



# CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS  
LORRAINE H. MORTON CIVIC CENTER  
COUNCIL CHAMBERS  
Monday, March 14, 2011

**Administration & Public Works (A&PW) Committee meets at 5:45 p.m.**  
**Planning & Development (P&D) Committee meets at 7:15 p.m.**  
**City Council meeting will convene immediately after P&D.**

## ORDER OF BUSINESS

- (I) Roll Call – Begin with Alderman Wilson
- (II) Special Order of Business: Resolution 20-R-11 Appointing Peter Braithwaite as Alderman of the Second Ward
- (III) Mayor Public Announcements  
*Citizens Utility Board (CUB) Energy Saver “Super Savers Award” and “Big 7 Savers Challenge”*
- (IV) City Manager Public Announcements and Presentations  
*Presentation by Mr. and Mrs. Minhaz Lakhani, Owners of Evanston Shell, to the Evanston Police and Fire Department Foundation*  
*Snow Report Presentation*  
*Smoking Cessation: National Kick Butts Day March 23*
- (V) Communications: City Clerk
- (VI) Citizen Comment  
Members of the public are welcome to speak at City Council meetings. As part of the Council agenda, a period for citizen comments shall be offered at the commencement of each regular Council meeting. Those wishing to speak should sign their name, address and the agenda item or topic to be addressed on a designated participation sheet. If there are five or fewer speakers, fifteen minutes shall be provided for Citizen Comment. If there are more than five speakers, a period of forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that Citizen Comment does not exceed forty-five minutes. The business of the City Council shall commence forty-five minutes after the beginning of Citizen Comment. Aldermen do not respond during Citizen Comment. Citizen comment is intended to foster dialogue in a respectful and civil manner. Citizen comments are requested to be made with these guidelines in mind.
- (VII) Consent Agenda: Alderman Rainey

- (VIII) Report of the Standing Committees
- |                               |   |                 |
|-------------------------------|---|-----------------|
| Administration & Public Works | - | Alderman Holmes |
| Planning & Development        | - | Alderman Rainey |
| Human Services                | - | Alderman Grover |
- (IX) Call of the Wards  
(Aldermen shall be called upon by the Mayor to announce or provide information about any Ward or City matter which an Alderman desires to bring before the Council.) {Council Rule 2.1(10)}
- (X) Executive Session
- (XI) Adjournment

## **SPECIAL ORDER OF BUSINESS**

**(SP1) Resolution 20-R-11 Appointing Peter Braithwaite as Alderman of the Second Ward**

The Mayor recommends approval of Resolution 20-R-11, appointing Peter Braithwaite as Alderman of the Second Ward for the remainder of the term of the 78<sup>th</sup> City Council. Approval of Resolution 20-R-11 will be followed by administration of Athenian Oath of Citizenship and Oath of Office.

**For Action**

## **CONSENT AGENDA**

- (M1)** Approval of Minutes of the Regular City Council Meeting of February 28, 2011

## **ADMINISTRATION & PUBLIC WORKS COMMITTEE**

<b>(A1)</b>	City of Evanston Payroll through	2/27/11	\$2,548,776.30
<b>(A2)</b>	City of Evanston Bills FY2010/11 through	3/15/11	\$1,660,716.66
	City of Evanston Bills FY2011 through	3/15/11	\$ 630,708.70
	City of Evanston Credit Card Bills through	1/31/11	\$ 54,510.84

**(A3.1) Approval of Contract Award to G & L Contractors, Inc. for 2011 Granular Materials (Bid 11-57)**

Staff recommends City Council approval of a contract for the purchase of granular materials to G & L Contractors, Inc. (7401 N. St. Louis Avenue, Skokie, IL) in the amount of \$35,850. Funding for this work will be from the Water Fund and Sewer Fund, with a combined total budget of \$42,000.

**For Action**

**(A3.2) Approval of Contract Award to G.A. Johnson & Son for the Lorraine H. Morton Civic Center Main Entry Steps Project, (Bid 11-60)**

Staff recommends approval of the Lorraine H. Morton Civic Center Main Entry Steps Project to G.A. Johnson & Son (828 Foster Street, Evanston, IL) in the amount of \$84,330. Funding provided by 2011 Capital Improvement Program (CIP) Account #41516 with an allocation of \$450,000. This account is intended for a variety of projects at the Lorraine H. Morton Civic Center (LHMCC) including the main entry staircase, asbestos abatement, fire pump replacement, directory signage and life/safety improvement plan.

**For Action**

**(A3.3) Approval of Single Source Purchase for Cold Patch Material from Healy Asphalt Company, LLC**

Staff is requesting approval of a single source purchase of cold patch material for cold weather street maintenance activities from Healy Asphalt Company, LLC (3401 S. Busse Road, Mount Prospect, IL) in the amount of \$50,000. Healy Asphalt is the only regional supplier of UPM (unique paving materials) high performance cold patch mix. Funding for this work will be from Streets General Fund (2670-65055) in the amount of \$30,000, Water Fund (7115-65051) in the amount of \$10,000, and Sewer Fund (7400-65051) in the amount of \$10,000.

**For Action**

**(A3.4) Approval of Contract Award to North Suburban Asphalt Maintenance for 2011 Crack Sealing Program**

Staff recommends City Council approval of a contract in response to Request for Bids through the Municipal Partnering Committee to award the 2011 Crack Sealing Contract to the lowest responsive and responsible bidder, North Suburban Asphalt Maintenance (Park Ridge, IL) in the amount of \$50,000. Funding for this work will be from General Fund Street Maintenance Account (2670.62509) in the amount \$50,000 which has \$75,000 budgeted for contract maintenance for FY 2011.

**For Action**

**(A3.5) Approval of 2011 Congestion Mitigation and Air Quality (CMAQ) Grant Application for Dempster Street Signal Modernization Project and CTA Yellow Line In-Fill Station - Phase I Environmental Study**

Staff recommends authorization for the City Manager to apply for 2011 Congestion Mitigation and Air Quality (CMAQ) Grants for the Dempster Street Signal Modernization Project and the CTA Yellow Line In-Fill Station - Phase I Environmental Study. The estimated cost of the Dempster Street Signal Modernization Project is \$990,000; including CMAQ Grant funding of \$790,000 and General Obligation debt of \$200,000. The estimated cost of the CTA Yellow Line In-Fill Station - Phase I Environmental Study is \$2,130,000; including CMAQ Grant funding of \$1,704,000 and General Obligation debt of \$426,000. Since the City will not receive approval until late 2011, the above amounts will appear in the 2012 Budget and Capital Improvements Plan.

**For Action**

**(A3.6) Approval of SWANCC Disposal Contract for FY 2011**

Staff recommends approval of the 2011 refuse disposal fees to SWANCC (Solid Waste Agency of Northern Cook County) in the amount of \$75,000 for capital costs, \$780,000 for operations and maintenance and \$60,000 in recycling transfer fees. Funding to be provided by the Solid Waste Fund Accounts 7685.68310 (capital), 7685.62405 (operations and maintenance), and 7690.62415 (recycling). These accounts have budgets of \$83,300, \$899,640, and \$788,018 respectively for FY2011. Under an intergovernmental agreement, the City is required to make certain payments to SWANCC for capital, operations, maintenance, and disposal costs for the collection, transportation and disposal of municipal waste generated within the City of Evanston.

**For Action****(A4.1) Approval of Change Order No. 1 for Groot Yard Waste Contract**

Staff recommends approval of change order No.1 to the yard waste contract with Groot Industries, Inc. in the amount of \$0.55 per stop per month for the remainder of 2011, \$0.27 per stop per month for 2012, \$0.21 per stop per month for 2013, 0.15 per stop per month for 2014 and \$0.32 per stop per month for 2015 until October 31<sup>st</sup>. The total contract amount was originally approved at \$476,370, but due to higher than anticipated total cart volume is recommended at a not to exceed \$600,000 amount for 2011. Funding is to be provided by the Solid Waste Fund (7690-62415) which has \$788,018 budgeted for FY2011.

**For Action****(A4.2) Approval of Change Order No.1 for the Evanston Police Department Firing Range Project (Bid 11-13)**

Staff recommends approval of change order No.1 in the amount of \$84,581.41 for the Evanston Police Department Firing Range Project. This change order will increase the current contract amount from \$180,580.00 to \$265,161.41. Funding is to be provided by Capital Improvements Fund Project #415721 with a total balance of \$265,161.41.

**For Action****(A5) Resolution 17-R-11 Authorizing the Use of Motor Fuel Tax Funds for Resurfacing Dodge Avenue from Oakton Street to Lee Street**

The Evanston Department of Public Works recommends City Council approval of Resolution 17-R-11 authorizing the use of Motor Fuel Tax Funds (MFT) in the amount of \$300,000 for the Dodge Avenue Street Resurfacing Project. This project will be funded through the Motor Fuel Tax Fund (\$300,000; Fund# 200) and the CIP Fund (\$665,000; Fund # 415857).

**For Action**

(A6) **Resolution 18-R-11 Authorizing the Use of Motor Fuel Tax Funds for General Maintenance of Streets**

Staff recommends approval of Resolution 18-R-11 by which City Council would authorize the transfer of \$586,886 Motor Fuel Tax Funds for general maintenance of streets by City forces. The fund transfer was approved as part of 2011 budget.

**For Action**

(A7) **Ordinance 19-O-11: Special Assessment #1506 Alley Paving Project – North of Main Street, East of Grey Avenue**

Staff recommends approval of proposed Ordinance 19-O-11 by which City Council would authorize paving of the alley north of Main Street, east of Grey Avenue through the Special Assessment Process. Funding for this work will be 50% special assessment funds and 50% by home owners to be collected over a period of ten years. The City's share (\$130,707.35) will be paid by the special assessment fund 6365.65515.

**For Introduction**

(A8) **Ordinance 20-O-11: Special Assessment #1507 Alley Paving Project – North of Brummel Street, East of Callan Avenue**

Staff recommends approval of proposed Ordinance 20-O-11 by which City Council would authorize paving of the alley north of Brummel Street, east of Callan Avenue through the Special Assessment Process. The estimated total special assessment cost of paving the alley is \$61,150.10. The City's share is \$45,862.57 which is 75% of the total cost due to the adjacent CTA property on the north side of the proposed alley paving project. It has been the City's practice to fund the share of public agencies. Funding for this work will be 75% special assessment funds and 25% by home owners to be collected over a period of ten years. The City's share (\$45,862.57) will be paid by the special assessment fund 6365.65515.

**For Introduction**

(A9) **Ordinance 21-O-11, Amending City Code Section 3-5-6-(Y) Class Y Liquor Licenses, to Regulate Wine Tastings and Permit Sales of Warm Beer**

Local Liquor Commissioner recommends City Council adoption of Ordinance 21-O-11, Amending City Code Section 3-5-6-(Y) Class Y Liquor Licenses, to Regulate Wine Tastings and Permit Sales of Warm Beer. The proposed ordinance will permit licensees to charge for wine tastings and to sell warm beer in no more than 10% of their stores. The proposed amendments conform to state statute.

**For Introduction**

## **PLANNING & DEVELOPMENT COMMITTEE**

**(P1) Ordinance 24-O11 Granting a Special Use for a Type 2 Restaurant at 1608 Emerson Street in the West Evanston Overlay District (oWE)**

Staff and the Zoning Board of Appeals recommend the adoption of Ordinance 24-O-11, granting a special use permit for the operation of a type 2 restaurant at 1608 Emerson Street. ZBA recommends establishing a requirement that the proposed business closes at 10 PM daily consistent with other nearby businesses.

**For Introduction**

**(P2) Ordinance 23-O-11: Removal of Pawnbroker as an Allowable Use in the C1 Commercial District**

Plan Commission and staff recommend approval of a zoning text amendment that would remove Pawnbroker as an allowable use in the C1 Commercial District, and thus as an allowed use in the City of Evanston. The ordinance has been amended consistent with the direction of the Planning and Development Committee on February 28, 2011. The amended ordinance now reflects the Planning and Development Committee's decision to reduce the number of pawnbroker licenses from 2 to 1.

**For Action**

**(P3) Resolution 13-R-11: Approving a Plat of Subdivision for 2408 Orrington Avenue, Former Site of Kendall College**

Resolution 13-R-11 was tabled by the City Council on February 28, 2011 to allow more discussions between the property owner's attorney and the City. Based on these discussions staff presents the enclosed resolution dated March 2, 2011 which differs from that which was on the floor at the February 28, 2011 Council meeting. This alternate resolution represents staff's best attempt at further negotiation of the outstanding issues regarding the proposed subdivision with the developer's counsel. Developer's counsel indicates that the negotiated language is acceptable in principle to his client, however, issues regarding the 51" oak tree in the alley right of way are still present. It is the developer's responsibility to articulate to the Council what areas of disagreement with the City remain.

**For Action**

**(P4) Ordinance 11-O-11: Accepting the Dedication of Public Alleys as a Product of Approval of a Plat of Subdivision for 2408 Orrington, the Former Site of Kendall College**

As indicated in the memorandum summarizing Resolution 13-R-11, proposed resubdivision for 2408 Orrington, City staff has discussed the remaining issues about the Plat of Resubdivision for 2408 Orrington with the owner's attorney. An alternative Resolution has been prepared for consideration dated March 2, 2011. If the alternative resolution is approved, then this ordinance needs to be amended to mirror the revised language in the alternative resolution. Staff recommends approval of Ordinance 11-O-11, including the enclosed Alternative Proposed Alley Plan (Exhibit B to 11-O-11), conditional upon the developer committing to construct the proposed alleys as indicated in the attached Public Alley Construction Agreement (Exhibit D to 11-O-11), to be recorded with the Plat of Subdivision and Dedication (Exhibit A to 11-O-11). This item was held in Committee on January 24, 2011, and was introduced at the February 14, 2011 City Council meeting.

**For Action**

## **HUMAN SERVICES**

**(H1) Approval of Township of Evanston February 2011 Bills**

Township of Evanston Supervisor recommends City Council approval of the Township of Evanston bills, payroll, and medical payments for the month of February 2011 in the amount of \$111,696.23.

**For Action**

**(H2) Ordinance 5-O-11 Amending Title 7, "Public Ways" Chapter 8, "Trees and Shrubs" to Add Section 8, "Tree Preservation**

Forestry staff recommends approval of language modifications to the proposed Tree Preservation Ordinance 5-O-11 as approved by the Human Services Committee on March 7, 2011. The proposed ordinance has been revised since the January 24, 2011 City Council meeting to reflect concerns from the Public Works, Community and Economic Development, and Utilities Department Directors.

**For Introduction**

## **OTHER COMMITTEES**

**(O1) Approval for Assistance from the Façade Improvement Program for Evanston Festival Theatre, Inc. (600 Main Street)**

The Economic Development Committee and staff recommend conditional approval for financial assistance for façade improvements for Evanston Festival Theatre, Inc. located at 600 Main Street (PIN: 11-19-500-002-0000) on a 50/50 cost-sharing basis not to exceed \$2,250. Approval for this façade improvement is contingent on the payment of the City of Evanston's water bill by Union Pacific Railroad at the property. Funding provided by the Economic Development Fund's Business District Improvement Fund (Account: 5300.65522). The FY2011 Budget allocated \$175,000 to this account; to date, no funds have been expended from this account.

**For Action**

**(O2) Approval for Assistance from the Façade Improvement Program for EGEA Spa (1521 Sherman Avenue)**

The Economic Development Committee and staff recommend approval for financial assistance for façade improvements for EGEA Spa located at 1521 Sherman Avenue (PIN 11-18-318-016-0000) on a 50/50 cost-sharing basis not to exceed \$5,200. Funding provided by the Economic Development Fund's Business District Improvement Fund (Account: 5300.65522). The FY2011 Budget allocated \$175,000 to this account; to date, no funds have been expended from this account.

**For Action**

**(O3) Approval for Assistance from the Façade Improvement Program for Varsity LLC (1706-1710 Sherman Avenue)**

The Economic Development Committee and staff recommend approval for financial assistance for façade improvements for Varsity LLC located at 1706-1710 Sherman Avenue (PIN: 11-18-126-014-0000) on a 50/50 cost-sharing basis not to exceed \$9,500. The Washington-National Tax Increment Financing District's (TIF) Contractual Services Account (5470.65515) is the recommended funding source.

**For Action**

**(O4) Approval for Assistance from the Façade Improvement Program for Renaissance Realty and Construction (1715 Church Street and 1703-1711 Darrow Avenue)**

The Economic Development Committee and staff recommend conditional budget approval for financial assistance for façade improvements for Renaissance Realty and Construction located at 1715 Church Street and 1703-1711 Darrow Avenue (PIN: 10-13-221-019-0000) on a 50/50 cost-sharing basis not to exceed \$16,500, pending the submission to Staff three written estimates of final project cost. The West Evanston Tax Increment Financing District's (TIF) Other Charges Account (5870.62605) is the recommended funding source.

**For Action**



**(O5) Approval for Assistance from the Façade Improvement Program for Stratosphere Networks (1732 Central Street)**

The Economic Development Committee and staff recommend approval for financial assistance for façade improvements for Stratosphere Networks located at 1732 Central Street (PIN: 10-12-201-004-0000) on a 50/50 cost-sharing basis not to exceed \$8,000. Funding provided by the Economic Development Fund's Business District Improvement Fund (Account: 5300.65522). The FY2011 Budget allocated \$175,000 to this account; to date, no funds have been expended from this account.

**For Action****APPOINTMENTS****(AP1) For Appointment to:**

Lakefront Committee	Ald. Coleen Burrus
Lakefront Committee	Ald. Judy Fiske
Lakefront Committee	Ald. Jane Grover
Lakefront Committee	Ald. Melissa Wynne
Lakefront Committee	Percy Berger
Lakefront Committee	Marcel Eberle
Lakefront Committee	Chris Ernst
Lakefront Committee	David Reynolds

West Oakton Development Committee	Ald. Ann Rainey
West Oakton Development Committee	Ald. Mark Tendam
West Oakton Development Committee	Ald. Donald Wilson
West Oakton Development Committee	Ryan C. Garton
West Oakton Development Committee	Linda Gelb
West Oakton Development Committee	Dylan Gephart
West Oakton Development Committee	Gayle Lovinger
West Oakton Development Committee	Mark Metz

Mayor's Wind Farm Committee	Rachael Bisnett
Mayor's Wind Farm Committee	Thomas Carey
Mayor's Wind Farm Committee	Tom Cushing
Mayor's Wind Farm Committee	Jack Darin
Mayor's Wind Farm Committee	Deanna Dworak
Mayor's Wind Farm Committee	Joel Freeman
Mayor's Wind Farm Committee	Kevin Glynn
Mayor's Wind Farm Committee	Libby Hill
Mayor's Wind Farm Committee	Victoria Hutchen

Mayor's Wind Farm Committee	Joe Jaskulski
Mayor's Wind Farm Committee	Nathan Kipnis
Mayor's Wind Farm Committee	Diego Klabjan
Mayor's Wind Farm Committee	Kristin Landry
Mayor's Wind Farm Committee	Richard Lanyon
Mayor's Wind Farm Committee	Tim Patton
Mayor's Wind Farm Committee	Nicolai Schousboe
Mayor's Wind Farm Committee	Tim Schwartz
Mayor's Wind Farm Committee	William E. Siegfriedt
Mayor's Wind Farm Committee	Jeff Smith
Mayor's Wind Farm Committee	William Wagner
Mayor's Wind Farm Committee	Fred Wittenberg

**(AP2) For Reappointment to:**

Library Board	Susan Newman
Plan Commission	Seth Freeman
Sign Review and Appeals Board	Marnie Kadish

**MEETINGS SCHEDULED THROUGH APRIL 11**

Upcoming Aldermanic Committee Meetings:

Tuesday, March 22	7 pm	Special City Council: Budget Issues
Wednesday, March 23	6 pm	Transportation/Parking Committee
Wednesday, March 23	7:30 pm	Economic Development Committee
Thursday, March 24	5:30 pm	Emergency Telephone System Board
Monday, March 28	5:45 pm	Administration & Public Works Committee
Monday, March 28	7:15 pm	Planning and Development/City Council
Monday, April 11	6:00 pm	Rules Committee
Monday, April 11	7:00 pm	Human Services Committee