant Leases
City staff recommends City Council approval of Resolution 29-R-14 authorizing the City Manager to enter into 8-month lease agreements for the artist leases at the Noyes Cultural Arts Center. The Human Services Committee approved a 3% increase in Noyes Cultural Arts Center tenant monthly leases effective May 1, 2014 – December 31, 2014.

For Action

(H2) Ordinance 54-O-14, Establishing the Evanston Board of Animal Control
Staff recommends City Council adoption of Ordinance 54-O-14, which creates the Board of Animal Control. The Mayor, with the approval of the City Council, shall appoint seven persons who shall constitute and be known as the Board of
Animal Control. This ordinance was introduced at the April 8, 2014 City Council meeting.

**For Action**

**APPOINTMENTS**

(APP1) **For Reappointment to:**

- Environment Board: Kevin Glynn
- Housing & Homelessness Commission: Rick Morgan
- Housing & Homelessness Commission: Kevin Kane
- Preservation Commission: Amy Riseborough
- Preservation Commission: Jack Weiss
- Public Safety Civil Service Commission: Fred Tanenbaum
- Zoning Board of Appeals: Mary Beth Berns

Alderman Rainey motioned for approval of the Consent Agenda and it was seconded by Alderman Holmes. The Roll Call vote was 9-0 and the Consent Agenda was approved.

**Items for discussion:**

(A4) **Approval of 2014 Community Choice Electricity Aggregation Supplier Agreement (RFP 14-26)**

Staff recommends that City Council authorize the City Manager to execute a Master Agreement to Provide Services to an Aggregated Group with the pre-qualified Alternate Retail Electric Supplier (ARES) that provides the most favorable price per kilowatt hour ($0.07644/kWh) for the length of term and renewable energy mix that the City Council determines to be the most advantageous. At the City Council meeting on April 28, 2014, staff will present a recommendation to the City Council for the prequalified ARES that submits the most favorable pricing.

**For Action**

Alderman Holmes motioned for the approval of this item and seconded, and was approved by a 9-0 Roll Call vote. This has a 100% renewable energy for a 36 month term ($0.07644/kWh) for first 24 months, and $0.06923/kWh for the last 12 months.

(A7) **Ordinance 60-O-14, Amending the Minority, Women and Evanston Based Employer (MWEBE), and Local Employment Programs (LEP)**

The MWEBE Committee and staff recommend consideration of an amendment to the MWEBE/LEP revising the penalty section from a $100/per day to a 3.0% of total project value penalty.

**For Introduction**

Alderman Holmes motioned for approval of this item and was seconded.

(P2) **Ordinance 58-O-14, Granting a Special Use for a Type 2 Restaurant, Frio Gelato, at 1701 Simpson Street**
The Zoning Board of Appeals and City staff recommend the adoption of Ordinance 58-O-14 granting a special use permit for a Type 2 Restaurant, *Frio Gelato*, at 1701 Simpson Street. The requested special use permit will allow an existing local business to expand operations and provide a unique business to the surrounding neighborhood. *Suspension of the Rules is requested for Introduction and Action by City Council on April 28, 2014.*

**For Introduction and Action**

Alderman Rainey motioned for approval and Alderman Holmes seconded the motion. With a Roll Call vote of 9-0 the motion passed.

(P3) **Ordinance 53-O-14, Granting a Special Use Permit for a Planned Development, 1515 Chicago Avenue**

Ordinance 53-O-14 allows the applicant to remove the existing elm tree in the rear of the property, but the applicant must install a new 9-inch caliper tree in the southeast corner of the property and provide additional parking. This ordinance was introduced at the April 8, 2014, City Council meeting.

**For Action**

Alderman Rainey motioned for approval of the Ordinance it was seconded and with a 9-0 Roll Call vote the motion passed.

(P4) **Ordinance 32-O-14, Granting Special Use for a Planned Development at 835 Chicago Avenue (Chicago and Main)**

The Plan Commission and City staff recommend the adoption of Ordinance 32-O-14, granting Planned Development approval to construct a nine-story mixed use commercial, office, and residential building at the southeast corner of Chicago Avenue and Main Street, commonly known as 835 Chicago Avenue. This ordinance was introduced at the March 24, 2014, City Council meeting and referred back to committee. *This item will be continued to the May 12, 2014 City Council meeting.*

**For Action**

Alderman Rainey stated this item will be held at the May 12, 2014 meeting.

**Call of the Wards:**

**Ward 2,** Alderman Braithwaite announced how the Mayor's Summer Job Fair was excellently done on last Saturday.

**Ward 3,** Alderman Wynne announced she stood in for the Mayor at the Volunteer Celebration at Northwestern and witnessed the wonderful volunteers throughout the city. She also attended the Greener Evanston event and was impressed.

**Ward 4,** Alderman Wilson thanked everyone who participated in the distractive driving event last week.

**Ward 5,** Alderman Holmes echoed Alderman Braithwaite and congratulated those participants on Earth Day last Saturday, and she was excited about planting a tree.

**Ward 6,** Alderman Tendam had no report.
Ward 7, Alderman Grover stated to just drive, 1700-1720 Central Street apts. have brought economic growth to the area, and ETHS has ranked 21st in Illinois.

Ward 8, Alderman Rainey thanked Alderman Fiske for supporting 1515 Chicago project. She attended St. Francis’ Earth Day program and stated how well it went over.

Ward 9, Alderman Burrus thanked all those who supported the youth fair on Saturday

Alderman Wilson made a motion to adjourn into the Executive Session to discuss Litigation and minutes. With a unanimous Voice Vote the meeting ended at

Submitted by,

Hon. Rodney Greene, MMC
City Clerk