Administration and Public Works Committee Meeting
Minutes of September 9, 2013
City Council Chambers – 5:45 p.m.
Lorraine H. Morton Civic Center

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

MEMBERS ABSENT: C. Burrus


STAFF ABSENT: R. Voss, B. Dieter, K. Cox, R. Dahal, S. Levine, B. Newman,

PRESIDING OFFICIAL: Ald. Rainey

I. DECLARATION OF QUORUM

A quorum being present, Chair Rainey called the meeting to order at 5:53 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OF AUGUST 12, 2013.

Alderman Rainey moved to approve the minutes of the August 12, 2013 A&PW meeting as submitted, seconded by Ald. Holmes.

The minutes of the August 12, 2013 meeting were approved unanimously 4-0.

III. Chair Rainey called the public who wished to speak to the podium.

Junad Rizki of 2784 Sheridan, inquired about electrical contractor trucks parked at the Harley Clarke Mansion. A) Mr. Rizki requested an investigation from the Council to determine if the City authorized and paid for the work performed at the Harley Clarke Mansion. The terms of the lease state that the Arts Center is responsible for maintenance and improvements of the property; B) Mr. Rizki’s concerned that the Arts Center operates a metal shop and houses many solvents. Has the Fire Department carefully assessed the electrical operations of the building?

Response from City Manager, Wally Bobkiewicz: The City did not authorize or pay for and is not responsible for any work performed at the Harley Clarke Mansion. A report will be presented to the Human Services Committee Monday evening that will cover many of the issues Mr. Rizki raised.

IV. ITEMS FOR CONSIDERATION

(A1) City of Evanston Payroll through 8/11/13 $3,118,740.84
    Payroll through 8/25/13 $2,882,062.15
For Action

Ald. Rainey moved to approve the City of Evanston Payroll through 8/11/13 and 8/25/13, bills list and credit card activity, seconded by Ald. Holmes.

The Committee voted 4-0 unanimously to approve the bills list and credit card activity.

(A3.1) Approval of Parking Garage Access and Revenue Control Contract with DataPark, Inc.

The Transportation/Parking Committee and staff recommend that the City Council authorize the City Manager to enter into a contract with DataPark, Inc., (1631 Neptune Drive, San Leandro, CA) to provide maintenance for the DataPark Parking Access and Revenue Control System for City’s three (3) Downtown parking garages from August 1, 2013 – December 31, 2013 in the amount of $5,550.00 per month for a total 2013 cost of $27,750. Funding is provided by the Parking Fund, Account #7036.62509.

For Action

Ald. Grover moved to recommend approval to enter into a contract with DataPark, Inc., seconded by Ald. Holmes.

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

(A3.2) Approval of Rock Salt Contract Extension with Morton Salt

Staff recommends City Council approval of a one-year contract extension for the purchase of up to 8,000 tons of rock salt from Morton Salt (123 N. Wacker Drive, Chicago, IL) at a cost of $60.61 per ton for a winter season total of $484,880. Staff recommends funding for this purchase be provided by the General Fund Snow and Ice Control Account 2680.65015.

For Action

Ald. Holmes moved to recommend approval of a one-year contract extension for the purchase of 8,000 tons of rock salt from Morton Salt, seconded by Alderman Grover.

Alderman Grover inquired about the overall snow maintenance and removal budget. Director Robinson replied that while we are over budget on salt, personnel costs are under budget. The budget also covers the salting of the sidewalk, which is a different type of salt. The City must address business district street conditions promptly during winter months.

At Alderman Rainey’s request, Director Robinson explained that some funding will come from the 2014 budget although it has not passed yet. The reason is the change in fiscal year. Salt is purchased by winter season, which spans 2 years.
The Committee voted unanimously 4-0 to recommend approval of the contract extension.

(A3.3) Approval of Arbotect Fungicide Purchase from Rainbow Treecare Scientific Advancements
Staff recommends approval of the sole source purchase of 82 gallons of Arbotect fungicide for Elm Tree Injection Program from Rainbow Treecare Scientific Advancements (Minnetonka, MN) at $385 per gallon for a total purchase amount of $31,570. Funding is provided by the 2013 General Fund account 3535.62496 with a budget of $46,000.

For Action

Ald. Braithwaite moved to recommend approval of the amendment, seconded by Ald. Holmes.

Alderman Rainey requested Director Paul D’Agostino to discuss the effectiveness of the injections. Mr. D’Agostino reported that all public elm trees over 10 inches in diameter will receive injections this year. Effectiveness of the injections is 98%.

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

(A3.4) Approval of Contract with O’Hara Construction, Inc. for the 2013 Police Headquarters Interior Improvements (Bid 13-55)
Staff recommends that City Council authorize the City Manager to execute a contract for the base bid for the 2013 Police HQ Interior Improvements with O’Hara Construction, Inc., located at 636 Ridge Avenue, Evanston, Illinois 60202, in the amount of $48,742.84. Funding is provided by FY 2013 CIP Account 415743 with a budget of $62,000.

For Action

Ald. Rainey moved to recommend approval of the contract, seconded by Ald. Braithwaite.

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

(A4) Resolution 53-R-13, Accepting Maximum Award Amount of $46,171 from Age Options to Fund a Congregate Senior Meal Program
Staff recommends City Council approval of Resolution 53-R-13 authorizing funding of meal program at the Levy Senior Center 5 days per week and Fleetwood-Jourdain Community Center 1 day per week.

For Action

Ald. Grover moved to recommend approval of Resolution 53-R-13, seconded by Ald. Holmes.

The Committee voted unanimously 4-0 to recommend approval of the Change Order.
(A4.1) Approval of 2013/14 Renewal of contract award to Catholic Charities Lunch-n-More for Senior Meal Food Programs

Staff recommends City Council renew the contract between the City of Evanston and Catholic Charities Lunch-n-More (6212 S. Sangamon, Chicago) to provide a congregate senior meal program at the Levy Senior Center and Fleetwood-Jourdain Community Center for a period of October 1, 2013 through September 30, 2014 in the not-to-exceed amount of $4.36 per lunch meal. Total meal program contract value is projected at $44,868. This is a reimbursement meal program.

For Action

Ald. Holmes moved to recommend renewal of the contract, seconded by Ald. Grover.

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

(A5) Ordinance 88-O-13, Amending Hotel-Motel Tax Definitions

Staff recommends City Council adoption of Ordinance 88-O-13. The City’s current hotel-motel tax Code language contained in Section 3-2-4 does not contain a definition of “operator” or “person.” The amended ordinance clears up any ambiguity in the City’s hotel-motel tax code and associated tax collection responsibilities for online travel companies.

For Action


Alderman Rainey asked if the City would join the class action suit. City Attorney Grant Farrar is still gathering and evaluating data regarding the court action. He will provide an updated report at a subsequent A & PW meeting.

The Committee voted unanimously 4-0 to recommend approval of Ordinance 88-O-13.

(A6) Ordinance 90-O-13, Proposed Revisions to Title 3, Chapter 4 Liquor Control Regulations

Staff recommends consideration of the comprehensive revision of the City Code concerning liquor regulations. The Mayor and Local Liquor Control Board recommend adoption following discussion conducted in March and April 2013.

For Action

Ald. Rainey moved to approve the proposed revisions to Title 3, Chapter 4 Liquor Control Regulations, seconded by Ald. Holmes.

Ald. Rainey asked if children can enter a bar in Evanston. Alderman Grover stated establishments have communicated that children can enter, but they cannot sit at the actual bar. City Attorney Grant Farrar stated there are certain establishments with signage that restrict the entrance of minors. There is no specific language in the City code that reaches that level of detail. The individual owner’s liquor liability policies set the standard.
Ald. Rainey expressed deep concern about the need for a one-day liquor license for a minor in a public building. What are the controls? For larger parties that are required to have security present, is security responsible for checking identification of patrons consuming alcohol? Mr. Farrar indicated that parties that request issuance of a one-day liquor license are required to complete Basset training. Mr. Farrar then proposed taking this matter before the Liquor Control Board prior to bringing it back to Council.

Ald. Holmes asked if the public understood when it is necessary to apply for a one-day liquor license. Mr. Farrar answered that the liquor license application asks if liquor will be sold at the event.

Ald. Grover requested a redline version of Title 3, Chapter 4 Liquor Control Regulations from Mr. Farrar. He will e-mail the document to members of the Committee for review. Ald. Rainey proposed holding this ordinance in Committee until further review.

At Ald. Rainey’s request, Mr. Farrar explained that the purpose of reordering the sequence of the licenses is to provide a better flow to the categories. Ald. Grover requested a chart included with the amended code for applicants to reference. Mr. Farrar indicated that effective January 1, 2014, the forms and website will include a visual reference.

After discussion, the Committee voted unanimously 4-0 to hold approval of revisions to Title 3, Chapter 4 pending receipt of additional information.

V. ITEMS FOR DISCUSSION

(APW1) Banner Policy

Director Robinson recommended changing the existing banner policy due to potential liability of their maintenance. She asked for the following considerations:
A) Restricting time period of banner display (during good weather) – May 1st through October 31st.
B) Limit display time to 3 months with a 3 month renewal option.
C) Restrict banners from routes with four lanes of traffic (Ridge Ave. and Green Bay Rd. in particular).
D) Restrict banners to City-sponsored events and City-funded banners. Exceptions are banners purchased as part of economic development or CDBG funding.

Ald. Rainey suggested altering the proposed policy to allow major institutions like Evanston Hospital, Northwestern University and Saint Francis Hospital to have banners on Ridge Ave. if they pay for their own contractors and waive all liability. She is agreement with the ban on Green Bay Rd. because of the danger it presents to City employees hanging banners, but not to Ridge Ave.

Director Robinson asked City Attorney Grant Farrar to speak to the City’s liability of banners attached to our lightpoles. Mr. Farrar discussed issues he is aware of in the City of Chicago where banners have fallen and obstructed traffic. He explained that the first entity to appear on a lawsuit is the City.
Ald. Braithwaite asked how the business districts will be affected under the new policy, citing Chicago Chicken and Waffles is in the process of creating banners for Dempster St. Director Robinson responded that the business districts will be affected. Dempster St. is an Illinois Department of Transportation (IDOT) route, not a City of Evanston route. Banners and signage that are not City-sponsored or City-funded are considered private advertising and restricted under the proposed policy. She indicated that the business will be required to apply for a banner application. Ald. Braithwaite noted that currently there are West Evanston business banners posted on Dempster St.

Director Robinson explained the purpose of the proposal is to restrict private advertising on our light poles using City employees. This discussion is part of a process to develop an ordinance that is beneficial to all. Her concern is also that there are no current restrictions on the content of messages on banners.

Ald. Grover suggested allowing businesses to display banners for a 6 month season with the option to renew for the next 6 month season. Ald. Holmes suggested Ald. Braithwaite reach out to the West End group to include them in the business district.

At Ald. Braithwaite’s inquiry, Director Robinson explained the driving issue of this proposal is cost. It costs the City $210 to post a banner for private advertising for a business. This issue was originally part of a budget discussion centered around increasing fees to cover our costs as well as charge a fee for advertising.

City Manager Wally Bobkiewicz advised that with the additional feedback from the committee, he is ready to propose a formal policy at a subsequent meeting before taking it to Council.

Ald. Holmes commented that the banners in her ward are still up because of concerns about the cost to take them down. However, once she receives signage for the blocks and block clubs all banners will be taken down.

City Manager Bobkiewicz responded that focus groups on signs are almost complete and findings will be presented to the Transportation and Parking Committee. He added that with the implementation of signage in lieu of banners in business districts, banners will be used mainly for special events like anniversaries and new business openings.

VI. COMMUNICATIONS
There were no communications.

VII. ADJOURNMENT

Ald. Rainey moved to adjourn, seconded by Ald. Braithwaite.

The Committee voted unanimously 4-0 to adjourn. The meeting was adjourned at 6:41 p.m.

Respectfully submitted,
Janella Hardin