CITY COUNCIL REGULAR MEETING
CITY OF EVANSTON, ILLINOIS
LOTTAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Tuesday, April 8, 2014

Roll Call: Alderman Fiske Alderman Tendam
Alderman Holmes Alderman Burrus
Alderman Rainey Alderman Wilson

Absent: Alderman Grover, Alderman Braithwaite, Alderman Wynne

Presiding: Mayor Elizabeth Tisdahl

**Mayor Proclamations and Public Announcements:**
Mayor Tisdahl announced the following Proclamations: “National Library Week, April 13-19”, and “Breath Deep North Shore Day”, April 27, 2014. The breath deep day is in memory of those who lost their lives to Lung Cancer, including the niece of Judge Bernstein. The Mayor also commented on the Animal Shelter and the CARE volunteers who have over the past years taken care of the animals and she apologized to CARE for all of the negative press they have received.

**City Manager Public Announcements:**
Mr. Bobkiewicz announced April 13th through April 19th is National Library Week, and then asked Karen Danczak-Lyons, Director of the Library to present her 2013 Library Annual Report. She pointed out some of the highlights that were met during the past year. Her power-point presentation can be viewed online as well as in the Clerk’s Office.

**Communications: City Clerk**
Clerk Greene announced the memorial service for Michael McCarthy at the Levy Center from 5 P.M. until 9:00 P.M. this Thursday.
Alderman Rainey motioned the Council to recess in order to have the Public Hearing associated with the Revenue Bond Hearing and it was seconded. With a unanimous Voice Vote the Council was in recess.

Michelle Masoncup, Assistant City Attorney stated the Clerk Greene was notified of the meeting today (4/8/2014), as well as the Sun Times on March 18, 2014 and the Evanston Review on March 20, 2014 for the purpose of a Public Hearing: TEFRA Hearing on the Proposed Issuance by the City of Revenue Bonds, Series 2014 (Chiaravalle Montessori School). This amount of the bond is $7,480,000.00. She read the purpose of the bond as being a special loan where the City will not assume any indebtedness from the bonding
procedure. Ms. Masoncup upon completion of the reading of the proposal, asked for comments from both the public and the elected officials. Hearing no response she then adjourned the hearing. The Council then reconvened after a motion from Alderman Rainey to adjourn from the Public Hearing to reconvene as the City Council and it was seconded and approved by a unanimous Voice Vote.

Citizen Comment:
Karen Straus, 1616 Hinman is a 14 year volunteer with CARE, and she urges the City to move quickly in regards to the monies that were collected as a fund raiser for the Animal Shelter.
Betty Ester, 2031 Church St. wanted the City Manager to give a clearer understanding of item 52-O-14 which concerns the GA Fund.
Paulene Yearwood, read a letter from Marcia Neasman who could not be in attendance which stated her concerns of CARE expressing the facility was mostly occupied by cats.
Gail Lovinger, living in the 7th ward thanked the Mayor for her remarks concerning CARE’s services to the community. She stated the vision between CARE and the City is not clear.
John Cruschell, 716 Brummel requested the Council would look into the funds that were raised and to assure the funds to be used for what they were raised for.
Junad Rizki, came to share his and others concern of the water bill increase by 20%. He suggested the Council to run 30 years and 50 years into the current study plan.
Asher Bearman, stated he has not heard any thank you to CARE except from the Mayor, and he stressed the point Do Not Severe the relationship with CARE.
Emma Smith, 1607 Dobson she supports the proposal of the City to acquire the services of another group to replace CARE. She suggested to the City Council to move on from CARE and have the best shelter.
Cheryl Ferrarro, 1124 Brummel remarked on the meetings that occurred. She stated there was no meaningful discussion with Human Services Committee and CARE.
Kristen Carlson, a Chicago resident stand in support of the Human Services Committee’s proposal.
Alisa Carl Bova, 1322 Roselle Street suggested to the Council to add more professionalism into the process of approving proposals, and to listen more carefully to the residents.

Items not approved on Consent Agenda
(A10) Ordinance 42-O-14, Amending Class P-1 Liquor License
Local Liquor Commissioner recommends City Council adoption of Ordinance 42-O-14. Class P-1 liquor license is the craft brewery license. Several different licensees and license applicants will be operating in the City. Each licensee has different business models regarding product sampling or sale in their taprooms. The requirements of food service are more clearly defined in this Code amendment in order to match the scale of food service required, to the amount of craft beer offered for sampling and sold for on-site tasting.
For Introduction

(A15) Ordinance 49-O-14, Increasing the Number of Class P-1 Liquor Licenses for Common Culture Beer Co., d/b/a Sketchbook Brewing Co., 825 Chicago
Avenue, Suite E2

Staff recommends City Council approval of Ordinance 49-O-14 which amends Evanston City Code of 2012 Subsection 3-4-6-(P-1), as amended, to increase the number of authorized Class P-1 liquor licenses from one to two, and permit issuance of a Class P-1 license to Common Culture Beer Co., d/b/a Sketchbook Brewing Co. (“Company”), 825 Chicago Avenue, Suite E2.

For Introduction

(P4) Ordinance 47-O-14, Granting a Special Use Permit for a Planned Development, 1515 Chicago Avenue, and Requires Preservation of an Elm Tree

Per the recommendation made by the Plan Commission, Ordinance 47-O-14 requires the applicant to preserve the existing elm tree in the rear of the property.

For Introduction

(P5) Ordinance 53-O-14, Granting a Special Use Permit for a Planned Development, 1515 Chicago Avenue, and Permits Removal of an Elm Tree

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.

For Introduction

(H2) Evanston Animal Care and Control Operations

It is recommended that the City Council: 1) receive the report; 2) approve the City of Evanston Animal Control Policy; 3) approve the Volunteer Animal Organization Partnership Policy; 4) direct the City Manager to create an Evanston Animal Shelter Fund to receive donations for the Animal Shelter; 5) introduce Ordinance 54-O-14 creating the Evanston Board of Animal Care and Control; 6) receive and file report from Corporation Counsel on legal options regarding donations received to support the Evanston Animal Shelter; 7) provide direction to City Manager regarding City reimbursement of costs regarding volunteer rescue activities.

If C.A.R.E. wishes to negotiate a new one year agreement with the City pursuant to the Animal Control Policy and Volunteer Animal Organization Partnership Policy it is recommended that the City Council direct the City Manager to negotiate such agreement and return to the City Council on April 28, 2014 with agreement for review and approval.

If C.A.R.E. declines to negotiate a new agreement it is recommended that the City Council: 1) authorize the City Manager to issue notice to C.A.R.E. ceasing relationship with City at the Evanston Animal Shelter and to work with C.A.R.E. to vacate the animal shelter no later than 5:00 PM Friday May 9, 2014; 2) direct the City Manager to issue a Request for Qualifications to volunteer animal organizations to express interest in working at Evanston Animal Shelter no later than Friday April 25, 2014; 3) direct the City Manager to return to the City Council on April 28, 2014 with status report on these activities.

For Action
(O2) Resolution 12-R-14, Authorizing the City Manager to Execute a Sales Tax Sharing Agreement with Autobarn Motors, Ltd.
Economic Development Committee and staff recommend approval of Resolution 12-R-14, which authorizes the sharing of the City’s portion of the sales tax remitted by Autobarn on a 50/50 sharing basis for a period no greater than 48 months.

For Action

CONSENT AGENDA

(M1) Approval of Minutes of the Regular City Council Meeting of March 24, 2014

ADMINISTRATION & PUBLIC WORKS COMMITTEE

(A1) City of Evanston Payroll through March 23, 2014 $2,670,255.30

(A2) City of Evanston Bills -- April 9, 2014 $3,381,156.82
City of Evanston Credit Cards through February 28, 2014 $120,686.35

For Action

(A3.1) Approval of Agreement with CDM Smith for Reservoir and Clearwell Planning Study (RFP 14-10)
Staff recommends City Council authorize the City Manager to execute an agreement for the Reservoir and Clearwell Planning Study with CDM Smith (125 South Wacker Drive, Suite 600, Chicago, IL) in the not-to-exceed amount of $86,359. Funding is provided by the Water Fund, Account 733126.62140, with a budget of $100,000 for FY 2014. This item was held in Committee on March 24, 2014.

For Action

(A3.2) Approval of Tree Purchase from Suburban Tree Consortium for Spring Planting
Staff recommends approval of the purchase of 312 trees and planting services for 150 trees from Suburban Tree Consortium (STC) in the amount of $77,536.76. Funding for this purchase is provided from two sources: 1) Parks & Forestry Maintenance Account 2655.65005, with a total budget of $150,300 which is used for both the spring and fall planting seasons; and 2) the “Replant Express” program, which allows residents to pay $250 (the cost of the tree plus delivery) to be added to the planting list immediately.

For Action

(A3.3) Approval of Contract with Sunrise Tree Service Company for 2014 Dutch Elm Injection Program (Bid14-15)
Staff recommends City Council authorize the City Manager to execute a contract in the amount of $761,745 with Sunrise Tree Service Company (110 Midlothian Road, Hawthorne Woods, IL) for the 2014 Dutch Elm Disease Control Program.
Funding is provided by FY2014 approved one-time expenditures in the amount of $200,000 and reserve funds set aside from previous years in the amount of $557,216 (Account 100.41332). The balance of funding for this contract ($4,529) will be made up using a portion of the $46,000 remaining in General Fund Dutch Elm Disease Account (2655.62496).

For Action

(A3.4) **Approval of Contract Extension with Golf Mill Ford Inc. for Ford Original Equipment Manufacturer (OEM) Parts (Bid 12-118)**
Staff recommends City Council authorize the City Manager to execute the agreement for a one-year contract extension for the purchase of Ford Original Equipment Manufacturer (OEM) parts in the amount of $88,500 with Golf Mill Ford Inc. (9401 N. Milwaukee Avenue, Niles, IL). Funding for this purchase will be from the Major Maintenance, Materials to Maintain Autos Account (7710.65060).

For Action

(A3.5) **Approval of Contract Extension with Arrow Road Construction for Hot Mix Asphalt (Bid 12-34)**
Staff recommends City Council authorize the City Manager to execute the agreement for a one-year contract extension for the purchase of 500 tons of modified hot mix asphalt at a cost of $52 per ton and 300 tons of modified hot mix binder at the cost of $44 per ton with Arrow Road Construction dba Healy Asphalt (3401 South Busse Road, Mt. Prospect, IL) for Fiscal Year 2014 for a cost of $39,200. Funding is provided by the FY 2014 General Fund Street and Alley Account (2670.65055), the Water Fund Account (7115.65051), and the Sewer Fund Account (7400.65051).

For Action

(A3.6) **Approval of Purchase of Davis Streetscape Furniture from Landscapeforms**
Staff recommends City Council approval of the single source purchase of the streetscape furniture items for Davis Street from Landscapeforms (431 Lawndale Avenue, Kalamazoo, MI) in the amount of $51,006.00. Funding is provided by: $22,952.70 from the Washington National TIFF; and $28,053.30 from the CIP Fund (416438).

For Action

(A4) **Resolution 14-R-14 Authorization for the City Manager to Negotiate and Execute Residential Lease for 631 Howard Street, Unit 2**
Staff recommends that City Council approve Resolution 14-R-14 authorizing the City Manager to execute a residential lease with Anne Carlson and Cody Modeer for an apartment located at 631 Howard Street, Unit 2.

For Action

(A5) **Resolution 22-R-14 Authorization for the City Manager to Negotiate and Execute Residential Lease for 631 Howard Street, Unit 1**
Staff recommends that City Council approve Resolution 22-R-14 authorizing the City Manager to execute a residential lease with Marcus T. Yakhnis and Nicole M. Mickels for an apartment located at 631 Howard Street, Unit 1.

For Action

(A6) Resolution 13-R-14, Authorizing City Manager to Execute a License Agreement with Chiaravalle Montessori School for Use of Currey Park to locate Temporary Mobile Classrooms

Staff recommends approval of Resolution 13-R-14 to authorize the City Manager to execute a license agreement with Chiaravalle Montessori School ("Chiaravalle") for use of a portion of Currey Park to locate temporary mobile classrooms for a 10-month period.

For Action

(A7) Resolution 20-R-14, Authorizing City Manager to Execute an Easement Agreement with Chiaravalle Montessori School

Staff recommends approval of Resolution 20-R-14 to authorize the City Manager to execute an easement agreement with Chiaravalle Montessori School ("Chiaravalle") to provide for easements for the benefit of Chiaravalle on and under the City’s park property commonly known as “Currey Park”.

For Action

(A8) 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.

For Introduction

(A9) 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.

For Introduction

(A11) 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.

For Introduction
(A12) 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.
For Introduction

(A13) 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.
For Introduction

(A14) 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.
For Introduction

(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, will be 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.
For Introduction

(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.
For Introduction

PLANNING & DEVELOPMENT COMMITTEE

(P1) Resolution 18-R-14 Designating the Portion of Emerson Street between Asbury Avenue and Green Bay Road with the Honorary Street Name Sign, “Hecky Powell Way”
The Citizens’ Advisory Committee on Public Place Names recommends approval of Resolution 18-R-14 designating honorary “Hecky Powell Way.”
For Action

(P2) **Resolution 19-R-14 Designating the Portion of Dodge Avenue between Main Street and Lee Street with the Honorary Street Name Sign, “Crown Family Way”**

The Citizens’ Advisory Committee on Public Place Names recommends approval of Resolution 19-R-14 designating honorary “Crown Family Way.”

For Action

(P4 and P5) The Plan Commission and City staff recommend the adoption of either Ordinance 47-O-14 or Ordinance 53-O-14 to grant approval of a Planned Development to construct an eight-story extended stay hotel located at 1515 Chicago Avenue. Two ordinances are presented for consideration. Ordinance 47-O-14 requires preservation of an elm tree; Ordinance 53-O-14 permits removal of an elm tree.

**HUMAN SERVICES COMMITTEE**

(H1) **Township Payroll and Bills for March 2014**

Township of Evanston Supervisor recommends that City Council approve the Township of Evanston bills, payroll, and medical payments for the month of March 2014 in the amount of $161,396.49. Funding provided by the Township budget.

For Action

**ECONOMIC DEVELOPMENT**

(O1) **Resolution 15-R-14, Authorizing the City Manager to Execute a TIF Forgivable Loan Agreement and Promissory Note with Autobarn Motors, Ltd.**

Economic Development Committee and staff recommend approval of Resolution 15-R-14, which authorizes the City Manager to execute a TIF Forgivable Loan Agreement and Promissory Note with Autobarn Motors, Ltd. This agreement provides funding in an amount not to exceed $2.5 million from the Howard/Hartrey Tax Increment Financing (TIF) District to Autobarn for rehabilitation of the property located at 222 Hartrey Avenue.

For Action

Alderman Rainey motioned for approval the Consent Agenda and it was seconded. With a Roll Call vote the motion passed 6-0.

**Items for discussion:**

(A10) **Ordinance 42-O-14, Amending Class P-1 Liquor License**

Local Liquor Commissioner recommends City Council adoption of Ordinance 42-O-14. Class P-1 liquor license is the craft brewery license. Several different licensees and license applicants will be operating in the City. Each licensee has different business models regarding product sampling or sale in their taprooms. The requirements of food service are more clearly defined in this Code
amendment in order to match the scale of food service required, to the amount of craft beer offered for sampling and sold for on-site tasting.

**For Introduction**

Alderman Holmes stated this item was held over.

**(A15) Ordinance 49-O-14, Increasing the Number of Class P-1 Liquor Licenses for Common Culture Beer Co., d/b/a Sketchbook Brewing Co., 825 Chicago Avenue, Suite E2**

Staff recommends City Council approval of Ordinance 49-O-14 which amends Evanston City Code of 2012 Subsection 3-4-6-(P-1), as amended, to increase the number of authorized Class P-1 liquor licenses from one to two, and permit issuance of a Class P-1 license to Common Culture Beer Co., d/b/a Sketchbook Brewing Co. ("Company"), 825 Chicago Avenue, Suite E2.

**For Introduction**

Alderman Holmes stated this item was held over in committee.

**(P3) Ordinance 48-O-14, Granting a Special Use for a Type 2 Restaurant, Starbucks, and a Drive-Through Facility at 1901 Dempster Street**

The Zoning Board of Appeals and City staff recommend the adoption of Ordinance 48-O-14 granting a special use permit for a Type 2 Restaurant, Starbucks, and a drive-through facility at 1901 Dempster Street. The building on the property was previously a Kentucky Fried Chicken, but has been vacant for over three years. Request Suspension of the Rules for Introduction and Action by City Council on April 8, 2014.

**For Introduction and Action**

Alderman Rainey motioned for approval and suspension of the rules it was seconded. A Roll Call was done with a 6-0 vote for approval the motion passed.

**(P4) Ordinance 47-O-14, Granting a Special Use Permit for a Planned Development, 1515 Chicago Avenue, and Requires Preservation of an Elm Tree**

Per the recommendation made by the Plan Commission, Ordinance 47-O-14 requires the applicant to preserve the existing elm tree in the rear of the property.

**For Introduction**

Alderman Rainey motioned for approval and suspension of the rules it was seconded. A Roll Call was done with a 4-2 vote against the motion passed Aldermen Holmes, Tendam, Rainey, Burrus voted no), so the motion failed.

**(P5) Ordinance 53-O-14, Granting a Special Use Permit for a Planned Development, 1515 Chicago Avenue, and Permits Removal of an Elm Tree**

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.

**For Introduction**

Alderman Rainey motioned to introduce and it was seconded by Alderman Holmes. With a Roll Call vote of 5-1(Alderman Fiske voted nay), the motion passed.
(H2) **Evanston Animal Care and Control Operations**
It is recommended that the City Council: 1) receive the report; 2) approve the City of Evanston Animal Control Policy; 3) approve the Volunteer Animal Organization Partnership Policy; 4) direct the City Manager to create an Evanston Animal Shelter Fund to receive donations for the Animal Shelter; 5) introduce Ordinance 54-O-14 creating the Evanston Board of Animal Care and Control; 6) receive and file report from Corporation Counsel on legal options regarding donations received to support the Evanston Animal Shelter; 7) provide direction to City Manager regarding City reimbursement of costs regarding volunteer rescue activities.

If C.A.R.E. wishes to negotiate a new one year agreement with the City pursuant to the Animal Control Policy and Volunteer Animal Organization Partnership Policy it is recommended that the City Council direct the City Manager to negotiate such agreement and return to the City Council on April 28, 2014 with agreement for review and approval.

If C.A.R.E. declines to negotiate a new agreement it is recommended that the City Council: 1) authorize the City Manager to issue notice to C.A.R.E. ceasing relationship with City at the Evanston Animal Shelter and to work with C.A.R.E. to vacate the animal shelter no later than 5:00 PM Friday May 9, 2014; 2) direct the City Manager to issue a Request for Qualifications to volunteer animal organizations to express interest in working at Evanston Animal Shelter no later than Friday April 25, 2014; 3) direct the City Manager to return to the City Council on April 28, 2014 with status report on these activities.

**For Action**
Alderman Holmes motioned to approval of the first paragraph which was second. A Voice Vote was unanimous to accept the first paragraph. The second part of the proposal is to approve the third paragraph. Alderman Rainey stated the motion was way too complicated for her, so she wanted to make an appeal to CARE which she did. A Roll Call vote was taken and the result was 4-2 and (Aldermen Rainey and Burrus voted nay) the motion passed.

(O2) **Resolution 12-R-14, Authorizing the City Manager to Execute a Sales Tax Sharing Agreement with Autobarn Motors, Ltd.**
Economic Development Committee and staff recommend approval of Resolution 12-R-14, which authorizes the sharing of the City’s portion of the sales tax remitted by Autobarn on a 50/50 sharing basis for a period no greater than 48 months.

**For Action**
Alderman Rainey stated the item will be held until April 28, 2014 to allow for further discussion.

**Call of the Wards**
**Ward 1**, Alderman Fiske had no report.

**Ward 4**, Alderman Wilson had no report.
Ward 5, Alderman Holmes had no report.

Ward 6, Alderman Tendam announced 6th ward meeting to be held on April 24th at 7:00 PM. He also made a reference to staff to look into the elm trees, and for City Manager to look into the funds that were raised for the animal shelter. City Manager suggested the issue should be placed on Council

Ward 8, Alderman Rainey had no report.

Ward 9, Alderman Burrus had no report.

A motion for adjournment was made and with a unanimous Voice Vote the Regular Council Meeting ended at 11:20 P.M.

Submitted by,

Hon. Rodney Greene, MMC
City Clerk