Administration and Public Works Committee Meeting  
Minutes of June 9, 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 6:06 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF MAY 27, 2014.

Ald. Rainey moved to approve the minutes of the May 27, 2014 A&PW meeting as submitted, seconded by Ald. Burrus.

The minutes of the May 27, 2014 meeting were approved unanimously 4-0.

III. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through May 5-18, 2014  $2,570,632.95

(A2) City of Evanston Bills -- June 10, 2014  $2,184,174.14

Credit Card Bill Activity Ending April 30, 2014  $132,118.43

For Action

Ald. Burrus moved to approve the City of Evanston Payroll (A1) through May 5-18, 2014 seconded by Ald. Braithwaite. The Committee voted unanimously 4-0 to approve the payroll.

Ald. Burrus moved to approve the City of Evanston Bills through June 10, 2014 and credit card activity ending April 30, 2014, seconded by Ald. Braithwaite. The Committee voted unanimously 4-0 to approve the bills and credit card activity.

(A3.1) Approval of Washington Street Water Main Lining Contract with Fer-Pal Construction USA, LLC
Staff recommends that City Council authorize the City Manager to execute a contract for Water Main Lining – Washington Street (Bid No. 14-34) with Fer-Pal Construction USA, LCC (1350 Gasket Drive, Elgin, IL) in the amount of $150,400. Funding is provided from the Water Fund (7330.65515), which has an allocation of $3,350,000 for water main improvements and therefore this account will be over budget by $118,478.50, assuming all projects come in as approved. Staff will monitor the entire Water Fund expense through 2014 to determine if a budget amendment is needed.

**For Action**

Ald. Rainey moved to authorize the City Manager to execute a contract for Water Main Lining – Washington Street (Bid No. 14-34) with Fer-Pal Construction USA, LCC in the amount of $150,400, seconded by Ald. Burrus.

At Ald. Braithwaite’s request, Director Stoneback explained that this will be the first that the City of Evanston will line a water main to rehabilitate it. There is a 40% cost savings in using this system rather than replacing it. Depending on how this project progresses, the City will look to use this approach in the future on other water mains of which we are not increasing the size.

At Ald. Rainey’s inquiry, Director Stoneback confirmed that this particular approach cannot be used as a remedy to a water main break. However, water mains that have had breaks in the past can still be lined using this process.

At Ald. Braithwaite’s request, Director Stoneback agreed to verify the contractor’s schedule and distribute newsletters to inform residents on this project.

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

**(A3.2) Approval of the Renewal Service Agreement with OTIS Elevator Corp. for the Civic and Service Centers, and Maple Avenue and Church Street Self Parks**

Staff recommends City Council authorize the City Manager to execute a renewal agreement of a sole source service and maintenance agreement with OTIS Elevator Corporation (949 Oak Creek Drive, Lombard, IL) for the elevators at the Service and Civic Centers, and Maple Avenue and Church Street parking garages for a 1-year term at a cost of $69,280.32. Funding will be provided from various fund sources, a table is provided.

**For Action**

Ald. Holmes moved to recommend that City Council authorize the City Manager to execute a renewal agreement of a sole source service and maintenance agreement with OTIS Elevator Corporation for the elevators at the Service and Civic Centers, and Maple Avenue and Church Street parking garages for a 1-year term at a cost of $69,280.32, seconded by Ald. Burrus.

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

**(A3.3) Approval of 2014 50/50 Sidewalk Replacement Contract with Schroeder & Schroeder Inc.**
Staff recommends that City Council authorize the City Manager to execute a contract for the 2014 50/50 Sidewalk Replacement Project (Bid 14-30) to Schroeder & Schroeder Inc. (7306 Central Park Avenue, Skokie, IL) in the amount of $352,575. Funding for this work will be from CIP Funds $250,000 (415864.65515) and private funds $122,575.

For Action
Ald. Braithwaite moved to recommend that City Council authorize the City Manager to execute a contract for the 2014 50/50 Sidewalk Replacement Project (Bid 14-30) to Schroeder & Schroeder Inc. in the amount of $352,575, seconded by Alderman Rainey.

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

(A4) Resolution 41-R-14, Open Space Land Acquisition and Development (OSLAD) Grant Application
Staff is requesting adoption of Resolution 41-R-14 for an OSLAD grant through the Illinois Department of Natural Resources (IDNR) for the Lovelace Park Athletic Field Renovation Project for the maximum grant award of $400,000.

For Action
Ald. Burrus moved to recommend adoption of Resolution 41-R-14 for an OSLAD grant through the Illinois Department of Natural Resources (IDNR) for the Lovelace Park Athletic Field Renovation Project for the maximum grant award of $400,000, seconded by Ald. Rainey.

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

(A5) Resolution 45-R-14, Prevailing Wage Act Compliance
Staff recommends City Council adoption of Resolution 45-R-14 in order to comply with the provisions of the Illinois Prevailing Wage Act, 820 ILCS 130/0.01, et seq. The Act requires that public entities establish prevailing wages in June of every year for certain laborers, workers, and mechanics. The Act also requires that contractors and subcontractors pay workers covered under the Act, who are employed on public works construction projects, a wage no less than the general prevailing rate of wages in the county where the work is performed.

For Action
Ald. Rainey moved to recommend City Council adoption of Resolution 45-R-14 in order to comply with the provisions of the Illinois Prevailing Wage Act, 820 ILCS 130/0.01, et seq. The Act requires that public entities establish prevailing wages in June of every year for certain laborers, workers, and mechanics. The Act also requires that contractors and subcontractors pay workers covered under the Act, who are employed on public works construction projects, a wage no less than the general prevailing rate of wages in the county where the work is performed, seconded by Ald. Braithwaite.

The Committee voted unanimously 4-0 to recommend adoption of the resolution.
(A6) Ordinance 39-O-14, Allowing the Sale of Beer at Automobile Service Stations
Local Liquor Commissioner and staff recommend adoption of Ordinance 39-O-14, “Amending City Code Sections 3-4-1 and 3-4-6 By Creating the New Class O Liquor License Allowing the Sale of Beer at Automobile Service Stations Which Have More Than 3000 Feet of Interior Floor Space.”

For Action
Ald. Holmes moved to recommend adoption of Ordinance 39-O-14, “Amending City Code Sections 3-4-1 and 3-4-6 By Creating the New Class O Liquor License Allowing the Sale of Beer at Automobile Service Stations Which Have More Than 3000 Feet of Interior Floor Space”, seconded by Ald. Burrus.

Ald. Rainey explained that this initiative focuses on the Oakton station whose interior size exceeds that of some restaurants that are allowed to sell drinks by the glass. This is only for beer to be sold and consumed off premises. This is a very full service establishment with a Dunkin Donuts, Subway sandwich shop and an extensive convenience store. It is very clean and staffed 24 hours a day. This helps stations like this keep up with the economy.

City Attorney Grant Farrar confirmed that regulations of the Class O liquor license state that sale hours are between 8am and midnight.

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

(A7) Ordinance 76-O-14, Increasing the Number of Class D Liquor Licenses for DMK Burger Bar & Fish Bar, 815 Noyes Street
Local Liquor Commissioner and staff recommend adoption of Ordinance 76-O-14 amending Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class D liquor licenses from fifty (50) to fifty-one (51) and permit issuance of a Class D license to DMK Burger Bar & Fish Bar (“Company”), 815 Noyes Street.

For Action
At Ald. Fiske’s request, this item will be held in committee pending a meeting with Alds. Fiske, Holmes, City Attorney Grant Farrar and the applicant in the next two weeks.

Ald. Burrus requested that the meeting be scheduled as quickly as possible in order to not hold up the application process.

PUBLIC COMMENT
David Morton, 815 Noyes, co-owner of DMK Burger and Fish explained that he is still endeavoring to get a license to serve a limited selection of beer only. At Ald. Burrus’ inquiry, Mr. Morton explained that he has attended approximately four meetings in regards to this application. Ald. Burrus stated that she is hopeful that Mr. Morton will have a meeting scheduled so that there is no further delay in this process.
Ald. Holmes clarified that there have only been two meetings regarding the liquor license. The previous meetings were for the restaurant license. Ald. Burrus acknowledged the number of meetings it has taken to get something done and it is being held up for another two weeks.

At Ald. Braithwaite’s inquiry, Mr. Morton explained that the intent is to sell only 5-6 craft beers. The total capacity of the restaurant is 26 people.

At Ald. Holmes’ inquiry, City Attorney Farrar confirmed that Class D licenses permits sale of alcoholic liquor. He explained that the representation made by the applicant tonight to only serve beer has not been present in the application materials until now.

Ald. Rainey made a reference to the committee to review the ordinance again to ensure that establishments that request only the sale of beer and wine serve only those items and nothing more. She suggested enumerating the specific license requests (Example: 1. Beer; 2. Beer and wine; 3. Beer, wine and alcohol).

Matt Doherty, 2122A Maple, part of the Firemen’s Park Neighborhood Group expressed a great deal of concern about improving the quality of family life on Noyes Street. He also raised concerns about issuing a liquor license that is not just limited to beer, as well as Mr. Morton’s statement that DMK would not be selling wine or liquor “at this time.” Mr. Doherty explained that the prevailing opinion of the families in the area is opposition to this license.

Barbara Janes, 802 Colfax, is opposed to this issuance of this liquor license. She does not understand how DMK could be limited to selling just beer under the current Class D license. She also noted that there is no requirement to sell food with liquor in this ordinance. She expressed concern that with the issuance of this license to DMK, other establishments like D&D and Rolling To Go, will be next to apply for such a license. Ms. Janes explained that this would change the character of Noyes Street. She asked that whatever parties meet with Mr. Morton confirm in writing that DMK would only serve beer.

Ald. Burrus confirmed that both the Noyes Street Café and D&D Finer Foods sell beer and wine.

Ald. Fiske, 1st Ward alderman, noted that there has been significant discussion in the neighborhood since learning about the liquor license application by DMK. She explained that DMK testified that they would not seek a liquor license when they made their application for a Type 2 restaurant at the Site Plan and Appearance Review Committee meeting in March. She was not notified as the ward alderman prior to the May meeting where DMK requested the Class D liquor license.

Ald. Fiske explained that serious concerns have been raised regarding this establishment selling liquor. This venue is very small with no tables and only a bar area. She explained that there is support for beer and wine at the establishment, but absolutely no support for alcohol. She supports Ald. Rainey’s suggestion to revise the ordinance to carve out specific license requests.
Ald. Fiske is extremely concerned that the way the ordinance is written, a patron could refuse to buy food but still purchase an alcoholic beverage. That means the Type 2 establishment could function as a bar. There are only four Type 2 restaurants in the City, mostly in the downtown area, with the exception of Panino’s on Dempster and Dodge.

Ald. Fiske explained that this is a neighborhood shopping district where the neighbors are very invested in keeping the quality of shopping high.

Mr. Morton welcomed the dialogue regarding his restaurant. He leased the space with the assumption that a liquor license would certainly be an option given the number of establishments adjacent to his with liquor licenses. He applied for the license after patrons asked if they could have a beer with their burger.

Mr. Morton explained that he and his partner are restauranteurs, not barkeeps. Beer is simply an amenity they offer guests with their food. He completely understands the concern, however the vast majority of their sales is in food not alcohol.

Ald. Holmes confirmed that this item will be held in committee. Pending a meeting with the applicant, this item will come back to the June 23rd meeting.

**(A8) Ordinance 77-O-14, Increasing the Number of Class U Liquor Licenses for Piccolo Theatre, Inc., 600 Main Street**

Local Liquor Commissioner and staff recommend adoption of Ordinance 77-O-14 amending Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class U liquor licenses from zero (0) to one (1) and permit issuance of a Class U license to Piccolo Theatre, Inc. (“Company”), 600 Main Street.

**For Introduction**

Ald. Burrus moved to recommend adoption of Ordinance 77-O-14 amending Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class U liquor licenses from zero (0) to one (1) and permit issuance of a Class U license to Piccolo Theatre, Inc. (“Company”), 600 Main Street, seconded by Ald. Rainey.

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

**(A9) Ordinance 73-O-14, Establishing a 3-Way Stop at the Intersection of Wesley Avenue and Seward Street**

Staff recommends City Council adoption of Ordinance 73-O-14 which would amend Section 10-11-5(C), Schedule V(C) of the City Code to establish a 3-Way Stop at the intersection of Wesley Avenue and Steward Street. Funding will be through the General Fund-Traffic Control Supplies (2670.65115), with a budget of $40,000 for FY 2014.

**For Introduction**

Ald. Rainey moved to recommend City Council adoption of Ordinance 73-O-14, which would amend Section 10-11-5(C), Schedule V(C) of the City Code to
establish a 3-Way Stop at the intersection of Wesley Avenue and Steward Street. Funding will be through the General Fund-Traffic Control Supplies (2670.65115), with a budget of $40,000 for FY 2014, seconded by Ald. Burrus.

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

IV. ITEMS FOR DISCUSSION

VI. COMMUNICATIONS

VII. ADJOURNMENT

Ald. Burrus moved to adjourn.

The Committee voted unanimously 4-0 to adjourn. The meeting was adjourned at 6:43 p.m.

Respectfully submitted,
Janella Hardin