



# CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS  
LORRAINE H. MORTON CIVIC CENTER  
COUNCIL CHAMBERS  
Monday, May 14, 2012

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

Presiding:                 Mayor Elizabeth B. Tisdahl

After the Roll Call and a quorum was evident Mayor Tisdahl called the meeting of the Public Hearing of the proposed redevelopment plan from the Community & Economic Development Department by Mr. Paul Zalmezak, Economic Development Coordinator along with Mr. Kane McKenna of McKenna and Associates concerning the “Dempster Dodge Tax Increment Financing District” meeting to order. After reading the reason for the Public Hearing Mayor Tisdahl called upon Mr. Bob Richekey of Kane McKenna to give clarification of the public notices that were distributed. Mr. Richekey reported that residents that were 750 feet from the proposed project were notified and all pertinent notices and documentation were properly submitted and the City was in conformity. The Mayor then asked the chairman of the Joint Review Board, Alderman Mark Tendam to present his report of the board. Alderman Tendam stated the time, date and place of the meeting of the board as well as the members present. He stated a recommendation of the plan was approved unanimously by the board members. Mayor Tisdahl then asked the City Clerk if there were any written comments submitted to the Clerk’s Office to be presented at this meeting, and the answer was there were none. Mr. Paul Zalmezak was asked to come forward to give a power-point over view of the TIF proposal. He pointed out some reason why have a TIF district and why now.

**Jeff Smith**, 2724 Harrison spoke concerning the various businesses that came and went on this property and then stated he was opposed to the one ownership of the property. He also stated he believes that TIF’s are not great development tools and they have been overused in some areas including Evanston and he disagrees with the possible short term visualization of the property. Mr. Smith pointed out a variety of problems that he see with this proposal and the TIF will not solve the problems and he suggests the Council look at more possible tools.

Mayor Tisdahl announced that the Public Meeting was now completed and asked for a motion to close the Public Hearing. A motion was made to close and it was seconded, with a unanimous voice vote the meeting ended.

Mayor Public Announcements and Proclamations:

Mayor Tisdahl announced the following proclamations: “National Preservation Month – May 2012”, “Older Americans’ Month – May 2012”, and “National Police Week – May 13 through May 19, 2012”. Mayor Tisdahl also announced the passing of John Myer former

6<sup>th</sup> ward Alderman for twelve years in the 60's and 70's, he was the founder of Rotary Club of Evanston Light House.

#### City Manager Public Announcements

Mr. Bobkiewicz announced the Economic Development Summit this Friday morning at 8:30 and on Saturday between 8 pm and 10 pm the City is hosting a Green Ball at the Ecology Center, with food, drinks live auctions and, live entertainment.

#### Communications: City Clerk

The Clerk had no communications to report.

#### Citizen Comment

##### **Agenda Items**

Jeff Smith, 2724 Harrison spoke of his support of the Resolution 40-R-12.

Elliott Zascin, 715 Asbury stated his support of the Rules Committee's for formulating the Resolution 40-R-12 to overturn the decision of the Supreme Court.

Darnel Johnson, 2424 Dempster stated he and his wife are in support of the Dempster/Dodge project, and that they will do everything in their power to make the project a success.

##### **Non-Agenda items**

Padma Rao, 2246 Sherman stated her concerns of the bills list showing \$1,500 payment to Attorney Kasper for representing the Township but paid nothing to Attorney Pellini who had represented the Townships for over 20 years. She also spoke of her attempt to opt out of the Electric Aggregation proposal (keep in mind the contract had not been created at that time). She began speaking of the Ethics Committee's decision of clearing first ward Alderman Fisk of any unethical acts, which she and her Lawyer disagrees with. Mayor Tisdahl stated the matter had been closed and she could not discuss it any longer. Ms. Rao stated the issue was still before the committee and being discussed, and so she could continue her mentioning it. The Mayor finally turned the mike off to the podium and after much debate back and forth the Mayor called for the Consent Agenda to be read instead of reading Alderman Rainey called for a recess that was also seconded and the Council went into recess for 10 minutes. Upon returning from the recess the debate between Ms. Padma Rao and the Mayor continued, it was suggested to allow Ms. Rao one minute to complete her comments, which she did. B.K. Rao, 2246 Sherman spoke on freedom of speech and how the mike was cut off during her comments. This occurred because the Mayor did not want to hear the truth.

##### **Items not approved on Consent Agenda:**

##### **(A3.3)Approval of Contract with Alpha Paintworks, Inc. for 2012 Fire Hydrant Painting (Bid 12-127)**

Staff recommends that City Council authorize the City Manager to execute a contract for the 2012 Fire Hydrant Painting to Alpha Paintworks, Inc. (6316 N. Cicero Avenue, Chicago, IL) in the amount of \$24,140. Funding will be provided by the Water Fund, Account 7115.62230, which has a budget of \$51,500.

##### **For Action**

**(A7)Ordinance 40-O-12 Increasing One-Day Liquor License Fees**

Staff recommends approval of Ordinance 40-O-12 amending fees for one-day liquor licenses. Approval of the proposed ordinance would increase fees for all one-day liquor license classifications by 50%. This ordinance will implement revenue enhancement fee increases which were included in the City's approved FY2012 Budget. This ordinance was introduced at the April 23, 2012 City Council meeting.

**For Action****(P3)Ordinance 48-O-12 Granting Major Zoning Relief for Front Yard Parking and a Rear Yard Setback at 2627 Lincolnwood Drive**

City staff recommends the adoption of Ordinance 48-O-12 granting major zoning relief to rebuild an attached garage as livable space, establish one open parking space in the front yard, and construct a two story addition with a rear yard setback of 14.7' where 30' is required at 2627 Lincolnwood Drive.

**For Introduction****(P4)Ordinance 39-O-12 Amending Portions of the Zoning Ordinance Related to Home Occupations**

Staff recommends City Council approval of Ordinance 39-O-12 as revised. Proposed Ordinance 39-O-12 amends the Zoning Ordinance to reflect the recommendations of the Plan Commission based on a referral of a previous draft of this proposed Ordinance by the P&D Committee during its February 13, 2012 meeting.

**For Introduction****(P5)Ordinance 38-O-12 Amending Various Portions of the City Code Relating to Bed & Breakfast Establishments**

The Plan Commission recommends amending the Zoning Ordinance to modify the regulations concerning bed and breakfast establishments. The Commission and its Zoning Committee considered the recommended changes proposed in Ordinance 38-O-12 during several meetings. This ordinance was held in Committee on April 23, 2012.

**For Introduction****(H3)Approval of Harley Clarke Mansion "Request for Interest"**

Staff recommends authorization for the City Manager to issue a "Request for Interest" for the purchase or lease of the Harley Clarke Mansion, 2603 Sheridan Road.

**For Action****(O1)Resolution 43-R-12 Authorizing the City Manager to Negotiate and Execute a Loan for the Improvements to Real Property Located at 2424 Dempster**

The Economic Development Committee and staff recommend City Council approval of Resolution 43-R-12 authorizing the City Manager to execute a loan agreement of up to \$200,000 from the Economic Development Fund to Chicago's Home of Chicken and Waffles for the adaptive reuse of the building located at 2424 Dempster in Evanston.

**For Action**

**(O2)Resolution 40-R-12: City of Evanston’s Support of a Constitutional Amendment to Effectively Overturn the U.S. Supreme Court’s Conclusion in “Citizens United v. FEC” Relating to Constitutional Rights for Corporate Entities**

The Rules Committee recommends City Council consideration of Resolution 40-R-12.  
**For Action**

**CONSENT AGENDA**

**(M1)**Approval of Minutes of the Regular City Council Meeting of April 23, 2012

**(M2)**Approval of Minutes of the Special City Council Meeting of April 30, 2012

**(M3)**Approval of Minutes of the Special City Council Meeting of May 7, 2012

**ADMINISTRATION & PUBLIC WORKS COMMITTEE**

**(A1)**City of Evanston Payroll through 04/22/12 \$2,498,099.71

**(A2)**City of Evanston Bills FY2012 through 05/15/12 \$4,650,484.85  
Credit Card Activity through March 31, 2012 \$ 125,968.23

**(A3.1)Approval of Contract Renewal for CADS Software License and Service Agreement with SunGard Public Sector**

Staff recommends that the City Council authorize the City Manager to renew the annual sole source software license and service agreement with SunGard Public Sector (1000 Business Center Drive, Lake Mary, FL) for the Police Department’s CADS (Computer Aided Dispatch System) software in the amount of \$70,304.25. Funding will be provided by the Emergency Telephone System account 5150.62509 with a budget of \$75,000.00.

**For Action**

**(A3.2)Approval of Contract with Golf Mill Ford Inc. for Ford Parts (Bid 12-118)**

Staff recommends that City Council authorize the City Manager to execute a one (1) year contract for the purchase of Ford OEM parts in the amount of \$49,400 with Golf Mill Ford Inc. (9401 N. Milwaukee Avenue, Niles, IL). Funding will be provided by the FY 2012 Major Maintenance, Material to Maintain Autos Account, 7710.65060 in the amount of \$49,400.

**For Action**

**(A3.4)Approval of Contract with Chicagoland Paving for the Church Street Improvement Project and Dodge Avenue and Lake Street Streetscape Project (Bid 12-130)**

Staff recommends that City Council authorize the City Manager to execute a contract for the Church Street Improvement Project and Dodge Avenue and Lake Street Streetscape Contract to Chicagoland Paving (225 Telser Road, Lake Zurich, IL) in the amount of \$899,900. Funding will be provided from West Evanston TIF Funds, which has a budgeted amount of \$860,000. Staff requests approval of an additional \$40,000 of TIF Funds for this project.

**For Action**

**(A3.5) Approval of Contract with HBRA Architects, Inc. for Downtown Evanston Performing Arts District Study (RFP 12-125)**

Staff recommends that City Council authorize the City Manager to execute a contract with HBRA Architects, Inc. (372 West Ontario Street, Chicago, IL) in the amount of \$100,000 to conduct a detailed planning and architectural study of potential locations for performing arts venues in Downtown Evanston (RFP 12-125). Funding will be provided by a \$50,000 National Endowment for the Arts Our Town Grant and \$25,000 from the Washington National Tax Increment Financing (TIF) District and \$25,000 from the Evanston Economic Development Fund.

**For Action**

**(A4.1) Approval of Change Order No. 1 for 2012 Cured-In-Place-Pipe Lining Contract with American Pipe Liners, Inc. (Bid 12-101)**

Staff recommends that the City Council authorize the City Manager to execute Change Order Number 1, in the not-to-exceed amount of \$37,623, to the agreement with American Pipe Liners, Inc. for the 2012 Cured-In-Place Pipe Lining Contract A (Bid 12-101). Funding will be provided from the Sewer Fund, Account 7420.65515, which has an allocation of \$428,000 for sewer improvements on streets being resurfaced.

**For Action**

**(A4.2) Approval of Change Order No. 2 with Camp Dresser and McKee, Inc. for Engineering Services on the 1964 Filter Addition Rehabilitation Project (RFP 10-103)**

Staff recommends that the City Council authorize the City Manager to execute Change Order Number 2, in the not-to-exceed amount of \$15,300, to the agreement with Camp Dresser and McKee, Inc. (CDM) to provide engineering services for the 1964 Filter Addition Rehabilitation project. This will increase the agreement amount from \$316,752 to \$332,052. This project is funded from the Water Fund, Account 733048.

**For Action**

**(A5) Resolution 36-R-12 Authorizing the Renewal of the Lease of the Computer Lab in Main Library to Workforce Board of Northern Cook County**

Staff recommends City Council approval of Resolution 36-R-12 authorizing the City Manager to negotiate and sign the lease agreement by and between the City of Evanston and Workforce Board of Northern Cook County, a non-profit corporation, for the lease of a computer lab in the Main Library. The lease will be for a one-year term (May 15, 2012 through May 14, 2013) at a rental rate of \$17,760 per year (a 2% increase).

**For Action**

**(A6) Ordinance 49-O-12, Increasing the Number of Class C Liquor Licenses to Permit Issuance to NSB Ventures LLC, d/b/a The Alcove**

The Local Liquor Commissioner recommends adoption of Ordinance 49-O-12, which amends Subsection 3-5-6-(C) of the Evanston City Code of 1979, as amended, to increase the number of Class C liquor licenses from 28 to 29 to permit issuance to NSB Ventures LLC, d/b/a The Alcove, 512 Main Street.

**For Introduction**

**(A8)Ordinance 46-O-12 Increasing Minimum Penalties for General Non-Parking Ordinance Violations**

Staff recommends approval of Ordinance 46-O-12 amending minimum fines for general C-Ticket / Administrative Adjudication violations (non-parking ordinance violations). Approval of the proposed ordinance would increase the minimum penalty for general C-Ticket / Administrative Adjudication fines by \$10. This ordinance will implement revenue enhancement fee increases which were included in the City's approved FY2012 Budget. This ordinance was introduced at the April 23, 2012 City Council meeting.

**For Action**

**PLANNING & DEVELOPMENT COMMITTEE****(P1)Resolution 42-R-12 Authorizing the City Manager to Execute an Assignment of a Real Estate Contract for the Purchase of Real Property at 1600 Foster Avenue, Evanston**

Staff recommends approval of Resolution 42-R-12 authorizing the City Manager to execute an assignment of a real estate contract for the purchase of 1600 Foster Avenue, Evanston for \$1,500,000. Funding will be provided by the City's \$18.15 million Neighborhood Stabilization Program 2 Grant. The acquisition of the property at 1600 Foster ("Bishop Freeman Property") is recommended to implement the first phase of Emerson Square, a new mixed-income housing development.

**For Action**

**(P2)Approval of a One Year Extension for Planned Development at 1915-1919 Grey Avenue**

Staff recommends that the City Council approve a one year extension of the adopted Planned Development for the construction of a four unit building by Brinshore Development, to be located on the currently vacant parcel at 1915-1919 Grey Avenue.

**For Action**

**(P6)Ordinance 36-O-12 Granting a Major Variation and Special Use Permits for a Planned Development and Drive-Through Facility Located at 635 Chicago Avenue ("Walgreens")**

Plan Commission and City staff recommend the adoption of Ordinance 36-O-12, granting planned development approval, a special use permit for the proposed drive thru (replacing the existing drive thru) and approval of a major variation for the proposed new Walgreens at 635 Chicago Avenue. Zoning Board of Appeals recommends approval of the special use for the drive thru and recommends denial of the major variation. This ordinance was introduced at the April 23, 2012 City Council meeting.

**For Action**

**(P7)Ordinance 42-O-12 Granting a Special Use for a Commercial Indoor Recreation Facility at 2125 Ashland Avenue**

Zoning Board of Appeals and City staff recommend the adoption of Ordinance 42-O-12 granting a special use permit for the operation of a Commercial Indoor Recreation Facility at 2125 Ashland Avenue. The applicant has complied with all zoning requirements and meets all of the standards of a special use for this District. CrossFit e-

Town will only offer personal strength and conditioning in individual or small group classes. This ordinance was introduced at the April 23, 2012 City Council meeting.

**For Action**

**HUMAN SERVICES**

**(H1)Approval of Township of Evanston April 2012 Payroll and Bills**

Township of Evanston Supervisor recommends that City Council approve the Township of Evanston bills, payroll, and medical payments for the month of April 2012 in the amount of \$118,278.54. Funding is provided by the Township budget.

**For Action**

**(H2)Approval of Emergency Solutions Grant Program (ESG) – Substantial Amendments to the 2011 and 2012 Annual Action Plans of the 2012-2014 Consolidated Plan**

The Human Services Committee and staff recommend City Council approval of the substantial amendments to the 2011 and 2012 Action Plans, including the funding allocations to individual agencies. The 2011 substantial amendment must be submitted to HUD on May 15, 2012.

**For Action**

**(APP1)For Appointment to:**

Housing and Community Development Act Committee

Jeannie Sanke

Alderman Rainey motioned for the Consent Agenda to be approved, and it was seconded with a 9-0 Roll Call vote.

**Items for discussion**

**(A3.3)Approval of Contract with Alpha Paintworks, Inc. for 2012 Fire Hydrant Painting (Bid 12-127)**

Staff recommends that City Council authorize the City Manager to execute a contract for the 2012 Fire Hydrant Painting to Alpha Paintworks, Inc. (6316 N. Cicero Avenue, Chicago, IL) in the amount of \$24,140. Funding will be provided by the Water Fund, Account 7115.62230, which has a budget of \$51,500.

**For Action**

Alderman Burrus motioned for approval and acknowledged Alderman Grover to speak. Alderman Grover stated she explored other options than purple and suggested to keep the color the same. Alderman Tendam suggested the area around the University to be painted purple and not throughout the City. Alderman Fiske suggested to keep them red do to the many business who also have colors connected with their businesses. The final decision was to approve the motion as is. A Roll Call vote was rendered with a 9-0 vote to approve and the motion was passed.

**(A7)Ordinance 40-O-12 Increasing One-Day Liquor License Fees**

Staff recommends approval of Ordinance 40-O-12 amending fees for one-day liquor licenses. Approval of the proposed ordinance would increase fees for all one-day liquor license classifications by 50%. This ordinance will implement revenue enhancement fee increases which were included in the City's approved FY2012 Budget. This ordinance was introduced at the April 23, 2012 City Council meeting.

**For Action**

Alderman Burrus motioned for approval and it was seconded. Alderman Grover stated she would not support the Ordinance. Alderman Rainey suggested since it is such a small amount of she would support the action. A Roll Call vote was taken with a 5-4 result and the motion passed. (Aldermen Holmes, Tendam, Burrus, Grover voted nay).

**(P3)Ordinance 48-O-12 Granting Major Zoning Relief for Front Yard Parking and a Rear Yard Setback at 2627 Lincolnwood Drive**

City staff recommends the adoption of Ordinance 48-O-12 granting major zoning relief to rebuild an attached garage as livable space, establish one open parking space in the front yard, and construct a two story addition with a rear yard setback of 14.7' where 30' is required at 2627 Lincolnwood Drive.

**For Introduction**

Alderman Holmes motioned to suspend the rules and it was seconded. Alderman Fisk wanted to know why the rules were being suspended. A voice vote was taken which was not unanimous so the motion to suspend the rules failed. The motion stood as being introduced only.

**(P4)Ordinance 39-O-12 Amending Portions of the Zoning Ordinance Related to Home Occupations**

Staff recommends City Council approval of Ordinance 39-O-12 as revised. Proposed Ordinance 39-O-12 amends the Zoning Ordinance to reflect the recommendations of the Plan Commission based on a referral of a previous draft of this proposed Ordinance by the P&D Committee during its February 13, 2012 meeting.

**For Introduction**

Alderman Holmes stated the committee recommended to the staff to find best ways to license other commercial businesses.

**(P5)Ordinance 38-O-12 Amending Various Portions of the City Code Relating to Bed & Breakfast Establishments**

The Plan Commission recommends amending the Zoning Ordinance to modify the regulations concerning bed and breakfast establishments. The Commission and its Zoning Committee considered the recommended changes proposed in Ordinance 38-O-12 during several meetings. This ordinance was held in Committee on April 23, 2012.

**For Introduction**

Alderman Holmes stated the item was taken off and sent back to committee, due to several options that were presented.

**(H3)Approval of Harley Clarke Mansion "Request for Interest"**

Staff recommends authorization for the City Manager to issue a "Request for Interest" for the purchase or lease of the Harley Clarke Mansion, 2603 Sheridan Road.

**For Action**

Alderman Tendam motioned for approval and it was seconded. Mayor Tisdahl stated the reason for her removing this item from the Consent Agenda was to provide two options (1) The City would own the underlying land, selling the building only or (2) The City sell the building and the land beneath the building. Four of the Aldermen voiced their agreement to offer multiple options. Alderman Tendam then amended the motion to include options for the sell and it was seconded, and with a unanimous voice vote the motion passed with amendments.

**(O1)Resolution 43-R-12 Authorizing the City Manager to Negotiate and Execute a Loan for the Improvements to Real Property Located at 2424 Dempster**

The Economic Development Committee and staff recommend City Council approval of Resolution 43-R-12 authorizing the City Manager to execute a loan agreement of up to \$200,000 from the Economic Development Fund to Chicago's Home of Chicken and Waffles for the adaptive reuse of the building located at 2424 Dempster in Evanston.

**For Action**

Alderman Grover motioned for approval with a second. A Roll Call vote was taken and the result was 8-1 for approval and the motion passed. Alderman Wilson voted nay.

**(O2)Resolution 40-R-12: City of Evanston's Support of a Constitutional Amendment to Effectively Overturn the U.S. Supreme Court's Conclusion in "Citizens United v. FEC" Relating to Constitutional Rights for Corporate Entities**

The Rules Committee recommends City Council consideration of Resolution 40-R-12.

**For Action**

Alderman Grover motioned for approval with a second. She stated she had some amendments which were: (1) Replace the word "**artificial**" with "**business**", (2) Delete the 4<sup>th</sup> where as clause, (3) Section 1 of the Resolution deleting the words "to establish the rights that are protected by the US Constitution belong to natural persons only and do not extend to corporations or other artificial entities", (4) Section 2 the word "**proposed**" replaced by the word "**sponsored**". A unanimous voice vote was achieved and the motion passed.

**Call of the Wards**

**Ward 9**, Alderman Burrus congratulated the awardees of the Kiwanian's project, and mentioned they will be honored at 7 am tomorrow at ETHS.

**Ward 1**, Alderman Fiske wanted to renew her reference to the Human Services to amend the public placement of street signs.

**Ward 2**, Alderman Braithwaite wanted to thank Council for their support of the Dempster/Dodge project, as well as staff. He also stated Wednesday at 8:30, he and Alderman Grover will be hosting a Financial Summit at the Civic Center

**Ward 3**, Alderman Wynne Thanked everyone who came to the 3<sup>rd</sup> ward meeting despite the hail storm. She also invited everyone to the YEA festival at Dempster and Chicago Ave.

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

**Ward 5**, Alderman Holmes announced the regular 5<sup>th</sup> ward meeting this Thursday 7 pm at Fleetwood/Jourdain. She also stated there would be a safe summer prayer vigil will occur at Springfield Baptist Church at 10 am Saturday, 19<sup>th</sup>.

**Ward 6**, Alderman Tendam had no report.

**Ward 7**, Alderman Grover had no report.

**Ward 8**, Alderman Rainey congratulated all the amazing Police Officers who were awarded last Thursday night for all the things they do, and Tracy Williams was honored as the Officer of the Year.

Alderman Wilson motioned to convene into Executive Session to discuss Litigation, Bargaining, Personnel, and Minutes and it was seconded. A unanimous voice vote was received and the Open Meeting of the Council ended at 10:55 p.m.

Submitted by,

Hon. Rodney Greene, City Clerk