ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Monday, July 28, 2008

CIVIC CENTER, 2100 RIDGE AVENUE, ROOM 2404


Members Absent:  Ald. Hansen

Staff Present:  John Burke, Paul D’Agostino, Joellen Daley, David Cook, Rajeev Dahal, Robert Dorneker, Steven Drazner, Chief Eddington, Suzette Eggleston, Doug Gaynor, Beth Howlett, Mary Johns, Jacquelyn Johnson, Anil Khatkhate, Pat Keegan, Lonnie Jeschke, Dennis Marino, Gavin Morgan, Sat Nagar, Elke Purze, Rolanda Russell, Bruce Slown, David Stoneback, Evonda Thomas, Lisa Woods

Others Present:  Brooke Beal, SWANNC
Bob Pfister, Veolia Environmental Services
Casey Miller, Evanston Baseball/Softball Association
Jonathon Perman, Evanston Chamber of Commerce
Charles Sheridan, Local Hire, Resident

Presiding:  Ald. Jean-Baptiste

I. DECLARATION OF QUORUM
With a quorum present, Alderman Jean-Baptiste called the meeting to order at 5:50 p.m.

II. APPROVAL OF MINUTES OF REGULAR MEETING of July 14, 2008
Minutes were unanimously approved 4-0.

(A1)* City of Evanston Payroll through 07/24/08 $2,555,557.20
Item A1 was unanimously approved, 4 – 0

(A2)* City of Evanston Bills through 07/29/08 $3,212,098.83
Ald. Wollin asked about the library cleaning that covered March, April and July. She wondered what happened to May and June. She suggested that the Bills List should be clear when payments look like they could be duplicative. Gavin Morgan (Assistant to City manager) said that he would work with Accounts Payable. Ald. Rainey referred to the back rent being paid for the library. She stated that staff vacancies cannot be used as an excuse.
Item A2 was unanimously approved, 4 – 0

(A3.1)*Approval of Contract for Engineering Services for the 2009 Water Main, Sewer and Street Improvement Project (RFP 09-22)
Recommend approval of contract with Gewalt Hamilton Associates, Inc. (850 Forest Edge Drive, Vernon Hills, IL) for engineering services for the 2009 Water Main, Sewer and Street Improvements in the amount of $265,737. Funding provided by the Water Depreciation, Improvement and Extension (DIE) account.
Ald. Rainey wanted more information about the corner of Dodge and Dempster. David Stoneback (Superintendent Water & Sewer Division) said it is the site of a former gas station.

There is an agreement with the company that they need to participate with the City in its clean-up, get it done or pay the city to do it. Ald. Rainey asked how old the site was. D. Stoneback said before his time. Ald. Rainey asked how the mall got built there. D. Stoneback said it was built before the problem was identified. Ald. Rainey asked for more information to be provided. D. Stoneback said the former station is responsible for the clean-up including removing the soil. Ald. Jean-Baptist asked if the Legal Department have the terms. D. Stoneback said they do. This has been discussed and an agreement does exist. Ald. Rainey asked what agreement and what terms are there. Ald. Jean-Baptist suggested that this be held for now. Ald. Rainey thought it could go through but the City should not pay until the committee has all the information.

Item A3.1 was unanimously approved, 4 – 0

(A3.2)*Approval of License Agreement Extension for Microsoft Enterprise

Recommend approval to renew the three-year Microsoft Enterprise License Agreement with CDW-Government (CDWG, 10 Riverside Plaza, Chicago, IL) in the amount of $176,938.38, and recommend approval to include in this agreement three annual Microsoft True Up’s. The additional three-year True Up cost not to exceed $18,000. Funding provided by CIP Computer Desktop Support account. Removed on July 28th.

Ald. Jean-Baptiste told Bruce Slown that the response to questions concerning this item is appreciated. Ald. Rainey said it was the best response, it covered everything and was educational.

Item A3.2 was unanimously approved, 4 – 0

(A3.3)*Approval of Lowest Responsible and Responsive Bid (09-27) for the 2008 Alley Paving Program

Recommend approval of the lowest responsible and responsive bid (09-27) for 2008 Alley Paving Program to A Lamp Concrete Contractors (800 West Irving Park Road, Schaumburg, IL) in the amount of $789,142.50. Funding provided by Special Assessment Capital Improvement Funds.

Ald. Rainey asked if this was the same contractor she asked not to be used in her Ward. John Burke (Public Works Director) said it was. Ald. Rainey said she will support this item since there are no alleys involved in her Ward. Ald. Jean-Baptist said the firm has been more responsive. The neighbors on Asbury were very pleased.

Item A3.3 was unanimously approved, 4 – 0

(A4.1)*Approval of Change Order #1 for the Mulford/Chicago Viaduct Area Improvement Project (Bid 09-18)

Recommend approval of change order #1 with Schroeder & Schroeder, Inc. (7307 Central Park Avenue, Skokie, IL) for parking and safety improvements in the vicinity of the Mulford/Chicago viaducts in the amount of $88,362. The proposed change order will increase the contract amount from $93,000 to $181,362. Funding provided by Capital Improvement Fund Street Resurfacing Fund.

Ald. Wollin pointed out that the change order nearly doubles the original amount of the contract. Who will pay for the street widening project? J. Burke said the Street Resurfacing Fund will pay. Jean-Baptiste questioned doubling the amount contracted for. J. Burke said that this was the best bid for such extensive concrete work. Ald. Jean-Baptiste asked J. Burke if Public Works came to this conclusion due to additional work. J. Burke said they did but that it is cost saving. Ald. Rainey said she thought this was not
an increase due to error but an increase due to new work. Widening the street she stated would allow two sides of the street for parking. The cul-de-sac was very inexpensive back in the 80’s. This is a whole new project.

Item A4.1 was unanimously approved, 4 – 0

(A4.2)* **Approval of Change Order #3 for Phase III Architectural Services (RFP 06-46) for the Expansion Project at the Water Treatment Facility**

Recommend approval of change order #3 for Phase III Architectural Services for the Filter Maintenance Shop and Administration Office Expansion project to the contract with Doyle & Associates (800 South Wells, Chicago, IL) in the amount of $24,770. This proposed change order will increase the contract amount from $98,500 to $123,270. Funding provided by the Water Depreciation, Improvement & Extension Account.

Ald. Rainey stated that delays require additional payments to the vendor, Doyle and Associates which is also the next item on the agenda. She asked why are there delays and why weren’t the needs seen earlier? D. Stoneback said that the filter roof had been repaired in the 80’s and appeared sound so no boring had been done. To do so would have taken the filter out of service. Ald. Holmes asked about backup for the roof. How long should it have been good for? D. Stoneback stated that it was a lightweight concrete cover. It was scheduled to be replaced at a later date. When the structural concrete was removed it was discovered to be in poor condition. Ald. Jean-Baptiste asked if there was a warranty on the original work. D. Stoneback said the light weight concrete cover was poured for insulation against summer heat and winter cold in 1923. The warranty has expired.

Item A4.2 was unanimously approved, 4 – 0

(A4.3)* **Approval of Change Order #5 for the Evanston Water Utility Additions and Renovations (Bid 07-46)**

Recommend approval of change order #5 for the Evanston Water Utility Additions and Renovation contract (Bid 07-46) for providing additional work related to the rehabilitation of the 1895 suction well and garage area with Scale Construction (2101 South Carpenter Street, Chicago, IL) in the amount of $33,138. This change order will increase the contract price from $2,504,822 to $2,537,960 and grant a 128 day extension to the contract time. Funding provided by the Water Depreciation, Improvement & Extension Account.

Ald. Wollin thought that some of these problems should have been foreseen. She asked if the Fire Department had not come in and checked it out. D. Stoneback said extra outlets were installed creating the need to move light switches in from the hallways, and the fire light had to be moved because after this work it was obscured. Ald. Wollin asked if it is not cheaper to have clear glass. D. Stoneback said the window vendor realized his mistake. Four of the windows were missed. The vendor will absorb the cost.

Item A4.3 was unanimously approved, 4 – 0

(A5)* **Resolution 44-R-08 Authorizing the City Manager to Execute an Agreement with Pamela and James Elesh for a Donation toward the Renovation of the Jens Jensen Grotto**

Consideration of proposed resolution 44-R-08 authorizing the City Manger to execute an agreement with Pamela and James Elesh for a donation in the amount of $44,965 toward the renovation of the Jens Jensen grotto adjacent to the Evanston Art Center within the Lighthouse Landing Park.

Ald Wollin mentioned that this is an extraordinary donation. The water never worked correctly, never stayed in the grotto. She is very grateful for the donation.
Item A5 was unanimously approved, 4 – 0

(A6)* Resolution 45-R-08 Authorizing the City Manager to Sign an Agreement for the Renovation of the Jens Jensen Grotto at the Lighthouse
Consideration of proposed resolution 45-R-08 authorizing the City Manager to execute an agreement for the renovation of the Jens Jensen grotto adjacent to the EVANSTON Art Center within Lighthouse Landing with Clauss Brothers, Inc. (360 West Schaumburg Road, Streamwood, IL) in an amount not to exceed $44,965. Funding derived from a donation of Pamela and James Elesh, per resolution 44-R-08.
Item A6 was unanimously approved, 4 – 0

(A7)* Resolution 46-R-08 for the Dissolution of EVNORSKO
Consideration of proposed resolution 46-R-08 authorizing the dissolution of EVNORSKO, a Regional Alternative Fuel Cooperative comprised of the City of Evanston, Village of Skokie and Northwestern University.
Item A7 was unanimously approved, 4 – 0

(A8)* Resolution 49-R-08 Authorizing the City Manager to Accept the Donation from the Evanston Baseball/Softball Association
Consideration of proposed resolution 49-R-08 authorizing the City Manager to accept the donation of four electronic, remote controlled scoreboards from the Evanston Baseball/Softball Association to be installed on baseball fields 1 – 4 in James Park. Funding for the purchase and installation of the four scoreboards will come from the Evanston Baseball/Softball Association.
Ald. Rainey said that she had received a call about this generous donation. She asked if lighting was going to be on when there was no game being played. Robert Dorneker (Superintendent of Recreation) said it would not. Ald. Rainey said it is a good cause but will there be a problem as there was with the Levy Center sign? Will sponsorship signs be lit? Casey Miller (EBSA) said they would not. Panels at the bottom of the sign will list the sponsors. Sponsors are for many years but only two will be noted at a time. All of this is being paid for by the families.
Item A8 was unanimously approved, 4 – 0

(A9)* Ordinance 83-O-08 Establishing a Municipal Solid Waste Franchise Service and Amending Various Sections of Title 8 Chapters 5 and 5 ⅓
Consideration of proposed ordinance 83-O-08 establishing a Municipal Solid Waste Franchise Service and amending Sections of Title 8, Chapters 5 and 5 ¼ of the City Code. The franchise would require all businesses and larger residential properties to use the hauler selected and licensed by the City to remove and dispose of their solid waste. Introduced in City Council 7/14 and referred back to Committee.
J. Burke said that there is some new information to share. Brooke Beal from SWANNC has information from other communities. B. Beal said that four other suburbs are considering these options. He believes they will all pass with the next sixty days. The cities of Chicago and Highland Park have announced their intentions to go this route. A franchise will bring down the cost for most businesses. Skokie says they have saved over
administrative and public works minutes for july 28
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one million. Recycling has not changed for residents because they already do it. Businesses were given free recycling for one year and one-third stayed with the program when they were charged for the service. The reduction of green house gases and wear and tear on the streets has been good. It is now one truck instead of seven going down an alley. The State has set a deadline of October First as a way to protect other firms. After that date it will be harder to get a franchise.

Ald. Rainey asked what the legislation was. B. Beal said that if a community, under one million residents, wants to implement a franchise private hearings will be required and they will have to wait for fifteen months before a franchise can be passed. J. Burke said the committee proposed for those who would pay more that their existing rates would be frozen for up to three years. Small businesses that negotiate lower rates will have their cost held and funds from the franchise will be used to make up the difference for the period of their current contract. Ald. Rainey asked what the damage is. J. Burke said that the City has a franchise fee; the set-aside will cover the cost. Ald. Holmes asked what they thought is a small percentage. B. Beal said in Skokie 88% saved more, 6% stayed the same and 6% were held at their current prices. Ald. Jean-Baptiste asked if those prices could be frozen for five years. B. Beal said they are though normally it is only for a three year period. Ald. Wollin said, didn’t you say the price would come down in the long term. Ald. Holmes said but they are covered by the contract so you would freeze the price for one year and then over three years work up to the new price. J. Burke said the idea was to hold it through the contract period. He also said that the benefits to the community are great. Suzette Eggleston (Superintendent Streets and Sanitation) said this in the proposal, fifty thousand dollars have been earmarked for off-set fees. Ald. Rainey said that thinking of orientations, how are you going to get the information out to the businesses. S. Eggleston said the hauler has to go door-to-door and talk with each owner. They will look into container size and the frequency of pick-ups. If there is a hardship an application can be made to the City. Ald. Holmes asked who monitors the collections. Ald. Rainey included that page five says every building will have a pick-up site. How will it work? This ordinance says they must have a receptacle for refuse. S. Eggleston said the City will police the area and fine people who do not use a receptacle. Ald. Rainey asked if the Committee says yes, when will they see the bids and contract. When do they get to have influence over the hauler. S. Eggleston said that that will be part of the contract when presented to A & P W. Bob Pfister (Veolia Environmental Services) said that he was tired of hearing about recycling. This is a solid waste price with a recycling component built in to it. This analysis is for one yard container for solid waste once a week for garbage pick-up at $60.20. Veolia Services with a recycling container is $40.44. There were five or six bidders but we did not get to bid on this program. You only have one bid to look at. Are we sure commercial entities in Evanston have been priced? Here you are showing a seven year contract with no other prices. On July 14 there was a recycling rebate to the City of an estimated thirty thousand. Northwestern has been exempted as have hospitals. We, Veolia, would like the opportunity to bid. We responded to the first RFP, but this is different. Ald. Jean-Baptiste said assuming our price is X for services, do you want to give us an alternate price? S. Eggleston said when we did the RFP, we asked for a creative proposal. One vendor was creative and offered a free container for recycling. J. Burke noted that contract (planned for the August 11 A & P W Committee meeting) will discuss all of this. The City will not award a contract until the franchise is awarded. Ald. Rainey said the Committee is entitled to see this information. Jonathan Perman (Chamber of Commerce) asked if the intention for it is to be the life of a seven year
contract of the City or a contract of business. J. Burke said that this is a revenue. J. Perman stated that when the contract is over, then business can go up or into a transition. Ald. Holmes said they will have three years to get into it. Charles Sheridan (resident) said that before the City awards a monopoly, they should let others bid and he suggested that the assisted period be kept to three years. B. Pfister asked why his price of $40.44 was not as good as theirs. Ald. Wollin asked where the $60.00 came from. S. Eggleston said the City sent out a questionnaire. Businesses submitted their figures and $60.00 was the average. An Analysis was done over all proposals. Ald. Jean-Baptiste asked about the question of why not $40.00 instead of $60.00.

S. Eggleston said it could be true. Ald. Jen-Baptiste thought there could be competitors who would provide lower prices. S. Eggleston said we looked into seven years of service plus the size of the container and the frequency of service required. Ald Jean-Baptiste thought those who are lower are saved for three years and then their cost goes up. This needs to be in place by October First. So, let us discuss this at Council and get more clarification and then go into Executive Session. Ald. Rainey asked why the committee could not see the bidding information. J. Burke said he thought the ordinance was separate from the bidding. In Executive Session they could go through both, the ordinance with a draft contract. Introduction and Action. Ald. Jean-Baptist said that in Executive Session they do not have to approve. Ald. Rainey asked if bids were contingent on franchise approval. Roland Russell (Interim City manager) suggested to not discuss this now but on August 11th to see all proposals and the ordinance. By seeing all the bids a better decision could be made on the ordinance. The downside is with all the information that we do not get so far ahead that all the bidders know everything. E. Purze said this could not be done in Executive Session. Ald. Rainey said the committee usually gets a series of bids and the staff has recommended one. R. Russell said that both the ordinance and the contract will be on the August 11th agenda. Ald. Wollin said that all the Alderman should be invited. R. Russell said she will do it.

Item A9 was held in committee.

(A10)* Ordinance 84-O-08 Disposal of Surplus Property – Various Fleet Equipment and Vehicles
Consideration of proposed ordinance 84-O-08 declaring various equipment and vehicles surplus property to be sold at public auction through Obenauf Internet Auction (118 North Orchard Street, Round Lake, IL)
Ald. Holmes asked if there is a replacement for the cargo van, #257, mentioned in the memorandum, item 2. Lonnie Jeschke (Manager Fleet Operations) said there was.
Item A10 was unanimously approved, 4 – 0

(A11)* Ordinance 87-O-08 Authorizing the City Manager to Negotiate Sale of City Owned Real Estate
Consideration of proposed ordinance 87-O-08 authorizing the City Manager to negotiate the sale of city owned real estate located on the 700 block of Chicago Avenue. This is one of two ordinances required for the sale of city owned property. Ald. Rainey pointed out that this ordinance only says the lot is for sale. Dennis Marino (Interim Director Community Development) said this ordinance does not obligate the City to sell, it only announces that the City intends to negotiate the sale of City owned property. Ald. Rainey asked if this says the City has someone interested to purchase and it is going to be negotiated. Where are the bids? D. Martino and E. Purze each
stated that this is intended to be a negotiated sale and is not subject to a bidding process.
Item A11 was unanimously approved, 4 – 0

(A12)* Ordinance 91-O-08 Amending Title 9, Chapter 8 of the City Code, “Weapons”
Consideration of proposed ordinance 91-O-08 amending Title 9, Chapter 8 of the City Code relating to weapons in a manner to conform with the decision of the United States Supreme Court and to strengthen its provisions against the unlawful use of firearms in the City.
Ald. Wollin said that looking at the ordinance it is for protection in the home A gun cannot be carried or concealed in public, you cannot take it anywhere. Elke Purze (Legal Council) pointed out item 11 of the Interdepartmental Memorandum dated July 21, 2008. It states how a firearm can be legally transported.

This ordinance only allows a handgun in the home for self-protection. All else in the City ordinance remains the same. Ald. Wollin stated but not here. E. Purze said it is in the State Law. Ald. Rainey asked what the underlined passages meant. E. Purze said that reflects new parts to the ordinance. Ald. Rainey asked if there were any new obligations on our Police Department. Chief Eddington (Police Department) said that under this ordinance there were no new administrative duties. Illinois law covers much that there is no need for the City to repeat it all in our ordinance. We say it is alright to have a firearm in Evanston in your home, but we also say it is illegal to transport it if it is not broken down. Ald. Rainey asked what route the City can take to avoid having a retail gun shop in the City. Ald. Wollin says the Courts say you can place limitation on retail places. Ald. Rainey asked if that meant the City has zoning for it. E. Purze said that question should be referred to Planning & Development.
Item A12 was unanimously approved, 4 – 0

(A13)* Ordinance 92-O-08 Amending Various Sections of Title 8, Chapter 16 Entitled “Marijuana”
Consideration of proposed ordinance 92-O-08 amending various sections of Title 8, Chapter 16 of the Evanston City Code entitled “Marijuana” (8-16-2: Possession of Cannabis Prohibited and 8-16-3: Penalties or Disposition). Ordinance change to encompass prosecution of anyone within City limits in possession of cannabis.
Ald. Rainey thought it was a great ordinance unless you are a kid. She asked what was the point of this exemption. Chief Eddington, the change is in response to Aldermen that wanted the ability to prosecute minor cases locally in Admin Adjudication. Ald. Rainey moved to strike the special conditions for minors from this document. Ald. Wollin seconded.
Item A13 was unanimously approved, 4 – 0 as amended.

IV. ITEMS FOR DISCUSSION

V. COMMUNICATIONS

(APW1) Local Employment Program Ordinance
This item was moved to the August 11th agenda.

VI. ADJOURNMENT: 7:15 p.m.
Respectfully submitted:
Phillip Baugher
Administrative Assistant, Finance Department