

**CITY COUNCIL**

November 24, 2008

**ROLL CALL – PRESENT:**

	Alderman Wynne	Alderman Tisdahl
	Alderman Bernstein	Alderman Rainey
	Alderman Holmes	Alderman Wollin
A Quorum was present.	Alderman Moran	Alderman Jean-Baptiste

**ABSENT:**

Alderman Hansen

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, November 24, 2008, at 9:04 p.m. in the Council Chamber.

**MAYORAL ANNOUNCEMENTS:**

Mayor Morton had two announcements for the Council, members in the Council Chambers and the viewing audience.

ECMC TV channel 6 will air an 8 hour “Our Town Evanston” marathon on Thanksgiving Day, Thursday 11/27 from 4pm to 12 midnight. This program is in honor of Ellen Schrodt who was the producer of the “Our Town” show. She said she was delighted that they were doing this because it is a nice way, of letting the public know we’re all very grateful for the service she provided to our community.

Secondly, the Mayor announced the City of Evanston received a Gold Award in the plan category under the title of City of Evanston West Evanston Physical Planning and Urban Refill Plan. It identifies strategies for redevelopment of two key neighborhoods in West Evanston. The plan combines a strong vision with feasible implementation. As a result of the recognition we have received this plaque. She then read the inscription on the plaque and showed it to the public and TV viewers. She also gave thanks to the staff and Aldermen who worked so hard for their recognition.

Mayor Morton proclaimed the month of December 2008 to be “**NATIONAL DRUNK & DRUGGED DRIVING (3D) PREVENTION MONTH**” in the City of Evanston

**CITY MANAGER ANNOUNCEMENTS:**

Interim City Manager Russell had two announcements.

The first one came from Mr. Dorneker who spoke on the annual tree lighting ceremony which will kick off the Holiday Season on Tuesday, November 25<sup>th</sup> at 5:30 in Fountain Square. There will be outside performance of Holiday carols by the Music Institute of Chicago’s Children Choir and a visit from Evanston’s Mayor Lorraine Morton on an Evanston Fire truck. The Mayor may be accompanied by a special visitor from the North pole, if we can get him to take some time off from work. Last week a 50 foot tree was cut down which was donated by an Evanston resident and then set up in Fountain Square. This year will mark the first green tree lighting ceremony with thousand of reusable LED lights, and LED lighted candles that the children will hold while singing. Kids who attend will receive 100% bio-degradable, reusable goody-bags. His second announcement concerned the Robert Crown “Nutcracker on Ice” which will run from December 12<sup>th</sup> through December 14<sup>th</sup>. This will be the Center’s 34<sup>th</sup> annual performance of their very popular family production. To reserve your tickets stop at the Center or call.

Mr. Burke announced the trash day collection for Thursday November 27<sup>th</sup> will be collected on Saturday, November 29<sup>th</sup>, Condo’s and all recycling will be collected on Friday November 28<sup>th</sup>. Just as a reminder, the snow regulations go into effect on Monday December 1<sup>st</sup>, and for more information go to the website and our snowline 847-864-7669. Also he asked citizens to pay strict attention to the signs that have all of the information on them as well. The yard waste collections end this Thursday, December 4<sup>th</sup>.

Alderman Jean-Baptiste asked were there other sources where people can get information on the parking regulations during the winter season other than the website.

Mr. Voss explained that the public could obtain additional information from the newsletter, Parking 847-866-2923 direct, Parking Enforcement 847-448-8116, Streets and Sanitation 847-866-2940 and also by their personal emails in the City.

Mayor commented on the tree that was donated by local citizens in the 3<sup>rd</sup> Ward, and she asked Alderman Wynne to talk about the donors.

Alderman Wynne conveyed to the Council the names of the donators Allen & Sally Grach who live in the 1100 block of Judson. The tree was a seedling they brought back from a trip that grew into this beautiful 50 foot tree. It was cut down because it was encroaching on a magnificent maple tree that they had in the yard.

Mayor thanked Alderman Wynne for accepting the tree on behalf of the City, and commented that it opens the door for the other Aldermen to possibly place a tree in Fountain Square for a future Christmas.

#### **COMMUNICATIONS:**

The Clerk had no announcements.

#### **CITIZEN COMMENT: AGENDA ITEMS**

No Citizen comments.

#### **CITIZEN COMMENT: NON-AGENDA TOPICS**

Mr. Gerald Gordon, 1228 Lake St., presented a list of information he believed should be provided to the City Council and to the public prior to, or at the first Budget Session and wanted to have this all placed on line and he wanted a copy and declared that this is his official FOIA request.

The Mayor asked him exactly what did he expect to achieve by receiving the information. Mr. Gordon explained that he, the public, and the Council should have the information to know what is really happening in the City.

#### **CONSENT AGENDA (Any item marked with an Asterisk\*)**

Alderman Moran moved Council approval of the Consent Agenda. The motion was seconded by Alderman Rainey.

Roll Call. Voting aye – Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste. Voting nay – none.  
Motion carried (8-0)

#### **ITEMS APPROVED ON CONSENT AGENDA**

#### **MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of November 10, 2008. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

#### **ADMINISTRATION & PUBLIC WORKS:**

\* Approval, as recommended, City of Evanston payroll for the period November 19, 2008, and City of Evanston bills through November 25, 2008, as authorized and charged to the proper accounts:

City of Evanston payroll (through 11/19/08)	\$2,294,864.64
City of Evanston bills (through 11/25/08)	\$3,571,535.57

\* Recommend approval of contract for the purchase of claims administration services from CCMSI for Workers' Compensation, Automobile Liability and General Liability at an estimated initial/administrative cost of \$135,500, the actual cost will vary based upon the actual number of claims that the City has in any given year. Funded by the Insurance Fund.

\* Recommend approval of the sole-source purchase and installation of a Portable Overt Digital Surveillance System (PODSS) and network products from RMS Technology Solution, LLC (135 Arlington Heights Rd., Buffalo Grove) for the Howard Street TIF District in the amount of \$49,740. Funding provided by the Howard Street Tax Increment Financing District account.

\* Recommend approval of Amendment #1 to the agreement with MWH Americas, Inc. (380 Interlocken Crescent, Broomfield, CO) for design of the Evanston/Wilmette Distribution System Interconnection. This amendment will increase the agreement amount by \$44,658, from \$289,628 to \$334,286. The cost will be split evenly between Evanston and Wilmette. Evanston's portion (\$22,329) is funded by the Water Fund account.

\* Recommend approval of Change Order #2 for the 2007 Water Main, Sewer and Street Improvements project with DiPaolo Company (4350 DiPaolo Center, Glenview). This will increase the contract amount by \$79,137.51, from \$2,533,126.81 to \$2,612,264.32. No time extension is granted as part of this change order. Funded by the Water Fund (\$35,876.77), Sewer Fund (\$11,232.84) and Capital Improvement Program (\$32,027.90).

\* Recommend approval of Change Order #2 from Central Lakes Construction (749 Pinecrest Dr., Prospect Heights) for additional work associated with basement flooding on September 13, 2008 at Fire Station #5 (2830 Central St.). This will increase the contract amount by \$26,772, from \$4,704,054.95 to \$4,730,826.95. Funded by the Capital Improvement Program.

\* Resolution 59-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 59-R-08, which abates for bond issue Series 1999 in the amount of \$3,111,014.

\* Resolution 60-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 60-R-08, which abates for bond issue Series 2000 in the amount of \$2,622,000.

\* Resolution 61-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 61-R-08, which abates for bond issue Series 2002A and 2002B in the amount of \$700,000.

\* Resolution 62-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 62-R-08, which abates for bond issue Series 2003 in the amount of \$663,500.

\* Resolution 63-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 63-R-08, which abates for bond issue Series 2004 in the amount of \$105,350.

\* Resolution 64-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 64-R-08, which abates for bond issue Series 2004B in the amount of \$437,906.

\* Resolution 65-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 65-R-08, which abates for bond issue Series 2005 in the amount of \$1,405,275.

\* Resolution 66-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 66-R-08, which abates for bond issue Series 2006 in the amount of \$66,550.

\* Resolution 67-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 67-R-08, which abates for bond issue Series 2007 in the amount of \$1,522,530.

\* Resolution 68-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 68-R-08, which abates for bond issue Series 2008B in the amount of \$12,274,100.

\* Resolution 69-R-08 – General Obligation Debt Property Tax Abatement – Consideration of proposed Resolution 69-R-08, which abates for bond issue Series 2008C in the amount of \$476,713.

\* Ordinance 89-O-08 – Amends Section 1-17-1 of the City Code by Adding Subsection 1-17-1(C) “Local Employment Program” – Consideration of proposed Ordinance 89-O-08, which amends Section 1-17-1 of the City Code to add Subsection 1-17-1(C) “Local Employment Program” to ensure that Evanston residents are hired to perform 15% of the total work hours at a construction site and that a minimum of one Evanston resident is hired for those projects with a value at or greater than \$500,000. **Introduction**

\* Ordinance 117-O-08 – Dedicates (for Alley Paving Purposes) Certain Land Owned by Louis Silverstein and Paula Cofresi Silverstein, north of Leonard Place and east of Asbury Avenue – Consideration of proposed Ordinance 117-O-08, which dedicates a portion of the 1211 Leonard Place parcel to the City of Evanston for the purposed of improving the adjacent public alley. **Introduction**

\* Ordinance 125-O-08 – Dedicates (for Alley Paving Purposes) Certain Land Owned by Stephen E. Herz and Jamie Hochman Herz, north of Leonard Place and East of Asbury Avenue - Consideration of proposed Ordinance 117-O-08, which dedicates a portion of the 1207 Leonard Place parcel to the City of Evanston for the purposed of improving the adjacent public alley. **Introduction**

\* Ordinance 115-O-08 - Authorizes the Sale of City Surplus Fleet Vehicles Owned by the City of Evanston - Consideration of proposed Ordinance 115-O-08, introduced November 10, 2008, which declares various equipment and vehicles as surplus property to be sold at public auction. **For Action**

\* Ordinance 116-O-08 - Decreases the Number of Class D Liquor Licenses - Nine Fish Restaurant - Consideration of proposed Ordinance 116-O-08, introduced November 10, 2008, which amends Section 3-5-6 (D) of the City Code to decrease the number of Class D liquor licenses from 22 to 21 due to the closing of Nine Fish Restaurant, Inc. (2426 Main Street). **For Action**

\* Ordinance 122-O-08 2008 City of Evanston Tax Levy - Consideration of proposed Ordinance 122-O-08, introduced November 10, 2008, annual property tax levy for General Fund, Police Pension Fund and Fire Pension Fund. **For Action**

\* Ordinance 124-O-08 2008 SSA #4 Tax Levy - Consideration of proposed Ordinance 124-O-08, introduced November 10, 2008, annual property tax levy for SSA #4. The funding source is the Special Service Area #4 taxing district in the Central Business District. **For Action**

#### **APPOINTMENTS:**

For Reappointment Introduction:

Carol Mullins

Commission on Aging

For Reappointment Confirmation:

Chris G. Robuck

Board of Ethics

Audrey Soglin Kihm

Civil Service Commission

Christopher Steward

Library Board

## REPORT OF THE STANDING COMMITTEES

### **ADMINISTRATION & PUBLIC WORKS:**

#### **(A3.2) Approval of Sole Source Purchase of Code Required Upgrades for City-Owned Elevators**

Recommend approval of sole source purchase of code required testing, upgrades and improvements for the elevators at the Civic Center, Municipal Service Center, and Church Street Self-Park with OTIS Elevator Co. (949 Oak Creek Drive, Lombard, IL) for \$47, 150.83. Funding provided by FY 08/09 operating budgets for Parking Services and the Municipal Service Center as well as the Civic Center Interim Repairs Account. Alderman Holmes motioned for approval, second by Alderman Moran.

**Roll Call:** voting aye: Aldermen Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste. Voting nay: none. (8-0) motion carried.

#### **(A22) Ordinance 123-O-08 208 Township Tax Levy**

Consideration of proposed ordinance 123-O-08, annual property tax levy for Evanston Township. This item was introduced in committee 11/10/08. For Action

Alderman Holmes motioned for approval.

Alderman Rainey said she was voting against this proposal. It's her firm belief and based on the information they have received that we are being over accessed for the township levy in excess of \$300,000.

Mayor asked Alderman Rainey if this was discussed in the meeting.

Alderman Rainey answered yes, not tonight but in a previous meeting. She stated that we are over accessed because we keep over taxing and over estimating our client base and other expenses.

Alderman Jean-Baptiste asked for the representative from the township to be heard since she came to address this specific matter, and the Mayor agreed.

Rosemary Jean-Paul the Executive Director of the Township. She stated that they budget for 80 clients because every year they average between 70-75 clients and a cushion for 5 for additional clients that may come out. With the current financial climate and the many foreclosures, and the anticipation of additional clients coming in we need the cushion to have the funds for them when they come in for assistance. The additional funding is to cover the rental, housing, food, and condo assessment. Every year for the past 3 years, we have levied at less than the annual increase amount cited by the CPI. We only went up 2% this fiscal budget year.

Alderman Holmes asked if there are extra monies because of the economic times, if that money is there is it possible to use some of that money for that purpose.

Ms. Jean-Paul answered yes they have done that in the past.

Mayor Morton asked if Ms. Jean-Paul was responsible to making these decisions for the Township or was she acting in the place for the Township Supervisor.

Ms. Jean-Paul answered she was doing it as a substitute for the Township Supervisor.

Alderman Rainey commented that this is the same argument the Township come up with each year we have to have a cushion. She does not recall the numbers that equate to 70 to 75 clients a month. There is excess and I don't believe that when we levy for one thing we can't then go and decide to spend money on something else. She has a problem with their excessive, excessive fund balance and that's why she's voting against it. She also had a problem with the audit done this year that stated a terrible situation with administration and accounting for money in the Township. She has asked for a report from the Township because she is very nervous about this situation.

Ms. Jean-Paul stated that in the late 90's and 2000 the same issue occurred and we depleted our revenues and had to cut a lot of programs that also hindered a lot of clients. We are now establishing enough funds that we can help those clients and give back some of those programs.

Alderman Rainey argued that they do not have the number of clients she has stated.

Mayor Morton asked the Council if it would be beneficial to meet with the Township and the staff so that we could get a better understanding of what it is all about. We being Trustees of the Township including herself are responsible to the Township, and we need to give the kind of support to them that they need.

Alderman Bernstein moved that this decision be held until the meeting on the 8<sup>th</sup> of December, and it was second by Alderman Tisdahl.

Mayor Morton asked if there were any objections and hearing none the matter is held over until the 8<sup>th</sup> of December.

### **PLANNING & DEVELOPMENT:**

Recommendation to Approve the Draft Downtown Plan as Revised by the Plan Commission

Recommend approval of the Draft Downtown Plan as revised by the Plan Commission. **Held in Committee.**

Ordinance 127-O-08 – Amends the Text of the Zoning Ordinance by Adding Section 6-15-15, “oWE West Evanston Overlay District” and Section 6-15-16, “WE1 West Evanston Transitional District” – Consideration of a Plan Commission recommendation for approval of text amendments to the Zoning Ordinance to add a new zoning district “WE1 – West Evanston Transitional District” and a new overlay district “oWE – West Evanston Overlay District” to Chapter 15 – Special Purpose and Overlay Districts. **Held in Committee.**

Ordinance 128-O-08 – Amends the Zoning Map to Re-zone Certain Properties Pursuant to the West Evanston Physical Planning and Urban Infill Design Master Plan – Consideration of a Plan Commission recommendation for approval of map amendments to change the base zoning district designations for several properties within the West Evanston Plan area as specified in the West Evanston Plan Zoning Implementation document, Base Zoning District Changes map and to designate properties currently within the West Evanston Plan area to be included in the oWE West Evanston Overlay District as specified in the West Evanston Plan Zoning Implementation document, West Evanston Zoning Overlay map. **Held in Committee.**

Alderman Moran revisited (P4) **Ordinance 126-O-08 Amending Section 6-18-3 of the Zoning Ordinance to Exclude Firearms-Related Businesses from the Definitions of “Retail Goods Establishment” and “Retail Services Establishment”**

There were amendments to have additional words to the Ordinance and with those additions he moved for approval to introduce, and it was second by Alderman Rainey.

**Roll Call:** Voting aye: Aldermen Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste. Voting nay: none. (8-0) the Ordinance was marked introduced and held for amendments.

### **HUMAN SERVICES COMMITTEE:**

Alderman Tisdahl stated she had no report.

### **CALL OF THE WARDS**

**3<sup>rd</sup> Ward.** Alderman Wynne had nothing to report.

**4<sup>th</sup> Ward.** Alderman Bernstein wanted to thank Commissioner Suffredin for holding seminars on assessment reductions for the constituents. He wished Happy Thanksgiving to everyone, and he was thankful to be able to serve on this desk with you people.

**5<sup>th</sup> Ward.** Alderman Holmes wanted to inform everyone that some time between 12 am and 12 pm tomorrow the Emerson Street Bridge will be open.

**6<sup>th</sup> Ward.** Alderman Moran wished everyone Happy Thanksgiving.

**7<sup>th</sup> Ward.** Alderman Tisdahl wanted to give her condolences to the Dumas family. She also wished everyone Happy Thanksgiving.

**8<sup>th</sup> Ward.** Alderman wished all Happy Thanksgiving.

**1<sup>st</sup> Ward.** Alderman Wollin offered her condolences to the Dumas family. She wanted to remind the meetings of December 1<sup>st</sup> Rules Committee, and December 3<sup>rd</sup> 6 pm to 9 pm in the Parasol room with the Sheridan Road Plan.

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste wished all a Happy Thanksgiving.

Mayor Morton asked for a motion.

At 9:53 pm Alderman Bernstein moved to convene into Executive Session to discuss matters related to personnel and litigation pursuant to 5 Illinois Compiled Statutes 120/2 ( c ) (1) and (11) as follows:

2. All meetings of public bodies shall be public meetings except for the following:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Respectfully submitted,  
Rodney Greene, City Clerk

A videotape recording of this meeting has been made part of the Permanent Record and is available in the City Clerk's office.