Administration and Public Works Committee Meeting
Minutes of May 27, 2014
Council Chambers – 6:00 p.m.
Lorraine H. Morton Civic Center

MEMBERS PRESENT: D. Holmes, A. Rainey, P. Braithwaite, C. Burrus

MEMBERS ABSENT: J. Grover


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 MAY 12, 2014.

Ald. Burrus moved to approve the minutes of the May 12, 2014 A&PW meeting as submitted, seconded by Ald. Rainey.

The minutes of the May 12, 2014 meeting were approved unanimously 3-0.

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through May 4, 2014 $2,514,169.76

(A2) City of Evanston Bills -- May 28, 2014 $2,192,895.08

For Action

Ald. Burrus moved to approve the City of Evanston Payroll (A1) through May 4, 2014 seconded by Ald. Rainey. The Committee voted unanimously 3-0 to approve the payroll.

Ald. Burrus moved to approve the City of Evanston Bills through May 28, 2014, seconded by Ald. Rainey. The Committee voted unanimously 3-0 to approve the bills.

(A3.1) Approval of 2014 Water Main and Street Resurfacing (CIP 2) Contract with A. Lamp Concrete Contractors Inc. (Bid 14-27)

Staff recommends that City Council authorize the City Manager to execute a contract for the 2014 Water Main Replacement & Street Resurfacing CIP 2 Project to A. Lamp Concrete Contractors Inc. (1900 Wright Blvd., Schaumburg, IL) in the

APPROVED
amount of $2,548,361.25. Funding is provided by the Water Fund (733086.65515) in the amount of $1,791,888.62; Sewer Fund (7420.65515) in the amount of $100,719.65; and Capital Improvement Plan (CIP) Street Resurfacing Account (415857.65515) in the amount $655,752.99.

For Action
Ald. Rainey moved to authorize the City Manager to execute a contract for the 2014 Water Main Replacement & Street Resurfacing CIP 2 Project to A. Lamp Concrete Contractors Inc. in the amount of $2,548,361.25, seconded by Ald. Burrus.

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

(A3.2) Approval of 2014 Street Improvement (CIP 3) Contract with A. Lamp Concrete Contractors Inc. (Bid 14-31)
Staff recommends that City Council authorize the City Manager to execute a contract for the 2014 Street Improvement Project CIP 3 to A. Lamp Concrete Contractors Inc. (1900 Wright Blvd., Schaumburg, IL) in the amount of $1,128,934.10. Funding is provided by the 2014 CIP Street Resurfacing Account (415857.65515) in the amount of $862,334.10; Pedestrian Safety Account (416434.65515) in the amount of $60,000; and Sewer Fund (7420.65515) in the amount of $206,600.

For Action
Ald. Holmes moved to recommend that City Council authorize the City Manager to execute a contract for the 2014 Street Improvement Project CIP 3 to A. Lamp Concrete Contractors Inc. in the amount of $1,128,934.10, seconded by Ald. Burrus.

The Committee voted unanimously 3-0 to recommend approval of the contract.

(A3.3) Approval of Changes to ADT Alarm Monitoring Agreement
Staff recommends City Council authorize the City Manager to execute a new agreement with ADT Security Systems, Inc. (now Tyco Integrated Security) for the monitoring of City facilities. The Annual Service Charges are $13,860 per year, and the Initial Term of the Agreement is 5 years. Funding will continue to be provided by Information Technology Account 1932.64505 (Telecommunications – Line Carrier Charges) with a budget of $37,500.

For Action
Ald. Braithwaite moved to recommend that City Council authorize the City Manager to execute a new agreement with ADT Security Systems, Inc. for the monitoring of City facilities for an Annual Service Charge of $13,860 per year and the Initial Term of the Agreement is 5 years, seconded by Alderman Burrus.

Perry Polinski, 911 Coordinator, explained that the new contract will not have an impact on the current false alarm charges. The City alarms are directly connected to the 911 center via copper circuits through AT&T at a cost of $125 per City connection per month. This will convert those alarms to more advanced wireless
technology at a cost of $55 per month.

At Ald. Rainey’s inquiry, 911 Coordinator Polinski stated that the current 125 residential alarms connected directly to the 911 center will continue to be monitored the same.

Eventually, ADT will decommission our alarm receiver and move those business and residential customers to their wireless product or customers can switch to a different provider. He confirmed that ultimately the City will no longer charge false alarm fees to residents.

911 Coordinator Polinski added that this change should reduce the number of false alarms because the old system tends to be less reliable especially in bad weather. He also noted that whether an alarm is connected directly to the 911 center or to a central station an alarm fee and potential false alarm fees are still required.

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

(A4) Resolution 25-R-14, Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation

Staff recommends City Council adoption of Resolution 25-R-14 authorizing the City Manager to execute the intergovernmental “Law Enforcement Mutual Aid Agreement” (“Mutual Aid Agreement”) with other municipalities and public agencies in Illinois who are members of the Illinois Law Enforcement Alarm System (“ILEAS”).

For Action
Ald. Burrus moved to recommend City Council adoption of Resolution 25-R-14 authorizing the City Manager to execute the intergovernmental “Law Enforcement Mutual Aid Agreement” (“Mutual Aid Agreement”) with other municipalities and public agencies in Illinois who are members of the Illinois Law Enforcement Alarm System (“ILEAS”), seconded by Ald. Braithwaite.

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

(A5) Resolution 26-R-14, Memorandum of Understanding with the Cook County Department of Homeland Security and Emergency Management for Emergency Equipment Assistance if Needed by the City of Evanston

Staff recommends City Council adoption of Resolution 26-R-14 authorizing the City Manager to execute an Emergency Equipment Memorandum of Understanding between the City of Evanston and the Cook County Department of Homeland Security and Emergency Management (DHSEM) to provide emergency event and disaster response assistance through the use of DHSEM emergency equipment when local resources are insufficient to meet the response needs of the City of Evanston.

For Action
Ald. Rainey moved to recommend City Council adoption of Resolution 26-R-14 authorizing the City Manager to execute an Emergency Equipment Memorandum of Understanding between the City of Evanston and the Cook County Department of Homeland Security and Emergency Management (DHSEM) to provide emergency event and disaster response assistance through the use of DHSEM emergency equipment when local resources are insufficient to meet the response needs of the City of Evanston, seconded by Ald. Braithwaite.

At Ald. Rainey’s inquiry, Police Chief Richard Eddington explained that this agreement covers physical assets like generators and mobile command posts that we would borrow in times of disaster and emergency if the event exceeds our resources. This agreement has been vetted by Legal and found to be in compliance with our needs.

Chief Eddington added that there is no cost unless we cause damage to the equipment.

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

(A6) Resolution 31-R-14: Renewal of Easement Agreement with the Metropolitan Water Reclamation District of Greater Chicago

Staff recommends City Council adoption of Resolution 31-R-14 authorizing the City Manager to execute an easement agreement with the Metropolitan Water Reclamation District of Greater Chicago, which will allow the City to maintain and repair an existing 48-inch diameter storm sewer along Popular Avenue.

For Action
Ald. Holmes moved to recommend City Council adoption of Resolution 31-R-14 authorizing the City Manager to execute an easement agreement with the Metropolitan Water Reclamation District of Greater Chicago, which will allow the City to maintain and repair an existing 48-inch diameter storm sewer along Popular Avenue, seconded by Ald. Burrus.

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

(A7) Resolution 39-R-14, Regarding Howard Hartrey TIF District Surplus

Staff recommends the City Council adoption of Resolution 39-R-14 declaring a surplus of $1.0M from the Howard Hartrey Tax Increment Financing (TIF) District at the end of Fiscal Year 2013.

For Action
Ald. Braithwaite moved to recommend City Council adoption of Resolution 39-R-14 declaring a surplus of $1.0M from the Howard Hartrey Tax Increment Financing (TIF) District at the end of Fiscal Year 2013, seconded by Ald. Rainey.

Ald. Rainey was not convinced will have the money to spare after forfeiture. She requested further explanation from Assistant City Manager Lyons.
City Manager Wally Bobkiewicz agreed to read through the staff report at Council tonight to talk more about it there. He has heard Ald. Rainey’s concerns and believes the infrastructure improvements needed can be covered with the remaining funds available.

Ald. Rainey says she did not see any reference to the Culver’s restaurant project in the TIF site. She also asked if a disbursement to the Township was included in this resolution.

Bobkiewicz agreed to provide more detail at the Council meeting later tonight after speaking with Assistant City Manager Lyons.

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

(A8) Ordinance 64-O-14 Alley Paving Special Assessment No. 1511
Staff recommends adoption of Ordinance 64-O-14 by which City Council would authorize paving of the alley north of Leonard Place, east of Wesley Avenue through the Special Assessment Process. Funding is provided by: $99,900.68 from the Special Assessment Account (6365.65515) and $99,900.68 from the 2014 approved CIP budget for alley paving. The adjacent property owners are responsible for half of the project cost through the special assessment process.

For Introduction
Ald. Burrus moved to recommend adoption of Ordinance 64-O-14 by which City Council would authorize paving of the alley north of Leonard Place, east of Wesley Avenue through the Special Assessment Process, seconded by Ald. Rainey.

PUBLIC COMMENT
Jules Marling, 1319 Leonard Place, explained that he spearheaded the project. He has lived in his residence for about 12 years and has noticed a build up of water in potholes the past few years. About once a year the potholes are scraped and reappear within a week. There is a pretty serious drainage problem, which creates a lot of mud and standing water with mosquitoes and bacteria.

Mr. Marling spoke with the Public Works Department to learn about the process and quickly received eight of the 14 signatures on his alley paving petition. He attended a meeting with the City a few weeks ago in which the project was explained to the residents. He understands that some of his neighbors are opposed because of the cost, but feels that this improvement will add to the quality of life and property value. He also distributed pictures to show the state of the alley.

Marla Gunderson, 2148 Asbury, explained that she signed the petition and is in full support of the alley paving project.

After looking at photo provided by Mr. Marling, Ald. Rainey stated that a small child could drown in the puddles. Ald. Holmes explained that unfortunately alley grating does not last very long.
Stephanie Riger, 1304 Noyes, has lived in the areas over 30 years and objects to the project. She explained that there are occasional puddles, but they are temporary. She was very concerned about the environmental practice of paving the alley with more concrete. She added that channeling more water onto Noyes Street, which already floods will make the conditions even worse.

The total cost of the project is almost $200,000 to appease eight households. She suggested taking the $100,000 that the City has earmarked for the project and putting it towards filling potholes or the City schools. There are six households opposed that will each have to pay over $7,000. She felt that the special assessment for this project will mean that after a while only rich people will be able to live in the community and the diversity that she sought by moving to Evanston will be destroyed.

Ald. Rainey felt it was important to note that the alley paving program takes into consideration the inability of some people to pay. Therefore there is a City program that will pay the entire assessment for those unable to pay. She added that the water will not be directed to Noyes Street. One of the reasons that alley paving is so expensive is because of the drainage installed in the alley to properly direct water to the sewer system.

Ms. Riger explained that she was told a few weeks ago at a meeting that the water would run into the street. Ald. Holmes explained that staff will address that issue shortly.

Dan Lewis, 1304 Noyes, Director for the Center of Civic Engagement at Northwestern says that quite a few of the older people in the neighborhood are opposed the project because of the cost. He asked the committee to consider not going with the majority on this issue and looking into better ways to spend that money.

Ald. Burrus was very concerned about the petition process not being anonymous. She was very worried about the peer pressure of a resident going door-to-door to collect signatures. She explained that in the speed bump (which the City does not charge residents for) process once a petition is received anonymous post cards are mailed to solicit feedback. Postcards should also be mailed to see if there is sufficient support for alley paving.

Ald. Holmes responded that a public hearing was held May 7th and residents against alley paving attended and voiced their concern.

Ald. Rainey said speed humps have nothing to do with charging residents. The courts determine the alley paving process, not the City. She explained that it is not a simple process and people need to stand up and say they are willing to pay. There is a woman in her ward who tried for 25 years to get her alley paved. She simply could not get enough signatures until last year. This process is just like an election, majority rules. Ald. Burrus argued that elections are anonymous. Ald. Rainey responded that she would not support an anonymous petition for alley paving.
Ald. Burrus stated that the process should be the same for both alley paving and speed humps.

Ald. Holmes explained that at the time she bought her house in 1962 the City did not cover any of the cost of paving alleys. Now it covers half the cost.

Ald. Burrus believes there are alternatives to paving versus charging people large sums of money. There is a really terrible alley across the street from her home that is deemed one of the 10 worst in the City. The City is taking on the full cost to dredge it. Ald. Holmes responded that the alternatives have been tried on many alleys, including this one, and many times it just does not work. She noted that the process states that majority rules. Ald. Burrus wants consistency in the processes. Ald. Holmes suggested she make a reference to be addressed.

Ald. Rainey aid that dredging costs the taxpayers hundreds of thousands of dollars over time. The real economical and safe solution is to pave the alleys. We allow for people who cannot afford to pay.

Public Works Director Suzette Robinson explained that the special assessment process for alley paving is a legal process dictated by the courts and requires a public hearing. The courts also determine how costs are apportioned among the residents along the alley. Typically, there is a resident who would like to have the alley paved. The City provides a petition for them to circulate, which includes an estimated cost per household. Once the petition is submitted with the required number of signatures, the City notifies all the property owners in advance of the public hearing.

Director Robinson did confirm that the speed bump postcard process is easier and cheaper. Speed humps can be requested by anyone, including residents and aldermen. Postcards are sent out because the response rate is higher and there is no party responsible for collecting signatures on a petition.

At Ald. Burrus’ inquiry, City Manager Bobkiewicz agrees to implement any policies the Council approves. He explained that the Public Works Department has implemented policies according to Council direction.

Ald. Rainey pointed out that the Board of Local Improvements committee that also meets to make determinations as well. The City does free alley paving in Community Development Block Grant neighborhoods if the number of low and moderate-income families meet the standard.

Ald. Burrus is worried about residents dealing with peer pressure. She noted instances of residents that were afraid to confront their neighbors. Director Robinson said that residents can call Engineering and take their name off the petition. The person that initiated the petition is contacted and informed that they no longer have the required majority of signatures.

The Committee voted 3-1 with Ald. Burrus opposed to the adoption of the ordinance.
IV. ITEMS FOR DISCUSSION

**Banner Policy**

For Discussion

Director Robinson presented the updated banner policy and walked through the process. One of the major changes is to limit banners to City-funded and City-sponsored events. There are some exceptions:

- Local government entities can have banners within a block of their location.
- Hospitals and the university are also limited to a one-block radius.
- The downtown business district has its own banner program provided by Downtown Evanston.
- Major anniversary milestones (25th, 50th, 100th year) will require Council approval.

Ald. Holmes informed the committee that the Community Development Block Grant (CDBG) no longer funds the purchase of banners. Ald. Rainey asked for clarification about the no banner rule on Ridge, Green Bay or Dempster (four lane major streets - to reduce driver distraction). Director Robinson explained that the hospitals, government agencies and the university could have banners on those streets, within the one-block radius.

Director Robinson stated that banners could only be displayed between May 1st and October 31st of each year.

At Ald. Burrus’ inquiry, Director Robinson explained that staff is designing a better display system for banners at Grey Park, Ridge and Main. Installation is expected this fall.

Ald. Braithwaite asked for a provision to allow neighborhood groups to display banners to identify particular neighborhoods within the 2nd ward. Ald. Holmes says that issue may be addressed by the final wayfinding signage report in process through the Economic Development Committee. Ald. Braithwaite also added that he has received requests for small businesses to promote either a special event or a specific period of time.

City Manager Bobkiewicz explained that no agreements have been struck with the consultants on the wayfinding and there is no timeframe yet. He noted that a provision could be included in the policy if a neighborhood group agrees to pay for the banners and the cost of installation. At Ald. Holmes’ inquiry, he also agreed to confirm whether CDBG continues to fund banners.

At City Manager Bobkiewicz’s request, Grant Farrar, Corporation Counsel, explained that with respect to small businesses providing their own banners it gets into issues of content neutrality and commercial speech. If the City allows one business to install banners and denies another, the City could be subjected to challenges. It is the Law Department’s opinion that it would be imprudent to extend any type of policy that would permit such commercial speech by businesses posting banners.

The other related and ancillary point is the tort immunity issue. If a business installs
banners the City would insist they assume the risk legally, but realistically the City would be sued if a banner fell and injured someone. He felt that the policy as presented has balanced all of the above concern, considerations and legal equities.

Ald. Braithwaite sees inconsistency between provisions made for Downtown Evanston and West Evanston. He would like the same opportunities for businesses in West Evanston. City Manager Bobkiewicz explains that those provisions currently exist. If a business association develops a banner program similar to Downtown Evanston it is allowable under the policy.

VI. COMMUNICATIONS

VII. ADJOURNMENT
Ald. Rainey moved to adjourn.

The Committee voted unanimously 4-0 to adjourn. The meeting was adjourned at 7:09 p.m.

Respectfully submitted,
Janella Hardin