CITY COUNCIL
HUMAN SERVICES COMMITTEE
Wednesday, April 4, 2007
Civic Center - Room 2402
7:00 P.M.

MEMBERS PRESENT: Aldermen Bernstein, Holmes, Jean-Baptiste, Moran, and Tisdahl

STAFF PRESENT: Police Chief Richard Eddington, Police Commander Barbara Wiedlin, Bob Dornecker, Carla Bush, Alisa Dean, Herb Hill, Elke Purze, Jeff Cory, Jay Terry, Audrey Trotsky

OTHERS PRESENT: Pat Vance, Rosemary Jean-Paul, Evanston Township; Sharon Eckersall, Township Assessor; Sue Cantor, Mental Health Board; (See attached list of Attendees)

PRESIDING: Alderman Holmes

I. CALL TO ORDER
Alderman Holmes called the meeting to order at 7:20 p.m.

II. APPROVAL OF THE MINUTES OF THE JANUARY 29, 2007, MEETING
The minutes of the January 29, 2007 meeting were called and unanimously approved (3-0). Aldermen Bernstein and Jean-Baptiste were not in attendance at this time.

III. CONSIDERATION OF THE MARCH 2007 TOWNSHIP BILLS
Alderman Moran moved for approval, seconded by Alderman Tisdahl. Alderman Holmes’ ongoing question was about the Assessor’s $23,000 legal bill from January through March, 2007. Mr. Hill stated at this point the status of the litigation is on appeal and the Township and the Assessor are 100% successful on the motion for summary judgment, the decision was the Assessor’s conduct was appropriate. The plaintiff filed an appeal with the Illinois Appellate Court and the additional $23,000 is for the cost of preparation and responding to the plaintiff. This billing came to the Law Department on March 29th at which time Mr. Hoover’s office was contacted to get the background information on what was done to generate the additional $23,000 in fees. Mr. Hoover is currently in California because of a family member’s medical situation and indicated it was difficult for him to return. His office was contacted in an attempt to get further clarification of the billing and to again invite Mr. Hoover to this committee to come forward and explain certain prior billing items as well as the additional $23,000. Mr. Hill did speak to Mr. Hoover asking him to explain specific concerns with respect to the cost of filing and told Mr. Hoover that under no uncertain terms was it appropriate for him to be charging the Township for talking to him to explain his bills. Ms. Purze again spoke to Mr. Hoover and understands he intends to make an effort to get to the next Human Services committee to explain his billings.

Mr. Hoover’s work has been successful in that the Assessor was found not to have violated any law and had acted appropriately in the termination of this employee. The history of this case is that the file was lost at the Circuit Court level and it took about 6 months to recreate the file and reestablish what the record was. With respect to attempts to resolve this matter Mr. Hill instructed Mr. Hoover to see if this matter could be resolved for what he would say in realistic costs would be a nuisance value. The plaintiff’s demands were exorbitantly high and not representing reality so there was not the opportunity to resolve this matter. Hopefully Mr. Hoover will attend the next committee meeting to explain his billing, as he understands the specific concerns expressed by committee, to see if there is indeed value in the work that was done. There is no reason to expect otherwise, but there needs to be that review.

Alderman Holmes thought this committee needs to have the exact amount of money that has been spent and wonders whether we would have been better off settling the case than continuing to pay a lawyer all this money. Mr. Hill said it is always a factor, whether acting as the Township attorney or the City attorney, with respect to the cost of litigation the value of the matter and the principle involved. This was and remains a heated case with respect to the propriety of the disciplinary action undertaken by the Assessor. If that could be resolved at a minimum nuisance value then principle and economics definitely would prevail. In this situation the demands of the plaintiff have been in excess of $100,000 and there was no reasonable basis to resolve it, the record speaks for itself. We should never lose track that the judgment was in favor of the Assessor, however, the plaintiff has the right and did appeal and is proceeding on the appellate basis. If the Trustees believe, with the brief that’s filed, it appropriate for a change in attorneys for the City to Argue the Appellate matter, that is something he’s not prepared to recommend at this time. This is nothing for Mr. Hoover to explain except what he believes the remaining fees would be to argue this case before the Appellate Court. Realistically the attorney who wrote the brief knows the matter and at this point the Appellate Court argument should not be an expensive proposition. Alderman Holmes asked that the amount of money spent thus far be given to this committee prior to Mr. Hoover’s coming before us. Mr. Hill said he will give the committee a total of the expenditures on this case.
Alderman Jean-Baptiste inquired about the $35,000 legal expense line item for this coming year. Ms. Eckersall responded that was supposed to cover the brief, if they call for an oral argument it would be minimal. Alderman Jean-Baptiste said assuming the other side wins you will then have a trial which is much more intense than preparation for briefs and a lot more money will be spent. He asked if the attorney suggested what should be budgeted, to which Ms. Eckersall said she did call him and asked what it would cost and was told $35,000. Alderman Jean-Baptiste was not comfortable with this attorney and the overall situation. This attorney probably perceives that we have a pot of money that he can access and would again ask our Legal Department to intervene to make sure that we are doing the best thing. He asked who recommended this attorney and was told it was not through the City's Law Department. Mr. Hill said because the Township was also a defendant the Law Department Counsel, Jack Segal, represented the Township and the Township Assessor retained her own attorney with respect to the allegations. The Township itself was dismissed out of the case and what remained were charges of complaint against the Assessor. Again, the attorney has been successful and the case has been dismissed. It was dismissed in part because the plaintiff’s attorney was sanctioned for not filing documents that the attorney should have filed. When Mr. Hoover comes before this committee he believes it would be appropriate to go into Executive Session to talk about the litigation and where to now proceed. Mr. Hoover has been told what he needs to do with respect to justification for his billings; we asked for documents and for him to give an oral report of the status of the case and where he sees it going forward, which is contingent on him being here.

Alderman Jean-Baptiste noted we are paying this attorney $200 and hour and asked how much we pay the attorneys we’ve previously had. Mr. Hill responded Mr. Hoover’s rate is higher than the rate we pay for our retain attorneys, which ranges from $135 to $150 per hour for proceedings.

Alderman Moran suggested holding these attorney bills until such time as Mr. Hoover comes before the committee. Mr. Terry noted the total amount held including the amount held tonight would be $33,184. The Township bills amount for approval tonight would then be $104,503.13.

**Alderman Holmes called for a motion of approval of the Township March 2007 bills as modified. Alderman Tisdahl motioned approval, seconded by Alderman Bernstein. Motion unanimously approved 5-0.**

### IV. CONSIDERATION OF FY-2007-2008 EVANSTON TOWNSHIP BUDGET

Ms. Eckersall noted some changes on her budget. The Deputy Assessor’s budget for 2006-07 wasn’t a carried over; it should be $54,800 as she has not had a raise in 3 years. Also, at the last meeting we assumed that the reassessment would fall partly into March and partly into the new year, but it did not. The notices got mailed Friday and she needs another $950 to cover her part time person who is working full time for 4 weeks. Ms. Vance said the Assessor is amending her budget figures, figures that were not given to her and the reason they were not reflected in the budget. Alderman Bernstein asked if the $20,000 figure is for a part time person and how many hours reflect part time. Ms. Eckersall responded 20 hours a week, but he is working 40 hours a week for 4 weeks because of the reassessment. She also hired a part time person, as she normally does, to cover 40 hours a week for 4 weeks which was not taken into consideration because they did not think the reassessment would fall into April. The entire budget has shifted into the new year because the assessment notices did not get mailed on time. Alderman Holmes did not know how this budget could be amended at this committee and asked Ms. Eckersall to submit the amended budget at the Tuesday, April 10th City Council meeting.

Alderman Bernstein thought it outrageous that the Assessor has almost $80,000 for personnel and said he was not inclined to give another nickel. With the software and computers we have today everything is available on line to the Assessor’s office. He speaks as someone who did this job for six years before anything went on computer. Ms. Eckersall said they had 900 people come through the last appeal and if this is not approved than she will have to let the part time person go leaving Ms. Benjamin by herself for 5 weeks. Alderman Bernstein’s inclination was to tell Ms. Eckersall she is spending too much money. Part of the Assessor’s function is to educate the population and now every bit of information that used to done manually is on line. All you need to do is tell people how to do it. He still gets calls about this. Ms. Eckersall said they are almost totally booked through the 20th of April. They have 31,000 parcels and found out the Skokie Assessor’s office is going to close which means everybody will be in the Township office. Alderman Bernstein stated he will not approve one cent more and is thinking about reducing this budget. He does not know where Ms. Eckersall’s time figures into this but hopefully she will be in there assisting taxpayers.

Alderman Tisdahl inquired about the $35,000 in legal fees budgeted for 2007-2008 and asked how that figure was arrived at. Ms. Eckersall said $9,000 of the $33,000 figure was from last year; only $23,000 is from this year. Ms. Vance interjected March 29th is in the last fiscal year, bills are paid as received before the 31st of the month when the fiscal year ends. Therefore, the unpaid $33,000 bills remain in fiscal year 2006-2007 but will again be expensed in the audit as a legal liability, plus any additional attorney’s amount is a potential liability. The brief amount will come out of the budget year that just ended and the $35,000 amount if for this fiscal year 2007-2008.

Alderman Moran called attention to the General Assistance Revenues and Expenditures 2007-2008 that reflect significantly higher percentages than in the estimated actual budget for this year. The Client Payments show $272,167 last year and this year is estimated at $386,180, an increase of 40 or 45%. The Administrative Overhead increased about 25%; Medical Payments Systems are increased close to 100%. Ms. Vance explained legally the General Assistance Revenues and Expenditures 2007-2008
Alderman Jean-Baptiste asked why the Township has not realized their revenue from last year. Ms. Vance responded it has to do with the tax dollars that come in. Last year was the only year that all their money came in by March 31st. Since the tax year bills come in March they start to pay on March 1st, some people don’t pay their tax bill until March 30th which means they would not see that amount in their account before April. The auditors will credit any tax dollars that come in April. If people don’t pay their tax bill the Township does not get any income which is why they only expend those items that they actually have to expend. Last year was a good financial year.

Alderman Holmes noted the Proposed Township FY 2007-2008 Budget will be held until Tuesday, April 10th when they receive the revised figures.

V. CONSIDERATION OF DISPOSITION OF CITIZEN COMPLAINTS AGAINST POLICE OFFICERS

The committee welcomed new Police Chief Eddington and Commander Weidlin. Alderman Holmes noticed on the Dispositions List there is no explanation for oral reprimand and asked if there are consequences other than just talking to the officer. Chief Eddington said in this case, no, reprimand is documented and should there be similar recurrences the Department will refer back to that discipline. Once anything is documented at this level it’s findable for the department, also the Commanders can give the highlights, the early morning system the department uses to track all discipline references, should there be a continuing issue or repeated incident with an officer. Alderman Holmes also questioned when citizen’s complaints are brought before this committee, has the citizen making the complaint been notified of what the disposition was and when the meeting is if they chose to come before the committee. Mr. Terry noted the procedure that has always been followed is the Police Department notifies them that the case has been referred and gives them our name and number to call him if they’re interested in appearing before the committee. If someone calls we schedule it right away.

Alderman Jean-Baptiste preferred going over each case as he did not know whether there may be people in the audience who are in attendance based on a specific complaint. It also helps the committee understand how the Chief sees the handling of cases and whether or not he has any new approach he intends to introduce. Alderman Jean-Baptiste wanted to acknowledge that attached to the complaints are a significant number of commendations, compliments and letters of appreciation that the department receives as a result of doing this work. Congratulations on that basis.

The first issue was as a result of a robbery investigation where the individuals pursued complained that the police stole money that was hidden in the vacuum cleaner. The process was reviewed and based on the information gathered in your interview there was no proof to the allegation. Because this was an internal investigation he never felt comfortable about the objectivity of the process that police investigate themselves to determine whether or not the complaint is well founded or that you would give the benefit of the doubt to your officers that you want to manage the perception that you’re doing the right thing. In this instance there was nothing specific to point out and he wondered whether any merit is seen to a process by a Citizen Advisory Committee, which would be worth while talking about in the context of these types of investigations.

Alderman Bernstein asked about the propriety of one officer that heard funds being offered to the complaining witness to drop the charges. Somebody said they actually saw money pass from the alleged perpetrator to the complaining witness and he suddenly decided not to press charges, which is very close to witness tampering. He wonders, if in fact an officer saw that what if anything he would have said to the victim to implore him to go forward and continue to press charges. Chief Eddington said these situations seem to be rampant and fluid and we are dependent upon the complainant’s willingness to go forward to justify many of our actions. From reading the reports of this case, as soon as the victim’s property was recovered their interest in pursuing the matter evaporated. Alderman Bernstein said there was also an exchange of money to induce him not to go forward. Chief Eddington’s recollection of this was the promise of compensation for damage that occurred during the incident but the victim contacted us and said he hadn’t received any compensation. Alderman Bernstein asked what is the policy of the Police Department, do you or do you not tolerate that. Chief Eddington said this was a more complex issue, if we can successfully prosecute we’ll certainly pursue it. This case was a little grey.

Alderman Moran remarked it’s still dependent on this person showing up. The prosecutor’s and the Police Department are strictly fashioned by what people are willing to do in terms of cooperating with them. If somebody doesn’t want to cooperate the case is over. Alderman Bernstein would like to see a sensitivity by the Police Department which he did not get a sense was done here. If in fact what happened here was a passage of funds, that should be addressed.
Alderman Jean-Baptiste referred to the case where 4 occupants of a vehicle were stopped because they fit the profile of some individuals who were involved in a shooting and held for 35 minutes. He does not know whether that process takes that long, and inquired about the process of trying to clear or confirm whether or not those individuals were involved in such an incident. Chief Eddington said this particular incident involved another jurisdiction which added to the time length. If this was a single department event it would move along much quicker, when we’re asking our communication center to contact another department to provide the information that adds to the timeline of any situation regardless whether it is a shooting or hit and run or any matter. Also, this occurred during a high volume call load which further enhanced the time limit. We invest the time in restricting these individual complaints by the Office of Professional Standards to see if in fact, on this set of circumstances, on this date and time, these actions were reasonable.

Alderman Jean-Baptiste asked Alderman Moran if in this type of situation, people who were held and handcuffed so long have a civil rights action. Alderman Moran responded, in this situation he did not think so, there was probable cause to stop which would be the key element and reasonable cause to believe somebody had recently committed a crime. A call was received from a neighboring jurisdiction saying to be on the lookout for this. A judge reviewing this would say they had probable cause to stop them. The next thing to look at would be false imprisonment because they were detained for a certain amount of time, a half hour would not be a valid claim, what would be is a day or two and then cleared up with no basis.

Alderman Jean-Baptiste thought the third case was handled well by being accountable to the parents who came on the scene and sharing that information with the parents to satisfy their concerns. Alderman Holmes was concerned that the other parent didn’t make it and wished they would have driven down half a block with the child to the parent. Alderman Moran thought the results were interesting in that the department disposition was a reprimand but the Civilian Review Panel was exonerated. Chief Eddington said there is sensitivity to those issues and when we can provide that proof we’re going to do it right away to permit allegations in the future that it wasn’t a fishing expedition.

Hearing no further questions Alderman Holmes called for a motion of approval for the cases that were reviewed. Alderman Bernstein moved for approval, seconded by Alderman Jean-Baptiste, approval unanimous, 5-0.

Alderman Holmes wanted Chief Eddington to know that a great deal of time had been spent on having some citizen input into the cases. Former Chief Kaminski used part of the Advisory Board from the Police Academy to review the cases with him before going to the Review Committee. Chief Eddington thought that was an effort to allay the concerns if it was an all police matter with no other input. We are now more critical of our conduct and if that is a concern for this committee he would share the names of the people recruited by Chief Kaminski. We retain those volunteer services for a period of time because they have the time to commit to it and also the more they do it the more they become familiar with and understand the system and can come to a conclusion.

Alderman Tisdahl would like to know the names of the Review Committee, how many years they’re going to be on this committee, when you’re going to recruit others, and wondered if there is some sort of by laws or other structure. Chief Eddington thought these were people Chief Kaminski had a lot of confidence in and asked them to perform the service. He does not know how long they’re going to be there nor what determines services. Perhaps he can bring a proposal to the committee, not as formal as by laws but as guidelines. Alderman Tisdahl said this is important to all of us and should be a little formalized. Alderman Jean-Baptiste referred Chief Eddington to some research the Human Relations Commission has done looking at other processes, to which the Chief responded that was one of the packets of information he inherited from Chief Kaminski.

Judith Treadway, of 226 Callan Avenue, is with the NAACP and on the Partners for a Safer Evanston Sub Commission for Civic Education Emission, came here to ask some questions about police services related to potential complaints. She wanted to know when the Summer Plan is going to be presented to the public, also what the Youth Intervention Services are going to be. She also asked about a situation of a murder hate crime in Evanston that the community hasn’t heard anything else about. She again wants to raise the issue about the loud speakers in the automobiles. Rice Park is another issue; the park patrol cannot do anything about people in the park drinking and whatever as they do not have the authority to drive people out of the park. The issue of overcrowding in apartments bringing more people into a residential area where you have more people violating people’s property, more traffic, parking on private property. Also there is an issue of absentee landlords and the activities that go on at their properties creating more tension in the community. There was an incident when a person parked in front of her garage and was given a ticket and the fact that the person cursed her husband in front of two policemen and threatened him with two retired policeman. She thought when people start verbally assaulting and threatening people with bodily harm the police will verbally intervene and stop these people, but nothing was done. She did not file a complaint but is concerned about this kind of behavior in such an incident. We want people to be better educated about this as well as our police officers be better educated about how to address and be sensitive to the citizens who live and try to abide by the law versus those who totally ignore the law. She came to this meeting because she knew complaints were going to be heard. Most of us citizens in attendance tonight don’t know anything about the complaints being discussed but many citizens who file complaints against the police are not as diligent about pursuing those complaints or having the time or resources to do that. The lack of objectivity on the part of the Police
Department creates opportunity for interpreting the incident around something related to police to be one sided. She feels as elected officials and hired officers of law in our community that we have to be overly conscious of our duty to protect the innocent citizens of our community who are many times victimized in situations. She just wanted to raise some of the concerns she and other citizens of the community have to the Human Services Community and wants to be sure that our new Police Chief coming on board and the new partnering towards a safer Evanston and new initiative to try to have more positive concerns for our youth, that everybody is on the same page and when we call you'll be responsive to our pleas for assistance.

Alderman Holmes saw three departments that these concerns need to be reported to, the Police Department, Property Standards, and Community Development regarding the apartments being overcrowded and absentee landlords. We will make the referrals to the proper departments and try to come up with some reply to these concerns. Chief Eddington is here to look into his department, and the youth piece will be passed on to Ms. McCorkle in the Youth Department. Chief Eddington referred to the issue of the Summer Plan and noted we’re awaiting the Cook County funding that has taken more time than usual because it has been radically changed and taken over by the City of Chicago. Based on that number we will then approach the City Manager’s office to determine what supplemental funding is available that was provided in the past. As soon as we have those figures we can begin to roll out the Summer Park Plan. Once again he would like to say if there is a complaint or concern about signing a complaint and bringing it forward to the Officers of Professional Standards the NAACP knows him, his door is open, come in and let’s talk about it so we can attempt to explain and these issues will not fester.

Alderman Jean-Baptiste asked if the patrol will be part of the Summer Plan and about other kinds of initiatives that may not be satisfied just by a patrol. Chief Eddington said he is working closely with Deputy Chief Bellino on other tactics to supplement that. Alderman Jean-Baptiste asked the Chief if he will be coming back to this committee in May or June to share this, to which the Chief said he will come back whenever the next meeting is, he knows he’s ready but does not know if the County money will be ready.

Alderman Bernstein recalled the genesis of the idea for a Citizens Board when they dialogued with Chief Kaminski on the perception that the plaintiff shouldn’t even bother because he’s going into the Police Department and they’re going to take care of their own. We had ultimate faith in Chief Kaminski and are sure we’ll develop the same rapport with Chief Eddington. However, we don’t know how fearful anybody is of making a complaint because they think they’re going to be targeted for making a complaint. It should be an open door policy, which is a concern of this committee. Chief Eddington appreciated this concern and one of the reasons he’s here this evening is to let you know of his experience in dealing with the Department of Justice on similar matters. He understand the standards they expect and can assure you from the attitude he’s seen from the Command Staff and the Officers of Professional Standards that’s not an issue. He realizes those comments will be scrutinized by yourselves and your constituents.

Bennett Johnson, said in 1956 while in Los Angeles he investigated police brutality for a lawyer that ended up in a $5,000,000 suite against the police department. While there he also worked for the Probation Department. He was an investigative aide to Harold Washington and wrote the criminal code for the state of Illinois. As Treasurer of the NAACP he received numerous calls about police misconduct and after leaving that office people are still calling him and has some suggestions to make. Everyone wants law and order, even criminals; people want peace, law and order in their community. In order for that to occur that has to be cooperation between the police and the citizens, there also has to be a high level of trust. If we have beat officers walking the street that would also help because they get to know the people in the community. When a complaint comes from a citizen, the citizen should not have to come to the Police Department to register the complaint as the average citizen is intimidated by a police officer especially when they’re a victim of police misconduct. The complaint should be registered someplace neutral and not at the police department because there would not be the proper kind of investigation. The role of Inspector Generals in every agency of government is outside of the usual people he’s guarding and needs to be civilians or civilian and police outside of the department, primarily the City Council to take care of these matters. The situation in Chicago is a good example. While investigating police misconduct he used the University of Chicago Study done on the personal attitude of an individual toward the job, i.e. a teacher felt one way, a policeman felt one way, etc. This study showed that policemen feel, as a general rule, that they’re pariahs of society because they deal with the worst element of society. Therefore, even a person who is totally unbiased after a period of time out on the streets develops certain biases. There is a need for constant training, not once a year but certainly every other month or certainly every quarter officers aught be debriefed and talked to so he understands where he’s at and told how to deal with these things which would go a long way toward mitigating some of these circumstances.

With the arrival of the new Police Chief and we should assume that as citizens and members of government that we can do something to make sure going forward we will diminish and minimize the number of complaints with more cooperation between the community and the police. That way we can reduce the crimes even more and set an example for the country. He was reluctant to come here today because it’s the anniversary of the death of Dr. King which he still thinks a lot about. One assumption people make is that there’s criminals out there. Most of the people who commit crimes are a small percentage of our society and sit on both sides of the desk. Those are the few not the majority and if we work together, police and community, we can do something about it.

VI. APPROVAL OF PROPOSED 2007-08 CULTURAL FUND GRANT PROGRAM AWARDS
VII. RESOLUTION 14-R-07 AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY AND DEBRA TOLCHINSKY FOR STUDIO B11 AT THE NOYES CULTURAL ARTS CENTER

Alderman Tisdahl moved approval, seconded by Alderman Moran, and unanimously approved by the committee (5-0).

VIII. DISCUSSION WITH TALKING FARM REGARDING POSSIBLE PARTNERSHIP WITH THE CITY OF Evanston

Carolyn Zezima, President of the Talking Farm thanked the committee on behalf of her Board for letting them present tonight. Ms. Zezima spoke about the Talking Farm and proceeded to give a power point presentation describing the workings of the Talking Farm (See Attachments A for Ms. Zezima’s presentation, and Attachment B for the Power Point presentation.) After her presentation Ms. Zezima introduced Debbie Hillman, member of the Board of Directors to offer a few comments and put the whole broader food issue in perspective to show why this little 2 to 3 acre project they envision in a single municipality is part of a larger state and federal conversation about food and the environment.

Ms. Hillman wanted to share some of the things going on statewide and nationally because these days food is getting everybody’s attention. Urban people have suddenly decided to think about their food on a group and policy level which many people in Evanston have been doing for years on a personal level. Evanston had some of the earliest health food stores and one of the oldest and best Farmers’ Markets in the Chicago area. Evanston also has a lot of alternative health care that talks about nutrition. Until recently the conversation has not been brought to a group and government level. Urban people don’t grow food in front of them and today we’re raising children who don’t know that food is alive, they think it comes on grocery store shelves wrapped in plastic. A year and a half ago they started the Food Policy Council which was part of the Network for Evanston Future that has been around since 1999 working on various sustainable issues, transportation, energy, and affordable housing. We thought if you start looking at food, how it’s grown, where it’s grown, how healthy is it; how alive is it, you solve a lot of other sustainable issues. If you grow it here you don’t have to transport it with all the questions and concerns about food from other areas. The Food Policy Council decides to start talking about these things as a policy issue as we need to be making better decisions as a society, as a community and government. One of the projects was the urban farm, something we’re bringing right here locally but a lot of the food and agricultural decisions are made on a state and federal level. More than 90% of the food we eat is not grown in Illinois which has only happened in the last 50 years. Why are our rural communities dying across the country? It was her mission to go to her state legislators and talk to them about this. We are fortunate to have State Representatives Julie Hamos and Senator Jeff Schoenberg that we talked to. Different groups of interest and involvement in this issue were brought to Julie Hamos after which a bill was written. State Representative Julie Hamos, an urban legislator, wrote an agricultural bill. The bill was entered into the House February 28th and was unanimously passed. It was passed by full House last Tuesday. The bill HB 1300 will revitalize the food system in Illinois, and says the state supports growing more food in Illinois, both local and organic. (See Attachment C, for House Bill HB 1300,) This was picked up by a South Side Senator Jacquelyn Collins who is now the chief sponsor. This is happening on a national level not only in the state of Illinois. Ms. Hillman is very proud that we were the catalyst to make it happen here. We think all ages of the community can benefit from this the proof of which is people are coming out from all over to work on a project that doesn’t even exist. We don’t have the land yet but have active committees working on it.

Alderman Jean-Baptiste was interested in involvement of the youth and how they may get jobs through this. He asked if you were to set up such a farm here, how do you anticipate you would sell the produce at the Farmers’ Market and would like you to elaborate further how you would turn this into a business as he does not visualize you have enough assets, turnover and personnel to make that sustain itself. Ms. Zezima said they are going to be a full production farm which is the reason they need 2 to 3 acres to make this a viable non-profit business. They need at least an acre and a half for full production and the rest of the site would be for various other uses including the educational facility and demonstration gardens. Our estimation is based on research and talking to other farms, an acre and a half could yield anywhere from 10 to 20 tons plus of raw produce annually. It would make about 15,000 plates of food which is not enough food to feed the City of Evanston, but it is a start. It’s our intention to grow year round; the land has to be used intensively and as long as the season is possible to make it economically viable. There is plenty of organic and sustainable growing techniques that use the technology but multi value added products in general could extend our actual income. We intend on growing enough food to at least, if not immediately, become the farm part sustainable and if not contribute as much dollars to our educational mission as possible. We intend to sell both to the Farmers’ Market, and CFA’s (Community Support and Agriculture) a subscription service where you make a subscription to the Talking Farm in the beginning of the season and you assume the risk of bad weather and disease and we will provide the subscribers with a box of food every week. We hope to have some degree of contract growing with the restaurants so they can say they buy local.

Alderman Jean-Baptiste asked where they anticipate their money coming from to get started. Ms. Zezima responded fundraising in the form of grants and public requests for money. They filed their 501-3C but have not received the I.R.S. letter yet and are operating under a fiscal 501-3C agency dedicated to a sustainable City. They are willing to take
Alderman Bernstein moved to accept the FY/2008 Emergency Shelter Grant funding recommendation, seconded by Alderman Jean-Baptiste. Motion unanimously approved (5-0).

IX. CONSIDERATION OF FY/2008 EMERGENCY SHELTER GRANT FUNDING RECOMMENDATIONS
Alderman Bernstein moved to accept the FY/2008 Emergency Shelter Grant funding recommendation, seconded by Alderman Jean-Baptiste. Motion unanimously approved (5-0).

X. CONSIDERATION OF A REFERENCE TO AMEND THE CITY GROUND FEEDING ORDINANCE
Alderman Bernstein noted this is his reference and related the genesis of this ordinance was some years ago when a constituent on the west side, living adjacent to a couple of women who loved to feed animals and on a daily basis emptied the contents of 3 or 4, 2 or 3 pound coffee cans into their yard. The result was a plethora of critters. An ordinance was enacted to preclude people from feeding on the ground. He was recently called by constituents who encountered a situation where individuals were feeding animals. The cost was an invasion of critters. Alderman Holmes noted that would only be necessary if Evanston is not able to lease directly and has to go through Skokie. Ms. Hillman said they met with Skokie’s real estate attorney to clear up the fine points. They have known this is Skokie land and we do have to talk to Skokie, the question was do we have to go through Skokie to get the lease. Does Skokie have to do the lease because it’s in their political boundaries or can Evanston make application for the lease? The attorney’s opinion, based on precedent, was that as long as both entities are okay with that then the NWRD has no problem with it. In any case we have to talk to Skokie since this is primarily an Evanston group it is better to do it through Evanston and being on the east side of the canal if seems more like Evanston. We hope the City of Evanston will make application for the lease but we will do it in partnership with Skokie.

Alderman Tisdahl moved to recommend the City of Evanston request the lease with or without Skokie. Alderman Jean-Baptiste seconded the motion, motion unanimously passed (50).

A question from the audience arose as to whether they intend to raise animals, to which Ms. Zezima responded it is not their business plan to raise animals.

Ms. Zezima quit a full time paying job to work on this project and every one of their Board members volunteers their time. In our business plan and budget is the idea that we can have land by June and actually prep a little bit of soil for the late fall season to have a demonstration and nominal sales. A tad optimistic but she actually envisions that happening. She invites the committee to cross over and walk into their farm; it’s like entering another world.

Alderman Bernstein asked where they are with respect to the Water Reclamation and what can we do to assist that. Ms. Zezima said they had many discussions and the met with several officials of the NWRD, if fact she spoke at their last board meeting. They met with Debra Shore the NWRD Commissioner and expressed their theory. They do have the NWRD support of Debra Shore and also her personal support as a Skokie resident either with or without the City of Evanston to meet with the City of Skokie. She has agreed to come as a Skokie resident and has already set up a meeting with the Village Manager and Mayor of Skokie. We just need Evanston to get this ball rolling and start making a real proposal to the NWRD. Alderman Holmes noted that would only be necessary if Evanston is not able to lease directly and has to go through Skokie. Ms. Hillman said they met with Skokie’s real estate attorney to clear up the fine points. They have known this is Skokie land and we do have to talk to Skokie, the question was do we have to go through Skokie to get the lease. Does Skokie have to do the lease because it’s in their political boundaries or can Evanston make application for the lease? The attorney’s opinion, based on precedent, was that as long as both entities are okay with that then the NWRD has no problem with it. In any case we have to talk to Skokie since this is primarily an Evanston group it is better to do it through Evanston and being on the east side of the canal if seems more like Evanston. We hope the City of Evanston will make application for the lease but we will do it in partnership with Skokie.

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Marc VonBork, lives with and takes care of his elderly, ailing parents and has taken on the task of feeding the animals. They have lived on that property for 45 years and fed the animals for 42 years. He's a member of the Humane Society Wildlife Sanctuary Program and follows all the City ordinances. He constructed a feeder following all the guidelines that has a one inch edge as required. The Health Department found no problem nor have they said anything he's doing is a problem. There is currently an issue he has to defend himself on that will be adjudicated on April 19th. Up until the Piotrowski's moved here we have had no complaint from any resident. The initial complaint was their dog had eaten a peanut shell. It's common knowledge that their dogs eat everything. When they were out of town his family took their dog to the Vet when no one else could. We've tried to make their lives comfortable. We introduced them to neighborhood and even got them someone to walk their dogs. Mr. Piotrowski told me I had to stop the feeding and became very aggressive making accusations to him one involving throwing cigarette butts on his property. Mr. VonBork’s father is a concentration camp survivor and when people come and tell us to do things that is not perceived well. Peanut shells are biodegradable and their only violation was there was no ground feeder per se which has now been created and maintained continuously.

Alderman Bernstein inquired as to the amount being fed and fed to what animals. Mr. VonBork responded they live in a heavily wooded area and is asking that something be done to alleviate this problem. Alderman Bernstein’s remarked he intends to come out and look at this property. He has received several emails concerning this which is why we're here to discuss this tonight. Everybody’s grateful for Mr. VonBork’s feeding of nature's creatures but there is a balance and a question of when your rights are infringing on others. Alderman Holmes suggested, as a beginning, having a conversation of negotiation and if there are so many peanut shells on the property to start there. Mr. VonBork said when the peanut shell issue stops he knows there will be other complaints. Alderman Bernstein stated we do not act on the basis of a complaint we try to understand that we live in an urban setting where people are next to each other and try to accommodate everybody’s needs. We are trying to avoid the human impact of the forces of nature but when one does something to manufacture an unnatural condition of nature is when we want to step in.

Alderman Tisdahl agreed with Alderman Holmes’ suggestion to use shelled peanuts as a beginning rather than writing a new ordinance. She would appreciate both parties consider, in the spirit of compromising, resolving this issue. Mr. VonBork said that’s his intention if that’s what the City advises him to do but since it wasn’t in the ordinance and because to Mr. Piotrowski’s behavior towards him and his family and the events that occurred he has no interest in cooperating with him. Alderman Holmes indicated this should be tried in the in the interest of being a good neighbor and resolving this without any other issues. Mr. Terry added that during the process of this our inspectors learned that there are many aspects to this neighbor dispute and have encouraged the principals to take advantage of the Human Relations
Department’s complaint resolution process which is an ideal situation for that process. Unfortunately they have not yet agreed to participate. Alderman Bernstein stated we are trying to dispel any animosity because we live in close proximity to each other to live together as human beings.

Ms. Purze extended her services to the neighbors as she is a Certified Mediator of the Cook County Court System. Alderman Jean-Baptiste suggested not taking any steps in terms of self but begin to resolve this by closing this discussion and have Mr. VonBork and Mr. Piotrowski exchange numbers and set up a meeting to work on this issue.

XI. PUBLIC ART COMMITTEE COMMUNITY-BASED PUBLIC ART INITIATIVE REPORT
Gerry Mascai, Public Art Committee, said when the City Council first approved this project and gave them a grant they agreed to work out a procedure that was well defined and well organized, and hired Jon Pounds as a consultant. Mr. Pounds heads the Chicago Public Art Group and has very successfully spent many years doing this exact kind of work in Chicago. Mr. Pound has drawn up a draft for any input you have that would help us.

Alderman Jean-Baptiste hoped that in terms of outcome there is participation of not only racial diversity but also ethnic diversity that we are so rich in and knows that in every corner of the world you have uniqueness in of artistic expression. He is interested beyond the paintings and sculptures, in the music which may be a bit beyond what you’re thinking. Another component that could be explored was suggested to him some time ago, to turn Robert Crown Center into a center for ethnic expression of music where people of the City could come together to share in the various experiences we have to offer.

Alderman Moran asked where do we go next if we were to move toward a community public art program, how would that be drawn up to do an ordinance or prescribed plan regulation. Mr. Pound thought a lot of learning happens by a process that you have to some extent started by assigning monies and beginning to implement a plan. You should go through the process for a year and ask your questions a year from now. There are many ways it could go but looking at in a year from now you would see this set of policies and practices is more in the lines of the outcome that you want. This could come up in the payouts schedule which might not be as obvious to some as it is to others. It is often a working class artist making a living doing his work not by selling work done in his studio. There is a way to see if the person you are working with is going to need some support beyond being able to be paid at the end of the project because a lot of expenses come up in the course of a project of working class artists. Hard working, capable, skilled experienced people will not have the capacity to just write that check for all the materials up front for a project that will take weeks to do. He’s trying to lay out some of the questions and would be happy to take the criticism now or at another time because he wants to document the work for Evanston.

Alderman Moran understood what Mr. Pound said but if someone turned this over to him right now he would be a little fuzzy about what his next step would be getting started on a community project and starting to arrange meetings with someone. He has no expertise about but loves it when he sees it. Mr. Pound said this is a process that is a little bit messy because you have to have some community beliefs and trust, you have to let ideas evolve because the artist is not paid to do what the community tells them to do nor is he supposed to decide what they want to do and put the piece there. There’s a dialogue that cannot be described yet you have to begin that process and practice it, record it, document it, and refine it. Ms. Mascai said one of her thoughts in terms of starting this project was that the focus would be on the community and if it doesn’t mean something to the community that lives there then there’s no point to that. Those of us working on the project don’t have an ego involved, we want something the community points to and says we did that and that’s good for us and we can’t do anything without a community based involvement which will come partially through this committee because you know your community a lot better than we do.

Mr. Pound gave his email address to the committee, jonpounds@cpag.net. The comments in the next week or two are valuable. Ms. Mascai said she is available for any questions, comments or complaints.

XII. ADJOURNMENT
The meeting was unanimously adjourned at 10:00 p.m.

Respectfully submitted,

Audrey Trotsky, Department of Health and Human Services