ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Monday, February 23, 2009
CIVIC CENTER, 2100 RIDGE AVENUE, ROOM 2404


Members Absent:

Staff Present:  Chief Berkowsky, David Cook, Dolores Y. Cortez, Ken Cox, Rajeev Dahl, Bob Dornecker, Doug Gaynor, Rodney Greene, Susan Guderley, Elizabeth Howlett, Jewell Jackson, Lonnie Jeschke, Pat Keegan, Kevin Lookis, Marty Lyons, Dennis Marino, Joseph McRae, Elke Purze, Interim City Manager Rolanda Russell, Paul Schneider, Donna Spicuzza, David Stoneback, Evonda Thomas, Lisa Woods

Others Present:  Kym Auchsetter, MARSH Insurance
                 Shirley Evans-Wofford, Lambent Risk Management Services

Presiding:  Ald. Wollin

I. DECLARATION OF QUORUM
With a quorum present, Alderman Wollin called the meeting to order at 5:42 p.m.

II. APPROVAL OF MINUTES OF REGULAR MEETING of February 9, 2009
Minutes were unanimously approved.

(A1)* City of Evanston Payroll through 02/19/08 $2,226,715.45
Item A1 was unanimously approved 5-0

(A2)* City of Evanston Bills through 02/24/08 $2,112,553.44
Ald. Wollin suggested Committee make a motion to approve and then take a second to review the bills list responses. Ald. Jean-Baptiste moved for approval, Ald. Hansen second.

Ald. Wollin referenced the late billing item from North Shore:

2460.67140 NORTH SHORE SENIOR CENTER APRIL SERVICES 3,275.00
Question:  What is the reason for the late submission of this expense?
Answer:  This will be addressed by staff at the A&PW meeting.

Evonda Thomas (Director of Health & Human Services) explained, “I contacted North Shore Senior Center today. North Shore stated it was an oversight on their part. They applied a payment that we did reimburse them for to the incorrect month. When they realized it, they resubmitted for the April billing. So it was an oversight on their part.”

Ald. Wollin confirmed with Ms. Thomas that North Shore credited it to the wrong month and it wasn’t a duplicate payment. Ald. Rainey asked, “How could an organization so desperate for money could miss a payment and move on?  Ald. Rainey feels that after 90 days, we don’t get their request submitted, then they don’t get reimbursed. After 90 days if you can’t get your paperwork in, shame on you.”  Ald. Wollin asked if there was any policy. Ms. Thomas confirmed no, there was no policy.
Ald. Wollin referenced the attached Letter from Childcare Network:

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2460.67010 CHILDCARE NETWORK JUNE SERVICES 10,803.33  
2460.67010 CHILDCARE NETWORK JUNE SERVICES 5.00  
2460.67090 CHILD CARE CENTER OF EVANSTON OCTOBER SERVICES 1,516.67  
2460.67010 CHILDCARE NETWORK JULY SERVICES 10,803.33  
2460.67010 CHILDCARE NETWORK JULY SERVICES 5.00  

**Question:** What is the reason for the late submission of these expenses?  
**Answer:** Attached is a letter from the Childcare Network of Evanston explaining why they were behind in submitting billing for the Citywide Scholarship.

Ald. Wollin summarized the reasons Childcare cited for falling behind in their billing submissions per the letter and asked the following question, “Did they only discover this when they did their internal audit? #4 because of staff turnover, our Director of Finance and Operations… conducting and internal audit of the state subsidy files to review eligibility of clients, prior to billing… I’m wondering if they noticed during their audit that they hadn’t billed their services?” Ms. Thomas stated that it is not clear to her when they discovered that they didn’t submit the payments. She requested from the Executive Director to actually give her an explanation as to internally why they didn’t submit their payments and that is the explanation she gave. Ald. Holmes feels the letter sounds like they might not have had their documentation together and that might be the primary reason. Ald. Rainey asked, “Why doesn’t staff question a check dated for a prior month? She believes our Finance Director would be extremely concerned and that our books would be screwed up. Marty Lyons (Finance Director) explained, “It’s all in the same year and when it’s goes past that, yes, we have a situation. What I would like to work towards is with these ongoing contracts, where we’re starting to see we’re at the tenth and eleventh month and we only have nine or ten payments, then we start our own process. While we don’t like to pay bills, we do like to stay current on what we do owe.” Ald. Wollin asked if there were any further questions.

Ald. Jean-Baptiste referenced:

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5192.62770 AAA ALLIED BOARD-UP & GLASS, I 1708 DARROW/BOARD-UP 1,410.00  
5192.62770 AAA ALLIED BOARD-UP & GLASS, I 1710 DARROW/BOARD-UP 1,230.00  
5192.62770 AAA ALLIED BOARD-UP & GLASS, I 1633 FLORENCE/BOARD-UP-REAR 170.00  
5192.62770 AAA ALLIED BOARD-UP & GLASS, I 1633 FLORENCE/BOARD-UP 290.00  

**Question:** Why are these boarded? Are these foreclosed, bank owned? Who owns these properties?  
**Answer:** 1708 and 1710 Darrow are both owned by Housing Opportunity Development Corporation (HODC). Both are currently vacant, and there were squatters in both buildings. Lack of funds from HODC caused the City to follow normal procedures to board and lien the property. Any future loans granted to HODC through the City will pay back the City for boarding these properties. 1633 Florence is vacant and was boarded to prevent squatters. While in the process of boarding, the Inspector as well as the workmen smelled an unusual odor. The police investigated the next day and the final door was boarded after a walk through ensured no one was living in this vacant building. Liens have been recorded against this property for the cost of boarding.
Ald. Jean-Baptiste asked if the City gets reimbursed for the board ups eventually. Dennis Marino (Interim Community Director) responded, “Yes, we file liens for the property so when the property is sold, we get our money back at that point. In other cases, someone would come to us for a loan and we would extract the money that’s owed at that point.

Ald. Jean-Baptiste asked “For entities like HODC, do we bill them for this immediately or do we waive? Mr. Marino explained that we normally bill them for it immediately. They indicated they didn’t have the funds to cover it. So the City put a lien on the property. Also HODC has submitted a loan application to rehab these two buildings which the City will add in the loan amount the amount of money to recover the board up cost. Ald. Wollin was a little unclear and asked “We’re adding into the loan what they owe us?” Mr. Marino replied right, and further explained, “Normally we would get the money back from the board up expense once the property sells. But in this case they are going to try and take these two buildings which had been vacant for over two years and rehab them. So they’re applying for a loan. Ald. Wollin asked “So why wouldn’t we subtract what they owe us from the loan?” Mr. Marino replied, “That’s what we’re doing. We’re adding to the loan the extra amounts to cover these two board-ups. They city gets paid out of the proceeds of the loan. So in effect we reimburse ourselves.”

Ald. Rainey asked “What security do we have? They’re saying they can’t even afford to board up the building, but where going to give them a loan to fix it up?” Mr. Marino explained “These two buildings were purchased by HODC as part of the Darrow Corners Project. And when they were not able to proceed with that project, they elected at that point to rehab and fill the buildings, and so the building have been a blight on that block. And we’ve had people constantly break in and squatters and we’ve had some police problems as well, so we decided to use our own board-up to make sure it was done thoroughly.

Ald. Rainey has done her own research and found thousands of dollars of board up charges with only one lien on one of the properties for $3,000. “We have to get on top of these filings. What good does it do to file a lien on HODC’s building? I thought they were one group we could count on and now you’re telling me something that is very scary. I think before we go forward aren’t we going to do some very deep thinking about whether or not we’re going to give them a loan?” Mr. Marino reiterated the focus being on getting the buildings revitalized so they are not a problem for the neighborhood. As part of the underwriting of the loan application staff looks at what other funds the group is able to generate for rehabbing and operating those two buildings. Ald. Rainey, “That might be fine for the one but what about the Florence Building. What condition are these places in? Would it be better just to declare them uninhabitable and structurally unstable and knock ‘em down, demolish them?” Mr. Marino replied, “Including the case of the two Darrow buildings, we’ve had our Property Standards Group look at that, they can be rehabbed. So they can be salvaged without a doubt. They’re sizeable properties. HODC actually owns the Darrow, they didn’t auction the properties, they bought them.”

Ald. Rainey, “That’s what I mean they have control of the properties.” Mr. Marino replied, “They own both properties.” Ald. Rainey confirmed 1633 Florence was not owned by HODC and is abandoned. Ald. Rainey asked Mr. Marino to review the expenditures on those two buildings. She understands maintenance is necessary and if she was living next to these buildings she would insist the City be out there. She asked, “Where do we draw the line? We might as well contract with some board-up company to pass these places once a week and board up.” Ald. Holmes added a comment about the numerous police reports that necessitate the board-ups. Ald. Rainey, “How much can we afford?” Ald. Jean-Baptiste encourages staff to have a discussion with HODC to reach a timetable for rehab completion. Mr. Marino confirmed that discussions are currently taking place to move these two buildings forward.”
Ald. Rainey referenced:
Page  7
2550.62490 WHITE, ANDREW INTAKE SERVICES/CLINIC DAY 425.00
*Question: What is this and what is intake for clinic day for community services?
Answer: HHS received a one time grant to conduct screenings. The screenings were held on February 6, 2009. Andrew White worked two days conducting intake, screening assessments and data entry. The grant paid for services rendered totaling the $425.00. The grant approves a $25.00 dollar an hour rate.

Evonda Thomas (Health & Human Services Director) apologized and explained to Committee that in responding to Committee’s question perhaps the wrong wording was used. It wasn’t a clinic day, it was an all day screening service. This person was actually hired to do the intake for all of the screenings that we provided for that day.” Ald. Rainey accepted the response and noted that nowhere does it specifically mention prostate or any medical connotation. Ms. Thomas further explained, “The screenings were for different services: cholesterol, final assessments, cardiovascular screenings. So there were several screenings for that day. The grant actually paid for all of the screenings services that we provided.” Ald. Rainey asked did Andrew White do the screening? Ms. Thomas clarified that Andrew White actually did the intake and the screenings were provided by other entities in the community. Ald. Wollin asked if there were further questions. Ald. Holmes asked Ald. Rainey about the Teen Pregnancy Grant. Ald. Rainey stated that for years all she saw was trips to Navy Pier and bus fares and never saw any actual Peer Educator Services, never saw Home Visitor Services. She always thought this operated out of Family Focus. She didn’t know staff did home visits.

Ald. Rainey referenced:
Page  16
5275.63055 MCGAW YMCA *REPL LOST CK 358334 25,807.00
*Question: What is this explanation – who and how does a $25,807 check get lost? What was this for?
Answer: The McGaw YMCA Residence Passenger Elevator Rehabilitation project is being funded, in part, by a grant from the COE as part of the City’s 2008/09 CDBG program. This check was for the first installment for the rehabilitation of the Y elevator. As usual, the CDBG distributions were sent to the recipient agencies via U.S. Mail. McGaw YMCA never received this check. Staff normally waits 30 days from the check date to stop payment and reissue a new check. To facilitate the kick-off of the project, the Y paid the contractor using other funds and now seeks reimbursement. 

Ald. Rainey continued, “It looks to me like they issued $50,000 worth of checks.” Susan Guderley (Neighborhood Planner) explained, “We had to do two checks.” Ald. Rainey asked why. Susan Guderley replied, “The first check that was sent to them, was sent to McGaw and they never received it. We had to wait 30 days to make sure that it hadn’t cleared. It was cancelled and they issued another check for the first installment. The second check is the one to Colley Elevator Company.” Ald. Rainey reiterated, “We have two checks on the bills list today for $50,000. One is to replace a lost check. The second check is the second payment. I thought we gave them three different payments. We know
that check was never cashed.” Ald. Wollin asked if there were further questions. Ald. Rainy noticed that there have been no marketing expenses for CHODO for the $30,000 the City has set aside. She called for action regarding CHODO’s marketing.

Ald. Rainey referenced:

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**7000.62660 EVANSTON HOTEL ASSOC. LLC MOTEL TAX REBATE** 70,573.53

**Question:** What is our commitment? How long? How much and how does the rebate compare to last year?

**Answer:** According to the January 26, 2000 Third Amendment to the Redevelopment Agreement; the rebate shall equal the amount actually collected by the City from the Hotel at an Hotel Occupancy Tax Rate of 2% for the current remaining life of the TIF District (2008). The payment for the 3rd and 4th quarter of 2007 was $72,570.09. In comparison, the payment for the 3rd and 4th quarter of 2008 was $70,573.53.

The Motel tax rebate, Marty, that ends…” Marty Lyons completed the sentence, “…with the close of the TIF that is about to expire.” Ald. Wollin asked if there were any further questions.

Item A2 was unanimously approved. 5-0

**(A3.1)** Approval of Lowest Responsive and Responsible Bids (09-59) for 2009/10 Water Treatment Chemicals

Recommend approval of lowest responsive and responsible bids (09-59) for Water Treatment Chemicals, from Polydyne (One Chemical Plant Road, Riceboro, GA) in the amount of $26,400; JCI Jones (600 Bethel Avenue, Beech Grove, IN) in the amount of $40,725; Alexander Chemical Corporation (1901 Butterfield Road, Downers Grove, IL) in the amount of $190,500; Carus (181 Woodlawn Avenue, Belmont, NC) in the amount of $144,265; and Usalco (1120 Middle River Road, Baltimore, MD) in the amount of $184,921.50 for the total amount of $586,811.50. Funding for the purchase of water treatment chemicals is provided by the Water Filtration accounts and the Water Fund.

Ald. Wollin read the list of vendors and dollar amounts. Ald. Rainey noted the extraordinary 42% increase over last year. Ald. Wollin mentioned the provision of the two year one contract extensions, is that the same price - if we can? Kevin Lookis (Assistant Superintendent of Water & Sewer) replied, “Yes, if we can. They’ve been known to do that the last few years.”

Item 3.1 was unanimously approved 5-0

**(A3.2)** Approval of Purchase of Insurance – Property, Excess Liability, Excess WC, Fine Art, Professional Liability & Crime

Recommend approval that the City purchases our various insurance coverages as outlined herein and the attached memorandum. This year our insurance premiums total $552,564. In January 2009, the Law Department conducted an independent review of property insurance indications and received quotes from several carriers in addition to FM Global, the City’s previous carrier. The remaining polices were placed by the City’s insurance broker, Marsh USA. There is funding available in the Insurance Fund.

Ald. Rainey asked “In the information that we received, it says that one of the reasons we had an increase it was due to the inflationary increase in property value of 12 million dollars over last year. I’d like to know what we have that increased 12 million dollars over last year unless we’ve bought 12 million dollars worth of new property.
Elke B. Purze (Interim First Assistant Corporation Counsel) replied “What we usually do in preparation for insurance renewals is send to each of the various departments and Facilities Management property value worksheets. It’s kind of an in-house appraisal.” Elke Purze gave a short description of what it includes. She doesn’t know when if any time the City has ever had an actual property appraisal. “What we’ve been doing at least since I’ve been doing the insurance renewals, I take the CPI (Insurance Market Industry Standard Index) and raise the property value.” Ald. Rainey asked what would 12 million dollars in increased property value add to the City’s coverage over last year. Elke Purze explained, “You take the overall property value and multiply by it by the rates, this year we’re getting better rates.” Ald. Rainey would argue that the City’s property values have not increased 12 million dollars over the past year. Ald. Rainey feels that just because the City has always done it that way, staff might look at a different option this year. Ms. Purze informed Committee, “We are going with Traveler’s, which is a new carrier.” Ms. Purze introduced Shirley Evans-Wofford (President/CEO of Lambert Risk Management Service), she helped us with our property insurance this year. “I believe Traveler’s have offered… (turning the floor over to Ms. Evans-Wofford). Ms. Evans-Wofford continued, “to reduce the rates and the pricing even though you had 12 million increase in value.” Ald. Rainey interjected to say “Because you don’t believe we could possibly have had a 12 million dollar increase.” Ms. Evans-Wofford continued, “It’s not that I don’t believe you could not have possibly had an increase, we go by a market price of a building in today’s market. So the insurance companies have a rating system that they use to make sure the value of the buildings are of current replacement value. If a building went down today, that’s the replacement cost of that building today, not yesterday.” Ald. Rainey understands replacement value but this doesn’t say that. Ms. Evans-Wofford explained, “Your property premium reduced by $150,000 with this renewal even with a 12 million dollar increase in values and coverage too. Ald. Rainey assured her excitement but was still concerned about the 12 million dollar increase in value. Shirley Evans-Wofford reminded Committee members that the City hasn’t been appraised in ten years. There’s a very good probability that the buildings were improperly valued. Ald Wollin reminded Committee members of the addition of the Water Plant. Ms. Evans-Wofford explained to Committee members, “If your values were low to begin with, well there’s going to be an inflation of values when you actually go out and recalculate, so over a five to ten year period, if you’ve been carrying values that were not correct, this year we’re finally getting them where they need to be there’s going to be a 12 million dollar difference. But this year with the market being what it is today, you were able to save money instead of adding additional premium to your bottom line costs. So instead of paying for that 12 million dollar increase you actually got a decrease in premium of $150,000. Traveler’s has agreed to come out and appraise the buildings for you at no additional cost.” Ald. Jean-Baptiste wanted to know who’s responsible for the city’s properties appraisal. He wanted to understand why the City has not been appraised the value in five years and possibly under-insured. Elke Purze responded saying, “At one time we had a risk management position with a risk manager and a director and I believe it was their responsibility. It ultimately fell into the Law Department and we’ve been doing it since 2000, 2001. We’ve just taken the previous property insurance values that we had with FM Global and … information from the various departments. If there were any changes with the building or the Fire House, we add new machinery, we add all that information, business interruption insurance, we do cover all that as best as we possibly can. But we do need a proper appraisal.”

Item 3.2 was unanimously approved. 5-0
(A3.3)* Approval of Purchase of 50 Tallmadge Replacement Luminaries from KSA Lighting

Recommend approval to purchase fifty (50) Tallmadge Replacement Luminaries from KSA Lighting LLC (1200 Central Avenue, Hanover Park, IL) in the amount of $68,000. Funding provided by the CIP Streetlight Upgrade Program.

Ald. Wollin pointed out the discount in stocking a four year supply. Ald. Rainey noted that she asked the Interim City Manager what kind of property damage we had from this last icy storm. She saw some streets last week that were closed off. She asked if there were a bunch of poles and signs down. She believes it was last week. The Interim City Manager will report to Committee as soon as possible. Ald. Jean-Baptiste felt it was important to note the City is down to three luminaries and in case the City needed to replace some immediately, the City would be very short. He noted the time of delivery taking two to three months, it’s important staff gets some in the warehouse. Ald. Jean-Baptiste asked Paul Schneider (Director of Public Transportation) if the new luminaries will have increased capacity/wattage? Mr. Schneider responded the replacements were done just recently in the past five years. Ald. Jean-Baptiste disagreed; he stated the replacements were not done throughout the city. Mr. Schneider stated the Tallmadge replacements were complete, we still have to replace the davit–arm luminaries. Item 3.3 was unanimously approved 5-0.

(A3.4)* Approval to Renew the Annual Sole Source Maintenance and Support Agreement With the Oracle Corporation

Recommend approval to renew the annual sole source maintenance and support agreement with the Oracle Corporation (1001 Sunset Boulevard, Rocklin, CA) for the City’s Integrated Resource Information System (IRIS) software in the amount of $170,854.06. The agreement is effective from March 1, 2009 through February 28, 2010. Payments to Oracle Corporation are made quarterly, in four equal payments of approximately $42,713.51. Funding provided by the Computer Licensing and Support operating account.

Ald. Wollin cited two financially beneficial factors in paragraph four of the “Background” section in the staff memo. Ald. Rainey referenced the “Future” section of the staff memo: “Regardless of the decision made, the City will continue to use the current system for at least the next year. Staff will be providing a report to council on this matter during FY2009-10.” One of the things she thought was interesting was what did this have to do with JD Edwards. She asked if this was the JD Edwards System. Marty Lyons (Finance Director) responded yes. Ald. Rainey gets negative comments and the need for modification from various staff. She asked Pat Keegan (GIS Manager) for the truth about JD Edwards and noted that JD Edwards has cost us millions and millions of dollars. She asked Mr. Keegan did he like it? Mr. Keegan addressed Committee responding that he likes it, he is proficient at it and is able to get his job done. He assured Committee that they will be hearing about JD Edwards in the upcoming year. Committee asked for a sneak preview. Staff responded that the full investigation has not been completed yet, but there will be some suggestions on how to improve the system and that has to be weighed against all other options. Doug Gaynor (Director of City Operations) added “What staff is going to do is actually sit down with employees who have provided positive and negative feedback to make a determination what the problem is. In some cases they have found in some preliminary discussions, is just strictly training. We have some folks who haven’t gone through the training or have gone through the training and haven’t quite got it or need to go back to training.
In other cases and talking to Mr. Lyons there may be some applications that aren’t being used, or we don’t know how to use them, or we haven’t implemented them in the system. We’re going to go through and do an analysis and see if it’s training or if it’s actually the product we have. As you know it was quite expensive when we purchased it six years ago. Before we make a recommendation to do anything, we want to make sure what it is it may or may not be doing for us.” Ald. Rainey reminded staff of JD Edwards being the great answer to all things and being the “be all and end all”. Ald. Jean-Baptiste requested a report that covers the past and looks at the future. Pat Keegan commented that the system has been very stable and that the emails Committee refers to may be misleading and more about routine maintenance. Ald. Jean-Baptiste requested that staff examines time of transition, what the City has purchased, what it is supposed to do, is it doing it, in terms of people not being trained, what do we have in place as a system to train people so they could be up to par. Ald. Jean-Baptiste finds it unreasonable to discard the system when all that needs to be done is training.” Committee would like a sense of what’s going on as staff comes back for renewal so we can get an understanding as to what we have right now. Mr. Lyons added, “The city’s ‘09-‘10 goal is to look at our options, looking at the budget we gave to you, we can’t suggest a new 3 million dollar system. With ERI and other turnover we lost a large portion of the people who were also our proficient users, they were our high-end folks involved in purchasing, involved in payroll, involved in h/r. And a lot of those folks, when they left, we lost a lot of our users and we do depend a lot on “train-the-trainer”. We lost a lot of our trainers at the same time. He could compare other systems from previous experience but he won’t make that comparison until JDE/IRIS is given a fair shake with trained people. Mr. Lyons believes the software is full of capabilities. Ald. Rainey asked Mr. Lyons if it was possible that staff is not using JDE/IRIS to the extent it could possibly be used. Marty Lyons responded, “Yes and it could be for a variety of reasons. This is a case of both sides needing to work together to make this system work well and we both have our transition issues.”

Item 3.4 was unanimously approved 5-0.

(A4)* Resolution 13-R-09 Authorizing the Interim City Manager to Sign Joint Agreements with The Illinois Department of Transportation (IDOT) for Participation of the Construction and Construction Engineering Cost with Christopher Burke Engineering, Ltd. for the Chicago Avenue Traffic Signal Upgrade Project

Consideration of proposed resolution 13-R-09 authorizing the Interim City Manager to sign the joint agreements with the Illinois Department of Transportation (IDOT) for participation of the construction cost for the Chicago Avenue Traffic Signal Upgrade Project and construction engineering fee with Christopher Burke Engineering, Ltd. (9575 West Higgins Road, Suite 600, Rosemont, IL) in the amount of $1,026,971. Funding provided by the Federal Congestion Mitigation & Air Quality Improvement (CMAQ) Program ($648,304) and Capital Improvement Funds ($378,667).

Ald. Rainey asked staff if this purchase or project triggers the hire-an-Evanston-resident because it’s over $500,000 and it’s referred to as construction? Mr. Schnieder responded, “In this case, because there’s federal money involved, IDOT won’t allow us to attach the local employment program.” Ald. Jean-Baptiste requested clarity on the “IDOT won’t allow us…” Rajeev Dahal (Senior Traffic Engineer), added that the project is going to be bid by IDOT, not the city.
Ald. Holmes asked the range of the project, “The project will be from South Blvd to Dempster, will be completely replaced right, and then from Grove to Greenwood.” Mr. Dahal explained the three signals that are down and the perimeter of the project. Ald. Jean-Baptiste commented about the previous vision before his arrival to council. He asked if the city is doing this kind of replacement throughout the city or is this something focused on that part of town. Mr. Dahal responded no, PublicWorks will get signals that need upgrading on a regular basis. PublicWorks has applied for funding on a regular basis in different locations. Mr. Schnieder added that staff will find out later in the year if those projects get awarded or not. Item 4 was unanimously approved. 5-0

(A5)* Ordinance 2-O-09 Amending Title II, Section 2 of the Evanston City Code “Parking and Compliance Violations

Consideration of proposed ordinance 2-O-09 by which the City Council would rename the existing title to incorporate inclusion of compliance offenses and amend various portions to be the prevailing policy on the Adjudication of Parking and Compliance Violations for the City of Evanston.

Ald. Rainey wanted to know what she read about a traffic compliance officer. Elizabeth Howlett (Staff Attorney) responded that it would be the Chief of Police. She explained that that was already part of the code, the Law Department just added the traffic tickets section. Ordinance 2-O-09 is really more of a house cleaning ordinance. The Law Department did a lot of house cleaning and added this extra section. Ald. Rainey asked if the child restraint was part of this. Ms. Howlett replied no, what’s not a part of it is the teenagers that are required to have a certain number of people in the car and they all have to be seat belted.

Item 5 was unanimously approved. 5-0

(A6)* Ordinance 18-O-09 Amending Subsection 3-2-14-2 (A) Cigarette Tax: “Tax Imposed”

Consideration of proposed ordinance 18-O-09 amending subsection 3-2-14-2 (A) Cigarette Tax: “Tax Imposed” as adopted by the City Council in the FY10 budget, for an increase of $.10 to the City’s Cigarette tax bringing the tax from $.50/pack to $.60/pack.

Ald. Rainey asked about city implementation expenses. Marty Lyons (Finance Director) explained, “No, because we only need to approach the six or seven wholesalers that have the new stamps. They will go out and do the rest in getting it to all the retailers. Ald. Rainey asked about making it a round dollar. Seems like such a small increase given the enormity of our problem. Ald. Wollin added it’s also the competition against neighboring suburbs.

Item 6 was unanimously approved.

** Chairman Wollin noted that Committee is still looking at a license for a BYOB (Bring Your Own Bottle) restaurant. Joseph McRae (Assistant to the Interim City Manager) confirmed that the City currently does not have a code for BYOB. Ald. Rainey is asking for a guideline or something, not necessarily a license. Ald. Holmes asked if there were going to be a revisions period. Joe McRae stated yes.
IV. ITEMS FOR DISCUSSION

AT&T VRAD Box Installation Update:

Chairman Wollin opened with an update on councilman attendance noting herself and Ald. Jean-Baptiste attended the meeting, then turned the floor over to the Interim City Manager Rolanda Russell. Ms. Russell facilitated the AT&T VRAD Box Installation Update memo distribution to Committee and turned the floor over to Mr. Schneider. Paul Schneider highlighted the following points: AT&T has completed all work on 50 of the 87 permitted VRAD box locations. There are four remaining categories: (1) VRAD cabinets already installed but splicing/wiring to be completed: 18 locations; 16 permits renewed on January 28, 2009 to complete work. (2) Concrete pads previously poured, underground conduit work completed: five locations; four permits submitted to renew the placement of the VRAD boxes on the concrete pads. (3) Permits previously issued but work not started: 14 locations; two permits submitted for renewal to start work. (4) Potential future work: seven VRAD boxes, 10 other work: Permits have not been submitted. The City’s tentative agreement with AT&T for the four categories is as follows: (1) One location has been completed. Seven locations are in progress. No work will start on the remaining eight locations until Council review on Monday, February 23, 2009. Categories 2 – 4, AT&T will wait until March 2, 2009 for the City Council Rules Committee’s review and establishment of process for the remaining work. Paul closed with AT&T’s plan to address citizen concerns about VRAD box fan noise. The City will go out and measure/compare/examine the noise testing to evaluate certain AT&T claims that they don’t exceed certain noise levels. The concern is more at night than during the day. Once the fan has been replaced, noise levels will be looked at as well as other locations. At this point in our review, six of the locations, we would recommend that the new permits, AT&T would be allowed to continue with those. We want to go back and review the process. So clearly our recommendation is to proceed with the six. Ald. Wollin noted that will be on the March 2nd Rules Committee meeting. Ald. Wollin asked if there were further questions. Ald. Rainey asked fellow committee members if they had heard anything about the boxes blowing up. Rajeev Dahal responded that discussion is currently being held. Ald. Jean-Baptiste requested AT&T’s response regarding the boxes “blowing up” be distributed to Council members.

V. COMMUNICATIONS

VI. ADJOURNMENT: 6:43pm

Respectfully submitted:
Dolores Y. Cortez
Executive Assistant, City Manager’s Office