



CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, January 9, 2012

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

Absent: Alderman Rainey

Presiding: Mayor Elizabeth B. Tisdahl

The regular meeting of the City Council was declared open by the Mayor at 8:10 p.m.

Mayor Public Announcements and Proclamations

Mayor Tisdahl declared January 9, 2012 as NorthShore University Health System Day in the City of Evanston in recognition and thanks for their Donation to Evanston Farmers' Market for LINK Card Program and healthy foods for the Evanston link card holders. Mr. Mark Schroder and others who were present came forward to receive the framed Proclamation.

City Manager Public Announcements

Mr. Bobkiewicz asked Mr. Jim Maiworm, Superintendent of Streets and Sanitation to report on the trash collection for the Martin Luther King Day of Observance. He stated there would not be any trash collection on Monday, January 16, 2012 and that trash will be collected one day latter, and now through January 23, 2012 crews will be picking up holiday trees.

Mr. Bobkiewicz also announced the King Celebrations which will be held at Fleetwood-Jourdain Center this Saturday, January 14, 2012 at noon with music and dance speakers, including Alderman Holmes, Pastor Cherry and former Mayor Lorraine H. Morton.

Communications: City Clerk

Mr. Greene stated he had two announcements to make the first was the letter from Cook County Clerk, David Orr which stated the completion of the redistricting of the boundaries in Evanston. The following changes were announced:

| • Ward | Lost Precincts |
|--------|----------------|
| 1 | 2 |
| 2 | 1 |
| 3 | 2 |
| 4 | 3 |
| 5 | 1 |
| 6 | 2 |

| | |
|---|---|
| 7 | 1 |
| 8 | 2 |
| 9 | 0 |

He also stated he has no vote where it concerns matters of the Council and has to abide by the necessary needs of the Council. Phone callers were asking how to get the referendum from the March 20th ballot. He presented two ways: (1) Vote Yes or NO, or (2) Submit a letter asking for the referendum to be stricken from the ballot to be sent to Cook County Clerk's Office, as revealed by Ms. Colleen Gleason of the Clerk's Office.

Citizen Comment

Junad Rizki, addressed the City's intent to increase the debt limit. He stated the over spending is a misrepresentation of the City's practices. He alluded that the budgetary problems that have been stated to be solved is not true and it is just a shell game all around.

Kevin O'Connor, 1227 ½ Isabella spoke of his concerns for item A4 and the raising of the City's tax-supported general obligation debt limit. The EAV ratio is irrelevant because it is a relative number and has no paper value. He declared that the City of Evanston is beyond bankrupt because of these financial numbers and suggest the City to file for bankruptcy very soon.

Jeff Hill, World Market Maple Street spoke of his concerns for item A10. He stated they do not refrigerate any of their alcoholic beverages and are very conscientious of sales for immediate consumption and the building of your own six-pack.

Mary Baker, 139 Ridge Ave. spoke of her concerns for the dissolution of the Township. She stated her follow-up efforts on the Resolution and said she never knew anything about the issue. She stated the procedure was not done in the proper form and if you don't isn't that breaking the law.

Betty Ester, 2031 Church Street stated there were no community meetings concerning the Township. She stated there is no training or expertise for anyone attempting to perform the duties of the Township officials and why should we vote yes to get rid of them, when they have always have a balanced budget.

Bonnie Wilson, Township Assessor stated her concern of the memo submitted to the Council that neither she nor Patricia Vance received concerning the discussions of the Township and the addition to the agenda tonight. She wanted to be included with all discussions as well as including Ms. Vance so they can present their input as to what they provide for the residents.

Non-Agenda items:

Padma Rao, 2246 Sherman stated her concerns for the vote to kill over a two dozen trees and the proposed alley for the Kendall project. She also referred to the muting of her microphone statements of the previous meeting of the Council. She asked that the Council protect the trees at Kendall and if not she will see them next time.

B.K. Rao, 2246 Sherman stated her concerns of the Kendall property proposal and the lack of the Council to act properly on her and her daughter's concerns, as well as the attacks on her daughter from some members of the Council. She suggested since this is a new year the Council should think clearly and act correctly, and there will be a reckoning at the poles.

Priscilla Giles, 1829 Ashland Ave. announced the death of one of the active persons to get the turn-about restored at Fleetwood-Jourdain is now one voice less, and the removal of the turn-about makes it difficult for those with canes, wheelchairs, and disabilities to get into the building. She stated it appears that Evanston has forgotten the poor, elderly, disabled and the low-income and the dissolution of the Township will add to the unemployment in Evanston.

Special Orders of Business: Salt Dome Discussion & Outreach for March 20, 2012 Ballot Initiatives was introduced by the City Manager, Mr. Bobkiewicz as he stated that staff is suggesting two community meetings to discuss strategies concerning the dissolution of the Township to educate the community: the proposed meeting dates are:

- January 30th Lorraine H. Morton Civic Center (7:00 p.m.)
- February 23rd at Robert Crown Community Center from 7:00-8:00 p.m.
- March 8th at Fleetwood-Jourdain same time (7:00-8:00 p.m.)

Items not approved on the Consent Agenda:

(A4)Resolution 1-R-12, Amending the City of Evanston Budget Policy

Staff recommends approval of Resolution 1-R-12 amending the City's Budget Policy. The proposed resolution would increase the City's tax-supported general obligation (GO) debt limit from \$90,000,000 to \$120,000,000. The tax-supported debt to Equalized Assessed Value (EAV) ratio in 2004-05 was 5.21%, compared to the proposed new debt limit ratio of 3.63% using the 2010-11 EAV.

For Action

(A5)Ordinance 113-O-11, Amending Portions of Title 10, Chapter 11, "Traffic Schedules," Relating to Speed Limits on Oakton Street

The 9th ward Alderman has requested the proposed ordinance 113-O-11 by which the City Council would amend Section 10-11-2, Schedule 2 to establish a 20 mph speed limit on Oakton Street between Dodge Avenue and Ridge Avenue. *This Ordinance was held in Committee on December 12, 2011.*

For Introduction

(A10)Ordinance 9-O-12, Amending Liquor License Classes H, N & O, Clarifying the Prohibition on Selling Single Containers of Beer Less than 40 Ounces in Volume

Local Liquor Commissioner recommends City Council adoption of Ordinance 9-O-12, which prohibits licensees from bundling, taping, packaging together, or otherwise manipulating single containers of beer for resale as a set.

For Introduction

CONSENT AGENDA

(M1) Approval of Revised Minutes of the Regular City Council Meeting of November 28, 2011

(M2) Approval of Minutes of the Regular City Council Meeting of December 12, 2011

ADMINISTRATION & PUBLIC WORKS COMMITTEE

| | | |
|---|----------|----------------|
| (A1) City of Evanston Payroll through | 12/04/11 | \$2,488,703.24 |
| City of Evanston Payroll through | 12/18/11 | \$2,483,492.13 |
| (A2) City of Evanston Bills FY2011 through | 1/10/12 | \$6,779,309.55 |
| City of Evanston Bills FY2012 through | 1/10/12 | \$ 42,948.59 |
| Credit Card Activity – Period End November 30, 2011 | | \$ 88,663.55 |

(A3.1)Approval of Renewal of Building Automation Service Agreement with Schneider Electric for 2012

Staff recommends approval of the service agreement with Schneider Electric, formerly ITG Solutions, (17475 Palmer Blvd, Homewood, IL) in the amount of \$23,184 for FY 2012 to cover hardware, software and service visits at eight City facilities. Funding provided by the Facilities Management account 3806.62225.

For Action

(A3.2)Approval of Amendment 3 to the Agreement with Twin Eagle Resources Management, LLC for the Purchase of Natural Gas for 16 City Owned Buildings

Staff recommends that the City Council authorize the City Manager to negotiate and execute Amendment 3 to the Agreement with Twin Eagle Resource Management, LLC (5120 Woodway, Suite 10010, Houston, TX) for the purchase of natural gas for 16 City owned buildings. The amended term of the agreement shall be effective September 1, 2013 through August 31, 2014.

For Action

(A6)Ordinance 2-O-12, Authorizing the Sale of Evanston Police Department K9 Program Dog

Recommend adoption of Ordinance 2-O-12 to authorize the sale of a K-9 Program dog with the Evanston Police Department to Officer Schienbein. Chief Eddington recommends that the ordinance be introduced and adopted on January 9, 2011 due to the nature of the transaction. **Suspension of Rules is requested for Introduction and Action on January 9, 2012.**

For Introduction and Action

(A7)Ordinance 3-O-12, Amending Section 7-2-6 of the City Code to Enact Regulations for Moving Vehicles and Storage Containers on Public Ways

Staff recommends adoption of proposed Ordinance 3-O-12 by which the City Council would amend section 7-2-6, "Occupation of Public Ways for Business Purposes" to "Occupation of Public Ways for Special Purposes," and which establishes the process to reserve parking space in the right of way to load and unload moving vans and containers.

For Introduction

(A8) Ordinance 4-O-12, Amending Portions of Title 10-12-2 to “Violation of the Illinois Vehicle Code” Relating to Seat Belt Use

Staff recommends adoption of Ordinance 4-O-12 amending Evanston City Code Title 10-12-2 making it a municipal violation for drivers and passengers to not use safety belts by making it unlawful for any person to violate 625 ILCS 5/12-603.1 of the Illinois Vehicle Code.

For Introduction

(A9) Ordinance 8-O-12, Adopting “The Evanston City Code, 2012”

Staff recommends passage of Ordinance 8-O-12 adopting The Evanston City Code, 2012. Exhibit A includes the 2011 provisionally approved amendments and revisions to the Evanston City Code, which can be found at:

<http://www.cityofevanston.org/government/city-code/>

For Introduction

(A11) Ordinance 10-O-12, Amending Class S Liquor License

Local Liquor Commissioner recommends City Council adoption of Ordinance 10-O-12, which permits the sale of wine, beer, and alcoholic liquor in the package store area of a combination restaurant/package store licensee.

For Introduction

(A12.1) Approval to Reimburse the Department of Housing and Urban Development (HUD) for Fair Market Value of Property Located at 1817 Church Street

Staff recommends that the City Council authorize the City Manager to reimburse HUD \$220,000 from the West Evanston TIF for the Community Development Block Grant (CDBG) investment in 1817 Church Street per HUD regulations. *This agenda item was held in Committee on December 12, 2011.*

For Action

(A12.2) Resolution 64-R-11, Authorizing the City Manager to Execute a TIF Construction Loan Agreement for the Renovation of 1817 Church Street

Staff requests adoption of Resolution 64-R-11, which authorizes the City Manager to lend \$200,000 from the West Evanston Tax Increment Finance District fund to the Evanston North Shore Contractors Cooperative, LLC. for the renovation of the 1817 Church Street property. *This Resolution was held in Committee on December 12, 2011.*

For Action

(A12.3) Ordinance 106-O-11, Authorizing the City Manager to Negotiate the Sale of 1817 Church Street

Staff requests adoption of Ordinance 106-O-11, which authorizes the City Manager to negotiate the sale of City-owned real property located at 1817 Church Street in Evanston, Illinois. This ordinance was introduced at the November 28, 2011 City Council meeting and held at the December 12, 2011 City Council meeting. *This ordinance requires a 2/3 majority for approval.*

For Action

(A12.4) Ordinance 107-O-11, Authorizing the City Manager to Execute the Sale of 1817 Church Street

Staff requests adoption of Ordinance 107-O-11, which authorizes the City Manager to execute a real estate contract for the sale of City-owned real property located at 1817 Church Street in Evanston, Illinois to Evanston North Shore Contractors Cooperative, LLC. This ordinance was introduced at the November 28, 2011 City Council meeting and held at the December 12, 2011 City Council meeting. *This ordinance requires a 2/3 majority for approval.*

For Action

(A13) Ordinance 104-O-11, Authorizing the Sale of Surplus Fleet Vehicles

Staff recommends City Council adoption of Ordinance 104-O-11 authorizing the City Manager to sell various vehicles and equipment owned by the City through public auction. This Ordinance was introduced at the City Council meeting on December 12, 2011.

For Action

(A14) Ordinance 114-O-11, Amending Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 12: Schedule XII; Parking Meter Zones

Staff recommends approval of Ordinance 114-O-11 amending Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 12: Schedule XII; Parking Meter Zones. These changes will impact all meter zones including 20 minute, 30 minute, 2 hour, 3 hour, 4 hour, 12 hour and 15 hour zones. It is recommended that the amendment take effect on February 1, 2012. This Ordinance was introduced at the City Council meeting on December 12, 2011.

For Action

(A15) Ordinance 115-O-11, Amending Title 10, Schedule XVII, of the Evanston City Code, "Parking Violation Penalties," Section 10-11-17, Increasing the Penalty for Various Fines

Staff recommends approval of Ordinance 115-O-11 amending Title 10, Motor Vehicles and Traffic, Chapter 11, Traffic Schedules, Section 17: Schedule XVII; Parking Violation Fines. It is recommended that the changes in the initial fines take effect on April 1, 2012. This Ordinance was introduced at the City Council meeting on December 12, 2011.

For Action

(A16) Ordinance 117-O-11, Amending Various Sections of Chapter 11 of Title 9 of the Evanston City Code Regulating False Alarm Systems

Staff recommends City Council approval of Ordinance 117-O-11 which would increase City of Evanston Police and Fire-related false alarm fees. This increase was included as a revenue enhancement item for the FY 2012 Budget and will take effect February 1, 2012. This Ordinance was introduced at the City Council meeting on December 12, 2011.

For Action

PLANNING & DEVELOPMENT COMMITTEE

(P1)Ordinance 6-O-12, Granting a Special Use for a Child Daycare Center at 1629 Orrington Avenue

Zoning Board of Appeals and City staff recommend the adoption of Ordinance 6-O-12 granting a special use permit for the operation of a Child Daycare Center by Bright Horizons Family Solutions at 1629 Orrington Avenue.

For Introduction

(P2)Ordinance 7-O-12, Amending Ordinance 77-O-11 1100 Clark Street/1719 Ridge Avenue Planned Development

Focus Development has requested an amendment to the Planned Development approved by Ordinance 77-O-11 to allow for an extension of completion time from October 1, 2013 to October 1, 2014. **Suspension of Rules is requested for Introduction and Action on January 9, 2012.**

For Introduction and Action

HUMAN SERVICES COMMITTEE

(H1)Approval of Township of Evanston December 2011 Bills

Township Supervisor recommends approval of Township of Evanston expenditures for the month of December 2011 totaling \$121,946.26.

For Action

(H2)Ordinance 81-O-11, Amending Title 9, Chapter 4, “Dogs, Cats, Animals and Fowl” to add a new Section, “Responsible Pet Ownership”

The Human Services Committee recommends adoption of Ordinance 81-O-11, as amended, which includes a new section, “Responsible Pet Ownership” to address residents who repeatedly violate City ordinances regulating domestic animals.

For Introduction

ECONOMIC DEVELOPMENT COMMITTEE

(O1)Approval of the Chicago-Dempster Merchants Association’s Application for the Evanston Great Merchants Grant Program

Staff and the Economic Development Committee recommend City Council approval of a Great Merchant Grant in the amount of \$9,000 to the Chicago-Dempster Merchants Association for Fiscal Year 2012 projects.

For Action

(O2)Approval of the Dr. Hill Business Association's Application for the Evanston Great Merchants Grant Program

Staff and the Economic Development Committee recommend City Council approval of a Great Merchant Grant in the amount of \$9,000 to the Dr. Hill Business Association for Fiscal Year 2012 projects.

For Action

(O3)Approval of the Evanston West Village Business Association's Application for the Evanston Great Merchants Grant Program

Staff and the Economic Development Committee recommend City Council approval of a Great Merchant Grant in the amount of \$9,000 to the Evanston West Village Business Association (EWVBA) for Fiscal Year 2012 projects.

For Action

(O4)Approval of the Howard Street Business Association's Application for the Evanston Great Merchants Grant Program

Staff and the Economic Development Committee recommend City Council approval of a Great Merchant Grant in the amount of \$7,000 to the Howard Street Business Association (HSBA) for Fiscal Year 2012 projects.

For Action

(O5)Approval of the Main Street Merchants Association's Application for the Evanston Great Merchants Grant Program

Staff and the Economic Development Committee recommend City Council approval of a Great Merchant Grant in the amount of \$7,300 to the Main Street Merchants Association (MSMA) for Fiscal Year 2012 projects.

For Action

APPOINTMENTS

(APP1)For Reappointment to:

Utilities Commission

David Grumman

Alderman Wynne motioned for approval of the Consent Agenda and it was seconded. A Roll Call vote was taken and the results were 8-0 and the Consent Agenda was approved.

Items for discussion:

(A4)Resolution 1-R-12, Amending the City of Evanston Budget Policy

Staff recommends approval of Resolution 1-R-12 amending the City's Budget Policy. The proposed resolution would increase the City's tax-supported general obligation (GO) debt limit from \$90,000,000 to \$120,000,000. The tax-supported debt to Equalized Assessed Value (EAV) ratio in 2004-05 was 5.21%, compared to the proposed new debt limit ratio of 3.63% using the 2010-11 EAV.

For Action

Alderman Burrus motioned for approval with the amendment to \$113,000,000 that was proposed in committee and it was seconded by Alderman Wynne. A Roll Call vote was taken with a 6-2 result and the motion passed. Aldermen Burrus and Wilson voted nay.

(A5)Ordinance 113-O-11, Amending Portions of Title 10, Chapter 11, “Traffic Schedules,” Relating to Speed Limits on Oakton Street

The 9th ward Alderman has requested the proposed ordinance 113-O-11 by which the City Council would amend Section 10-11-2, Schedule 2 to establish a 20 mph speed limit on Oakton Street between Dodge Avenue and Ridge Avenue. *This Ordinance was held in Committee on December 12, 2011.*

For Introduction

Alderman Burrus stated this was for introduction. No vote was taken.

(A6)Ordinance 2-O-12, Authorizing the Sale of Evanston Police Department K9 Program Dog

Recommend adoption of Ordinance 2-O-12 to authorize the sale of a K-9 Program dog with the Evanston Police Department to Officer Schienbein. Chief Eddington recommends that the ordinance be introduced and adopted on January 9, 2011 due to the nature of the transaction. **Suspension of Rules is requested for Introduction and Action on January 9, 2012.**

For Introduction and Action

Alderman Burrus motioned to have the rules suspended and it was seconded. A Roll Call vote was taken with a 8-0 approval. She then motioned for approval of the passage of the Ordinance with a second from Alderman Wynne. A Roll Call vote was taken with a 8-0 result and the motion passed.

(A10)Ordinance 9-O-12, Amending Liquor License Classes H, N & O, Clarifying the Prohibition on Selling Single Containers of Beer Less than 40 Ounces in Volume

Local Liquor Commissioner recommends City Council adoption of Ordinance 9-O-12, which prohibits licensees from bundling, taping, packaging together, or otherwise manipulating single containers of beer for resale as a set.

For Introduction

Alderman Burrus motioned for the introduction only of the Ordinance.

(P2)Ordinance 7-O-12, Amending Ordinance 77-O-11 1100 Clark Street/1719 Ridge Avenue Planned Development

Focus Development has requested an amendment to the Planned Development approved by Ordinance 77-O-11 to allow for an extension of completion time from October 1, 2013 to October 1, 2014. **Suspension of Rules is requested for Introduction and Action on January 9, 2012.**

For Introduction and Action

Alderman Holmes motioned for suspension of the rules and it was seconded with a Roll Call of 8-0. Alderman Holmes then motioned for approval and it was seconded and a Roll Call was taken with an 8-0 vote and the motion passed.

Call of the Wards:

Ward 9: Alderman Burrus stated the next 9th ward meeting would be February 29th at 7 p.m. at the Levy Center.

Ward 1: Alderman Fiske thanked the Police Chief for hosting the tour of the Police Station and the firing range. She also made a referral to the Human Services Committee to extend the hours for the Lake Front bathrooms.

Ward 2: Alderman Braithwaite stated this Thursday would be a meeting at 6:30 with himself and Chief Eddington for the Penny Park Neighbors, and the next ward meeting will be February 9th at 7:00.

Ward 3: Alderman Wynne had no report.

Ward 4: Alderman Wilson had no report.

Ward 5: Alderman Holmes invited all who can attend two ribbon cutting ceremonies in the 5th ward on Friday, January 6th at noon. The two new businesses are the Ruby G's Soul Food Kitchen at 1823 Simpson (at noon) and then 1723 Simpson for the Grand opening and ribbon cutting for the Fresh Foods Market at 12:30. She also announced her 5th ward meeting on January 19th 7:00 at Fleetwood-Jourdain.

Ward 6: Alderman Tendam had no report.

Ward 7: Alderman Grover referred to the Human Services Committee to prepare an ordinance to ban all electronic device usage while driving to include all drivers in Evanston.

Alderman Wilson motioned to convene into Executive Session to discuss Minutes, Litigation, and Real Estate. It was seconded and a Roll Call was taken and the result was 8-0. The meeting was adjourned to convene into the Aldermanic Library for the Closed Session on the Council at 9:42 p.m.

Submitted by,

Hon. Rodney Greene, City Clerk