



CITY COUNCIL REGULAR MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
JAMES C. LYTTLE COUNCIL CHAMBERS
Monday, May 23, 2016
7:55pm

Roll Call	Alderman Wilson	Alderman Holmes
	Alderman Tendam	Alderman Revelle
	Alderman Rainey	Alderman Miller
	Alderman Fiske	Alderman Braithwaite

Abesent Alderman Wynne

Mayor Tisdahl called the Regular Meeting of the City Council to order at 7:55 pm, after the Roll Call determined a quorum was represented.

Mayor Public Announcements and Proclamations

- **Recognition of 3rd Year of ETHS Geometry In Construction Accomplishments** – Several students and faculty from ETHS came to speak about the experiences they have enjoyed with the program. A picture with the Mayor and Aldermen was taken with the students and faculty.
- **2016 Evanston Preservation and Design Awards** – Jack Weiss presented several awards for various accomplishments for the committee and its members, for recognition for their works completed throughout the City of Evanston.
- **National Gun Violence Awareness Day – June 2, 2016** – Mayor Tisdahl read The proclamation for the Awareness Day, and asked if on this day we all wear the color Orange to stand against Gun Violence

City Manager Public Announcements

- *Holiday Refuse schedule announcements presented by Paul D'Agostino, Environmental Services Bureau Chief*

Communications: City Clerk

- *Correction to 3 resolutions from previous meetings*
- *Election 2017 Candidate Announcements*

Public Comment

1. Sarah McLaughlin – spoke about the Massage Ordinance
2. Chris Pappas – spoke about the Massage Ordinance
3. Debra Christensen – spoke about the Massage Ordinance
4. Katie Gregg – spoke about the Massage Ordinance
5. Randy Chertkow – spoke about the Massage Ordinance
6. Junad Rizki – spoke about various agenda/non-agenda items
7. Jane Neumann – spoke about the Massage Ordinance
8. Steve Albertson – spoke about the Massage Ordinance
9. Cheryl Bye – spoke about the Massage Ordinance
10. Rick Nelson – spoke about the Waste Transfer Funds
11. Lenice Levy – spoke about the 633 Howard Lease
12. Mike Vasilko – spoke about the Howard Street Lease
13. Jeanne Lindwall – spoke about the Massage Ordinance
14. Pamela Ferdinand – spoke about the Canal Shore Golf Course
15. Sarah Lashley – spoke about the Massage Ordinance
16. Kevin Glynn – spoke about the Waste Transfer Funds

SPECIAL ORDER OF BUSINESS**(SP1) Advanced Disposal Waste Transfer Station Fee Allocation**

It is recommended that the City Council: 1) allocate \$500,000 to the City's General Fund Reserve and \$763,248 to the City's Capital Projects Fund of the \$1,263,248 in waste transfer station fees collected by Advanced Disposal; 2) provide direction to staff for process of determining spending of Capital Projects Fund proceeds.

For Action – **Item Held. Moved by Alderman Holmes/2nd by Alderman Braithwaite**

CONSENT AGENDA**(M1) Approval of Minutes of the Regular City Council Meeting May 9, 2016.**

For Action -APPROVED

ADMINISTRATION & PUBLIC WORKS COMMITTEE

**(A1) City of Evanston Payroll through May 1, 2016
\$2,680,072.67**

**(A2) FY2016 City of Evanston Bills – May 24, 2016
\$3,463,108.94
For Action - APPROVED**

(A3.1) Other Post Employment Benefits Report

Staff recommends City Council accept and place the December 31, 2015 Other Post Employment Benefits (OPEB) Report on file. As a part of the Annual Financial Report, the City is required to provide an evaluation of the total liability of all other post employment benefits. The attached report from MWM Consulting Group provides a detailed analysis of the City's total liability which is approximately \$16M as of December 31, 2015. Staff recommends this report be accepted and placed on file for use in the FY 2015 Annual Financial Report.

For Action: Accept and Place on File - APPROVED

(A3.2) Contract with Capitol Cement Company Inc. for Howard Street Traffic Signal & Street Resurfacing Project

Staff recommends City Council authorize the City Manager to execute a contract for the Howard Street Traffic Signal & Street Resurfacing Project (Bid No. 16-32) with Capitol Cement Company Inc. (6231N. Pulaski Road, Chicago, IL 60646) in the amount of \$1,385,153.89. Funding will be from the Howard-Hartrey TIF Fund (Account 310.99.5500.65515-415430) in the amount of \$1,600,000.

For Action - APPROVED

(A3.3) Contract with ESI Consultants, Ltd. for Phase III Construction Engineering Services Contract for the Howard Street Traffic Signal & Street Resurfacing Project

Staff recommends City Council authorize the City Manager to execute a contract with ESI Consultants, Ltd., (1979 N. Mill Street, Suite 100, Naperville, IL 60563) in the not-to-exceed amount of \$142,932.16 to provide the Phase III construction engineering services for the Howard Street Signal & Street Resurfacing Project. Funding will be provided from the Howard-Hartrey TIF Fund (Account 310.99.5500.65515/415430) in the amount of \$1,600,000.

For Action - APPROVED

(A3.4) Contract with J.A. Johnson Paving Company for 2016 MFT Street Resurfacing Project

Staff recommends City Council authorize the City Manager to execute a contract for the MFT Street Resurfacing Project (Bid No. 16-30) with J.A. Johnson Paving Company (1025 E. Addison Court, Arlington Heights, IL 60005) in the amount of \$1,057,750.00. Funding will be provided from the MFT Fund (Account 415.40.4216.65515 - 416501) in the amount of \$1,052,330.50, and from the Parking Fund (Account 505.19.7005.65515) in the amount of \$5,419.50. This project was budgeted in the MFT Fund at \$1,356,000 for FY 2016. This project was not budgeted in the Parking Fund; however, this increase will not exceed the FY 2016 Parking Fund budget allocation.

For Action - APPROVED

(A3.5) Contract with Schroeder & Schroeder Inc. for 2016 50/50 Sidewalk Replacement Program

Staff recommends City Council authorize the City Manager to execute a contract for the 2016 50/50 Sidewalk Replacement Project (Bid No. 16-37) with Schroeder & Schroeder Inc. (7306 Central Park Avenue, Skokie, IL 60076) in the amount of \$200,640.00. Funding will be provided from the Capital Improvement Program (CIP) General Obligation Bonds (Account 415.40.4116.65515 – 416520) in the amount of \$150,000 and from estimated private funds in the amount of \$50,640. This project was budgeted at \$150,000 in the FY 2016.

For Action - APPROVED

(A3.6) Change Order No. 2 with Bolder Contractors, Inc. for Sheridan Road Water Main Lining Project

Staff recommends City Council authorize the City Manager to execute Change Order No. 2 to the contract for the Sheridan Road Water Main Lining Project (Bid No. 15-60) with Bolder Contractors, Inc. (316 Cary Point Drive, Cary, IL 60013) in the amount of \$95,340. Change Order No. 1 decreased the contract amount from \$3,767,440 to \$3,658,816. Proposed Change Order No. 2 will increase the contract amount to \$3,754,156. Funding for this project is provided from the Water Fund (Account 513.71.7330.65515 – 415450). This project was budgeted at \$3,770,000 for FY 2016.

For Action - APPROVED

(A3.7) Sole Source Purchase with Rainbow Treecare Scientific Advancements for Arbortech Fungicide

Staff recommends City Council authorize the City Manager to execute a purchase order for the sole source purchase of 96 gallons of Arbotect fungicide from Rainbow Treecare Scientific Advancements (Minnetonka, MN) at \$385.00 per gallon for a total purchase amount of \$36,960.00 in order to carry out the Elm Tree Injection Program for 2016. This vendor has the sole license from the European manufacturer, Syngenta, to distribute this product in the United States. This purchase is budgeted from the General Fund as follows: \$36,000 from Account 100.40.4320.62496 (with a budget of \$36,000), and \$960 from Account 100.40.4320.62385 (with a budget of \$26,000).

For Action - APPROVED

(A3.8) Single Source Purchase with JCS Industries c/o Gasvoda & Associates for Automated Chlorine Shut-off Valves

Staff recommends City Council authorize the City Manager to execute a single source purchase order with JCS Industries c/o Gasvoda & Associates (1530 Huntington Drive, Calumet City, IL 60409) for the purchase of Automated Chlorine Shut-off Valves in the amount of \$49,077.00. Funding for this equipment will come from the Water Fund (Account 513.71.7330.65515 - 716002). This account has a budget amount of \$75,000.00 allocated for the purchase of Automated Chlorine Shut-off Valves.

For Action - APPROVED

- (A3.9) Contract with Sebis Direct, Inc. for Utility Bill Printing and Mailing Services**
Staff recommends City Council authorize the City Manager to execute an agreement for Utility Bill Printing and Mailing Services (RFP 16-12) for a 2 ½ year term beginning July 1, 2016 through December 31, 2018 with Sebis Direct, Inc. (6516 W 74th Street Bedford Park, IL 60638) in the not-to-exceed amount of \$126,137.75. Printing of the bills will be provided by the Water Fund (Account 510.40.4225.62455) in the amount of \$22,400 and the Sewer Fund (Account 515.40.4530.62455) in the amount of \$9,500. Postage for mailing of the bills will be provided by the Water Fund (Account 510.40.4225.62315) in the amount of \$54,500 and the Sewer Fund (Account 515.40.4530.62315) in the amount of \$40,000.
For Action - APPROVED

- (A3.10) Sidewalk Café for Beth's Little Bake Shop**
Staff recommends City Council approval of a first-time application for a sidewalk café permit for Beth's Little Bake Shop, a bakery at 1814 Central Street. The sidewalk café will be located on Poplar Avenue and will consist of three tables with four seats and two tables with two seats for a seating capacity of sixteen. The café will operate 6:00 a.m. – 6:00 p.m. Monday – Friday and 7:00 a.m. – 5:00 p.m. on Saturday.
For Action - APPROVED

- (A3.11) Establishment of Sister City Relationship with Bentol City, Liberia**
Staff recommends City Council send a delegation of two City representatives to Bentol City, Liberia to assess and potentially establish a Sister City relationship between the two cities. The cost of flight and accommodations for a delegation of two staff members would be approximately \$7,500. The trip will be budgeted from Manager's Contingency Fund (Account 100.15.1505.68205).
For Action – OFF AGENDA/ AMENDED NO MONEY, WILL ESTABLISH THE SISTER CITY. PASSES 8-0

- (A3.12) Storefront Modernization Program Application for 601 Dempster Street**
Staff recommends City Council approval of financial assistance through the Storefront Modernization Program to 601 Dempster Street in an amount not to exceed \$6,311.33. This agenda item is being presented to the Administrative and Public Works Committee because the May 25 meeting of the Economic Development Committee was cancelled. Staff recommends utilizing funds from the Economic Development Fund's Business District Improvement Fund (225.21.5300.65522). The approved Fiscal Year 2016 Budget allocated a total of \$250,000 for this account to fund both the Storefront Modernization and Great Merchant Grant programs.
For Action- APPROVED

(A3.13) Storefront Modernization Program Application for 607 Howard Street – Sweet Temptations Bakeshop

Staff recommends City Council approval of financial assistance through the Storefront Modernization Program to Sweet Temptations Bakeshop at 607 Howard Street in an amount not to exceed \$1,203.83 for the installation of an awning. This agenda item is being presented to the Administrative and Public Works Committee because the May 25 meeting of the Economic Development Committee was cancelled. Staff recommends utilizing funds from the Economic Development Fund's Business District Improvement Fund (225.21.5300.65522). The approved Fiscal Year 2016 Budget allocated a total of \$250,000 for this account to fund both the Storefront Modernization and Great Merchant Grant programs.

For Action - APPROVED

(A4) Resolution 38-R-16, Lease Agreement for Fifty Parking Spaces at 525 Church Street Parking Garage with Northwestern University

The Transportation/Parking Committee and staff recommend that the City Council adopt Resolution 38-R-16 authorizing the City Manager to enter into a one-year parking lease with Northwestern University (633 Clark, Evanston, IL 60208) for 50 parking spaces at a market rate of \$85 per space, per month at the 525 Church Street parking garage. The lease will be effective June 1, 2016 – May 31, 2017. Revenue will be placed in the Parking Revenue Fund (Account 505.19.7025.53510).

For Action – APPROVED

(A5) Resolution 34-R-16, Prevailing Wage for Public Works Projects

Staff requests that the City Council review and adopt Resolution 34-R-16, in order to comply with the provisions of the Illinois Prevailing Wage Act, 820 ILCS 130/0.01, *et seq.* (the "Act"). Section 9 of the Act requires that public entities establish prevailing wages in June of every year for certain laborers, workers, and mechanics, as defined by statute. The Act requires that contractors and subcontractors pay workers covered under the Act, who are employed on public works construction projects, a wage no less than the general prevailing rate of wages (consisting of hourly cash wages plus fringe benefits) in the county where the work is performed.

For Action - APPROVED

(A6) Resolution 37-R-16, Intergovernmental Agreement with City of Chicago for the Howard Street Traffic Signal & Street Resurfacing Project and Existing Traffic Signals Maintenance

Staff recommends adoption of Resolution 37-R-16 authorizing the City Manager to execute an Intergovernmental Agreement (IGA) with the City of Chicago for the Howard Street signal and street resurfacing project and maintenance of traffic signals along Howard Street bordering the City of Evanston and the City of Chicago. The IGA will obligate the City of Chicago to maintain traffic signals along Howard Street.

For Action - APPROVED

- (A7) **Resolution 17-R-16, Temporary Construction Easement Agreements with Target Corporation and ASP Realty LLC (Jewel/ Osco)**
Staff recommends adoption of Resolution 17-R-16 authorizing the City Manager to execute temporary construction easement agreements with Target Corporation and ASP Realty LLC (Jewel/Osco) for access drive improvements, sidewalk widening and related roadway work on private property.
For Action - APPROVED
- (A8) **Ordinance 19-O-16, Amending City Code Sections Related to the City of Evanston's Adopted Plumbing Code**
Staff recommends City Council adoption of Ordinance 19-O-16 amending City Code Section 4-2-2, "Amendments" and City Code Section 4-5-3, "Amendments" related to the City of Evanston's adopted Plumbing Code. Ten amendments regulating materials, water conservation fixtures, protection of water supply and use of single-user restrooms by any person regardless of gender identity have been reviewed and approved by the Illinois Department of Public Health and are now being presented to City Council for approval.
For Action – Correction For Introduction - APPROVED
- (A9) **Ordinance 52-O-16, Amending Subsection 3-4-6(P-3) of the City Code to Allow for Sale of Wine in Twenty-Two Ounce Containers for Off-Site Consumption**
Local Liquor Commissioner recommends City Council adoption of Ordinance 52-O-16, which amends the Evanston City Code of 2012, Subsection 3-4-6(P-3), to allow for sale of wine in twenty-two (22) ounce containers for off-site consumption for the current Class P-3 liquor licenses. Under the Illinois Liquor Control Act, cider falls within the wine definition, and a twenty-two (22) ounce container is typical of the cider industry.
For Introduction - APPROVED
- (A10) **Ordinance 53-O-16, Increasing the Number of Class D Liquor Licenses for 811 Church, LLC d/b/a Old Dixie Cafe**
Local Liquor Commissioner recommends City Council adoption of Ordinance 53-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class D liquor licenses from fifty-five (55) to fifty-six (56), and permit issuance of a Class D license to 811 Church, LLC d/b/a Old Dixie Cafe, located at 825 Church Street. **Suspension of the Rules is requested for Introduction and Action by City Council on May 23, 2016.**
For Introduction and Action - APPROVED

(A11) Ordinance 54-O-16, Increasing the Number of Class C Liquor Licenses for Terra and Vine, LLC d/b/a Terra and Vine

Local Liquor Commissioner recommends City Council adoption of Ordinance 54-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(C), as amended, to increase the number of authorized Class C liquor licenses from twenty (20) to twenty-one (21) and permit issuance of a Class C license to Terra and Vine, LLC d/b/a Terra and Vine, located at 1701 Maple Avenue.

For Introduction – APPROVED as being introduced only

(A12) Ordinance 55-O-16, Increasing the Number of Class C Liquor Licenses for Davis Street Group, LLC d/b/a The Whiskey Thief

Local Liquor Commissioner recommends City Council adoption of Ordinance 55-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(C), as amended, to increase the number of authorized Class C liquor licenses from twenty-one (21) to twenty-two (22) and permit issuance of a Class C license to Davis Street Group, LLC d/b/a The Whiskey Thief, located at 616 Davis Street. **Suspension of the Rules is requested for Introduction and Action by City Council on May 23, 2016.**

For Introduction and Action - APPROVED

(A13) Ordinance 56-O-16, Increasing the Number of Class D Liquor Licenses for WNK, Inc. d/b/a Table to Stix

Local Liquor Commissioner recommends City Council adoption of Ordinance 56-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class D liquor licenses from fifty-six (56) to fifty-seven (57), and permit issuance of a Class D license to WNK, Inc. d/b/a Table to Stix, located at 1007 Davis Street **Suspension of the Rules is requested for Introduction and Action by City Council on May 23, 2016.**

For Introduction and Action – APPROVED

(A14) Ordinance 57-O-16, Increasing the Number of Class C Liquor Licenses for Cupitol, Inc. d/b/a Cupitol Coffee and Eatery

Local Liquor Commissioner recommends City Council adoption of Ordinance 57-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(C), as amended, to increase the number of authorized Class C liquor licenses from twenty-two (22) to twenty-three (23) and permit issuance of a Class C license to Cupitol, Inc. d/b/a Cupitol Coffee and Eatery, located at 812 Grove Street.

For Introduction - APPROVED

(A15) Ordinance 58-O-16, Increasing the Number of Class D Liquor Licenses for

1560 Oak Banquet Facilities, LLC d/b/a 1560 Oak Banquet Facilities

Local Liquor Commissioner recommends City Council adoption of Ordinance 58-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(D), as amended, to increase the number of authorized Class D liquor licenses from fifty-seven (57) to fifty-eight (58) and permit issuance of a Class D license to 1560 Oak Banquet Facilities, LLC d/b/a 1560 Oak Banquet Facilities, located at 1560 Oak Avenue.

For Introduction - APPROVED

(A16) **Ordinance 59-O-16, Decreasing the Number of Class K Liquor Licenses for Exultation, Inc. d/b/a Sips on Sherman**

Staff recommends City Council adoption of Ordinance 59-O-16, which amends Evanston City Code of 2012 Subsection 3-4-6-(K), as amended, to decrease the number of authorized Class K liquor licenses from three (3) to two (2) as Exultation, Inc., d/b/a Sips on Sherman, located at 1741 Sherman Avenue, closed its business. **Suspension of the Rules is requested for Introduction and Action by City Council on May 23, 2016.**

For Introduction and Action - APPROVED

(A17) **Ordinance 36-O-16, Adding Title 3, Chapter 32, "Massage and Bodywork Establishments"**

City staff recommends City Council adoption of Ordinance 36-O-16. City staff drafted Ordinance 36-O-16 to address ongoing community concerns and provide an enforcement tool related to illegal sexual activities at massage establishments. City staff reviewed and considered comparable massage establishment statutes from similarly situated jurisdictions. The proposed ordinance clearly ties into state licensing requirements and makes City inspections and enforcement actions follow a clear path. The Ordinance was introduced and revised following the direction of the City Council after the March 28, 2016 City Council meeting.

For Action – OFF AGENDA: MOTION DOES NOT PASS (1 Y – 7 N)

PLANNING & DEVELOPMENT COMMITTEE

(P1) **Renewal and Update of Tenant Based Rental Assistance Program**

The Housing and Homeless Commission and staff recommend approval of a \$250,000 HOME grant to renew the Tenant Based Rental Assistance program, administered by Connections for the Homeless. This program will provide stable housing and support services for two years to an estimated nine at-risk Evanston families with children under the age of 18. Funding will be provided from the City's HOME Investment Partnerships grant (Account 240.21.5430.65535).

For Action - APPROVED

(P2) **Ordinance 51-O-16, Amending the Special Use Approval for Scoreboards at**

Rocky Miller Baseball Park and Sharon Drysdale Softball Field at 1501 Central Street

Staff recommends adoption of Ordinance 51-O-16 to amend the Special Use approval for Northwestern University's scoreboards at Rocky Miller Park and Sharon Drysdale Field to allow use of the lower portion of the scoreboards (excluding full LED board) for scorekeeping during other baseball and softball games held in the stadiums. There are no other changes to the original special use approval or to the scoreboards. Northwestern University is requesting use of the full LED scoreboards during other baseball and softball games held in the stadiums.

For Introduction – OFF CONSENT AGENDA/ ALDERMAN HOLMES MOTIONED FOR SUSPENSION OF THE RULES. ALDERMAN WILSON SECONDED. PASSES FOR INTRODUCTION AND FAILS FOR SUSEPNSION OF THE RULES FOR ACTION.

(P3) Ordinance 61-O-16, 1571 Maple Avenue Planned Development Extension

Staff recommends adoption of Ordinance 61-O-16 to extend the time for commencement of construction of the Planned Development at 1571 Maple Avenue, originally approved on April 13, 2015. The Ordinance grants a one-year extension for building permit issuance and start of construction by June 13, 2017.

For Introduction – OFF CONSENT AGENDA – PASSES (7-1)

(P4) Ordinance 165-O-16, Zoning Text Amendment – Impervious Surface Coverage and Building Lot Coverage Regulations Regarding Decks

The Plan Commission recommends adoption of Ordinance 165-O-16, Zoning Text Amendment, to classify all types of decks, except porches, towards building lot coverage instead of impervious surface coverage as is currently the case. Staff is proposing to modify the proposed Text Amendment to allow uncovered decks in the rear yard up to 3% of lot area and with permeable surface underneath to be excluded from building lot coverage and impervious surface coverage. Any area of decks exceeding 3% would be counted towards impervious surface coverage as it is currently the case.

For Action – OFF AGENDA – PASSES (8-0)

(P5) Ordinance 50-O-16 Granting Major Zoning Relief for Access to Parking via the Street when Alley Access is Present at 2767 Crawford Avenue

The Zoning Board of Appeals and City staff recommend adoption of Ordinance 50-O-16 granting major zoning relief for access to parking via the street when alley access is present for a new single family home at 2767 Crawford Avenue. The applicant has complied with all other zoning requirements, and meets the standards for variations.

For Action – OFF AGENDA – PASSES (7-1)

APPOINTMENTS

(APP1) For Re-Appointment to:

Preservation Commission Diane Williams

For Action - APPROVED

Call of the Wards:

- **Alderman Wilson: Congratulated the ETHS 2016 Grads, Announced a joint 1st & 4th Ward Meeting on June 7.**
- **Alderman Holmes: Congratulated the ETHS 2016 Grads. Shared her condolences to Karen Shavers and family.**
- **Alderman Tendam: Requested an amendment for 165-O-16**
- **Alderman Revelle: Announced a discussion about the Canal Shores Golf Course will be on 05/24.**
- **Alderman Rainey: Announced a meeting on 5/24, Grand Opening of Autobarn 06/01, and Community meeting on 06/08 in Brummel Park**
- **Alderman Miller: Thanked everyone for the well wishes welcoming his new bundle of joy.**
- **Alderman Fiske: Announced a Fountain Square Meeting on 06/07.**
- **Alderman Braithwaite: Congratulated the 2016 ETHS Grads, and shared some amazing statistics about the recent graduating class.**
- **Alderman Wynne: Absent**

A Motion to adjourn was made and seconded, and the Regular Meeting of the City Council ended at 10:05 PM with a Voice Vote.

Submitted by,

Akasha S. Terrier

Deputy City Clerk