Administration and Public Works Committee Meeting
Minutes of May 12, 2014
Council Chambers – 6:00 p.m.
Lorraine H. Morton Civic Center

MEMBERS PRESENT: D. Holmes, A. Rainey, P. Braithwaite, J. Grover

MEMBERS ABSENT: C. Burrus


PRESIDING OFFICIAL: Ald. Holmes

I. DECLARATION OF QUORUM

A quorum being present, Ald. Holmes called the meeting to order at 6:03 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF APRIL 28, 2014.

Ald. Rainey moved to approve the minutes of the APRIL 28, 2014 A&PW meeting as submitted, seconded by Ald. Braithwaite.

The minutes of the April 28, 2014 meeting were approved unanimously 4-0.

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through April 20, 2014 $2,730,878.93

(A2) City of Evanston Bills -- May 13, 2014 $6,471,609.80 Credit Card Activity Ending March 31, 2014 $126,582.57

For Action

Ald. Rainey moved to approve the City of Evanston Payroll (A1) through April 20, 2014 seconded by Ald. Braithwaite. The Committee voted unanimously 4-0 to approve the payroll.

Ald. Grover moved to approve the City of Evanston Bills through May 13, 2014 and credit card activity ending March 31, 2014, seconded by Ald. Braithwaite. The Committee voted unanimously 4-0 to approve the bills and credit card activity.
(A3.1) Approval of Renewal of Computer Aided Dispatch System Software License and Service Agreement with SunGard Public Sector

Staff recommends that the City Council authorize the City Manager to renew sole source software license and service agreement with SunGard Public Sector (1000 Business Center Drive, Lake Mary, FL) for the Police Department’s Computer Aided Dispatch System (CADS) software in the amount of $72,931.77. The Agreement is effective from May 1, 2014 through April 30, 2015. Funding is provided by the Emergency Telephone System Account 5150.62509 with a Budget of $88,500.

For Action

Ald. Braithwaite moved to authorize the City Manager to renew sole source software license and service agreement with SunGard Public Sector for the Police Department’s Computer Aided Dispatch System (CADS) software in the amount of $72,931.77, seconded by Ald. Grover.

The Committee voted unanimously 4-0 to recommend approval of the agreement.

(A3.2) Approval of Salt Dome Construction Contract with Dome Corporation of North America (Bid 14-18)

Staff recommends City Council approval of a contract for the construction of a new salt dome to Dome Corporation of North America (5450 East Street, Saginaw, MI) in the amount of $335,680. Funding for this project will be from the Capital Improvement Fund with a budget of $380,000 for this project.

For Action

Ald. Rainey moved to recommend approval of a contract for the construction of a new salt dome to Dome Corporation of North America in the amount of $335,680, seconded by Ald. Grover.

The Committee voted unanimously 4-0 to recommend approval of the contract.

(A3.3) Approval of Material Testing and Inspection Contract with GSG Material Testing Inc. (RFP 14-28)

Staff recommends City Council authorize the City Manager to execute the agreement for the Material Testing and Inspection Services with GSG Material Testing Inc. (2945 W. Harrison, Chicago, IL) to provide material testing services for various City projects. The total contract amount for 2014 Projects Material Testing Services is $115,500. Funding source is provided on project list, Attachment A.

For Action

Ald. Grover moved to recommend that City Council authorize the City Manager to execute the agreement for the Material Testing and Inspection Services with GSG Material Testing Inc. to provide material testing services for various City projects, seconded by Alderman Rainey.

The Committee voted unanimously 4-0 to recommend approval of the contract extension.

(A3.4) Approval of Annual Harley Davidson Lease Agreement Year #3 for the Evanston Police Department (Bid 12-123)
Staff recommends that City Council authorize the City Manager to execute a one (1) year lease agreement with Chicago Harley Davidson Inc. (2929 Patriot Boulevard, Glenview, IL) in the amount of $27,319 for the period of June 1, 2014 to May 31, 2015 for seven (7) leased Harley Davidson motorcycles. Funding is provided by Equipment Replacement Fund, Vehicle Lease Charges Account 7780.62402 and the Automotive Equipment Account 7780.65550.

For Action
Ald. Holmes moved to recommend City Council authorize the City Manager to execute a one (1) year lease agreement with Chicago Harley Davidson Inc. in the amount of $27,319 for the period of June 1, 2014 to May 31, 2015 for seven (7) leased Harley Davidson motorcycles, seconded by Ald. Rainey.

The Committee voted unanimously 4-0 to recommend approval of the agreement.

(A3.5) Approval of Arbotect Fungicide Purchase from Rainbow Treecare Scientific Advancements
Staff recommends approval of the sole source purchase of 81 gallons of Arbotect fungicide from Rainbow Treecare Scientific Advancements (Minnetonka, MN) at $385.00 per gallon for a total purchase amount of $31,185. Rainbow Treecare Scientific Advancements is the sole source vendor within the entire country for this product. Funding is provided by General Fund account 2655.62496.

For Action
Ald. Braithwaite moved to recommend approval of the sole source purchase of 81 gallons of Arbotect fungicide from Rainbow Treecare Scientific Advancements at $385.00 per gallon for a total purchase amount of $31,185, seconded by Ald. Grover.

The Committee voted unanimously 4-0 to recommend approval of the purchase.

(A4) Resolution 32-R-14, Collective Bargaining Agreement with the Fraternal Order of Police – Officers (FOP)
Staff recommends City Council approval of Resolution 32-R-14 to authorize the City Manager to execute a collective bargaining agreement with the Fraternal Order of Police – Officers bargaining unit effective January 1, 2014 through December 31, 2016. City Council approval will ratify the tentative agreements executed throughout the negotiation process.

For Action
Ald. Rainey moved to recommend City Council approval of Resolution 32-R-14 to authorize the City Manager to execute a collective bargaining agreement with the Fraternal Order of Police – Officers bargaining unit effective January 1, 2014 through December 31, 2016, seconded by Ald. Grover.

Ald. Grover noted that the educational incentive provided in this collective bargaining agreement is not tuition reimbursement, but involves step pay and salary. The agreement will be available on the City’s website under the Transparency tab upon conclusion.
The Committee voted unanimously 4-0 to recommend approval of the resolution.

(A5) Resolution 33-R-14, Collective Bargaining Agreement with the American Federal State County and Municipal Employee (AFSCME) Council 31
Staff recommends City Council approval of Resolution 33-R-14 to authorize the City Manager to execute a collective bargaining agreement with the AFSCME Council 31 bargaining unit effective January 1, 2014 through December 31, 2016. City Council approval will ratify the tentative agreements executed throughout the negotiation process.

For Action
Ald. Grover moved to recommend City Council approval of Resolution 33-R-14 to authorize the City Manager to execute a collective bargaining agreement with the AFSCME Council 31 bargaining unit effective January 1, 2014 through December 31, 2016, seconded by Ald. Rainey.

The Committee voted unanimously 4-0 to recommend approval of the resolution.

(A6) Ordinance 42-O-14, Amending P-1 Liquor License and Creating P-2 License
Local Liquor Commissioner recommends City Council adoption of Ordinance 42-O-14, which amends the Class P-1 liquor license. Recognizing the different business models, a new subsection, Class P-2, was created to classify larger craft breweries selling beer at retail, and addressing food service and product consumption in craft brewery taprooms.

For Introduction
Ald. Holmes moved to recommend City Council adoption of Ordinance 42-O-14, which amends the Class P-1 liquor license. Recognizing the different business models, a new subsection, Class P-2, was created to classify larger craft breweries selling beer at retail, and addressing food service and product consumption in craft brewery taprooms, seconded by Ald. Rainey.

Ald. Grover pointed out an error on Page 119 of the packet. The sentence will read: Class P-2 licensees must provide food service whenever beer is available for on-site consumption, in accordance with the specifications applicable to retail sale for on-site consumption. The correction will be made in the final version.

Ald. Rainey thought all of the changes are appropriate for the nuances related to these kinds of breweries. She asked if there were any complaints from any of the brewers regarding the changes. Ald. Braithwaite thanked the Mayor and Legal staff for their work on this issue. Temperance Brewery did require further clarification of the ordinance, which was completed successfully over two meetings. Ald. Rainey added that the work done on this was excellent.

The Committee voted unanimously 4-0 to recommend adoption of the ordinance.
**PUBLIC COMMENT**

Niki Hiltwein, 820 Hinman, explained that Sketchbook Brewing is the first craft brewery classified as a retail goods establishment. She expressed concern that all public access to Sketchbook will be through an alley shared with a residentially zoned district. She believes that the special use process would ensure that site-specific conditions, like lack of a storefront, are given the attention they deserve and protects residential neighborhoods that adjoin business and commercial districts. The difference between a nanobrewery and a microbrewery would be determined in conjunction with the special use process and every location would be examined for proper zoning issuance.

Ms. Hiltwein pointed out changes to the original ordinance: a) The amount of beer permitted for off-premises consumption was lowered from 40 ounces to 32 ounces; b) Language was removed that indicate a six ounce limit of samples as well as prohibiting the sale of samples.

City Attorney Grant Farrar explained that in further consideration in meetings with the prospective licensees the decision was made to propose no hard cap relative to sampling or retail sale. The sample size pursuant to the Illinois Liquor Control Commission is 2 ounces although there is no hard cap. However, the BASSET regulations for over-service applies.

At Ald. Rainey’s inquiry, City Attorney Farrar confirmed that because there is no cap there is no distinction of whether the samples can be sold. Ald. Rainey will not support this item. She stated that a cap must be placed on samples and should under no circumstances be sold. If there are unlimited samples for sale, food must be available. Also, they must apply for a P-1 license instead of a P-2.

Ald. Rainey stated she is not concerned with the alley location because there is a distillery in a similar location. She explained that the rules cannot be changed for this issue, but future cases may be considered for special use.

Ms. Hiltwein was also concerned with the extension of hours as related to the hours of the other retail goods establishments in the C1a district. She supports the microbrewery model and feels that Sketchbook should be considered a microbrewery.

Cesar Marron, Co-founder of Sketchbook Brewery, provided a brief description of the business model at Ald. Braithwaite’s request. Sketchbook is a nanobrewery as it will produce less than 2,000 barrels of beer per year. The business model is to produce and sell beer for take home use in sealed full and half growlers (64 and 32 ounces). Sales transactions will be completed by owners with a BASSET certification, as required by the City and state. He confirmed the hours of operation: Wednesday 5pm-8pm, Thursday 4pm-8pm, Friday 4pm-10pm, Saturday 12pm-10pm, Sunday 12pm-6pm.

Customers can walk in and sample one of the five Sketchbook products for free. The Illinois Liquor Control Commission states that up to three samples of no more than 2 ounces of beer may be served to a consumer in one day. The customer would then
purchase their growler to go. He added that there is no onsite consumption other than the samples. The location can accommodate approximately 10-15 customers at a time, with no seating available. Mr. Marron intends to grow the business and eventually occupy the storefront of 825 Chicago Ave.

At Ald. Rainey’s inquiry, Mr. Marron confirmed that Sketchbook will not sell any samples. He clarified that the issue challenged was the cap on the ability to sell full and half pints of beer.

Randall Huiskins, 824 Hinman, expressed apprehension about the location of Sketchbook because pedestrian traffic will be routed down an alley intended for vehicular traffic in a residential area. He did not feel that the alley is a place for an alcohol establishment. His major concerns were the safety issues to pedestrian traffic, disruption of the quality of life due to the extended hours of operation, diminished property value and increased crime. He also noted the possible congestion of the alley due to patrons double-parking or parking in private parking spaces. He strongly opposes the establishment of this business.

Ald. Rainey proposed amendments to the ordinance that creates the license: 1) Limit of three 2 ounce samples per person; 2) No fee for any samples. City Attorney Farrar agreed to research the state statute on sample limits and apply it to the ordinance at Ald. Holmes’ request. Ald. Rainey also made a reference to the Plan Commission that micro and nanobreweries be special use in districts that adjoin a residential district.

Ald. Grover requested that the license application conforms to what the applicant is seeking. She pointed out the discrepancies in the hours requested and the limit on the amount of samples. She added that the zoning ordinance will be amended at Planning and Development to align it with the Class P-1 license following this meeting.

Ald. Holmes inquired about the zoning and rental of the property with no physical storefront address at 825 Chicago Ave. Mark Muenzer, Director of Community Development explained that the City and building codes do not require a business in this zoning district to have a storefront entrance or an entrance from a public street. Director Muenzer will investigate the safety issue as a revision to the zoning ordinance.

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

Liquor Control Review Board recommends City Council adoption 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 (1) to two (2), 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**

Ald. Braithwaite moved to recommend City Council adoption 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 (1) to two (2), 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, seconded by Ald. Grover.

City Attorney Farrar confirmed that the amendments proposed by Ald. Rainey revise Item A6, Ordinance 42-O-14.

The Committee voted unanimously 4-0 to recommend adoption of the ordinance.

(A8) Ordinance 23-O-14, Addition of Chapter 31 to Title 3 of the Evanston City Code Regulating Collection Boxes

Staff submits for introduction the addition of reasonable requirements to the City Code, which would regulate the placement and appearance of collection boxes within the City of Evanston. Ordinance 23-O-14 requires entities interested in placing a collection box to obtain a license from the City of Evanston for a fee. Evanston-based non-profits (such as the Evanston School Children’s Clothing Association and the YWCA) must still obtain such license but are exempt from paying the license fee.

For Introduction

Ald. Holmes moved to recommend the addition of reasonable requirements to the City Code, which would regulate the placement and appearance of collection boxes within the City of Evanston, seconded by Ald. Grover.

City Attorney Farrar explained that the Trade Association is on board with the proposed changes. As the process has evolved, we have tracked and conformed to relevant case law. He added that the original effective date of July 1, 2014 was proposed in March to enable enough lead time to properly notify applicants of the change, however the effective date is amenable to the direction of the committee.

Ald. Grover proposed enforcing the ordinance effective October 1, 2014 and charging the license fee January 1, 2015 to get relief from unauthorized boxes placed throughout the City.

City Manager Bobkiewicz encouraged the committee to move the effective date to July 1, 2014. The organization that places the containers confirmed that they will work diligently to distribute notifications to the appropriate parties. He thanked the Legal Department for all their work.

Carlo Cavallaro, USAgain, LLC, 1555 W. Hawthorne Lane, West Chicago, IL, Director of Governmental Affairs, represents Secondary Materials and Recycled Textiles (SMART) Association. He explained that all members of SMART are easy to find because the code of conduct requires contact information be displayed on each bin. He did not see enforcement and compliance as issues once notifications are made.

Ald. Rainey moved to recommend changing the effective date of the ordinance to July 1st and pro-rating the fee for 2014 as amended.
The Committee voted unanimously 4-0 to recommend approval of the ordinance.

IV. ITEMS FOR DISCUSSION

VI. COMMUNICATIONS

VII. ADJOURNMENT

Ald. Rainey moved to adjourn.

The Committee voted unanimously 4-0 to adjourn. The meeting was adjourned at 6:35p.m.

Respectfully submitted,
Janella Hardin