

January 24, 2011



CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
COUNCIL CHAMBERS
Monday, January 24, 2011

ORDER OF BUSINESS

Roll Call:

Alderman Fiske	Alderman Tendam
Alderman Jean-Baptiste	Alderman Grover
Alderman Wynne	Alderman Rainey
Alderman Wilson	Alderman Burrus
Alderman Holmes	

Presiding: **Mayor Elizabeth B. Tisdahl**

Mayor Tisdahl called the Regular Meeting of the City Council to order after a Roll Call of the Aldermen at 8:35 p.m.

Mayor Public Announcements:

Mayor Tisdahl spoke of the Meeting she attended in Washington, D.C. with the US Congress of Mayors. She stated she would present her report in written form, since the City Manager had already given information concerning the event.

City Manager Public Announcements and Presentations:

City Manager, Wally Bobkiewicz asked Chief Eddington to come forward and introduce the Officers who were being promoted.

Evanston Police Department Promotions: Daniel Russell was promoted to the position of Police Commander and Jeffrey Jamraz was promoted to the position of Deputy Police Chief. They were sworn into office by City Clerk, Rodney Greene. Family members pinned the badges on their promoted love one.

Presentation on the Water Quality Laboratory at the Evanston Water Treatment Facility was delivered by Mr. David Stoneback, Director of Water & Sewer, and Kevin Lookis, Assistant Superintendent Water Production along with a ten minute video presentation.

A CTA announcement was made by Matt Swentkofske, Intergovernmental Relations Coordinator concerning a meeting this Thursday at 6:60 pm, and asked for a critical turnout of residents to give input and concerns about the CTA services in Evanston and

the Purple Line's future. There will also be information on the City's website as well as CTAs' website.

Catherine Hurley, Sustainable Programs Coordinator announced a partnership for recycling batteries with the Solid Waste Corporation of Northern Cook County and Interstate Batteries. They will be collecting batteries year round at the Lorraine H. Morton Civic Center on the ground floor (8:30 am-5:00pm) and at the Levy Senior Center from 9:00am-5pm Monday through Friday and on weekends Saturday and Sunday 9am-3 pm. This program will be free for the citizens of Evanston.

Communications: City Clerk

Mr. Greene gave an announcement concerning the loan application the City of Evanston has filed with the IEPA for sewer rehabilitation work. He also stated the proposal will be available for viewing in the City Clerk's Office until February 10, 2011.

SPECIAL ORDER OF BUSINESS

(SP1) Report on RFP to Design, Build, Finance and Operate an Ice Rink and Community Center within Crown Park

Staff recommends Council confirmation of the intended next steps and draft project schedule outlining the anticipated timeline going forward.

For Action

Paul D'Agostino, Superintendent of Parks, Forestry & Facilities Management, introduced three teams offering their proposals for the Rink and Community Center within Crown Park.

- 1) Harvard Contractors, represented by Pat Callahan
- 2) Edmond Woodberry, Kaffrees
- 3) Don Walsh Construction Company
Lewis English, David Woodhouse, Don Walsh Construction Company, Donald McClay (Club Sports), Larry Gould (Baseball).

Mr. Doug Gaynor, Director Recreation & Community Services gave a summary of the Special Order of Business. A motion was made to accept the recommendation of staff to move forward with the Crown Park project.

(SP2) Discussion of Oakton Street Property Uses (2200 and 2300 blocks)

With the potential development of the parcel on the south side of the 2400 block of Oakton Street, staff is recommending that the City Council discuss the future uses of City facilities on the south side of the adjacent 2300 and 2200 blocks of Oakton Street.

For Discussion

Mr. Bobkiewicz gave a presentation for the property on Oakton Street and was looking for direction from the Council to possibly exploring further options for the property in question. Alderman Jean-Baptiste motioned to have a subcommittee established to discuss the economical potential of the usage of the property in question. A voice vote was taken to approve the motion which resulted in two opposed and seven for so the motion passed.

(SP3)3rd Quarter Financial Report for Fiscal Year 2010-11 and FY10-11 Year End Estimate

Staff recommends City Council accept and place the 3rd Quarter Financial Report, including the fiscal year-end estimate, on file.

For Action

Joellen Earl, Director of Human Services gave a power-point presentation of the fiscal financial report and the year end estimate. Mr. Bobkiewicz gave a final summary of what Mrs. Earl had presented. A voice vote was taken with a unanimous acceptance response, and the recommendation was approved.

Citizen Comment:**These following citizens spoke on item SP2 and their support:**

David Campbell, 2016 Harrison, representative of the Evanston Baseball & Softball Association. He proposed an idea that would improve the Crown Park with the joining efforts of the City Government of Evanston and the residents coming together, at no cost to the City.

Larry Raffel, 3509 Central Street, read a resolution supporting the proposal of the Evanston Baseball & Softball Association.

Randall Mayne, 321 Lake Street he stated he was a member of the Playground Recreation Board and also supported the proposal from the EBSA.

Speaking in favor of keeping the animal shelter at the current locatin:

Gayle Lovengale, 2325 Simpson Street, CARE representative spoke on the of the animal shelter at the cite and wish to stay at the location.

Speaking on multiple issues of the proposed budget.

Junad Rizki, 226 Ridge Ave. stated the City is wasting money and is starting to cannibalize the budget. He stated many objections for what the City is doing with the budget and he would like to see some numbers for the Robert Crown project.

Items not approved on Consent Agenda:

(M1)Approval of Minutes of the Regular City Council Meeting of January 10, 2010

(A6)Ordinance 12-O-11, Decreasing the Number of Class B Liquor Licenses Due to a Change in Ownership of Pete Miller Steak House

The Local Liquor Commissioner recommends passage of Ordinance 12-O-11, amending Section 3-5-6-(B) of the City Code to decrease the number of Class B liquor licenses from 16 to 15 due to a change in ownership of Pete Miller Steak House, 1572 Sherman Avenue.

For Introduction**(A7)Ordinance 13-O-11, Increasing the Number of Class B Liquor Licenses to Permit Issuance to Pete Miller Steak House**

The Local Liquor Commissioner recommends passage of Ordinance 13-O-11, amending Section 3-5-6-(B) of the City Code to increase the number of Class B liquor licenses from 15 to 16 to permit issuance to Pete Miller Evanston, LLC, owner of "Pete Miller Steak House," 1572 Sherman Avenue.

For Introduction

(P1)HOME Funding Request From Housing Opportunity Development Corporation (HODC) For 131 Callan Avenue

The Housing Commission and staff recommend approval of the application for HOME funding from Housing Opportunity Development Corporation (HODC) for the rehabilitation of 4, 1-bedroom units at 131 Callan Avenue with a not to exceed amount of \$520,000. HOME funds will be structured as a \$229,500 loan with a balloon payment at the end of the 20 year term and a HOME grant of \$290,500. The loan portion of the HOME funding will be used for the refinance of the current mortgage on the property. The grant portion will be used for the rehabilitation costs.

For Action**(P2)Approval of Plat of Subdivision for 2408 Orrington Avenue, former site of Kendall College**

Staff recommends approval of the proposed plat of subdivision of the former site of Kendall College – the block bounded by Orrington Avenue, Colfax Street, Sherman Avenue, and Lincoln Street and also referred to as 2408 Orrington Avenue – into nineteen single-family lots as shown in the plat dated November 3, 2010, to City Council for approval.

For Action**(P3)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**

Staff recommends approval. The cost of constructing alleys for the proposed subdivision is a developer responsibility. Ordinance 11-O-11 accepts the dedication of public alleys included in the proposed plat of subdivision for 2408 Orrington. If the plat is approved on January 24, 2011 then Ordinance 11-O11 should be introduced.

For Introduction**(P5)Ordinance 6-O-11 Granting a Special Use for a Dwelling - Multiple-Family at 1932 Maple Avenue in the B1 Business District**

Staff recommends denial of the proposed Special Use Permit to protect the integrity and potential revitalization of the commercial area centered at Maple Avenue and Foster Street. Approval of the special use application would remove the possibility of commercial space occupying current commercial storefronts and lessen the critical mass of commercial space in the business district. The ZBA, by a 4-2 vote, recommended approval of the application. The Site Plan and Appearance Review Committee also recommended approval of the project.

For Introduction**(H1)Ordinance 5-O-11 Amending Title 7, “Public Ways” Chapter 8, “Trees and Shrubs” to Add Section 8, “Tree Preservation**

Forestry staff recommends review of the Tree Preservation Ordinance 5-O-11 as approved by the Human Services Committee on December 6, 2010. The proposed ordinance has been revised since the last Human Services Committee meeting to reflect that all staff responsibilities are now listed as “City Manager or his/her designee”

rather than individual staff position titles. There are additional concerns from other Departments which still need to be resolved, therefore staff recommends that the Ordinance be referred back to the Human Services Committee for additional discussion.

For Introduction

CONSENT AGENDA

ADMINISTRATION & PUBLIC WORKS

(A1)	City of Evanston Payroll through	1/16/11	\$2,558,341.75
(A2)	City of Evanston Bills through	1/25/11	\$1,112,337.12

(A3.1) Approval of 1-Year Contract Extension for RFP 10-70, Auto Body & Collision Repair Services

Staff recommends City Council approval of a one year contract extension to RFP 10-70, Auto Body & Collision Services and Repairs to Sigler's Auto Body (7445 Channel Road, Skokie, IL) in the amount of \$56,000.00 from 01/28/11 through 12/31/11 to provide products, services and repairs for both emergency and non-emergency vehicles. Funding is provided by account 7710.65060, "Material to Maintain Autos," with a budget of \$910,000.00. These estimated expenditures in the amount of \$56,000.00 represent 6.1% of this budget.

For Action

(A3.2) Approval of 1-Year Contract Extension for RFP 10-76, Emergency Lighting & Aftermarket Equipment

Staff recommends City Council approval of a one year contract extension to RFP 10-76, Installation, Removal, and Repair of Law Enforcement and Emergency Fire Response Vehicles and Equipment to Havey Communications (P.O. Box 448, Lake Forest, IL) in the amount of \$62,000.00 from 01/28/11 through 12/31/11 for lighting, sirens, communications, computer systems and various aftermarket products. Funding is provided by account 7710.65060, "Material to Maintain Autos," with a budget of \$910,000.00. These estimated expenditures in the amount of \$62,000.00 represent 6.8% of this budget.

For Action

(A3.3) Approval of 1-Year Renewal of Elevator Service Agreement with ThyssenKrupp Elevator Corp. for the Sherman Plaza Self Park

Staff recommends renewal of the service and maintenance agreement with ThyssenKrupp Elevator Corporation (2305 Enterprise Drive, Westchester, IL) for the elevators at the Sherman Plaza parking garage for a 1-year term at a cost of \$35,427.60. The proposed 1-year service agreement is effective January 1, 2011 to December 31, 2011. This agreement provides for less than a 3% annual increase from

last year's fee. Funding is provided by the 2011 Parking Fund account #7036.62425 with a budget of \$40,000.

For Action

(A3.4) Approval of Renewal of Elevator Service Agreement with OTIS Elevator Corp. for the Civic Center, Service Center, Maple Ave. and Church Street Self Parks

Staff recommends renewal of the service and maintenance agreement with OTIS Elevator Corporation (949 Oak Creek Drive in Lombard, IL) for the elevators at the Service and Civic Centers, and Maple Avenue and Church Street parking garages for a 1-year term at a cost of \$65,435.15. The proposed 1-year service agreement is effective January 1, 2011 to December 31, 2011. The agreement provides for a 3% annual increase from last year's fee. Funding is provided by various budget sources.

For Action

(A3.5) Approval of Extending the Term of Current Auditors, Baker Tilly Virchow Krause, LLP For 1 Year

Staff recommends extending the term of our current Auditors, Baker Tilly Virchow Krause, LLP by one year. The Auditors have agreed to perform the FY 2010-11 audit for \$79,500, which is the same fee as FY 2009-2010 audit. Funding of \$100,000 is budgeted in General Fund, BU 1920 for FY 2011

For Action

(A4) Approval of Change Order No. 3 and Change Order No. 4 to the 2009 Water Main, Sewer and Street Improvements Contract (Bid No. 10-40)

Staff recommends approval of Change Order No. 3 and Change Order No. 4 to the 2009 Water Main, Sewer and Street Improvements contract (Bid No. 10-40) with Trine Construction Corporation (27W364 North Avenue, West Chicago, IL). The total amount of both change orders is a decrease to the contract amount of \$203,861.72 from \$1,823,502.40 to \$1,619,640.68. Funding for Change Order No. 3 and Change Order No. 4 will be provided by the Water Fund, Account 733110.65515 and the Capital Projects Fund, Account 415857.65515.

For Action

(A5) Resolution 5-R-11 by Which The City Council Would Authorize the Use Of Motor Fuel Tax Funds for Roadway Construction and Related Engineering Services

The Evanston Department of Public Works recommends City Council approval of Resolution 5-R-11 authorizing the use of Motor Fuel Tax Funds (MFT) in the amount of \$1,000,000 for the 2011 MFT Street Resurfacing Project and \$110,606 for design and construction engineering services by City Staff. Total MFT funding authorization request is \$1,110,606.00. This project will be funded through the Motor Fuel Tax Fund. (FUND # 200).

For Action

(A8) Ordinance 1-O-11, Amending City Code Section 7-15-1 to Amend the Membership of the Board of Local Improvements

Illinois law (65 ILCS 5/9-2-7) establishes the membership of each board of local improvements (“BLI”) in cities having a population of 50,000 or more and less than 500,000. Section 7-15-1 of the City Code establishes the membership of the City’s BLI. Ordinance 1-O-11 will ensure the City Code complies with the statute and uses the current job titles of the board members. This ordinance was introduced at the January 10, 2011, City Council meeting.

For Action**(A9) Ordinance 3-O-11 Amending Various Sections of Title 8, “Mobile Food Vehicle Vendors”, Chapter 26 of the City Code**

The Law Department submits for consideration ordinance 3-O-11 amending Title 8, Chapter 26, of the City Code. The proposed amendments reflect a pro-rated fee for licenses granted after July 1 of any calendar year, retroactive to September 13, 2010, which is the date the original ordinance was approved by City Council. The amendments also authorize the City Manager or his/her designee to enter food trucks at a reasonable time to ensure compliance with the Code. Finally, the amendment clarifies that vendors need not obtain temporary food establishment permits for private events unless the vendor changes its menu for the private event. This ordinance was introduced at the January 10, 2011, City Council meeting, with suggested revisions.

For Action**PLANNING & DEVELOPMENT COMMITTEE****(P4) Ordinance 07-O-11 Granting a Special Use for a Type 2 Restaurant at 824 Clark Street in the D2 Downtown Retail Core Zoning District**

Staff and the Zoning Board of Appeals recommend the adoption of ordinance 7-O-11, granting a special use permit for the operation of a type 2 restaurant at 824 Clark Street. ZBA recommends allowing the proposed business to operate until, 2 AM on Friday and Saturday nights, while staff recommends that the store operate until midnight on Friday and Saturday nights, due to nearby residential development, with deliveries allowed until 1 AM.

For Introduction**OTHER COMMITTEES****(O1) Ordinance 2-O-11, Eliminating the Board of Examiners of Stationary Engineers, Boiler or Water Tenders**

Title 4, Chapter 3 of the City Code establishes the Board of Examiners of Stationary Engineers, Boiler or Water Tenders to license said professionals. The Board has been inactive and unstaffed for years, and the Council has not amended the cited Code provisions since adopting the 1957 City Code. The Rules Committee recommends eliminating the Board. This ordinance was introduced at the January 10, 2011, City Council meeting.

For Action

Alderman Rainey motioned for approval of the Consent Agenda, it was seconded and a Roll Call vote was taken which resulted in a 9-0 response to approve the Consent Agenda as presented.

Items for discussion:**(M1) Approval of Minutes of the Regular City Council Meeting of January 10, 2010**

City Clerk Greene made corrections to the minutes on pages 2 and 7. The street name was corrected to reflect Central Street instead of Main Street. A unanimous voice vote was received and the minutes were approved with corrections.

(A6) Ordinance 12-O-11, Decreasing the Number of Class B Liquor Licenses Due to a Change in Ownership of Pete Miller Steak House

The Local Liquor Commissioner recommends passage of Ordinance 12-O-11, amending Section 3-5-6-(B) of the City Code to decrease the number of Class B liquor licenses from 16 to 15 due to a change in ownership of Pete Miller Steak House, 1572 Sherman Avenue.

For Introduction

A motion to suspend the rules was made by Alderman Holmes and was seconded. A Roll Call was taken with a 9-0 result to accept. A motion to reduce the number of liquor licenses was made and seconded. Roll Call was taken with a result of 9-0 for approval. A motion to approve the Ordinance was made and seconded. A Roll Call vote was taken with a result of 9-0 response to approve.

(A7) Ordinance 13-O-11, Increasing the Number of Class B Liquor Licenses to Permit Issuance to Pete Miller Steak House

The Local Liquor Commissioner recommends passage of Ordinance 13-O-11, amending Section 3-5-6-(B) of the City Code to increase the number of Class B liquor licenses from 15 to 16 to permit issuance to Pete Miller Evanston, LLC, owner of "Pete Miller Steak House," 1572 Sherman Avenue.

For Introduction

A motion was made to approve the Ordinance and a second was received as well. A Roll Call vote was taken with a result of 9-0 for and the motion was approved.

(P1) HOME Funding Request From Housing Opportunity Development Corporation (HODC) For 131 Callan Avenue

The Housing Commission and staff recommend approval of the application for HOME funding from Housing Opportunity Development Corporation (HODC) for the rehabilitation of 4, 1-bedroom units at 131 Callan Avenue with a not to exceed amount of \$520,000. HOME funds will be structured as a \$229,500 loan with a balloon payment at the end of the 20 year term and a HOME grant of \$290,500. The loan portion of the HOME funding will be used for the refinance of the current mortgage on the property. The grant portion will be used for the rehabilitation costs.

For Action

Alderman Jean-Baptiste motioned for an amount of \$290,500 for the HOME funding of 4, 1-bedroom units at 131 Callan Avenue and the motion was seconded. A Roll Call vote was taken with a 9-0 result and the motion passed.

(P2)Approval of Plat of Subdivision for 2408 Orrington Avenue, former site of Kendall College

Staff recommends approval of the proposed plat of subdivision of the former site of Kendall College – the block bounded by Orrington Avenue, Colfax Street, Sherman Avenue, and Lincoln Street and also referred to as 2408 Orrington Avenue – into nineteen single-family lots as shown in the plat dated November 3, 2010, to City Council for approval.

For Action

Alderman Jean-Baptiste stated the issue was held in committee for further discussion.

(P3)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

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For Introduction

Alderman Jean-Baptiste stated the issue was held in committee for further discussion.

(P5)Ordinance 6-O-11 Granting a Special Use for a Dwelling - Multiple-Family at 1932 Maple Avenue in the B1 Business District

Staff recommends denial of the proposed Special Use Permit to protect the integrity and potential revitalization of the commercial area centered at Maple Avenue and Foster Street. Approval of the special use application would remove the possibility of commercial space occupying current commercial storefronts and lessen the critical mass of commercial space in the business district. The ZBA, by a 4-2 vote, recommended approval of the application. The Site Plan and Appearance Review Committee also recommended approval of the project.

For Introduction

Alderman Jean-Baptiste stated it was voted for denial at committee until June 27th (a six month hold over) to give the economic staff time to work with the owners to find tenants.

(H1)Ordinance 5-O-11 Amending Title 7, “Public Ways” Chapter 8, “Trees and Shrubs” to Add Section 8, “Tree Preservation

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For Introduction

This Ordinance was referred back to committee.

Ward 1 Alderman Fiske no report

Ward 2 Alderman Jean-Baptiste announced a meeting tomorrow at 1819 Dempster-Hartwood Center to discuss the issues of the Plaza.

Ward 3 Alderman Wynne no report.

Ward 4 Alderman Wilson made a referral to the Rules committee to changing the order of business to allow citizen comments before special orders of business.

Ward 5 Alderman Holmes no report.

Ward 6 Alderman Tendam no report.

Ward 7 Alderman Grover no report.

Ward 8 Alderman Rainey encourage everyone to attend the CTA meeting on Thursday night at 6:00 pm. She also stated the communications concerning events in the City need to be publicized more.

Ward 9 Alderman Burrus ninth ward meeting will be held on February 22 at 7 pm in the Piccolo Theater located at the Main Street Metra Center. February 1, 2011 Larry Suffredin will be offering a seminar on property tax appeal at 7:00 pm at Hill Education Center at 1500 McDaniel

Alderman Wilson motioned to convene into Executive Session to discuss Litigation, Real Estate, Personnel, and Minutes a Roll Call was taken with a 9-0 result for approval. The meeting ended at 11:05 p.m.

Respectfully submitted,
Rodney Greene, City Clerk

A COPY OF THESE MINUTES WILL BE AVAILABLE ONLINE THREE (3) DAYS AFTER THE NEXT OFFICIAL COUNCIL MEETING AND THE COUNCIL'S APPROVAL.