ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Monday, December 14, 2009
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers


Members Absent:

Staff Present: Wally Bobkiewicz, David Cook, Dolores Cortez, Joellen Daley, Bob Dorneker, Steve Drazner, Suzette Eggleston, Grant Farrar, Shanee Jackson, Lonnie Jeschke, Jacqueline Johnson, Marty Lyons, Joseph McRae, Jeff Murphy, Paul Schneider, Bruce Slown, David Stoneback, Evonda Thomas, Ricky Voss, Lehman Walker

Others Present:

Presiding: Ald. Rainey

I. DECLARATION OF QUORUM
With a quorum present, Chairman Rainey called the meeting to order at 5:50 p.m.

II. APPROVAL OF MINUTES OF REGULAR MEETING of November 23, 2009
Minutes were unanimously approved, 5-0 as amended. The spelling of Mr. Rizki’s name was corrected.

III. ITEMS FOR CONSIDERATION
(A1)* City of Evanston Payroll through 11/22/09 $2,454,625.20
City of Evanston Payroll through 12/6/09 $2,266,482.18
A1 was unanimously approved, 5-0

(A2)* City of Evanston Bills through 12/15/09 $2,771,015.57
Ald. Rainey complimented the financial controls on the cost of producing two vehicle stickers for the coming year. It only cost an additional $100.00.
A2 was unanimously approved, 5-0

(A3.1)* Sole Source Purchase of 24 Hach Turbidimeters for the Water Utility
Staff recommends City Council approval of a sole source purchase of twenty-four (24) Model 1720 E Turbidimeters from Hach Company (5600 Lindberg Drive, Loveland, CO) in the amount of $66,588.14 for the Evanston Water Utility. Funding is provided by the 2009/2010 Capital Improvement Program, item number 733087.
A3.1 was unanimously approved, 5-0

(A3.2)* Award of Agreement for Concrete Inspection at the Evanston Water Utility (RFP 10-75)
Staff recommends City Council approval of an agreement in response to RFP 10-75 to provide engineering services for the Inspection and Evaluation of Concrete in the 1913 Facilities of the Evanston Water Utility with CTL Group (5400 Old Orchard
Road, Skokie, IL) in the not-to-exceed amount of $60,000.00. Funding will be provided from the Water Fund 7125.62180.
A3.2 was unanimously approved, 5-0

(A3.3)*Award for Installation, Removal, and Repair of Law Enforcement and Emergency Fire Response Vehicles’ Lights and Emergency Equipment (RFP 10-76)
Staff recommends approval of the lowest responsive and responsible proposal (RFP 10-76) for installation, removal, and repair of law enforcement and emergency Fire response vehicles’ lights and emergency equipment in the amount of $60,473 to Havey Communications (28835 Herky Dr. #117, Lake Bluff, IL). The contract will be for the period of December 15, 2009 through December 14, 2010. The 2009-2010 budget for Installation, Removal, and Repair of Law Enforcement and Emergency Fire Response Vehicles/Equipment is $60,473. Funding provided by the Fleet Services Fund for Major Maintenance 7710.65060.
A3.3 was unanimously approved, 5-0

(A3.4)*Proposed Operating Agreement between the City of Evanston and Smithfield Properties XXXII, L.L.C., for an Outdoor Natural Ice Rink on Property Previously Known as the Kendall Property
Staff recommends City Council approval of the proposed agreement between the City of Evanston and Smithfield Properties XXXII, L.L.C., whereby the City would develop and operate an outdoor natural ice rink on the property previously known as the Kendall property (2408 Orrington Avenue). There will be no financial impact to the City to develop and operate the ice rink.
Ald. Fiske thanked everyone in Parks and Recreation for moving this plan forward. This is the second year that it has been proposed. The neighbors are thrilled. They are also volunteering to keep the area clean and neat. Ald. Holmes agreed that it was a fantastic idea but asked how much staff time would be used. Bob Dorneker (Superintendent Recreation) said that existing staff while on duty are given the task of icing the rink. It is all done on regular time. Ald. Holmes asked if there would be anyone supervising the area to which B. Dorneker relied that supervision is not provided. Marty Lyons (Assistant City Manager) said the City has the same liability as for unsupervised tennis courts and other venues. Ald. Rainey asked when the City covers something like this rink is the City self-insured of does it come under an umbrella. M. Lyons said that it is self-insured to a certain point and then it falls under the Park Facilities umbrella. Ald. Rainey asked if this addition will be covered and M. Lyons stated that it would be, all facilities are included. Ald. Holmes noted that James Park had a liability issue. M. Lyons said that the issue is scheduled to be discussed for the 2010-2011 budget for both employees and residents. Ald. Burrus asked if the City is obligated to put the property back the way it was after the ice melts. Is there enough staff available? Ald Rainey asked what the tasks are of the staff. B. Dorneker stated that when the weather allows, they would freeze the area. At the end of the season, they clean up any remaining trash. Ald. Fiske pointed out that this is a natural ice rink, just like a backyard. When thawed, grass seed is sown.
A3.4 was unanimously approved, 5-0

(A3.5)*Approval of Downtown II TIF District Close Out
Staff recommends approval to transfer all remaining Downtown II TIF funds on December 31, 2009 to the Parking fund for the payment of debt service on the Sherman Ave. Garage or for the potential use in repayment of tax appeals/refunds awarded after the Downtown II closure.
Ald. Rainey thought both pay downs should be done if possible. Earlier she had asked if TIF monies can be used in other districts and M. Lyons replied that they can only be
applied to contiguous areas. Downtown II monies could be used in the Washington TIF District. He said that there will be a follow-up as escrow is set up. The set aside he predicted would be less than the 12/01/10 bond payment. Last year all the variable debt was paid off. Ald. Rainey said that the public heard that 1.3 million was left in the TIF but with tax appeals, etc. it is only 600 thousand. M. Lyons mentioned that when the County has a refund to make, there is no disbursement, the County holds the funds. Ald. Rainey asked if the appeal was approved and M. Lyons said it was, if not, it could not be in the levy. The current refund will be a reduction on the levy. Steven Drazner (Assistant Finance Director) relayed that the City refinanced the variable rate debt into a fixed rate debt. Ald. Rainey asked if Mr. Lyons will return with better figures and M. Lyons said that in January he will have the final figures. Ald. Jean-Baptiste asked that it be clarified if the monies are frozen or not.

A3.5 was unanimously approved, 5-0

(A4)* Resolution 63-R-09 Amending the Title and Scope of the Parking Committee to Be the Transportation/Parking Committee

Staff and the Parking Committee recommend City Council approval of proposed Resolution 63-R-09 amending the title and scope of the Parking Committee to be the Transportation/Parking Committee as recommended in the Multi-Modal Transportation Plan.

A4 was unanimously approved, 5-0

(A5)* Resolution 89-R-09 Authorizing the City Manager to Enter into an Amended Lease Agreement with SMBC for the Observation Tower Cell Site in the Lorraine H. Morton Civic Center

Staff recommends approval of Resolution 89-R-09 to amend and extend the existing lease between Verizon Wireless and the City of Evanston for the observatory space in the Lorraine H. Morton Civic Center for continued use as a cell tower. Ald. Rainey noted that she always asks Dave Cook if the City gets enough money and she felt obligated to say that a consultant recently said that Mr. Cook is doing an excellent job. She asked if the Committee is being asked to approve two five-year lease extensions from 2010 and D. Cook (Superintendent of Facilities) said yes.

A5 was unanimously approved, 5-0

(A6)* Resolution 91-R-09 Authorizing City Manager to Execute a Lease Agreement with Artist Sarah Kaiser for Use of Studio B-9 at the Noyes Cultural Arts Center

Staff and the Evanston Arts Council recommend City Council approval of Resolution 91-R-09 authorizing City Manager to execute a lease agreement with artist Sarah Kaiser for use of Studio B-9 at the Noyes Cultural Arts Center. Revenue from rent payments will be posted to account 3710.53565 (Noyes Center) in the City of Evanston General Fund.

A6 was unanimously approved, 5-0

Items A7 and A8 were held for the end of the meeting as they are discussion items.

(A9)* Ordinance 118-O-09 Amending Section 3-2-16-2 of the Evanston City Code “Tax Imposed” (Parking Tax)

Staff recommends City Council approval of proposed Ordinance 118-O-09 amending Section 3-2-16-2 of the Evanston City Code “Tax Imposed.” The ordinance is recommended by staff to bring the ordinance in line with the current tax, raising the tax on the city owned garages on monthly rates to $25, which was effective on March 1, 2008 when the monthly permit was raised to $85.
Ald. Rainey noted that this ordinance had to do with a parking tax in 2008 that needs to be codified.
A9 was unanimously approved, 5-0

(A10)* **Ordinance 120-O-09, Decrease in the Number of Class B1 Liquor Licenses for Bill’s Blues Club**
Local Liquor Commissioner and staff recommend approval of proposed Ordinance 120-O-09 which amends Section 3-5-6(B1) of the City Code to decrease the number of Class B1 liquor licenses from 7 to 6 due to the liquor license revocation of Bill’s Blues at 1029 Davis Street, 60201.
A10 was unanimously approved, 5-0

(A11)* **Ordinance 121-O-09 Transferring the Jurisdiction of Dempster Street from Sherman Place to Forest Avenue from the Illinois Department of Transportation to the City of Evanston**
Staff recommends City Council approval of proposed Ordinance 121-O-09 transferring the jurisdiction of Dempster Street from Sherman Place to Forest Avenue from the Illinois Department of Transportation (IDOT) to the City of Evanston. The ordinance is recommended by staff in order to take jurisdiction of the intersection of Chicago Avenue and Dempster Street. There is no funding required for this ordinance.
A11 was unanimously approved, 5-0

(A7)* **Snow Towing – One-sided Street Parking**
Staff recommends City Council discuss current snow towing regulations and one-sided street parking, and provide direction to staff. Staff will provide oral report only.

Ald. Rainey asked Suzette Eggleston (Interim Public Works Director) why cars cannot be moved from one side of the street to the other. S. Eggleston said that it has to do with signage, compliance, and enforcement. If the residents do not comply, trucks and emergency vehicles cannot move down the street. In addition resigning of the streets would be required. Ald. Tendam has requested a two sided street to be changed to a one sided street. Ald. Rainey asked if she was referring to only one block. S. Eggleston replied yes and that she understood that the Alderman wanted this item discussed at the full Council but procedure meant she had to start at A & P.W. Ald. Burrus noted that she has had residents complain about receiving tickets. She asked that especially for the viewing audience that the policy be explained. S. Eggleston related how one sided or two sided streets have snow removal by the even number and odd number system. Over four inches of snow requires residents to move cars on specified days from even side to odd and vice versus the next day. Ald. Burrus mentioned that is past years volunteers were available to move cars for those who cannot do so themselves. She asked Ms. Eggleston if she was coordinating that program. S. Eggleston said that the volunteer service was handled by Human Services. She mentioned that Evonda Thomas (Director Health and Human Services) had a program in place all year. Ald. Jean-Baptiste asked if cars with handicap plates were towed. S. Eggleston said they were. Ald. Fiske asked if the owner was issued a ticket and S. Eggleston said yes, they were. Ald. Jean-Baptiste noted this may be what Alderman Burrus’ constituent is looking into. Some residents need help but how is the City to troubleshoot? Maybe Nancy Flowers (Health and Human Services) could compile a list of those with special needs. R. Voss (Manager Parking Systems) noted that there are not two prices involved. Relocation is $100.00; there is not an additional towing charge. Research would be needed on this question as not all vehicles have special need licenses. Ald. Rainey stated that we brag about the support of the neighborhood groups, a neighbor should help. However, this help can only be after the
fact. How can they do it in advance? Ald. Holmes agreed that not all special needs residents have a handicap license. An appeal could be filed if a ticket is issued. Volunteers are great she continued if available. As a City, we want to be responsive to needs but this goes too far. Ald. Rainey asked what the Judges say at adjudication and S. Eggleston said she did not know. She noted that Streets and Sanitation does have a back-door pick-up program for giving help to residents that need help getting their garbage carts to the curb. Ald. Rainey said the City cannot be responsible for relocating vehicles, granting an appeal and paying the towing firm for residents with special needs. The cost should be calculated in advance and noted as a figure to cover exceptions to appealed tickets. Ald. Jean-Baptiste stated that the City must see what it can do. Ald. Rainey said some with special needs plates would move their own cars. This has to be an after the fact process. If the City relocates a car and there are special circumstances and appeal can be filed. Then the City will pay for the relocation. Wally Bobkiewicz (City Manager) said the concern was, no law or policy currently exists. It is a Council decision to do so. Ald. Rainey said that she has never heard of people wanting to eliminate parking. Ald. Jean-Baptiste thought that this was not a Council discussion. He felt that they could meet with Alderman Tendam and the Parking Committee and modify procedures. S. Eggleston stated that if this is done, there will be compliance issues, new signs will be required and they will have to be changed back in the spring and again in the next winter. Ald. Rainey recommended that the committee not pursue this discussion. W. Bobkiewicz said Ald. Tendam was informed by staff that this could not be done without a policy change from the City Council. However, if he wants it to be a full council discussion, so be it. Ald. Jean-Baptiste suggested that Ald. Tendam should present this item at the next Parking Committee meeting.

(A8)* Street Parking Enforcement for Non-Passenger Vehicles

Staff recommends City Council discuss current, street parking enforcement regulations for non-passenger vehicles and provide direction to staff. Staff will provide oral report only.

R. Voss said that under State statute, the City could not weaken the definition of passenger vehicles to include certain non-passerger vehicles that are solely used as passenger vehicles. The recommendation to the Parking Committee was they cannot change the ordinance. Ald. Rainey asked if he was implying that a home-rule municipality cannot make a change to an ordinance for when a commercial vehicle, used as a private vehicle, is parked in front of the owners’ home in a restricted area even though a large vehicle can park there. Grant Farrar (City Attorney/Corporation Counsel) mentioned that this item has been in the works since last summer. He noted that the Illinois vehicle code is very specific. Mr. Voss, he continued, is correct about amending the ordinance. Ald. Rainey asked if he Council could change the ordinance for vehicle types. G. Farrar said the City has to operate within the confines of the State definitions. Ald. Rainey asked if the ordinance could not be worded to say passenger vehicles and pick-up trucks without commercial signage. G. Farrar thought the ordinance could be re-written rather than amended. Ald. Holmes said don’t re-write; let the neighbors give approval for the parking issue on their street. Ald. Jean-Baptiste asked 1) how does the City define passenger vehicle and 2) who can park with commercial plates. When there is an issue in a Ward, signs are moved, etc. Ald. Rainey stated that in her Ward many have small pick-up trucks, smaller that most SUVs she added, that are not used for business and they cannot park overnight seven days a week. R. Voss said that a commercial vehicle is obvious. The small pick-up and the panel trucks are not included. This is historical; some neighborhoods have too many small trucks. This refers strictly to the passenger vehicle signs. Ald. Fiske said that the First Ward has many trucks parking near construction sites. R. Voss said a commercial vehicle can park in a neighborhood during the day just not at night. For evening hours, passenger vehicle designation is for cars
even a Tahoe, which is as large as a truck. Ald. Burrus noted that one of her constituents has a van with a “B” plate and it is ticketed. Can the change say passenger vehicles and “B” plates? The problem will be enforcement. How can the Police do so? I would like to find a solution as a lot of work has been put in to this item. Ald. Rainey closed the current regulation is to remain at a status quo.

IV. ITEMS FOR DISCUSSION

V. COMMUNICATIONS

VI. ADJOURNMENT

Meeting adjourned at 6:45 p.m.

Respectfully submitted:
Phillip G. Baugher