



MEETING MINUTES

CITY COUNCIL EXECUTIVE SESSION

Monday, January 24, 2011
Lorraine H. Morton Civic Center
Aldermanic Library

Members Present:

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

Staff Present: City Manager, Wally Bobkiewicz, City Attorney, Grant Farrar, Assistant City Attorney, Steve Griffin, Director of NU Work Study Program, Catherine Hurley, Sustainability Coordinator Johanna Nyden, Economic Developer Planner, Joellen Earl, Director Human Services

Presiding Member: Mayor Elizabeth B. Tisdahl

The meeting was called to order at 11:10 pm by Mayor Tisdahl.

REAL ESTATE

City Manager, Wally Bobkiewicz stated there would be updates on the properties since the last meeting, and they are as follows:

1) Noggin Lab negotiations are still alive and he invited Ms. Nyden to give an updated report. Ms. Nyden stated there was controversy between the seller and buyer for final price of the property. With renegotiations the seller came down to 1.4 million and the buyer (Noggin) came up to 1.25 million. She stated that Noggin had the understanding they would pay for the buyer's broker's fees. She also stated the seller and buyer are waiting to see what else the City is willing to do.

Concerns:

- a) Does the owner owe the City any funds that could be used to assist them in the purchase?
- b) The old contract should be looked into for the various components and what was stated.
- c) What is the relationship between the two individual partners?

The final decision was to continue talking with Noggin Labs to see what can be accomplished, and a final report will be forthcoming.

2) Mr. Bobkiewicz then spoke of the Red Hen Bakery and the previous talks with the organization, which is based in Chicago. They were interested in opening a shop in Evanston. So he suggested that the Mayor, Aldermen Rainey and Burrus.

3) Mr. Bobkiewicz stated that Gordon's Food said if they had to abide by the City's Green Ordinance they would not open an establishment in Evanston. He also stated that Catherine Hurley was a LEED specialist and has investigated the plans for the building they are expecting build and they can not achieve the points they need to meet the City's requirements because all of the space is accounted for.

Concerns:

- a) Are there any points that could be credited for the retention pond?
- b) Are there ways to amend the Green Ordinance, or adopt a customized bill?
- c) If this happens we will be going backwards and others will come later asking for the same treatment.
- d) There should be exceptions because this is a different type of situation.
- e) The suggestion is to have further research to see if other municipalities are experiencing similar situations.
- f) What will they need to attain a Silver Level?
- g) It was suggested to present the issue to the Environment Committee.

Mr. Bobkiewicz stated he has received good food for thought and that he would keep the Council posted with further progress at the next session.

LITIGATION

City Manager stated there will be a meeting with VEOLIA tomorrow but after the community meeting that was held by Aldermen Holmes and Jean-Baptiste the consensus of the group was have VEOLIA gone from the premises. He stated with that in mind he does not see the need to even meet with VEOLIA to discuss a Host Agreement, but to keep a watchful eye on their operations until the City can eliminate them from the location. He also stated he was looking for the Council to decide if they should continue with the Host Agreement.

Concerns:

- 1) What are the Legal ramifications for us going after them?
- 2) How much money is generated from the Company of VEOLIA?
- 3) How much will the values go up around the area?

Mr. Farrar suggested he would draft a new ordinance with better teeth so the Judge will have a hard time overturning the rational related action of a Council to a local matter of Home Rule power.

City Manager stated the understanding he has from the Council is to tell VEOLIA they are not meeting with them tomorrow and that our Ordinance stands. City Manager announced Kudos' for City Attorney Farrar for his successful case wins.

MINUTES

It was moved and seconded that the minutes of January 10, 2011 of the Executive Session be approved. A voice vote was taken and the minutes were approved as written.

ADJOURNMENT

The meeting was moved and seconded to adjourn. A voice vote was taken and the motion was unanimously approved at 12:10 A.M.

**Respectfully Submitted,
Rodney Greene
City Clerk**