CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, April 13, 2015

Administration & Public Works (A&PW) Committee meets at 6 p.m.
Planning & Development (P&D) Committee meets at 7:15 p.m.
City Council meeting will convene after conclusion of the P&D meeting.

ORDER OF BUSINESS

(I) Roll Call – Begin with Alderman Fiske

(II) Mayor Public Announcements and Proclamations
    National Fair Housing Month, April 2015
    National Library Week, April 12-18, 2015
    National Volunteer Week, April 12-18, 2015

(III) City Manager Public Announcements
    Earth Day/Arbor Day Celebration, April 25, 2015
    Tree City USA Award

(IV) Communications: City Clerk

(V) Public Comment
Members of the public are welcome to speak at City Council meetings. As part of the Council agenda, a period for public comments shall be offered at the commencement of each regular Council meeting. Those wishing to speak should sign their name and the agenda item or non-agenda topic to be addressed on a designated participation sheet. If there are five or fewer speakers, fifteen minutes shall be provided for Public Comment. If there are more than five speakers, a period of forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that Public Comment does not exceed forty-five minutes. The business of the City Council shall commence forty-five minutes after the beginning of Public Comment. Aldermen do not respond during Public Comment. Public Comment is intended to foster dialogue in a respectful and civil manner. Public comments are requested to be made with these guidelines in mind.

(VI) Special Order of Business: Retirement of Alderman Coleen Burrus

(VII) Consent Agenda: Alderman Rainey
(VIII) Report of the Standing Committees
   Administration & Public Works  -  Alderman Burrus
   Planning & Development        -  Alderman Fiske
   Human Services                -  Alderman Braithwaite

(IX) Call of the Wards
   (Aldermen shall be called upon by the Mayor to announce or provide information about any Ward or City matter which an Alderman desires to bring before the Council.) {Council Rule 2.1(10)}

(X) Executive Session

(XI) Adjournment

SPECIAL ORDER OF BUSINESS

(SP1) Resolution 38-R-15 Commending Alderman Coleen Burrus for Her Years of Service as a Member of the Evanston City Council.
   For Action

CONSENT AGENDA

(M1) Approval of Minutes of the Regular City Council Meeting of March 23, 2015.
   For Action

ADMINISTRATION & PUBLIC WORKS COMMITTEE

(A1) City of Evanston Payroll through March 22, 2015 $2,619,595.20

(A2) FY2015 City of Evanston Bills – April 14, 2015 $4,519,484.79
   Credit Card Activity through February 28, 2015 $ 115,676.51
   For Action

(A3.1) Approval of the Contract with Krave LLC to Operate Concessions at the Evanston Lakefront
   Staff recommends City Council authorize the City Manager to execute the contract between the City of Evanston and Krave LLC (710 Madison St, Evanston) for the Church and Clark Street food & drink stand and the lakefront mobile concessions (Lighthouse, Clark St., Greenwood St., South Blvd. and Lee Street) for the 2015 season. Krave LLC will pay the City $14,500 for the privilege of the 2015 permit, which is an increase of $3,000 from last year. There is an option to renew for 2016, which makes the total contract value $29,000.
   For Action
(A3.2) **Approval of Northeastern Illinois Public Safety Training Academy (NIPSTA) 2015 Membership Dues**

Staff recommends City Council approval for payment of the 2015 Fire and Public Works Departments’ NIPSTA (2300 Patriot Boulevard, Glenview, IL) membership fees in the amount of $23,545. Funding is provided by the Fire Department budget (Account 2305.62360) for both the Fire and Public Works Departments.

*For Action*

(A3.3) **Approval of Engineering Services Agreement with CDM Smith for Rehabilitation of the Water Plant’s 1914 and 1924 Clearwells (RFP 15-20)**

Staff recommends City Council authorize the City Manager to execute an agreement for the Engineering Services for Rehabilitation of Water Plant 1914 and 1924 Clearwells with CDM Smith (125 South Wacker Drive, Suite 600, Chicago, IL) in the not-to-exceed amount of $76,719. Funding is provided by Water Fund (Account 513.71.7330.62140 - 733128), with a budget for finished water storage improvements of $2,000,000 for FY 2015.

*For Action*

(A3.4) **Approval of Contract Award to Filotto Construction, Inc., for 2015 Animal Shelter Roof Replacement (Bid 15-11)**

Staff recommends City Council authorize the City Manager to execute a contract for the 2015 Animal Shelter Roof Replacement project with Filotto Construction, Inc. (2111 Oakland Avenue, Crest Hill, IL) in the amount of $21,100. Funding is provided by Capital Improvement Plan (CIP) budget for Animal Shelter Renovations (Project Account 416435.65510).

*For Action*

(A3.5) **Approval of 2015 MFT Street Resurfacing Construction Contract with A. Lamp Concrete Contractors Inc. (Bid 15-14)**

Staff recommends that City Council authorize the City Manager to execute a contract for the 2015 MFT Street Resurfacing Project with A. Lamp Concrete Contractors Inc. (1900 Wright Blvd., Schaumburg, IL) in the amount of $1,378,359.40. Funding will be provided by the approved 2015 Motor Fuel Tax Fund (Account 100.26.5096.66515).

*For Action*

(A3.6) **Approval of Purchase of Unique Paving Material (Cold Patch) from Peter Baker & Son**

Staff recommends City Council authorize the purchase of Unique Paving Material (Cold Patch or UPM) for street maintenance from Peter Baker & Son (1349 Rockland Road Lake Bluff, IL) in the amount of $50,000. Funding is provided by the FY2015 General Fund Street and Alley budget (Account 100.26.2670.65055) in the amount of $35,000 and the Water Fund budget (Account 510.71.7115.65051) in the amount of $15,000. Peter Baker & Son was the successful bid winner of the joint purchase let by the North Shore Municipal Consortium, and will extend last year’s price for 2015.

*For Action*
(A3.7) **Approval of Contract Renewal with CarQuest for Auto Parts**

Staff recommends City Council authorize the City Manager to execute a final, one (1) year renewal of the purchasing agreement for general auto parts from Carquest (2312 Main Street, Evanston, IL) in the amount of $60,000. Funding is provided by the Fleet Fund (Account 600.26.7710.65060) which has a FY2015 budget of $920,829.

**For Action**

(A3.8) **Approval of Purchase of Trees and Planting Services for Spring Planting from Suburban Tree Consortium**

Staff recommends City Council approval to purchase 294 trees and planting services for 150 trees from Suburban Tree Consortium (STC) in the amount of $80,524.76. Funding is provided by the General Fund (Account 100.26.2655.65005), which is budgeted for $115,000 for the FY2015 spring and fall planting seasons, and the remainder through the “Replant Express,” program which allows residents to pay the full cost to have a tree planted immediately.

**For Action**

(A4) **Approval of Change Order No. 3 for 48-Inch Diameter Water Intake Improvements (Bid 14-04)**

Staff recommends City Council authorize the City Manager to execute Change Order No. 3 for the 48-Inch Diameter Water Intake Improvements with Lake Erie Diving, Inc. (362 Blackbrook Road, Painesville, OH) in the amount of $41,074. This change order will increase the contract amount from $1,403,122 to $1,444,196. Funding is provided by the project contingency and $14,996 by the Water Fund, from funds available within the FY2015 Budget.

**For Action**

(A5) **Approval of Letter of Commitment for Youth Organization Umbrella (Y.O.U.) Street Outreach Program**

Staff recommends that City Council authorize the City Manager to sign a letter of commitment for the Y.O.U. Street Outreach Program. As part of the grant process Y.O.U has asked that the City sign a letter of commitment, by April 1, 2015, to provide our current level of participation in the program for another granting cycle (4years). If funding is awarded in this new grant cycle, an agreement would be brought to City Council for approval.

**For Action**

(A6) **Parks and Facilities 2016-2018 Draft Capital Improvement Plan**

Staff recommends City Council refer the Parks and Facilities 2016-2018 Draft CIP Plan to the Parks & Recreation Board for review. Community feedback is encouraged while the plan is at the Park and Recreation board. Once the board has reviewed and provided feedback there will be an additional community engagement component before the plan returns to the City Council in June for discussion.

**For Action**
(A7) **Resolution 41-R-15, Authorizing Amendment to the TIF Construction Loan Agreement with Evanston North Shore Contractors Cooperative, LLC**
Staff recommends that the City Council adopt Resolution 41-R-15 authorizing the City Manager to negotiate and execute an amendment to the TIF Construction Loan Agreement with the Evanston North Shore Contractors Cooperative, LLC executed February 23, 2012.
*For Action*

(A8) **Resolution 37-R-15, Dempster Street Traffic Signal Modernization and Coordination Project**
Staff recommends that City Council adopt Resolution 37-R-15 authorizing the City Manager to execute the Local Agency Amendment #1 for Federal Participation with the Illinois Department of Transportation (IDOT) for the Dempster Street traffic signal modernization and coordination project. The total cost for construction and construction engineering is $1,195,000, which is $273,000 higher than the original estimate. Federal funding will increase by $238,000. The City of Evanston share increases by $35,000 to a new total of $240,000, which is still within the CIP budget for this project. Funding is provided by CMAP and the Capital Improvement Fund (Project 415941).
*For Action*

(A9) **Resolution 39-R-15, Authorizing an Right-of-Way Agreement with Unite Private Networks for the Installation of Dark Fiber Optic Cable**
Staff recommends City Council adoption of Resolution 39-R-15, authorizing the City Manager to negotiate and execute a Right-of-Way Agreement with Unite Private Networks-Illinois, LLC (UPN), of 120 S. Steward Rd., Liberty MO, for the construction of a dark fiber communications network in the public right-of-way to be leased by Evanston/Skokie School District 65.
*For Action*

(A10) **Ordinance 40-O-15 Authorizing City Manager to Execute a Lease Agreement for City Owned Property at 1804 Maple Avenue**
Staff recommends City Council adoption of Ordinance 40-O-15 authorizing the City Manager to execute a lease agreement with Pharmacann, LLC for the City owned property at 1804 Maple Avenue. Pharmacann, LLC proposes to lease the property to operate a medical cannabis dispensary in accordance with Public Act 098-0122 “The Compassionate Use of Medical Cannabis Pilot Program Act.”
*For Introduction*

(A11) **Ordinance 44-O-15, Decreasing the Number of Class C Liquor Licenses for Egg'Em on Clarke's, Inc., dba Clarke's, 720 Clark Street**
Staff recommends City Council adoption of Ordinance 44-O-15, which amends Evanston City Code to decrease the number of authorized Class C liquor licenses from twenty-two (22) to twenty-one (21). Egg'Em on Clarke’s, Inc., dba Clarke’s (“Company”), 720 Clark Street, is not renewing its liquor license.
*For Introduction*
(A12) **Ordinance 45-O-15, Decreasing the Number of Class D Liquor Licenses for Mt. Prospect Venture, Inc., d/b/a Giordano's Restaurant, 1527 Chicago Avenue**

Staff recommends City Council adoption of Ordinance 45-O-15, which amends Evanston City Code to decrease the number of authorized Class D liquor licenses from fifty-one (51) to fifty (50) due to the closing of Mt. Prospect Venture, Inc., d/b/a Giordano's Restaurant (“Company”), 1527 Chicago Avenue.

*For Introduction*

(A13) **Ordinance 41-O-15, Amending City Code Section 3-4-6 By Creating the New Class F-1 Liquor License**

Local Liquor Commissioner provides a neutral recommendation to City Council regarding the adoption of Ordinance 41-O-15. Ordinance 41-O-15 allows grocery stores to sell alcohol for offsite consumption and sell beer and wine for onsite consumption. This Ordinance provides the same requirements as grocery stores holding the Class F liquor license, while adding provisions related to onsite consumption.

*For Introduction*

(A14) **Ordinance 48-O-15, Increasing the Number of Class F-1 Liquor Licenses for Whole Foods Market Group, Inc., d/b/a Whole Foods Market, 2748 Green Bay Road**

Local Liquor Commissioner provides a neutral recommendation to City Council regarding the adoption of Ordinance 48-O-15, which amends Evanston City Code to increase the number of authorized Class F-1 liquor licenses from zero (0) to one (1), and permit issuance of a Class F license to Whole Foods Market Group, Inc., d/b/a Whole Foods Market (“Company”), 2748 Green Bay Road. This license will permit Company the retail sale of alcoholic liquor in grocery stores in original packages for offsite consumption and onsite consumption of beer and wine only to persons of at least twenty-one (21) years of age.

*For Introduction*

(A15) **Ordinance 46-O-15, Amending City Code Section 3-4-6-(P-1) to Allow for Sale of Beer in Twenty-Two Ounce Containers for Off-Site Consumption**

Local Liquor Commissioner recommends City Council adoption of Ordinance 46-O-15, which will amend the City Code to allow for sale of beer in twenty-two (22) ounce containers for off-site consumption for the current Class P-1 liquor licenses. The Local Liquor Control Board finds that twenty-two (22) ounce containers are typical of the craft beer industry.

*For Introduction*

(A16) **Ordinance 47-O-15, Amending City Code Section 3-4-6 By Creating the New Class P-3 Liquor License for Craft Wineries**

Local Liquor Commissioner recommends City Council adoption of Ordinance 47-O-15, which allows craft wineries to sell wine for both on-site and off-site consumption. This Ordinance imposes requirements onto craft wineries in a similar and consistent manner as those requirements onto craft breweries.

*For Introduction*
(A17) Ordinance 49-O-15, Amending City Code Section 3-4-6-(Z-3) and 3-4-6-(Z-4) to Remove the Evanston Arts Center and Add the Gibbs-Morrison Cultural Center as Authorized City-Owned Buildings for Special One-Day Liquor Licenses

Staff recommends City Council adoption of Ordinance 49-O-15, which adds the Gibbs-Morrison Cultural Center, 1823 Church Street, and removes the Evanston Arts Center, 2603 Sheridan Road, as authorized City-owned buildings in connection with special one-day liquor licenses, Class Z-3 and Class Z-4 liquor licenses.

For Introduction

(A18) Ordinance 38-O-15, Amending City Code Section 7-2-6(D), “Sidewalk Cafes,” Allowing the Sale of Wine at Wine Shop/Enoteca Sidewalk Cafes

Staff recommends City Council consideration of Ordinance 38-O-15 which amends the City Code to permit sidewalk cafes at business establishments that operate a wine shop, also known as an enoteca. The current sidewalk café ordinance only allows Type I and Type II restaurants to apply for a sidewalk café permit.

For Introduction

(A19) Ordinance 24-O-15, Taxing Medical Marijuana

Staff recommends the City Council adoption of Ordinance 24-O-15, which would establish a tax on cannabis sales from a cultivation center to a dispensary. The Illinois Compassionate Use of Medical Cannabis Pilot Program, 410 ILCS 130/1 et seq. (the “Act) allows for the sale and use of medical cannabis in the State of Illinois, subject to strict restrictions. The Act allows the City of Evanston to impose a tax on the cultivation center for the privilege of cultivating medical cannabis at a rate of 6% of the sales price per ounce. This ordinance was introduced at the March 23, 2015 City Council meeting.

For Action

(A20) Ordinance 29-O-15, Authorizing of the City Manager to Negotiate for the Sale of City-Owned Real Property Located at 1821 Ridge Avenue

Staff recommends adoption of Ordinance 29-O-15, “Authorizing the City Manager to Negotiate the Sale of City-Owned Real Property Located at 1821 Ridge Avenue, Evanston, Illinois.” The sale of City-owned real property is a two-step process; an ordinance must be adopted to authorize the City Manager to negotiate the sale of property followed by an ordinance at a later date that authorizes the City Manager to execute a sales contract that memorializes said negotiations. A two-thirds majority of City Council is required to adopt Ordinance 29-O-15. This ordinance was previously held in committee in order to revise Ordinance 29-O-15 to authorize the City Manager to negotiate with other potential purchasers of the property in addition to National Towel Service. This ordinance was introduced at the March 23, 2015 City Council meeting.

For Action
PLANNING & DEVELOPMENT COMMITTEE

(P1) Ordinance 43-O-15 Planned Development, 1620 Central Street
The Plan Commission and staff recommend adoption of Ordinance 43-O-15 for Special Use approval of a Planned Development at 1620 Central Street. The four-story (45-foot high) multiple-family residential building includes 47 dwelling units and 54 parking spaces on site.
For Introduction

(P2) Ordinance 36-O-15, granting a Special Use for a Convenience Store and accessory Type 2 Restaurant, Ad Val’s Sweet, at 900 Chicago Avenue
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 36-O-15 granting a special use permit for a Convenience Store and accessory Type 2 Restaurant, Ad Val’s Sweet, in the C1a Commercial Mixed Use District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district. This ordinance was introduced at the March 23, 2015 City Council meeting.
For Action

(P3) Ordinance 37-O-15, Granting a Special Use for a Type 2 Restaurant, Epic Burger, at 1622 Sherman Avenue
The Zoning Board of Appeals and City staff recommend adoption of Ordinance 37-O-15 granting a special use permit for a Type 2 Restaurant, Epic Burger, in the D3 Downtown Core Development District. The applicant has complied with all zoning requirements, and meets all of the standards for a special use for this district. This ordinance was introduced at the March 23, 2015 City Council meeting.
For Action

(P4) Ordinance 22-O-15 Zoning Ordinance Text Amendment for Fences and Invisible Pet Fences
The Plan Commission and staff recommend adoption of the Zoning Ordinance Text Amendment to modify Section 6-4-6-7, Special Regulations Applicable to Fences and Section 6-18-3, Definitions regarding zoning regulations for Invisible Pet Fences. This ordinance was introduced at the March 23, 2015 City Council meeting.
For Action

Plan Commission and staff recommend adoption of Ordinances 20-O-15 and 25-O-15 (Agenda Items P5.1 and P5.2), which amend the Map and Text of the Zoning Ordinance to establish a new Dempster-Main Overlay District. The Overlay District would allow office and financial institution uses as a Special Use on the ground floors. The proposed overlay district will foster enhancement and preservation of two of the City’s oldest shopping areas for primarily neighborhood-oriented commercial and retail uses.
(P5.1) Ordinance 20-O-15, Amending the Text of the Zoning Ordinance by Enacting a New Section 6-15-17, “oDM Dempster-Main Overlay District”
This ordinance was introduced at the March 23, 2015 City Council meeting.
For Action

(P5.2) Ordinance 25-O-15, Amending the Zoning Map to Place Certain Properties within the oDM Dempster-Main Overlay District
This ordinance was introduced at the March 23, 2015 City Council meeting.
For Action

(P6) Ordinance 19-O-15, Planned Development at 1571 Maple Avenue
The Plan Commission and staff recommend adoption of Ordinance 19-O-15 for Special Use approval of a Planned Development at 1571 Maple Avenue. The 12-story (133.3-foot high) mixed-use development includes 101 residential units, 3,696 square feet of commercial space and 12 parking spaces on site. Additionally, 101 parking spaces are proposed to be leased from City-owned Maple Avenue public parking garage. This ordinance was introduced at the March 9, 2015 City Council meeting, and held pending further discussion with the developer at the March 23, 2015 Council meeting.
For Action

(P7) Resolution 40-R-15 Acceptance of Affordable Housing Fund Contribution, 1571 Maple Avenue Planned Development
City staff recommends that the City Council adopt Resolution 40-R-15, authorizing the City Manager to accept and distribute the affordable housing contribution from the applicant of the 1571 Maple Avenue Planned Development to a local non-profit affordable housing developer for acquisition of affordable housing units in the downtown area.
For Action

HUMAN SERVICES COMMITTEE

(H1) Resolution 35-R-15, Authorizing the City Manager to Execute Artist Leases for Space at the Noyes Cultural Arts Center
Staff recommends City Council adoption of Resolution 35-R-15 authorizing The City Manager to enter into four (4) new agreements for the artist leases for spaces at the Noyes Cultural Arts Center.
For Action
APPOINTMENTS

(APP1) For Appointment to:

- Commission on Aging: Jessie Macdonald
- Economic Development Committee: Ahmadou Drame
- Ladd Arboretum Committee: Tom Klitzkie
- Mental Health Board: Michael Pierce
- Parks and Recreation Board: Emily DeStefano
- Plan Commission: Simon Belisle
- Plan Commission: Peter Isaac
- Public Safety Civil Service Commission: Joan Hickman
- Public Safety Civil Service Commission: Keith Terry
- Public Safety Civil Service Commission: Salina Greene

MEETINGS SCHEDULED THROUGH APRIL 2015

Upcoming Aldermanic Committee Meetings

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Information is available about Evanston City Council meetings at: www.cityofevanston.org/citycouncil. Questions can be directed to the City Manager’s Office at 847-866-2936. The City is committed to ensuring accessibility for all citizens. If an accommodation is needed to participate in this meeting, please contact the City Manager’s Office 48 hours in advance so that arrangements can be made for the accommodation if possible.