ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Monday, August 11, 2008
CIVIC CENTER, 2100 RIDGE AVENUE, ROOM 2404


Members Absent: Ald. Jean-Baptiste

Staff Present: Joellen Daley, Dolores Y. Cortez, Robert Domeker, Steven Drazner, Chief Eddington, Suzette Eggleston, Doug Gaynor, Beth Howlett, Jewell Jackson, Shanee Jackson, Jacquelyn Johnson, Anil Khatkhate, Pat Keegan, Kevin Lookis, Martin Lyons, Dennis Marino, Gavin Morgan, Sat Nagar, Elke Purze, Rolanda Russell, Bruce Slown, David Stoneback, Evonda Thomas, Kate Todd, Lisa Woods

Others Present: Zach Koff, Bravo Development, Inc.
Bob Pfister, Veolia Environmental Services
Rodney Smith, Veolia Environmental Services
Peggy Mascenas, National Solid Wastes Management Association (NSWMA)
Frank Hillegonds, GROOT
Richard Schwartz, Schwartzhoff Cleaners
LeRoy Cox, LeRoy Cox Studio
Lenice Levy, Jamaica Jamaica
Joel Siegel, Jews for Preservation of Firearms Ownership
Ken Hayes, Harris NorthStar

Presiding: Ald. Hansen

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

II. APPROVAL OF MINUTES OF REGULAR MEETING of July 28, 2008
Minutes were unanimously approved 4-0.

(A1)* City of Evanston Payroll through 08/07/08 $2,442,632.05
Item A1 was unanimously approved, 4 – 0

(A2)* City of Evanston Bills through 08/12/08 $3,776,872.65
Item A2 was unanimously approved, 4 – 0

(A3.1)*Approval of Professional Services (RFQ 09-06) for the Clark Street Beach Restroom/Entry Drive and Dempster Street Non-Motorized Boat Storage Reconstruction
 Recommend approval of professional services with David Woodhouse Architects LLC. (230 West Superior, 6th Floor, Chicago, IL) for the Clark Street Beach Restroom/Entry Drive and Dempster Street Non-Motorized Storage reconstruction projects in the amount of $187,980. Funding provided by Capital Improvement...
Item A3.1 was unanimously approved, 4 – 0

(A3.2)* Approval of Contract (RFP 08-72) for the Purchase of a Water Utility Billing/Customer Information System

Recommend approval of a contract with Harris Northstar, a division of Constellation Software, Inc. (1 Antares Drive, Suite 400, Ottawa, Ontario, K2E 8C4) to purchase and implement the Northstar utility billing and customer information system CIS Infinity in the total amount of $552,905.30. (Purchase and implementation and first year’s maintenance at $407,361; support and maintenance for the duration of the five year contract at $145,544.30.) Funding for the purchase and implementation provided by the Capital Improvement Program, IRIS Project. Funding for support and maintenance year’s two through five provided by the Water Fund operating account.

Ald. Rainey asked David Stoneback and Kevin Lookis (Water Department) if this system (Northstar UB CIS Infinity) will interact differently than the current system with the regular reading. Kevin responded yes. Ald. Rainey stated that the other one was not satisfactory, and asked how does this (Northstar UB CIS Infinity) system differ? Kevin responded that there will be a daily reading. Ald. Rainey would like a full blown update/assessment on the JDE software. Ald. Rainey referred to a conversation with the Interim City Manager that lead her to believe JDE was not as seamless as anticipated. Kevin confirmed that the new system will interface directly with JDE.

Item A3.2 was unanimously approved, 4 – 0

(A3.3)* Consideration of Proposal from the Evanston Wilmette Golf Course Association for NU Football Parking on the Frank Govern Memorial Golf Course

Consideration of proposal from the Evanston Wilmette Golf Course Association (doing business as Frank Govern Memorial Golf Course, formerly Peter Jans) to park cars on the holes # 9, 17, and 18 during the five daytime Northwestern University home football games. This will be a one-year pilot program and does not include parking for other activities/events.

Ald. Tisdahl stated there was a meeting of about five people and the vote was initially split, then the one person that was against it later voted in favor. She supports this as a one year pilot because the golf course is in bad financial shape. Doug Gaynor (City Operations) made it clear that the City does not have the money to take over the golf course. Chairman Ald. Hansen asked if there were any further questions before requesting a motion.

Item A3.3 was unanimously approved, 4 – 0

(A3.4)* Approval of Sole Source Purchase of Mobile Vision Digital Recording System, Storage System & Antennas

Recommend approval of the sole source purchase, as an expansion of the current system, of eleven (11) Mobile Vision Digital Video Recording Systems plus storage and two antennas for the Police Department squad cars from L3 Communication (90 Fanny Road Boonton, NJ) in the amount of $69,774. Funding provided by Capital Improvement Fund.

Ald. Rainey has absolutely no problem with sole source bids. Based on the City’s experience with past camera vendors, she wanted to ensure that this is the best system the City can buy. Chief Eddington confirmed that these cameras absolutely work.

Item A3.4 was unanimously approved, 4 – 0
(A3.5)* **Approval of Lowest Responsible and Responsive Bid (09-33) for 2008 CIPP Lining**  
Recommend approval of lowest responsible and responsive bid (09-33) for the 2008 CIPP Lining Contract with Insituform Technologies, USA, Inc. (17988 Edison Avenue, Chesterfield, MO) for the 2008 CIPP Lining in the amount of $287,015.90. Funding provided by the Sewer Fund.  
*Item A3.5 was unanimously approved, 4 – 0*  

(A3.6)* **Approval of Funding Modifications and Change of Project for the Police/Fire Headquarters 2nd Floor Renovation Project**  
Recommend approval of funding modifications and change of project scope for the Police/Fire Headquarters 2nd Floor Renovation Project. Funding provided by a combination of the Police/Fire Headquarters Interior and Firing Range project accounts for a total of $1,456,965.  
Ald. Rainey referred to previous conversations regarding the firing range and the building. She went on to say, “Now we get this that tells us that we’ve known since 2007 about the problem with the tuck pointing. Why didn’t anybody tell us that all the chit chat about the firing range was a waste?” “We’re going to use money to fix the leak.” Chief Eddington explained that there were several factors that came simultaneously. Both projects; the reconstruction and the firing range came in substantially over bid. Which caused the collapse of both projects together. Additionally the leakage has escalated and so that pushed that into the forefront. Given the circumstances he felt it was best to combine the two projects and add the extensive tuck point that will be necessary to suspend the leakage. Ald. Rainey is not saying that the decision was an improper one, she’s saying it was really wrong not inform Council. Ald. Rainey asked, “When we send our officers to a fire range out of town are they on or off duty? Off duty meaning they get extra pay for going.” Chief Eddington explained it’s a combination. They use their in-service training time to do that. This month they’re using the Lake County Sheriff’s Range so that’s a four hour training block: two hours travel time two hours on the range. Ald. Wollin feels the City will have to include the cost of off site training into this project because it’s off site. She doesn’t know how that would be measured, but it would have to be done. Ald. Rainey would like a detailed report on the status of the Fire Police Station renovation. The Interim City Manager will deliver a chronological complete report. Ald. Holmes added how they may overlap. “I am trying to fit the firing range and the deterioration. How does all this come together and how does one thing affect another because it can, and we don’t always know that those kinds of things are effecting. So I think that if we had a general understanding that’s wrong there. So that maybe we can prioritize on what needs to get fixed immediately “stop the bleeding.” Ald. Rainey referred to the proposal; “…the amount available was $1,456,565. On the next proposal, the amount available was $1,269,500.” Ald. Hansen mentioned that Council has been asking questions and they have been talking about this. She recalled a meeting in June or July when Chief Eddington was out of town, it was Deputy Chief Cook that came to answer questions of how long the firing range had been inoperable. In terms of City Council’s collected memory they were thinking two years maybe. She thought it was a little under two years. Now there is talk about moving that project back two years (2010 – 2014) if she’s reading this correctly in terms of what the City is going to do and when the City is going to do it. So it does beg the question if it was just one of those things that came back over budget. That was then discussed to combine them. The money set aside for this into just renovating the second floor and pushing out the firing range, if that was something that was under consideration the whole time. Chief Eddington spoke to offer clarity: “The driver in this issue was two primary things: First, both projects came in
substantially over bid. The deterioration of the wall required us to make decisions to go and fix something and let it get leaked on. Those combination of events and once again we're looking at this over a time line, and the time line for the range has been down I believe is in excess of 3 years. This is not a matter of we're trying not to tell you what’s going on. We’re looking at bits of information as they come in and adjusting the plan. The nexus that ties all this together is CIP funds. When they’re substantially over budget, we’re working with Facilities Management to bring forward rational resolutions given the dollar constraints. The longer we procrastinate the more difficult it is to manage the more expensive it is. We’re not taking that lightly. We know that the CIP funds are not an unlimited resource. I will be more than happy to submit to Council a chronological report. The Police Department is looking at other options working with the engineer who designed the specs that came in much higher than we wanted to see if there are any more moderately priced solutions that we can plug in to get at least the ventilation system up and running.” Ald. Hansen asked if there were no other alternatives just for the next few years than to go to other communities to use their firing ranges. I know we’ve been out to Glenview and Lake County. But if you’re looking in that direction to see what we can do to get it running to be able to use it. I understand maybe we won’t be able to use it completely to get away from that travel time and the use of other people’s facilities. Chief explained at the direction of the City Manager, they are working with the engineer and focusing on the ventilation system we can probably make the backstop or bullet trap work for a while longer but the air has to be up to OSHA standards. Ald. Holmes wants to know everything that’s wrong with the building. She would like to prioritize what gets repaired. “Sometimes you just have to make choices about what has to be done otherwise we’ll just penny-annied ourselves to death. You end up with big bills coming in like this.” Doug Gaynor asked to make a quick comment, “In 1995 there was a master plan renovation for the Police Department. Over time because the number was so significant there had been appropriations put in the CIP. Funds were incrementally allotted. This is in the last project from the 1995 plan.” Doug would like include the 1995 master plan in the report to Council. Ald. Rainey stated, “This report says that in 2007 CR Crowley and Associates that there was leakage into and onto projected renovations on the 2nd floor. Those eaves had to be repaired first and by tuck pointing and sealing. Still not having been done, now we’re using the shooting range money for that. Then it says when adjusted for inflation, CR Crowley’s total est. 479k. That money is in the CIP! Why are we doing that and what’s it got to do with the firing range?! It has nothing to do with it. It’s just more foot dragging and not doing the job. Let’s do it. What’s the problem?” Ald. Rainey does not want to see anything from 1995. She feels Committee should approve this but the Committee ought to direct the Facilities Department, Doug Gaynor, and the Chief of Police not to propose any more repairs until Council is brought up to date. Ald. Wollin would like expenditures for the last four years included in the report.

Item A3.6 was unanimously approved, 4 – 0

(A3.7)* Approval of Lowest Responsible and Responsive Bid (09-11) for the Evanston Police/Fire Headquarters Partial 2nd Floor Renovation

Recommend approval of lowest responsible and responsive bid (09-11) for the Evanston Police/Fire Headquarters partial 2nd floor renovation contract with Boller Construction Company, Inc. (3045 West Washington Street, Waukegan, IL) in the amount of $1,269,500. Funding provided by Capital Improvement Fund.

Ald. Rainey asked, “Didn’t we replace the lockers in the locker rooms within the last decade or so?” Chief Eddington responded, “Yes, we did. They’re looking at the plans for the 2nd floor renovation. One of the things being undertaken is meeting with the fire code and building code. The locker rooms that are currently in use, there is a hallway being cut through them. To come up with that code we have to install a hallway that would necessitate movement of the lockers into the basement area to facilitate that hallway.” Ald. Rainey read out loud, “Skim coat plaster over glaze block. When you refer
to glaze block does that mean tile?” Chief Eddington replied, “Yes Alderman it does.” Ald. Rainey wanted to know why is the City doing that? Chief Eddington responded, “That’s what the contractor felt would be best in that particular area.” Ald. Rainey feels that it is a durable tile and the contractor must be replacing it for more than a cosmetic reason. Chief Eddington is willing to work with the contractor to find out why they’re using tile and see if we can have it removed from the contract. Doug Gaynor verbally created a visual of the construction area for committee members to understand the contractor’s logic.

**Item A3.7 was unanimously approved, 4 – 0**

(A3.8)* **Approval of Lowest Responsible and Responsive Bid (09-21) for the Asbestos Containing Material (ACM) Abatement at Police Headquarters, 2nd Floor Partial Renovation**

Recommend approval of the lowest responsible and responsive bid (09-21) for contract with Bay Environmental, Inc. (6124 North Milwaukee Avenue, #5, Chicago, IL) as the asbestos containing material (ACM) abatement contractor for the Police Headquarters Partial 2nd Floor Rehabilitation Project in the amount of $24,470. Funding provided by the 2nd Floor Police Headquarters Rehabilitation Capital Improvement Fund account. This item was held in Committee July 14, 2008 for reference check information.

**Item A3.8 was unanimously approved, 4 – 0**

(A4)* **Ordinance 83-O-08 Establishing a Municipal Solid Waste Franchise Service and Amending Various Sections of Title 8 Chapters 5 and 5 1/2**

Consideration of proposed ordinance 83-O-08 establishing a Municipal Solid Waste Franchise Service and amending Sections of Title 8, Chapters 5 and 5 ½ 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. This item was introduced in City Council 7/14, referred back to Committee, and held in Committee 7/28.

Chairman Ald. Hansen reiterated anyone’s willingness to speak to please identify yourself on the sign in sheet. Peggy Mascenas of the National Solid Waste Management Association stated the following, “We sent out communications last week regarding some survey cards that our members sent out to businesses. I was just hoping that you got them, ask me any questions. The Association represents the private sector. We like open competition. We want to be able to service our members service our customers. We think it will keep the prices down. Have people be able to switch their haulers if they’re not getting the service they need, and provide the best service possible. We’re hoping that you keep an open market.” Ald. Rainey said, “One of the things we’ve been told, in Skokie the franchise has resulted in a million dollars savings. How do you address that, were you involved in that at all?” Peggy explained that she has been with the Association for fifteen years so that was a little bit before her time. But she does know that that franchise contract set up is old. Ald. Rainey disagreed about the age of the contract and agreed it was seven years ago and reminded Peggy that she was with the Association at that time. Peggy stated she was in a different position. She went on to address Ald. Rainey’s inquiry, “Our member companies would certainly bid for a franchise if that comes out as well. But they would really prefer to keep an open market. The Village of Skokie that has a franchise, I don’t think it’s the best scenario for a business owner within the city. I don’t know if it provides the best comparative prices. It’s just a different contract. There’s all sorts of things a city this size would have to take into consideration. Our members out there want to be able to provide the best service in terms of hours in terms of the weight that they’d produce, a restaurant for example versus a car shop – totally different kinds of waste in their waste. I really can’t address why Skokie is out there, it’s just not the best option for a municipality of this size. Ald Wollin
asked if Peggy was aware that all of City of Evanston’s businesses were surveyed on what the options were for a municipal waste franchise. Jacqueline Johnson (Public Works) stated in an initial survey of July 2007 staff sent out 1700 cards, 250 responded. And what was the comparative analysis of the rates they were paying and the proposed rates. The rates were all over the board. The data was all over, franchise would be one pricing.” Peggy gave an example of various types of business owners, various types of pick up frequencies, and hours of service. She continued, “…and if their needs aren’t being met, the business owner has the option to call somebody else because when you’re dealing with business you’re dealing with the bottom line. So if we’re just talking about rates and keeping rates down for businesses, I think that the business community can be smart enough to negotiate their own rates or your own private hauler. Chairman Ald. Hansen thanked Peggy for her comments. Bob PFister, Municipal Marketing Manager, Veolia Environmental Services. “The survey of businesses was not asked about the different bids or different proposals that were submitted. That’s what I’d like to talk about tonight. What’s the best deal for the businesses in Evanston. I have yet to see the proposed prices for commercial businesses. I have yet to see the pricing matrix that has come out. If it’s such a good deal for businesses why can’t people look at it and make comments. We’ve only had one piece of paper that we’ve been able to find out about prices. And we found huge discrepancies in the prices we have versus the franchise prices. So can we see the prices that are out there for the business community? It’s a seven year contract that they’re going to be strapped with for seven years. Why can’t those prices be out before a contract is awarded? Thank you.” Chairman Ald. Hansen thanked Bob for his comments. Richard Schwartz, his wife owns Schwartzhoff Cleaners. “This is a very very interesting topic really. Veolia seems to be out there going around to all their customers basically soliciting and letting them know what the new price would be if they got hold of the franchise. I went to the meeting on 7/24 and I gave whoever it was a copy of my bill and they faxed back to me what my savings would be. It would be about $30 (franchise) a month vs Veolia saying they could save $81 a month. So my question to them again, if this has been such a big deal why haven’t you lowered my prices to begin with. There really was no real comment about it other than because there so many apartment buildings around where we are, it makes more fuel efficiency for them to basically go a half a block, make another pick up versus having to go to another block or whatever. I asked them about the contract because with Veolia and I don’t know how any of the other companies operate, you have a three year automatic rule. And if you turn around and you want to change waste haulers, you have a thirty day window to submit to Veolia a new contract or new price from another waste hauler and they have the option to turn around at that point and either accept that price or the contract has ended and then you go into a new contract with another waste hauler. So you’re basically locked into a three year to three year to three year deal whether you’re happy or not and that’s just the way it is. Going back to the business of the apartment buildings… if I’m going to save $30 doing the franchise, can I talk Veolia into saying, “you know what don’t save me $81 a month, save me $50 a month. I mean, if they can do that, that would be great. I don’t think they will, you’re pretty locked into what you have. So again I don’t know if this is a good or a bad thing it’s kind of a catch 22 situation. And I think really before all the business owners really know what we’re getting into, we need more information and another meeting. I have received no information from the City that I’m aware of. I bet you’re missing 90% of the people who this is really going to effect. We really need more information and at least another meeting.” Chairman Ald. Hansen thanked Richard for his comments and turned the floor over to Ald. Rainey. Ald. Rainey stated that the only reason she didn’t contact Mr. Schwartz was because she was led to believe that he was in support of the franchise. She felt she might have misunderstood. Richard responded “It’s a very confusing thing. You can be in support of it. And yet at the same time when you get more figures, then you can say you really don’t know if that’s really the best thing.” Rodney Smith of Veolia Environmental Services made no comment. LeRoy Cox Artist
I’m a Veolia customer, former Onyx customer. I guess my question is the sliding up of fares and prices going to be controlled in the contract. I certainly with the lady from the Association. In the past under Onyx based on driving my price up for one yard container, I said look I’ve checked with other people. I can get my container for cheaper from the guy down the road and they’ve matched the price. Currently with Veolia while satisfied with their service but I negotiated a nice price three years ago and its crept up every month. They never asked me if they’re going to raise the price, it just creeps up. Are we going to have a better deal than we did before? Do we have safeguards in place and we going to get a really good deal or are we in fact going to end up paying more using a franchise fee? If you guys have looked at this and you know for a fact that it’s locked and it’s a better deal for everybody I wouldn’t be upset about it. But if in fact if it’s going to be higher, and it’s going to escalate we have no recourse because we have no place else to go.” Ald. Wollin asked LeRoy to confirm that from month to month his price varies. LeRoy confirmed that from month to month it creeps up. No he doesn’t have a contract, it’s from month to month. Ald. Rainey asked if LeRoy submitted his bill to the City for an analysis. LeRoy stated that he did not; he filled out the card for the survey. Ald. Rainey requested Superintendent Eggleston speak and added, “…but if your costs are lower than the franchise cost that will be frozen, the lower cost for a certain period of time, 3 years?” Suzette stated, “The current proposal is that the City covers the cost to freeze your price for two years, and the contractor will hold the price for one. And after that in years four and five, your price will increase to bring you up to the franchise. And then in year six you will actually pay the franchise cost. And there are annual increases each year with the contract. And the end of contract that we are going to be talking about is 4% this year. So you’ll know exactly what your costs and it will stay stable throughout the seven year contract.” Ald. Rainey asked Suzette and Jacquelyn “if you were to know what his (LeRoy Cox) monthly cost is now for a one yard container is it…?” LeRoy responded, “My monthly cost right now is $51.” Ald. Rainey, “For a…” “One yard container, once a week pickup. That’s what I pay.” Ald. Rainey asked if staff could tell him what his cost is. Jacquelyn Johnson responded, “Based on the current rate it’s $40 a yard for once a week and you’ll get the free recycle cart.” Chairman Ald. Hansen asked why a seven year contract. Eggleston responded what the city is asking any contractor to do is make an investment. They need an opportunity to yield a return on that investment. So that initial contractor that’ll give him an opportunity for the additional costs and capital assessment that they make to get the return. So some contracts will not be as long.” Chairman Ald. Hansen asked if the free recycling service is for anyone? Eggleston stated every business and apartment complex will receive one 95 gallon recycle container. They also have an opportunity to they would have to pay a recycling fee for a larger container, but one of the things they will do once they get into the recycling mode, the contractor will come out and do an evaluation based on the amount of garbage and they may be able to reduce the size or the frequency of the container that they have to pay for a larger recycling dumpster so that they end up zero and better for the environment.” Chairman Ald. Hansen confirmed that’s regardless of how many pick ups a week or what kind of container they already have in terms of recycling. Suzette responded the Chairman’s statement is correct. Ald. Rainey asked if Eggleston was familiar with any apartment buildings that recycle in Evanston. The Alderman targeted rentals. Eggleston stated, No. She gets a lot of phone calls from apartment owners that wish to recycle. They have a lot of apartment dwellers that actually take recycling bins and drop them off in areas where the City has recycling and also to the recycling center. Ald. Rainey asked, “So now every apartment building that has this service under the franchise will have an opportunity. Ald. Rainey asked who are the large institutions other than Evanston Hospital and Northwestern who are already known to be eligible to opt out. Suzette responded those are the three entities, St. Francis, ENH, and Northwestern. Ald. Rainey asked about Jewel, Target. Jacquelyn Johnson confirmed no. Eggleston stated, “If they have a nationwide contract, they can be allowed opt out.” Ald. Rainey asked if staff knew
if they have nationwide contracts or not. Eggleston stated that she does not know how contracts are managed. Skokie is eligible to participate. D65 will save $48k a year. Chairman Ald. Hansen mentioned that if people want to opt out they can engage the City and opt out. SWANCC’s presence was acknowledged and referred to at the previous Council meeting. The Chairman read numbers in terms of what happened in Skokie. She read that 88% saved more with 6% staying the same and 6% were held at their current prices. She (Chairman Ald. Hansen) agrees with Ald. Wollin and that it should be discussed at length.

Item A4 was unanimously approved, 4 – 0

(A3.9)*Approval of Contract Award (RFP 08-61) of the Hauler for the Municipal Solid Waste Franchise

Recommend approval of contract with Groot Recycling & Waste Services (2500 Landmeier Road, Elk Grove Village, IL) to serve as the hauler for the Municipal Solid Waste Franchise. The contract will generate at least $170,000 annually in administrative fees to the City and approximately $20,000 in recycling rebates.

Ald. Wollin referred to the bid packet that was distributed to Council with their packets. Chairman Ald. Hansen explained this was the response to her late afternoon request of the City Manager’s Office. Ald. Wollin referred to the first page where it reads about residential recycling for each single family residence. Eggleston clarified that they already pick up the recycling. Ald. Wollin continued, “Then at the bottom it says ……….. based on the tonnage?” Eggleston replied, “Yes based on the tonnage and that since it’s not funneled through twice… I wanted to point out that there are representatives from GROOT here too, if you would like to stand up.” Ald. Rainey asked if there was an estimate. Eggleston responded, “We estimated at $30k a year.” Chairman Ald. Hansen will comment to support her vote: “I actually discussed this with John Burke a few weeks back. Before having the opportunity to become an elected official had numerous problems with GROOT picking up recycling. Every Monday during naptime for my small children, they would park three and four of their trucks on a residential side street with their trucks idling. I called the manager, I became elected I called the manager, I talked to our City Manager’s Office to talk to GROOT, to no avail. So with that and recently they’ve moved just within the last few months from parking on Grey in the 600 block of Grey, and I know I’m not the only family on that block with small children. I’ve even had to go up to the drivers and advised them of the idling ordinance, if you don’t move, if you don’t stop I’m going to start calling the police department to be here to issue citations. My fear is that they’re not just doing in the 600 block of Grey but they’re doing it on other quiet residential streets throughout the City of Evanston. As an Alderman of the 9th ward, as an elected official for the City of Evanston, if I couldn’t get through to do what I was asking them to do, I don’t really have much faith that they’re going to do what the City of Evanston asks them to regardless of the contract because they have our recycling contract right now. So I am voting against approving a contract for GROOT.” Ald. Wollin understands the Chairman’s concerns, and would like to give GROOT representatives a chance to respond. Ald. Wollin feels that the reasons Chairman Ald. Hansen gave were not significant enough reason to vote against a major contract if in fact it is behavior that can be changed. Chairman Ald. Hansen was repeatedly told GROOT drivers and the manager at the time that they would comply. She reminded the committee of specific staff from the City Manager’s Office calling to ask for compliance of the idling ordinance. Chairman Ald. Hansen noted the time the committee has taken office until now and GROOT is just now moving their trucks or complying with the ordinance. Chairman Ald. Hansen simply does not have confidence in GROOT and feels that the City is taking something that is in the City’s control and giving it to someone else. If there’s a conflict and they don’t respond to the citizens’ concerns about how they’re doing business in Evanston, that was enough for her to say no. Suzette Eggleston commented that for the last two and half years she has been working with GROOT on
recycling issues. Every customer service issue, compliant, she and Frank have an email chain going back and forth and every issue whether it’s missed recycling, the situation has been resolved. Suzette referred to Frank as being very responsive. They have a supervisor that’s assigned to the area in questions and they meet on a regular basis with the sanitation supervisor and they work out any issues. Suzette asked Frank to come up and talk about the idling part. Frank Hillegonds, of GROOT. “I was aware of the idling that made it to my desk a few months ago. I can’t speak for the drivers. They can be told that they are not allowed to idle their trucks. The only thing I can think of is that they’re at the end of their route, they’re calling in their notes. That just happens to be where they all finish up for the day 2:30 or 3 o’clock in the afternoon. They’re wrapping up the day, they’re calling in for notes, they’re not allowed to leave the City of Evanston until the notes are picked up. I do know when it came to my desk, it changed. Now what I did know is they moved a block down. That’s something that we stress to our drivers that we do not want this to happen. Diesel trucks that sit and idle can stink and make all kinds of fumes and we understand that so I know it was addressed, I know it’s been handled. Suzette called me directly on that one. I want to stress is that we pride ourselves when it hits a certain level things happen in day to day issues. When there’s a concern with business or any other concern it’s always been addressed. And I think the seven plus years we’ve been in town, I think the customer service response and service levels are second to none. I truly do believe that. The tons upon tons of recycling we pick up a week, there are a lot of happy residents in the City of Evanston. And we’re proud of what we’ve done and all I can do is apologize to you. I can’t speak any more to that. All I can say is please look at our picture over the past eight years.” Ald. Holmes attested to missed pickups and agreed there were no more issues with that. “Once you’ve had a chance to bid and based upon if I remember correctly from last meeting the gentleman from Yarvis telling us that one of his customers had shared their response back, and that was how he was able now to come with another fee schedule. I don’t want to misquote him but I think that’s what was said. I think probably any of the other bidders that had that kind of information would want to re-bid. Because I would imagine everyone would want to get the franchise. So that if we wanted to reopen that again that would have to be sent out to everyone, not just to one of previous bidders. But the bids came in and we got all of that information, I looked at it all weekend. In terms of the four that were here and I guess based upon the information the staff had, they chose GROOT as the preferred vendor. That’s all we have to go on.” Ald. Rainey feels that with any large operation there are misses from time to time. Ald. Rainey was not happy with Frank’s response to truck idling. Ald. Rainey totally supports the anti-idling ordinance. She encouraged Chairman Ald. Hansen not to call Streets & Sanitation, call the cops. One way to get the message across to people is through the fine they get when they get the ticket. It’s dangerous, it’s noisy, it’s bad for business. Ald. Rainey does like the way GROOT responds to missed pickups. Ald. Rainey noted that GROOT’s tabulation far exceeded the second place candidates. Ald. Wollin added that GROOT exceeded the 25% MWEBE goal. Chairman Ald. Hansen asked if there were any more comments before asking for a vote.

Item A3.9 was voted in favor 3-1 (Chairman Ald. Hansen, voted no)

(A5)* Resolution 50-R-08 Authorizing the City Manager to Accept a Donation to Purchase a T3 Personal Electric Vehicle

Consideration of proposed resolution 50-R-08 authorizing the City Manager to execute an agreement with the Cherry Family Foundation for a donation of $12,000 to be used for the purchase of a T3 Personal Electric vehicle.

Ald. Wollin noted that she appreciated the donation and the picture. She had no idea what a T3 was. She’s very supportive of the idea. Ald. Holmes asked about the safety of three wheels vs two (like the Segway). Chief Eddington noted a substantial difference in the number of spills between the 2 and 3 wheels. Chairman Ald. Hansen asked for a vote.

Item A5 was unanimously approved, 4 – 0
Ordinance 76-O-08 Authorizing the City Manager to Negotiate a Sale of 425 Dempster Street in Evanston, IL., and Authorizing the Publication of a Notice of Intent to Sell Certain Real Estate (Chiaravalle Montessori School)

Consideration of proposed ordinance 76-O-08 authorizing the City Manager to negotiate a sale of 425 Dempster Street in Evanston, IL. and providing for a publication notice for a public hearing and other procedures in connection therewith.

Ald. Wollin wanted to know when the public hearing will occur. Elke Purze (Legal) responded at the time of adoption. Ald. Wollin asked if 425 Dempster is private property and would there be payment in lieu of taxes for private? Elke Purze responded in the affirmative. Ald. Wollin asked if the city could attach a covenant so the property will never be sold to a private development. Elke believes there is currently a covenant in place that it will always be educational institution.

Item A6 was unanimously approved, 4 – 0

Ordinance 89-O-08 Local Employment Program

Consideration of proposed ordinance 89-O-08 Local Employment Program that will require general contractors and subcontractors to hire Evanston residents if certain thresholds are met.

This item was held in committee on August 11, 2008.

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. City Council referred item back to committee 7/28.

Chairman Ald. Hansen in her opening statement made it clear that the City is looking to amend not rescind the ordinance. She clearly stated and reiterated this is an amended version of the original ordinance. The second point the chairman asked her committee to be aware of the number of criminal offenses taken place in Illinois for unlawful use of weapons as well as unlawful use of weapons by a felon, as well as aggravated unlawful use of weapons because she thinks questions have come up with regards to those scenarios. The City Manager’s Office responded to a late aldermanic request to make Committee and everyone aware of what criminal code is as it stands today. The Chairman recalled an earlier committee meeting referring to when the Chief of Police addressed what ordinances the violations are written under. These are some of those basic ordinances. Chairman Ald. Hansen turned the floor over to Ald. Rainey. At the last meeting Ald. Rainey asked herself why Committee held the ordinance. She believes it was because of the outcry from some of the anti-gun people. The ordinance is completely in place and completely protects the City with the exception of the Supreme court decision to not being able to ban handguns in the home. There are some items in this ordinance that she is very curious about: It is illegal for an 18 year old to possess a handgun that is concealable within clothing. Ald. Rainey asked for clarity. Ald. Rainey believes that our Law department has covered every single possible issue. Elke Purze explained that the underlying language 9-8-2A and B is directly lifted out of the criminal code. Other communities such as Morton Grove have incorporated the criminal code into their gun ordinance by reference. The City of Evanston spells it out. That’s the distinguishing feature. As far as the 18 year old with the small weapon, the Chief can speak to the legislative history behind that. Regarding felons, that is included under the criminal statute under what Alderman Hansen shared with Council. Elke agreed with the Alderman that the Legal Department and the Police Department have labored over this ordinance. The Evanston Police Department and Legal feel very strongly that criminal
charges should be prosecuted under state laws because if it is kept under the criminal
code, they do fingerprinting and create a criminal record. Legal feels the City of Evanston
does not want to prosecute felons under local ordinance. Keep it under the criminal code.
Elke then turned the floor over to Chief Eddington. “Of that specific language is in the
statute to preclude larger target type pistols. If you’ve watched any of the Olympics,
those larger guns are not concealable, they’re handguns but it’s specifically included to
address that issue where in theory one would be supervised by a parent engaged in that
type of recreational activity.” Ald Rainey asked where the Fireman Ownership cards are
processed. Chief Eddington responded that the department has the applications, the filling
out of the forms, the money, the rules and regulations and statutes are at the State Police.
Ald. Rainey wanted to know if the City gets notified by the State Police when a card has
been issued. Chief Eddington responded no, but explained that the police can check for
valid firearm cards if they have reason to investigate. Ald. Rainey asked the Chief if he
could give the Committee an accounting of the number of Evanston registrations and is
there a different card for different guns. The Chief responded “No, the FOIA card system
is set up if you are a licensed or registered gun owner and then you can have as many as
you want. The things that are excluded are excluded whether you have a FOIA card or
not.” The Chairman asked if there was conversation of Chief Eddington processing the
FOIA cards. The Chief feels that the personnel costs that would be incurred by the
department are an unnecessary expense. Further it’s based on if everybody’s going to
always tell the truth which it has been in his experience that’s not always so. Joel Siegal
Firearms Ownership North Shore North Suburban Chapter referenced a brochure (see
attached) Illinois Statutes which he believe there’s a section 11 that prohibits
transportation. The state of Illinois has documented and incorporated in this statute legal
transportation of firearms which the City does not incorporate in their ordinance which is
a contentious legal issue. He submitted to the chair the Illinois statutes regarding
transportation of firearms which he believes need to be incorporated into the City’s
ordinance to make it justified and make it go along with the states provisions. Chairman
Ald. Hansen asked for a motion.

Item A8 was unanimously approved, 4 – 0

(A9)* Ordinance 93-O-08 Increase in the Number of Class B Liquor Licenses
Consideration of proposed ordinance 93-O-08 amending Section 3-5-6(B) of the City
Code to increase the number of Class B liquor licenses from 16 to 17 due to the
opening of Bravo Development, Inc. dba Bravo Cucina Italiana, (1701 Maple
Avenue, Evanston, IL). Liquor Commissioner requested introduction and action.
Ald. Rainey noted that nowhere in all the cases of the liquor licenses had it said that the
fingerprint information has been returned. Gavin Morgan confirmed that the
fingerprint report had been returned. The alderman requested that the City Manager’s
Office make Council aware when fingerprint information has been returned. Ald.
Rainey also noted errors in the application re: citizenship and lessor name. Chairman
Ald. Hansen asked Zachary for clarity of the lessor/applicant name. Zachary Koff is
General Manager of the Bravo Cucina and was able to respond to Council’s inquiries.
Zachary confirmed applicant’s citizenship and applicant’s name (Alton F. Doody). Ald.
Rainey asked who could make the corrections on the application. Ald. Rainey asked if
they had their food license yet. Zachary confirmed the food license and they are waiting
for a final inspection before gaining certificate of occupancy. Ald. Wollin asked for and
received confirmation of the intended opening date being August 25th. Chairman Ald.
Hansen asked if there were any further questions before requesting a motion.

Item A9 was unanimously approved, 4 – 0

(A10)* Ordinance 94-O-08 Increase in the Number of Class C Liquor Licenses
Consideration of proposed ordinance 94-O-08 amending Section 3-5-6(C) of the City
Code to increase the number of Class C liquor licenses from 23 to 24 due to the
opening of Jamaica Jamaica, LLC dba Jamaica Jamaica, (1512 Sherman Avenue, Evanston, IL). Liquor Commissioner requested introduction and action.

Ald. Wollin inquired about another restaurant referencing the beverage menu consisting of everything from carrot juice to Chevas Regal. Lenice Levy confirmed that there is another restaurant. Ald. Wollin asked if it serves liquor, Lenice replied, “Yes.” At the request of the Chairman, Lenice Levy approached the podium and stated her name as a representative of Jamaica Jamaica. Ald. Rainey stated she is the alderman across the street from her Chicago store and is concerned when the Evanston location opens. Lenice explained that she and her husband are a team. One will manage the Howard Street store, one will manage the Evanston store. Lenice currently works full time but will be retiring soon. Managing style will be very similar, the only difference being an increase in the number of staff. Lenice mentioned that they have a strong support staff. Chairman Ald. Hansen asked if there were any further questions before requesting a motion.

Item A10 was unanimously approved, 4 – 0

(A11)* Ordinance 96-O-08 Authorizing the City Manager to Execute a Contract for the Sale of City Owned Property on the 700 Block of Chicago Avenue to Devco LLC Consideration of proposed ordinance 96-O-08 authorizing the sale of City owned property in the 700 block of Chicago Avenue to Evanston Devco (AMLI Development) for $900,000. The parcel would be consolidated with two private parcels to the north for a private mixed use redevelopment project.

Ald. Rainey stated, “The reason we’re authorizing the City Manager to execute a contract for the sale is so that it will make a proposed development possible. All I can think of is Steve & Barry. What if this project doesn’t go forward?” Dennis Marino (Community Development) responded if the project doesn’t go forward, the developers unlikely could purchase other …. “Ald. Rainey cannot find the provision that Dennis is referring to restricting purchase of land if there is no development. Ald. Rainey is interested in reclaiming the land if there is no development. Marino explained that there is a financial contingency on pg. 5. Ald. Rainey is aware of that but wants something that secures the land. She can’t imagine why the City can’t include language to protect the land. Marino guarantees that the language Ald. Rainey would like to see can be included in the agreement to reclaim the property if the developer does not complete the task. Ald. Wynne agreed with Ald. Rainey. Ald. Rainey wanted to know if the Committee could see that language or will staff amend it. Dennis made Committee aware that if they could introduce it tonight, they would see it in the next meeting. Chairman Ald. Hansen asked for a motion.

Item A11 was unanimously approved, 4 – 0

(A12)* Ordinance 97-O-08 Amending Sections 1-5-9(b), 1-6-10(b), 1-7-5(b) of the Evanston City Code Decreasing the Amount of Days a Non-Aldermanic Compensation Committee Shall Submit a Report and Recommendation to the City Council Prior to the Next Regularly Scheduled Municipal Elections Consideration of proposed ordinance 97-O-08 amending various sections of the City Code allowing for additional time for a compensation committee to perform a compensation study of all elected officials and prepare a report with recommendations prior to the next regularly scheduled municipal elections.

Chairman Ald. Hansen wanted to clarify that this is an ordinance already in place. It requires Council to have a compensation committee do this study. Chairman Ald. Hansen asked for a motion.

Item A12 was unanimously approved, 4 – 0

IV. ITEMS FOR DISCUSSION
V. COMMUNICATIONS

(APW1) Local Employment Program Overview
Scheduled for discussion at the Special City Council Meeting, 9/4/08

(APW2) FY 10-14 CIP PowerPoint Presentation Highlighting Major Projects
Scheduled for discussion at the Special City Council Meeting, 9/4/08

VI. ADJOURNMENT : 7:15 p.m.

Sincerely,

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