Human Services Committee  
Minutes of May 3, 2010  
Lorraine H. Morton Civic Center  
Council Chambers  7:00 P.M.

PRESIDING OFFICIAL  
Delores Holmes

ALDERMAN PRESENT:  
Jane Grover, Mark Tendam, Judy Fiske, Lionel Jean-Baptiste

A Quorum was present

STAFF PRESENT:  
Grant Farrar, Corporate Counsel; Richard Eddington, Chief of Police; Carl Caneva, Supervisor Environmental Health; Tom Anger, Assistant City Attorney; Officer Angela Heartglass, Police Dept.

OTHERS PRESENT:  
Bonnie Wilson, Township Assessor; Patricia Vance, Township Supervisor; Rosemary Jean-Baptiste, Township Director, Madelyn Ducre, Betty Sue Ester, Paige Finnegan co-chair Environmental Board; Nancy Sreenan, Dorrie Lloyd-Still, Evanston League of Women’s Voters; Susan Besson, co-chair Environmental Board; Debbie Hilman, Evanston Food Policy Council; Aharen Solomon

CALL TO ORDER  
Ald. Holmes called the meeting to order at 7:29 p.m.

APPROVAL OF THE MINUTES OF APRIL 5, 2010 MEETING  
*Ald. Grover moved approval, Ald. Tendam seconded, approved 5-0

MARCH 2010 TOWNSHIP BILLS TOTALLING $79,487.93  
*Ald. Jean-Baptiste moved approval, Ald. Grover seconded, approved 5-0

Ald. Jean-Baptiste asked for an update of the Assessors legal bills. Mr. Farrar informed the committee the one pending case is in the briefing stages and a ruling is expected shortly.

Ordinance 21-O-10 Proposed Budget and Appropriation Ordinance for Town Purpose, for Fiscal Year Ending March 31, 2011  
*Held in committee for further review; item will return to the June 7th Human Services Committee meeting.

Ordinance 12-O-10 Amending Subsection 10-4-18-1 of the City Code, “Standing or Parked idling Motor Vehicles”  
Ald. Jean-Baptiste move approval, Ald. Grover seconded, approved 5-0.
Ald. Grover asked about the City Vehicle Idling Management policy; Mr. Farrar stated he believed it was finalized or close to being finalized.

Ordinance 23-O-10 Amending Various Sections of Title 9, “Public Safety,” Chapter 4, “Dogs, Cats, Animals and Fowl,” of the Evanston City Code
*Ald. Tendam moved approval to discuss, Ald. Grover seconded, approved 5-0

Held in Committee to address several concerns and answer questions

Debbie Hillman 1118 Sherman Ave (citizen comments) founder and co-chair of the Evanston Food Policy Council supports backyard chickens.

Susan Besson co-chair of the Environment Board stated the Board was pleased to work through the issues of allowing backyard hens; the committee recommends approval of the ordinance.

The following questions were raised by the committee.

Q. Why are roosters excluded?
A. Roosters are excluded because they are noisy and tend to be violent.

Q. Other municipality have a minimum of two and a maximum of two to three hens why is the proposed number for Evanston a maximum of six.
A. Chickens are social animals and during the winter the chickens warm themselves in a group.

Q. Do we need six hens that seem like a lot?
A. Six hens is not a lot.

Q. Is the housing structure the same if you have two or six hens?
A. No, the requirements are 4ft per hen.

Q. Why is slaughtering a chicken prohibited?
A. Hen keepers see the hens as pets and they would not eat their pets. There are farms that will take older chickens if the keeper does not wish to keep them after egg production has ended. Other municipalities have stipulated in their ordinance that slaughtering of chickens are prohibited.

Q. Is the objective to get fresh eggs?
A. It depends on the family some families would like to keep the chickens as pets and others want fresh eggs.

Q. Is this ordinance being amended to provide a way to share eggs, eating healthy food without chemicals, or having chickens as pets?
A. It depends on the family, some would like fresh eggs and others would like pets.
Ald. Jean-Baptiste is concerned about the potential issues i.e. odor, attraction of rodents, and noise. He felt the consideration for hens for egg production and sharing and hens for pets would not be considered in the same manner; the analysis would be different.

Ms. Finnegan stated hen owners are subjected to upholding the nuisance laws so they would have to perform the tasked needed to keep the area nuisance free.

Ald. Fiske’s stated the following concerns
1. **Chickens need a lot of care such as feeding twice a day and maintaining their area**
   A. The Environmental Board feels that feeding and care for the hens would be similar to caring for your dogs and cats; they expect hen owners to care for their animals in a fair and humane way.

2. **Where is this amendment coming from is it to have fresh eggs to share with neighbors, or complete the food cycle and have hens during their eggs cycle then slaughter?**
   A. Environment Board does support growing more food in Evanston and they are not concerned with the population who want hens as pets but those who want to support a local food system. The Board cannot pass judgment on owners who chose to slaughter their hens after their egg production cycle has ended.

Ald. Fiske was having trouble seeing the chickens slaughtered for food after their eggs producing time have ended; she does not see how that is a humane practice. If you want to see where your food comes from there are farms and museums that will provide that information, she said.

Ald. Tendam stated he did hear both sides for having the backyard hens before it reached the committee. He feels backyard chickens will be common place in a few years and showing kids that not only tomato and cucumbers can come from your backyard is a good thing.

**Q. Ald. Grover asked would the presence of hens increase the number of coyotes and rats in the chicken feed.**
A. The Environment Board referred to Bob Bluett a certified wildlife biologist from the Illinois Department of Natural Resources statement “**coyotes are territorial, so it is unlikely that the presence of chickens would attract more coyotes than you already have. It is also unlikely that those coyotes already living in Evanston would change their behavior in response to the presence of chickens as long as they are caged and potential food sources are unavailable to the coyotes.**”
Carl Caneva, Supervisor of the Environmental Health division stated he requested information from Madison, Wisconsin who has a hen ordinance. He wanted a reference of the occurrence of coyotes before and after the ordinance.

Q. What about rats in the chicken feed?
A. Hen owners would be subject to the same ordinance that controls feed and harborage. There is a feeding ordinance that addresses feed and how often it has to be clean up

Q. Ald. Jean-Baptiste was not happy with that response and asked “will the presence of hens and whatever it takes to feed them attract additional rodent according to your research.”
A. Mr. Caneva said if the feed is not cleaned on a regular basis or if the feed is scattered around the yard, yes it will attract rodents.

Ald. Holmes voiced concerns on how the City would enforce that the hens are kept in their coop instead of roaming or if the feed is maintained to keep out or attract other animals.

Ms. Kinney a member of the environment board also had similar concerns via a letter sent to the committee.

Q. Currently how many chicken owners does Evanston have and how many do you expect after the ordinance is amended?
A. The number is undetermined at this time; the animal warden should have a sense because they receive the calls.

Q. Is the animal shelter equipped for chickens?
A. It can accommodate a small number.

Ald. Fiske voiced her concerns over the current rat problems in the first ward and she cannot see a substantial public benefit to this amendment. Ald Fiske does not approve of this amendment.

Ald. Tendam felt that the care of backyard hens would be similar to the care of other pets in the family.

Q. What are the legal ramifications with zoning?
A. There may be a need to broaden the definition of a pet.

Q. If hens were outlawed how would it fall under special use?
A. Further research is needed for an accurate answer.
Q. “If we outlawed chickens in the future would there be an exception in certain houses that they could continue to have chickens and that would be grandfathered in.”
A. Yes, that would be a concern, replied Mr. Farrar.

Q. Ald. Fiske asked City Attorney Mr. Farrar regarding chicken coops and whether it would be considered an accessory structure under the Zoning Ordinance.
A. Attorney Farrar replied that initially it appears the coop would be an accessory structure, but that further study regarding this point was necessary.

Q. Would the hen owners have to register with the Illinois Department of Agriculture would they have to be license with the City?
A. Hen owners would be license with the City then with the State.

Ms. Hillman stated it is not required to be registered with the Department of Agriculture however the committee included it in the amendment as a comfort.

Ald. Grover suggested holding this item in committee
- to get the information from Madison, WI on their outcomes since passing their ordinance
- legal implication with zoning
- How much would it cost for enforcement of ordinance
- Ask the animal control officer to attend the next Human Services Meeting in June
- What sanctions would be imposed on anyone who slaughters their hens.

Q. Do we know how many people have hens in Evanston?
A. No, it is illegal to have hens in Evanston so no one is coming forward to say they do. The animal warden, however, has picked up hens in the neighborhood, replied Ms. Finnegan.

UPDATE ON CITIZEN REVIEW OF POLICE COMPLAINTS
*Ald. Jean-Baptiste moved, Ald. Grover seconded, approved as submitted 5-0

Ald. Jean-Baptiste acknowledged the written accommodations which were included with the citizen review of police complaints.

COMMUNICATIONS

The Committee favored the Morton Grove ordinance definition of “nudity” as “The showing of the human male or female genitals, pubic areas or buttocks, or female breast with less than a fully opaque covering of any portion thereof below the top of the nipple”.


Ald. Jean-Baptiste voiced concerns on the attire of Evanston’s youth. He felt the community and youth should come together and dialogue about the disintegration of propriety of some of Evanston’s youth attire.

Ald. Holmes stated the topic of youth attire was discussed at the recent Evanston Youth Initiative Conference Workshop and the discussion was lively between the younger and older generation.

It was suggested that this would be a great topic for the Human Relations Commission to take the lead on by inviting the community to a workshop including high school students to bring some ideas to the table.

CHANGE IN CHAIRMANSHIP
Ald. Holmes stated it was her pleasure to chair the committee; Ald. Fiske will begin her chairmanship starting at the June 7th meeting.

Betty Sue Ester (citizen comment) asked about the proposed truancy ordinance; the committee informed her that the intergovernmental agreement is currently being reviewed by both the school district’s lawyers.

Madelyn Ducre (citizen comment) commented on immigration reform in Evanston and asked about the security and notification to residents if there is a threat in Evanston.

Mr. Gaynor replied the City has an Emergency Operations Manual, which details what should be done and by whom. It is broken down by incidents i.e. weather related or air-borne threat. The directors get together throughout the year and participate in tabletop exercises to ensure if there is a threat everyone knows their role.

ADJOURNMENT
Ald. Jean-Baptiste moved for adjournment, Ald. Tendam seconded, approved 5-0