

**ROLL CALL - PRESENT:**

Alderman Rainey	Alderman Jean-Baptiste
Alderman Feldman	Alderman Bernstein
Alderman Newman	

A Quorum was present.

**NOT PRESENT AT ROLL CALL:**

Aldermen Wynne, Moran, Engelman

**ABSENT:**

Alderman Kent

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton Monday, April 22, 2002 at 5:44 p.m. in the Aldermanic Library. Alderman Jean-Baptiste moved that Council convene into Closed Session for the purpose of discussing matters related to real estate, litigation and closed session minutes pursuant to 5ILCS Section 120/2 (c) (5), (6), (11) and (21). Seconded by Alderman Feldman.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(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.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Bernstein, Engelman. Voting nay – none. Motion carried (6-0).

At 6:19 p.m. Alderman Jean-Baptiste moved to reconvene into Open Session and recess. Seconded by Alderman Rainey. Motion carried. No nays.

Mayor Morton reconvened the City Council at 8:47 p.m. in the City Council Chamber.

**Communications:** City Clerk Mary Morris reported the Tapecoat Co., Inc., at 1520-27 Lyon St. has requested a federally enforceable state operating permit from the Illinois EPA agency for air emissions from its tape manufacturing facility. Public comment period is open until May 4, and to comment call (217) 782-7027.

Parks/Forestry & Recreation Director Doug Gaynor reviewed the steps taken over the past decade to explore the recreational needs in Southeast Evanston, noting about two years ago State Representative Julie Hamos obtained a grant of \$250,000 to conduct a study to evaluate and analyze the need for a recreation center there. An RFP was issued and

Brailsford & Dunlavey of Washington, D.C. was chosen to conduct the study. They presented a draft report of their findings and analysis to the Human Services Committee April 1 and the following evening made a public presentation. After those meetings the report was revised based on information received. Mr. Gaynor introduced Chris Dunlavey.

### **Presentation: Southeast Evanston Recreation Center**

Mr. Dunlavey reported his firm was joined in this study by Moody Nolan, represented by Janet Jordan (sports architecture) and landscape architecture/planning firm Site Design Group, represented by Ernest Wong. Kim Martin, project manager and Hans Hess, analyst, joined him in the presentation. The key issues are is Southeast Evanston an underserved community for recreation services and facilities? If so, what is the right program to remedy the deficiency and what would be appropriate site(s) to consider accommodating those needs? He stated the planning area was defined for them consisting of 21 blocks bounded by Oakton and Howard Streets, Ridge and Chicago Avenues. To determine if Southeast Evanston is underserved they referred to National Recreation and Park Association planning standards. There are no fixed square per capita standards. The NRPA believes each community must evaluate the level of service they want to provide. The guidelines emphasize that equal access to facilities is important and defines that in terms of walking distance. Thus they evaluated existing facilities and demand for those and conducted a market analysis that illustrates demand versus existing facilities to determine if there is a gap. They mapped distances to City recreation centers by five and ten-minute walking distances and also overlaid the YMCA and Evanston Athletic Club facilities to show areas that are well served. Areas underserved are in wards three and six. Existing community centers are Chandler-Newberger with 14,000 sq. ft.; Robert Crown Center with 45,000 sq. ft., including ice and 28,000 sq. ft. without ice; Fleetwood-Jourdain Center with 26,000 sq. ft. and the new Levy Senior Center with 29,000 sq. ft. He noted that most centers are around 25-30,000 sq. ft. The question is there sufficient demand to have a facility of that size in Southeast Evanston. To answer that, they conducted both qualitative and quantitative research.

Kim Martin reported that a 1999-2000 community telephone survey showed strong citywide support for a new community center/indoor basketball facility in south Evanston. The most frequently mentioned additional recreation need in that survey was for a swimming pool for citywide use. She reported more than 350 residents were included in focus groups, interviews and public meetings at Oakton School. They conducted intercept interviews with community people/children as well as meetings with community groups. What they heard was that many residents did not think they had equal access to recreation facilities, specifically regarding facilities within walking distance. Many used the Robert Crown Center frequently but thought it unfair they had to drive/bus there. Many discussions focused on the needs of youth for after-school programs, pre-school, childcare and day care. The area is diverse and multi-generational. Residents wanted a gathering place other than the Police Outpost. They wanted a facility open seven days a week with programs within walking distance. A written survey was sent to every household in the planning area in English/Spanish with a 10% return rate (a little over 200). This survey showed that 60% of residents currently travel outside the planning area for recreation. From the survey they determined the demand for specific activity spaces based on demand patterns, which allowed them to prioritize different activity levels. Fitness was ranked higher than swimming and basketball was higher than rock climbing. This information was used to determine square footage for a facility. She showed a chart with demand for six basketball courts with one court available at the Levy Center. Another chart showed demand for about 9,000 sq. ft. for fitness center with 1,000 sq. ft. available at the Levy Center. She reported they provided three different concepts for facility programs. Option A had 37,500 sq. ft., Option B 29,000 sq. ft. and Option C 23,000 sq. ft.

Janet Jordan reported on available sites in the planning area. Site A (the largest at 37,500-sq. ft., two levels) is at Clyde-Brummel Park where the trailer is now and would use airspace above the Skokie Swift CTA Line. Hard costs are projected at \$13,210,000 and soft costs \$2,139,000 for a total of \$15,349,000. This option is dependent upon the ability to use air space. Site B (29,000-sq. ft., three levels) is on the parking lot at Clyde/Brummel. Hard costs are \$8,439,000 and soft costs are \$1,481,000 for total project cost of \$9,920,000. Site C is at the parking lot at Sherman/Austin intersection (23,000- sq. ft., three levels). There is no parking and an arrangement would have to be made with the hospital for parking. This also was dependent upon acquiring a site from Resurrection Health Care. Hard costs are projected at \$6,165,000 and soft costs at \$1,147,000 for total project costs of \$7,312,000.

Ms. Martin reported a financial analysis was performed on each site. Financial assumptions were based on operating costs at existing recreation centers and included 40% scholarship awards for fee programs. All buildings have the

potential to generate fees to recover significant cost of annual operating budgets. She noted the City subsidy to operate these buildings ranged from \$100-180,000 annually and no capital is available to build. She concluded that capital funding, grants or City allocation would be needed. Capital costs were not included.

Mayor Morton thanked Mr. Dunlavey and his team for the presentation. Alderman Engelman thanked the Dunlavey Company for an excellent job of gathering and analyzing the data and expressed gratitude to Representative Hamos for obtaining funding to do the study.

#### **CITIZEN COMMENT:**

Janet Webb, president, Playground and Recreation Board, offered thanks for the study; reported during the past seven years the Recreation Department has had as one of its top priorities a community center in Southeast Evanston. In 1995 an Attitude and Interest Survey was conducted by the City and this study further confirms the need for such a facility. She said it was no surprise that residents want a first-class facility. She thought a survey in other parts of Evanston would come up with the similar results. She urged that need be recognized and this study accepted. They understand there are no funds for the project. This is just a study and when funds become available through grants or other sources, they would not have to start all over. She concluded that the Recreation Board's continuing priority is to provide a recreation center in Southeast Evanston. They also recognize that it may not be the City Council's top priority.

Nancy Kohn Hoppa, 610 Callan Ave., landmark homeowner went to the Preservation Commission to ask to add six-feet to their home, which was denied. They appealed it to the City Council and that evening the P&D Committee denied the appeal. She believed this was done intentionally – that P&D should have brought this to the City Council after the March 25 meeting, which was not done. She stated they would pursue having their home “de-landmarked.” She reported Alderman Wynne stated at the P&D Committee meeting that if they did not like living in a landmark home they should move. Alderman Newman said nothing was said prior to the P&D meeting regarding rental income. She said it was stated in the January 15 minutes and he seemed to encourage them to take the matter to the Circuit Court.

Toshie Davis, 1108 Austin St., referred to remarks she made at the April 9 Council meeting and defended them on the grounds they were to encourage social action not to compare to Nazis. She said that she had not lived up to the spirit of the quote until the preservation issue hit her front door. She asked who would think that wealthy homeowners fight would end up being her fight. She stated that Nancy Hoppa and her neighborhood needed help; that a small unelected special interest group is behind what has happened to Nancy Hoppa or will happen to her neighborhood. She stated the January 15 Preservation Commission minutes lead the Hoppa family to believe that the Commission did not believe their home should be a landmark and could go before City Council to get the issue resolved. She stated local preservationists packed the March 25 P&D Committee meeting with documents and pictures of the Hoppa home. Those documents were not at the Historical Society or Public Library. She asked how Nancy Hoppa was to defend herself if all this information was in a private citizen's home.

Charles Loiseau, 810 Dobson St., stated that Alderman Newman regarded Southeast Evanston as a “downtrodden area.” He asked Southeast Evanston residents to stand. He stated he has lived here 34 years and worked here for seven years. He said the so-called “downtrodden residents and voters” were there to ask that Alderman Newman and City Council consider the report and proposed recreation center. All they ask is for something nice in their neighborhood.

Alderman Newman said he understood why the community characterized his remarks the way they did. He stated when the Southeast Evanston Center was originally proposed, it was for disadvantaged youth. He formerly lived in Southeast Evanston and respects all who live there. He stated there was no comment by him that people who live in south Evanston are downtrodden.

Cheryl Bridgman-Moloney, 817 Brummel St., member of the Southeast Evanston Planning Committee and a taxpayer asked those who support a Southeast Recreation Center to stand as a show of support. She asked elected representatives to give the proposed Center proper and positive consideration; to vote to accept the survey results and to allow staff to work with any resources or funding that comes forward to make the center a reality. She stated the diverse population is dynamic and asked them to imagine the positive things a community center could bring.

Alan Goldberg, 606 Mulford St., said the community center was not a new idea and the studies go back some years. He said they are making progress and hoped that Council would vote to continue the process. He urged the issue not be dropped. He has some questions about the study and the sites recommended; said they should keep their eye on other sites and the former Dominick's on South Boulevard would have been great.

Judy Lewin, 720 Oakton St., 44-year resident reported many neighbors in the 8<sup>th</sup> and 9<sup>th</sup> wards are concerned about the proposed Southeast Recreation Center costing millions of dollars. She urged all to be realistic and asked where is the money to build such a center coming from and the cost of running it? She said the figures do not include the cost of land or air rights and outlined some expenses to run a center. She asked about fees charged for classes and how were they planning to work that out? She stated they must have total costs of operation and the center cannot pay for itself, so who will pay? She noted that real estate taxes have gone up and even with that, District 65 is eliminating teachers and programs, which was not right in her opinion. She asked Council to think about this before putting millions of dollars into a huge recreation center.

Anne Canright, 237 Custer Ave., 17-year resident, Ridgeville Park District Commissioner, spoke as a citizen, suggested that Council look at the survey and incorporate it into planning for south Evanston. She acknowledged the City was in a tax crisis and that makes them worry about money. She said if they stop now nothing will happen and if the planning can be worked out as they go along there is some chance of getting this center.

Curt Zuckert, 612 Mulford St., 12-year resident has known Alderman Newman for 20 years. He was sure Mr. Newman's comments were made in a pragmatic mode rather than any bias he has. He asked Council to consider all the issues such as parking. He was not sure where it should be constructed but it is an ideal project and should be considered.

State Representative Julie Hamos, 1312 Chicago Ave., reported she will become a south Evanston homeowner in the near future; thanked the consultants for engaging in the study. When first elected, she heard that a recreational center was one of the high priorities for the district she was about to serve. What was missing were the details and that was what this study provides. Nobody knew what it should include, where it should be sited or the cost. She suggested this was a guide to any future action. She noted that Southeast Evanston has a community center, which is in a trailer without a bathroom, and that was not good enough. She thought the people who have worked in the trailer have done a wonderful job and made the most of it. She suggested what they had that evening was a vision of what could be and an interested, pragmatic community that understands this won't be done tomorrow because there are no funds. They were asking Council to accept the study, continue to work and to call this one of the highest priorities of Evanston. She pledged to bring whatever state resources she could to the table and, hopefully, someday they will get this done.

Pierre Brown, 127 Custer Ave., stated he was an example of a Southeast Evanston resident and a 7<sup>th</sup> grader at Chute Middle School. He supported a youth center because it could help create a better future so kids like himself and others can improve their community and build leaders.

Jay Johnson, said he represented the faces of many children in Southeast Evanston who need a safe place to go after school while their mothers are at work.

Myles Spaulding, 131 Custer Ave., would like to have a safe place to play in Southeast Evanston during the day.

Jaime Rojas, 713 Brummel St., recently attended Chute Middle School and said that it does not offer many activities during the summer; thought they should get a recreation center in Southeast Evanston because there is no recreation center except the C-REC (Southeast Evanston Recreation/Education Center) at a five/ten minute walking distance. He noted they could take a CTA bus to another rec center, but their parents don't have the money to pay the fare everyday.

Natasha Dennison, 707 Brummel St., mother of three, did not appreciate Alderman Newman's comment because they are all hard-working people. She termed it a "quality of life" report and asked if they thought people in that area don't deserve a quality life; said their children need a safe place to go off the streets and deserve a chance just as others do.

Mayor Morton stated that Alderman Newman had addressed the issue.

Judith Treadway, 612 Mulford St., said people will work hard to obtain the Southeast Evanston recreation center; recalled the first study was conducted in 1985 to assess leisure services in the community and residents have asked for a recreation center. Residents want Council to increase recreational opportunities for their youth by accepting the study. She said that after participating in the budget process with others, she was as concerned about fiscal responsibility as Council is. She stated if there is a will, there is a way and if there is a way, there are means. She stated they have seen many proposed projects with questionable funding resources for which funds have been found. She thought in a reasonable time, funds could be found through grants from state or federal government, foundations or individuals that see a vision as the residents do.

David Hodgman, Recreation Board member, reiterated that Southeast Evanston has been a high priority for the board for as long as he has served. He said it was not only a quality of life issue, but would also enhance the survival and vitality of that community. He stated the board recognizes competing demands for financing within the community and the board would have been more strident if they could identify a practical and economical means to address the needs of that community. He thought the study would help address those needs; thanked all Council members for the wonderful support they has given for the needs of youth in this community.

Leonard Sciarra, 3003 Park Pl., architect, advocated for sustainable design within Evanston developments. He stated it was important to do sustainable design early in the process when the design is being developed because it requires great deal of coordination between the architect and engineer, users, facilities, managers, employees. While it benefits the environment, it benefits the City by reducing operating costs.

Gerald Gordon, 1228 Lake St., spoke about the modernization of the traffic light system on Ridge Avenue and noted all existing traffic lights will be replaced with new, massive aluminum poles with massive aluminum horizontal members, similar to the "ugly" installation at Asbury/Dempster and completely incompatible with the purpose and appearance of the Ridge Historic District. He suggested the project should have been referred to the Preservation Commission at its inception and still should be referred to them and stopped until its impact on the Ridge Preservation District can be evaluated. He said there were other problems with the project. It would include replacing the control system in order to improve traffic flow on Ridge. He suggested that improving traffic flow will only attract even more traffic on Ridge and this will have a negative effect on property values on Ridge. He stated for a project of this magnitude and impact, all property owners along the length of the project should have been notified. The City should still notify them and schedule a public hearing to get their reaction before the work gets underway, which is due to happen shortly. Mr. Gordon discussed obsolescence of traffic light systems. He noted the project will cost \$2 million of which the City will fund \$200,000. He asked why this was not brought to the Citizen Budget Committees for their evaluation? He did not think the state or the City could afford this project.

### **HUMAN SERVICES:**

Alderman Rainey asked that the Southeast Evanston Reaction/Community Center Needs Analysis and Location Analysis be removed from the consent agenda. Alderman Feldman moved approval. Seconded by Alderman Newman.

Southeast Evanston Recreation/Community Center Needs Analysis and Location Analysis –  
Consideration of a recommendation to re-examine this issue as to whether to go forward with such a project, and if so, further discussion as to site location.

Alderman Rainey asked Council to amend the recommendation of the Human Services Committee; said that recommendation would make this a citywide generic survey with findings citywide. She asked for the amendment out of respect for this community and efforts by people throughout the community to accept this survey as they would any other. She reported the rhetoric at the April 1 Human Services Committee meeting was disturbing; staff was directed not to spend any time working with any source of funding. She asked for acceptance of the survey and to allow herself, the community, and state, county, and congressional representatives to work with staff to see if there are funds to provide this facility so they can take the next step and market this to other governmental bodies. She said this community is not

downtrodden but needs indoor recreation facilities and asked for an opportunity to realize the dreams of this community. Alderman Rainey moved that Council accept the survey regarding the Southeast Evanston Recreation Center Needs Assessment and Location Analysis so that the community, elected representatives and City staff can go forward and market needs of the community to generate funding. Seconded by Alderman Engelman.

Alderman Newman stated there comes a time when all have to be straight and honest with the community. He noted they have just come through perhaps one of the most difficult budget years and so has District 65 and people not present are concerned about the high tax level. He noted the survey presented that evening had been changed dramatically from what was presented at the Human Services Committee; one option cost \$10 million and the other two were closer to \$15 million. Now, costs of this project are lower. A proponent of the project indicated at the committee meeting that bonds would not be used, but said they would attempt to use CD money. If the building cost \$9 million, that would be \$900,000 annually for 10 years, assuming no outside grants. If Council decided that they would try for government grants, this proposal makes Alderman Rainey's agenda the agenda of the entire City for what is searched for in other grants. The City's contribution to the operating cost, if certain revenues come in is \$390,000. He recalled they did not have the \$390,000 when they were in the budget process and Alderman Rainey told them they did not have that kind of money. He noted when repairs to Robert Crown were discussed they would have to do a referendum to fund it. He outlined projects he voted for showing his commitment to south Evanston: created the smallest beat in the City for police services there; \$9 million to bring in the Target Center; \$1.6 million in CD money for the Howard streetscape; \$1.5 million for reconstruction of Howard; \$2 million in James Park; \$8 million for the Levy Center. He noted people surveyed were not told of the Levy Center as a recreation center open in the evenings and weekends for those other than seniors. He noted that nearly \$600,000 was spent on the Police Outpost. He also mentioned millions have been spent to try and improve housing in that area. He termed this project a "budget buster" if the City has to pay for it. If people say that City money isn't going to go into this, then they are laying false hopes. If this project were on the table that evening, no other member of Council would vote for it if the City had to pay for it. He thought without any support from Council, that this community was strung along and wasted a lot of time because this is not going to happen. He would love to be able to afford and pay for it. He has been very active in supporting and facilitating recreation here. There are other needs, such as the Robert Crown Center, on which they are getting engineering reports. He said this project does not step ahead of the Crown Center. The Civic Center building needs \$10-15 million in repairs. Alderman Engelman's support of the motion, in his view, put the Civic Center behind as a priority to other governmental bodies. He pointed out there is not a community center in every neighborhood here and not everybody is able to walk to such a facility. Taxes were raised 7.24%. Without tax money from the City somebody will have to come up with \$7, \$10 or \$15 million then the City will have the operating bill. On building the Levy Center, they thought it would cost \$5-6 million and ended up closer to \$9 million. He thought the project was well meaning and that neighborhood people were misled that it would ever be a reality. If somebody wants to find a grant for \$7, \$10 or \$15 million for this that was fine. But if somebody says this is the number one priority for state or federal funds ahead of every other City project, they are wrong. There are other priorities: Robert Crown Center with its falling walls and the Civic Center. Unlike the 8<sup>th</sup> Ward alderman, he has focused on recreation funds throughout the community and was unwilling to take CD dollars to pay for this building for the next five years because it was not fair to the rest of the community. He was willing to stand up to the tactics being used that evening and for people to say, after all the work he has done, that he thinks people in Southeast Evanston are downtrodden is a political gimmick and people here were being used. He was proud to have lived in Southeast Evanston and shares their hopes and aspirations. If he had the money, he would love for everybody to have a recreation center nearby but it is not happening. For Council to accept that and put out false hopes he thought unfair to the entire community.

Alderman Feldman recalled when they began talking about this there was never thinking about this astonishing array of facilities and money. It started out with some basketball courts and meeting rooms for social services, classes and day care and that was why it received support. All wished that would happen. He said this survey creates a facility that he would not support building in any area of the community, although all would like it. He stated the City cannot afford it. If they want to talk about supporting this from grants and contributions from other government entities, the City has to decide where that money should go. The original concept concerned indoor recreation and basketball courts. He agreed with Representative Hamos that people deserve more than a trailer without a restroom, but there is a huge difference in going from a trailer to the facilities outlined in the survey. He reiterated the City could not afford it and this was not the place for the kind of facility outlined. He believes there are unmet needs in Southeast Evanston and he will support

correcting those needs, which have nothing to do with swimming pools, weights rooms and other luxuries that all want but cannot afford. He agreed with Alderman Newman that perpetuating this kind of facility is a disservice to the community. If he thought they could easily afford this they could afford it in other places as well. He said this is not a "walk to" facility but would attract people from all over the community. This is a central, premium facility, not a neighborhood facility. He said if \$15 million were spent, it would take up all the money they have to dream about. He did not know of anyone who, when asked if they wanted a swimming pool, weight room or five basketball courts, would not say "yes." He noted the additional 60 comments. The message in this survey was no or little articulated dissension. It is one thing to say 60% of the people want this. He noted there are people from the 8<sup>th</sup> Ward who do not want any part of this and 20% of additional comments say the project was not wanted, too expensive or not right for the neighborhood. He would like the community to see the report. The calls he has received from people in the 8<sup>th</sup> and 9<sup>th</sup> wards suggest the City cannot afford this and to think of other ways to meet the needs of the community. When little children stand up and say they need a place to go, he agrees with them but they don't need the facility described in the survey. They need someplace and they need to find a way to get it. The City cannot afford to build a \$10-15 million facility. He said for the chairman of the Budget Committee to second the motion, knowing the City has no money for it, that they have the same struggle next year as the horrendous one this year with the budget, to think about adding debt service and operating costs for this, was unconscionable. He said no one on Council could do that and figure it out later. He said there is too much on the plate, which includes other funds spent in this area. He recalled writing a white paper saying that they needed a Marshall Plan for Southeast Evanston – that they have to pour many resources there to create a neighborhood that will be rebuilt, where people will be proud to live and won't be frightened. He thought they have done a lot of that. When he does not support a \$10-15 million facility, it is not a rejection of residents' aspirations, but an understanding of realities. The reality is that it is not going to happen. There has been no community discussion on where a \$15 million facility should be built. Everybody has worked to meet the needs of the Southeast Evanston. He pledged to meet those needs.

Alderman Jean-Baptiste proposed a compromise. Since Alderman Rainey asked to accept the survey, he will vote for that; suggested accepting the survey, but not committing CDBG funds, bond funds or staff time to this. He noted that during the budget process they had to fight to save Fleetwood-Jourdain Theatre, the Summer Youth Employment Program, social service programs, arts programs and people were laid off. Budgeted raises were reduced for non-union staff and on top of that, they had to raise taxes by 7.2%. He said if Alderman Rainey wants to pursue funding, she could. Alderman Jean-Baptiste moved to accept the survey report, but not to allocate any CD funds, bond/capital funds or staff time. Seconded by Alderman Newman.

Alderman Moran supported accepting the report; said it raises important issues that led him to think about what can be done in Southeast Evanston beyond what has been done to build and enhance community. He has supported initiatives that have come from the Southeast Planning effort and voted for all projects that impact that area. Some four years ago, he chaired a task force on early childhood development and childcare issues. The report issued in 1999 and called *Evanston's Childcare Systems Strengths, Needs and Opportunities* was prepared by the Illinois Facilities Fund. This report discusses a tremendous unmet need for early childhood development experiences and childcare in the neighborhood they are talking about. He said the changes in the state system will impact the working poor. Certain portions of this neighborhood will be adversely affected because of that. He wants to help youth. He noted the community has been racked by different gaps in achievement levels and it is evident from the literature that they need to work with children early. If he had his wish for a facility it would be a community facility that would emphasize youth: caring for them, developing them and getting them ready for school. He still harbors a dream that will happen someday. He said the report was interesting and helped him organize his thinking about what can be done to help. Many issues were raised about the types of facilities and the uses that don't fit together. He said one facility is weighted heavily toward adult use and another more toward youth. He could not support Alderman Rainey's motion because he thought they needed to discuss the matter as a community. They need to figure out what they want to do in Southeast Evanston. The trouble he has with the original motion is that it seems to suggest that the report be accepted, then unleash everybody to do something but he did not know what that was. It was not clear to him from the report where they were going, where they want to get to and how they can best use limited resources. He suggested they needed to draw a lot of groups into development of these facilities such as the school districts, Northwestern University, foundations and not-for-profit groups to have the ability to make these things happen. He was not willing to take a generalized approach to look for money and then decide what to do with it; suggested they would be setting themselves up for disappointment and he did

not want the community to be disappointed. He suggested they develop a focus on this, discuss it and develop a clearer picture of the true needs of the community. When they know that, they can launch an effort to make things happen. The report did not convince him that making one of the proposals happen was in the best interest of the City or of the neighborhood. He did not dismiss the possibility of looking at these things. He was not ready to draw the curtain down by the substitute motion, which says not to think about CD funds, bonding or staff. He said this report should be used and incorporated as part of the community discussion. They should decide as a community. He suggested they take this learn from it, continue the discussion and see what they can accomplish.

Alderman Rainey said if Alderman Moran had been at the Human Services Committee meeting, he would have heard her begging that they be allowed to take the survey/results back to the community so that the community and staff could digest it and figure out what it says. She stated that when people answered the survey they did so as a family and had no idea of what the outcome would be. She said it was important for the community to get this report, understand it and go from there. With the opportunity to work with staff and other elected representatives, they can come up with a plan. She argued if they cut the survey off at the knees and not allow staff to dialogue with the community, they cannot go forward. She did not have the expertise to do that and the City has a highly paid and capable staff that could. She pointed out this is a community that pays property taxes for Evanston recreation plus to Ridgeville Park District. She thought they were entitled to attention from staff. Southeast Evanston is identified with a trailer and they need to move on from that. She thought the survey produced some interesting results. Alderman Rainey stated that she has supported every single neighborhood, community recreational need brought to Council. Her hesitation on Robert Crown Center was from taking the lead from Alderman Bernstein. She was not prepared to go full force with the recommendations and will continue to follow his lead because it is in the 4<sup>th</sup> Ward and he knows it best. She supported \$1 million dollars for renovation of tennis courts because Alderman Newman, who is an avid tennis player, said it was needed. It never occurred to her that every cent spent in southeast Evanston would be thrown back in her face at the expense of youth. She said it was not fair and felt small and wrong for mentioning the tennis courts, but it gets to a point where one has to fight back. She said this community has been involved in this study, hundreds of school children were involved in focus groups and hundreds were surveyed. Families representing 500 people responded to this survey. She questioned that 20% of the people surveyed who were negative should be the focal point of a presentation; noted those who have run for office have had 20% of the people say they don't want a particular candidate but that did not stop anybody from serving or making laws. She thought if the survey/results could be presented to the community, they might be able to bring people together. To say that this is too much of a pipe dream to go forward, she suggested, diminishes the strength of this community. She saw a lot of hope and dreams presented in the report; thought many would like the opportunity to pursue those and to make some kind of reality. She said it may not be a \$15 million center, but a \$4 million center would meet their needs. She said maybe the federal government has money for a recreation center. There are many targeted grants. As chairman of the CD Committee she knows how much money is there and no CD grant would pay for this center. She asked Council to accept the report and, when the occasion arises, staff can work on this.

Alderman Engelman understood what Alderman Rainey was saying and that was why he carefully worded his second to her motion. He said Council members do not like it when anyone is personally attacked and that is why they have a rule that allows them to respond when that happens; also no one likes to be attacked by another Council member. He said they are all trying to do the best job they can for the good of the community. None is trying to be unconscionable in anything they say. He appreciated the report as all do and, regardless of length of service, believed that all had worked hard to enhance Southeast Evanston. The report gives an interesting perspective on the views of those residents and food for thought on some of the recreation needs of the entire community and where those needs are. He said the motion made by Alderman Rainey was not that this center be the number one priority of this community, nor did the motion direct staff to undertake efforts, or did it say they were going to use CDBG funds or any other specific funds. He agreed the City cannot afford to build another recreation center costing \$10, 12 or 15 million because they have not finished with the one built in southwest Evanston. He was aware of the lack of funds to build this center and no funds to operate such a center at a cost of \$150,000, as proposed in this report, without some balancing of other needs in this community. He appreciated Alderman Jean-Baptiste's comments about the difficulties they encountered with the last budget cycle and looking at this issue. Those comments were 100% correct as were Alderman Newman's about the ability of the City to afford things. The problem with the attempted compromise is that motion says staff cannot do anything. If Adolph Kiefer, who had the most successful swimming supply firm in this country, wanted to donate an indoor pool or Dobie Burton or Rick Scholander, big names in Evanston swimming, wanted to donate to this indoor swimming facility. If the motion

passed and they walked in, the City Manager would have to say Council has directed him not to talk to you. The motion that was made was to accept the report and allow staff to work with elected officials who may be interested in addressing this issue. It was not asking for staff to beat the bushes nor asking staff to write for grants but allowed Alderman Rainey, who knows the community, and Representative Hamos, who has shown a strong commitment to that community, to explore options. He suggested all they should be doing is working to explore options that can make Southeast Evanston a better place to live and Evanston a better place for all. He supported the original motion.

Alderman Bernstein thought Alderman Rainey wanted a high priority for the center; that Alderman Rainey has done wonderful things in south Evanston. He was having difficulty with the degree of participation by staff. He thought the report was generic and residents in the 4<sup>th</sup> Ward would want similar things. Having a recreation facility in the 4<sup>th</sup> Ward, when proponents of the Recreation Board came before Council with a \$200 million recreational wish list, a multiplex at Robert Crown Center was the preeminent idea. In fairness to the community, he thought they should not spend those funds on one recreational center. That was the difficulty he had with \$15 million, which provides one basketball court and six are needed. He noted that recreation has a high priority but did not know if it was the highest. He thanked the creators of the report. He has been talking about a new Civic Center, looking for land, and he had no idea about air rights. He thought good things will come from this report. He said a proposal for a West Side library and performing arts center came before Council and they could not get the funds. He said if Representative Hamos could get the funds earmarked for a center anywhere in Evanston, he urged it be done. He is aware that during the budget process staff is overworked. He has requested that a portion of somebody's job at the City be devoted to grant writing. He spoke of county, state and federal elected officials who can go after dollars. His question was whether they were doing a disservice to the generic community by giving a high priority to a Southeast Evanston facility. He did not want draw the curtain on dreams, but cautioned his vote to accept this report is not a vote to make this project the top of the priority list. Recreation was not his highest priority for the City and he did not want a staff person giving this their full attention.

Alderman Wynne agreed a center in Southeast Evanston would be wonderful and helpful. She shared concerns of holding out a possibility of something while they are struggling to pay for other things currently. She stated the Budget Policy Committee has met three times since adoption of the budget and is already working on next year's budget and made a list of problems they need to work on. Part of the discussion was about how they allocate staff and committee time to work on large issues. She said they have to be realistic in marshalling resources to get the most bang for the buck. She pointed out that staff time is not infinite. She thought the report should be accepted and was valuable, but was concerned that this may give the appearance of becoming the City's highest priority for other government entity funding when the Budget Policy Committee is just beginning to figure out what the City's priorities should be. She praised the community for coming up with these ideas but was concerned about cost and what it means to the entire community to build a large recreation center. She commented that half of the area within five minutes walking time to sites A and B is in Chicago. One quarter of that is Calvary Cemetery. Two-thirds of the area within 10 minutes walking of sites A and B are not in Evanston. When they look at spending this kind of money, she wanted to be sure the City gets good value. She did not think folks in Calvary Cemetery or the CTA train yard, both within ten minutes walking distance, would appreciate this. She acknowledged this community needs some kind of center but the City must decide who are they serving. She wants to serve Evanston residents with every tax dollar they spend or other money the City receives.

Alderman Rainey stated it was never her intention that Council make this project the number one City priority. She asked Council to let her and this community consider their number one priority. In evaluating how much staff time to spend on this, she asked if a funding source were to come to the City that they discovered or directed, to let staff deal with them. She posed the interesting problem of so many sources coming that it took up so much staff time that they could not do anything else. She said the amount of funding sources to come forward after hearing this discussion would be few, but asked for an opportunity to let that happen; take back the survey and results to the community. She said many in the community have not seen the survey results; urged going back and talking with people and perhaps they can come up with a \$4-5 million center. She asked not to kill this. She was not asking to make this project more important than the rehabilitation of Robert Crown Center, Fleetwood-Jourdain Theatre, sculpture garden or renovation of that site but was asking to let the community do its work. If this means that staff looks over something, she pointed out these people pay taxes too. She asked not to be cut off.

Alderman Newman called the question on the substitute motion. Motion carried unanimously.

Roll call. Voting aye – Feldman, Newman, Jean-Baptiste, Wynne. Voting nay – Rainey, Bernstein, Moran, Engelman. Motion tied (4-4).

Mayor Morton explained that nobody has mentioned while in a terrible crisis, the City was not able to pay non-union staff an equal raise to that of union personnel. All recall a proposal for \$3 million for software and Council did not approve it. She did not know of anything they can do since the budget crisis; cannot repair the Civic Center; questioned how much revenue is coming in on everything. She said it was totally unwise to consider anything that would cost this amount of money. If somebody is authorized to give a report and it is given that is acceptance. The problem with accepting a report is saying they are going to do it, and she knew they were not going to do it. She was sorry not to be more generous but cast an “aye” vote to break the tie. Motion carried (5-4).

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

Alderman Feldman moved Council approval of the Consent Agenda with these exceptions: Bid of DNB Construction for FY 2002 replacement of Sewer Structures/Spot Repair Program, Professional Services Contract with Jack Weiss & Associates and Nelson-Harkins Industries for Levy Senior Center Signage, Special Event – Avon Three-Day Walk, Resolution 31-R-02 – Appropriating MFT Funds for Street Resurfacing, Ordinance 39-O-02 – Creation of Class V Liquor License, Ordinance 27-O-02 – Revised Street Cleaning Regulations, Ordinance 29-O-02 – Revised Parking Meter Hours, Ordinance 36-O-02 – Amends Ordinance 102-O-01 and increases Trial Period for Booting in Central Business District, Ordinance 24-O-02 – Special Use for 1701-03 Simpson – Type 2 Restaurant, Ordinance 23-O-02 – Special Use for 835 Main St. – Type 2 Restaurant. Seconded by Alderman Moran. Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

**\* ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of April 9, 2002. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

**ADMINISTRATION & PUBLIC WORKS:**

\* Approval, as recommended, of the City of Evanston payroll for the period ending April 11, 2002 and the City of Evanston bills for the periods ending April 23, 2002 and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (through 04/11/02)	\$1,872,536.48
City of Evanston bills (through 04/23/02)	\$5,845,792.65

\* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid of Pederson Construction for the Beck Park Phase II Renovation Project for Parks/Forestry & Recreation at a cost of \$398,450. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid of Pinel Andrews for the McCormick Gardens Plumbing Improvement Project for Parks/Forestry & Recreation at a cost of \$21,710. \* APPROVED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Approval of the State of Illinois low bidder, Bob Ridings Inc., for the purchase of one 2002 Ford F450 One-Ton Dump Truck with plow for Parks/Forestry & Recreation at a cost of \$38,233 including delivery and extended warranty. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the State of Illinois low bidder, Bob Ridings Inc., for the purchase of one 2002 Dodge Dakota 4x4 Pickup Truck and one Ford F550 Truck with service body and 29-ft. aerial lift for the Traffic Division at a cost of \$82,661, including delivery and extended warranty. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid of Schroeder & Schroeder for the FY 2002 50/50 Sidewalk Replacement Program at a cost of \$105,242.50. \* APPROVED– CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid of Controlled Systems Corp. for the Noyes Center Gymnasium Air Conditioning Project at a cost of \$24,200. \* APPROVED– CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Approval of the sole-source purchase from Sound Corporation for Levy Center telecom equipment at a cost of \$21,659.60. \* APPROVED– CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Approval of Change Order #7 with the Meyne Company for the new Levy Senior Center construction, increasing the total contract price by \$1,368, from \$6,889,904 to \$6,891,272. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of five Change Orders (4, 5R, 6, 10 and 11) for Phase VI, Contract A of the underground tunneling project with McNally Tunneling Corp., totaling \$1,292,034.03. \* APPROVED–CONSENT AGENDA MOTION AND ROLL CALL (8-0)



\* Resolution 23-R-02 – Lease Renewal for 943-949 Chicago Ave. (South Branch Library) – Consideration of proposed Resolution 23-R-02, which authorizes the City Manager to enter into a lease renewal for 943-949 Chicago Ave. to house the South Branch Library. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 28-R-02 – Extension of Lease for Current Levy Center Site – Consideration of proposed Resolution 28-R-02, which extends the lease with North Shore Hotel Ltd., Partnership, Irmco Properties & Management Corp. for 1629 Chicago Ave., the current Levy Center Site until May 31, 2002. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 29-R-02 – Intergovernmental Agreement for Resurfacing Old Glenview Rd. – Consideration of proposed Resolution 29-R-02, which authorizes the City Manager to sign an intergovernmental agreement with the Village of Wilmette for the resurfacing of Old Glenview Rd. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 30-R-02 – Allocation of MFT Funds – Consideration of proposed Resolution 30-R-02, which authorizes the allocation of \$31,800 in Motor Fuel Tax Funds for the resurfacing of that portion of Old Glenview Rd. within the City of Evanston limits. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 42-O-02 – Prohibiting U-Turns on Northbound Prairie Ave. – Consideration of proposed Ordinance 42-O-02, which amends Schedule 10-11-3(A) of the City Code to prohibit U-turns on northbound Prairie Ave. between Grant and Lincoln streets from 7:30-9:00 a.m. and 2:30-4:30 p.m. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 35-O-02 – Creation of a Class B1 Liquor License – Consideration of proposed Ordinance 35-O-02, introduced April 9, 2002, which creates a Class B1 liquor license, extending hours for liquor sales from 11:00 a.m. to 2:00 a.m. Sunday-Thursday and to 3:00 a.m. on Friday and Saturday in the Downtown Core District. \* ADOPTED CONSENT AGENDA AND ROLL CALL (8-0)

\* Ordinance 38-O-02 – Creation of Class U Liquor License – Consideration of proposed Ordinance 38-O-02, introduced April 9, 2002, which creates a Class U liquor license for retirement communities.

\* ADOPTED CONSENT AGENDA AND ROLL CALL (8-0)

\* Ordinance 40-O-02 Increase in Class D Liquor Licenses – Consideration of proposed Ordinance 40-O-02, introduced April 9, 2002, which increases Class D liquor licenses from 20 to 21 with the addition of Annam Café (technical correction). \* ADOPTED CONSENT AGENDA AND ROLL CALL (8-0)

\* Ordinance 37-O-02 – Amending Sections of the City Code Establishing Special Pickup Fee for Refuse – Consideration of proposed Ordinance 37-O-02, introduced April 9, 2002, which amends Sections 8-5-9 of the City Code to establish a special fee for pickup of refuse. \* ADOPTED CONSENT AGENDA AND ROLL CALL (8-0)

### **PLANNING & DEVELOPMENT:**

\* Ordinance 41-O-02 – Special Use for 950 Church St. - Type 2 Restaurant (Corner Bakery) – Consideration of proposed Ordinance 41-O-02, which approves a recommendation of the ZBA to grant a special use permit for a Corner Bakery Café at 950 Church St. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 44-O-02 – Special Use for 940 Church St. – Type 2 Restaurant (Marble Slab Creamery) – Consideration of proposed Ordinance 44-O-02, which approves a recommendation of the ZBA to grant a special use to permit a Marble Slab Creamery ice cream shop at 940 Church St. \* MARKED INTRODUCED – CONSENT AGENDA

### **OTHER COMMITTEES:**

\* Resolution 27-R-02 – Extension of CDBG Purchase of Services Agreement – Consideration of proposed Resolution 27-R-02, which authorizes the City Manager to execute an extension of the Community Development Block Grant Program Purchase of Services Agreement between the City and the Westside Citizens District Council. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 32-R-02 – Extension of CDBG Purchase of Services Agreement – Consideration of proposed Resolution 32-R-02, which authorizes the City Manager to execute an extension of the Community Development Block Grant Program Purchase of Services Agreement between the City and the Evanston Day Nursery. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 33-R-02 – Extension of CDBG Purchase of Services Agreement – Consideration of proposed Resolution 33-R-02, which authorizes the City Manager to execute an extension of the Community Development Block Grant Program Purchase of Services Agreement between the City and the Fleetwood-Jourdain Art Guild. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 34-R-02 – Extension of CDBG Purchase of Services Agreement – Consideration of proposed Resolution 34-R-02, which authorizes the City Manager to execute an extension of the Community Development Block Grant Program Purchase of Services Agreement between the City and the Reba Place Day Nursery. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

### **AGENDA ADDENDUM**

Resolution 35-R-02 – Reservation of 2002 Bond Volume Cap – Consideration of proposed Resolution

35-R-02, which would authorize the reservation of the 2002 Bond Volume Cap of \$5,567,925 for either industrial/commercial revenue bonds, mortgage revenue bonds, mortgage credit certificates or a combination, by approval of City Council.

Alderman Newman moved approval. Seconded by Alderman Feldman.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

### **REPORT OF THE STANDING COMMITTEES**

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

Alderman Rainey moved approval of the lowest responsive and responsible bid of DNB Construction for the FY 2002 Replacement of Sewer Structures and Spot Repair Program at a cost of \$763,424. Seconded by Alderman Feldman.

Alderman Bernstein asked why these items were not warranted under the sewer contract? Public Works Director David Jennings explained the Spot Repair Program is the result of inspection of sewers prior to resurfacing of streets. This is repairing sewer and catch basins and is done annually preceding street resurfacing.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

Alderman Rainey moved approval of revision to the Professional Services Contract with Jack Weiss & Associates and Nelson-Harkins Industries for Levy Senior Center Signage, in the amount of \$5,272. Seconded by Alderman Feldman.

Alderman Rainey reported the committee vote was 3-1 to recommend this.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein. Voting nay – Moran, Engelman. Motion carried (6-2).

Special Event: Avon Three-Day Walk – Consideration of a request to hold the Avon Three Walk on June 15-16, 2002, using Garden, Mason and Burnham parks as stations.

Alderman Rainey moved approval. Seconded by Alderman Feldman. Motion carried, no nays.

Resolution 31-R-02 – Appropriating MFT Funds for Street Resurfacing – Consideration of proposed Resolution 31-R-02, which appropriates \$850,000 in Motor Fuel Tax Funds for street resurfacing.

Alderman Rainey moved approval. Seconded by Alderman Feldman.

Alderman Rainey stated that three streets on the improvement plan attached to the ordinance including Broadway Ave. from Livingston to Isabella, Dobson St. from Barton to Ridge and Elmwood Ave. from Dempster to Grove, would not be paved with this series due to water main replacement. They will come back for additional funds to pave those streets.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

Ordinance 39-O-02 – Creation of Class V Liquor License – Consideration of proposed Ordinance 39-O-02, introduced April 9, 2002, which creates a Class V liquor license for grocery stores of more than 5,000 and up to 7,500 square feet.

Alderman Rainey moved approval. Seconded by Alderman Feldman.

Alderman Engelman clarified that currently Evanston allows the sale of alcohol in grocery stores of 12,000 square feet. This ordinance allows alcohol in grocery stores of between 5-7,500 square feet. He asked what happens to stores over 7,500 and less than 12,000 square feet? Management & Budget Director Pat Casey stated a new license would have to be created and explained, originally this was at 5,000 square feet, and the A&PW Committee requested a cap of 7,500 square feet. There are no grocery stores between 7,500 and 12,000 square feet. Alderman Engelman asked if there is a store that qualifies for this license? D&D Finer Foods on Noyes Street. In response to Alderman Engelman, Mr. Casey stated that White Hen Pantry stores are between 3-3,500 square feet.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

Ordinance 27-O-02 – Revised Street Cleaning Regulations – Consideration of proposed Ordinance 27-O-02, introduced March 25, 2002, which amends Section 10-4-12 of the City Code to revise street cleaning regulations.

Alderman Rainey moved approval. Seconded by Alderman Wynne.

Alderman Newman moved to amend the ordinance that any changes to the schedule must be made by the A&PW Committee. Seconded by Alderman Feldman. Alderman Newman said changing of street cleaning schedules is a policy issue and belongs to Council. The original ordinance allowed these schedules to be changed without the knowledge of the Council.

Voice vote on amendment, motion carried unanimously.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

Ordinance 29-O-02 – Revised Parking Meter Hours – Consideration of proposed Ordinance 29-O-02, introduced March 25, 2002, which revises Section 10-11-12, Schedule XII, of the City Code to extend parking meter hours in the Downtown area from 9:00 a.m.-6:00 p.m. to 8:00 a.m.-9:00 p.m.

Alderman Rainey moved approval. Seconded by Alderman Feldman.

Roll call. Voting aye – Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Voting nay – Rainey, Engelman. Motion carried (6-2).

Ordinance 36-O-02 – Amending Ordinance 102-O-01 – Increasing Trial Period for Private Immobilization of Vehicles in Central Business District (Booting) – Consideration of proposed Ordinance 36-O-02, introduced March 25, 2002, which extends the trial period for private immobilization of vehicles (booting) in the Central Business District to April 1, 2003.

Alderman Rainey moved approval. Seconded by Alderman Feldman.

Alderman Rainey stated her opposition to private booting from the outset; considered supporting it because without it the City would have no control over private booting; understood that police calls were down. When she examined the report, it appeared they were not down and was not sure what private booting was doing. Alderman Newman was not sure that police calls were down; reported that a letter from Burger King indicated that police calls were down.

Roll call. Voting aye – Feldman, Newman, Wynne, Bernstein, Moran, Voting nay – Rainey, Jean-Baptiste, Engelman. Motion carried (5-3).

**PLANNING & DEVELOPMENT:**

Ordinance 13-O-02 – Special Use for 327 Howard St. (Type 2 Restaurant: Subway) – Consideration of proposed Ordinance 13-O-02, introduced March 11, 2002, which approves a recommendation of the ZBA to grant a special use permit for a Subway restaurant at 327 Howard St.

Alderman Newman moved to remove this item from the table. Seconded by Alderman Feldman. Motion carried.

Alderman Newman moved approval. Seconded by Alderman Bernstein.

Alderman Newman reported this item was approved unanimously by the ZBA with no other objectors. The P&D Committee voted 5-0 to approve and it was tabled on April 9. He reported the committee reviewed the transcripts and heard from representatives of Subway and the 8<sup>th</sup> Ward alderman. There was concern about the number of police calls. The committee addressed that by having a condition of the special use that indefinitely, every three months, the owners of the business/building would have to meet with Chief Kaminski and Community Development Director Jim Wolinski to try and improve the operation there. He supported this because it seemed the most productive approach. The only approval the applicant did not have was approval of the 8<sup>th</sup> Ward alderman. He visited the block and said the businesses on the Evanston side were dreadful; thought this would be as good a business as any on the 300 block of Howard Street. There are several beeper shops there. He said to deny this owner the ability to generate income from the property seemed counter-productive. On the one hand the City wants the building improved and on the other hand it was suggested they should not allow the owner revenues needed to improve the building, which the committee rejected. He stated the owner exhibited a good attitude about operating the business well and the committee rejected the idea that there was not enough parking. They wanted to make sure the owner was responsible for improving the operation of this block and that was why they will meet with the Mr. Kaminski and Mr. Wolinski. He has received no calls opposing this special use. He thought Subway becomes the best business on the block and while the City is promoting the street by investing in the outpost and \$1.5 million in the streetscape, he did not think they should be sending a “we don’t want you” message to the business community. He stated the City wants to see the quality of businesses improved. He pointed out the Subways in Evanston on Central and Sherman have operated without incident and he enthusiastically supported this special use.

Alderman Rainey stated this building probably has more police calls than any other building in Evanston. Having this owner at civil enforcement every three months was fine but she asked what happens if this does not work? She attended the ZBA meeting when this was presented; wondered after the hearing why ZBA even bothers with Type 2 restaurants in some neighborhoods. She asked what happens if they don’t pick up the litter and there is double parking? There is no public parking and parking at Gateway is for their customers only. A covered municipal garage is the only parking available and she asked would somebody park in such a facility and go to a Subway? She said double parking is a chronic problem there. The 49<sup>th</sup> Ward alderman of has pleaded with her to eliminate the cab stand. The CTA is also concerned about double parking there. She asked what can be done if there is double parking, increased litter and police calls increase? She recalled a Starbucks on the agenda for over a year due to traffic problems. She has information that there will be an application for another Subway at Main/Chicago. She wondered if the Howard Street Subway would be treated differently than the one coming to Main/Chicago where there is parking? She wanted to hear from P&D Committee members what would happen if there is not compliance with the rules?

Alderman Bernstein stated if there is not compliance, the special use permit could be rescinded. He stated litter is Subway’s responsibility and double parking is the City’s responsibility to enforce. He would encourage the store manager to call the police and do some behavior modification. He supported this and is counting on the owner to do what he said he would. He thought if he operates a clean, efficient operation and encourages customers not to double park, it will work because his primary customers will be pedestrians. He thought there are places to park for a short period without going into Dominick’s lot. His concern was if this facility was not let in, who else would come? He did not want to see more beeper shops and drug dealing because they cannot make it economically. He noted this is a national chain and many people abhor standardization of the town. He hoped it would be in the best interest of the store owner/building owner to upgrade tenants in that building. He understood her hesitancy but did not want to push away a viable business. He related the Subway in the 4<sup>th</sup> Ward has no parking and does a good business with people from offices. He saw this as an enhancement rather than a detriment to the locale.

Roll call. Voting aye – Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – Rainey. Motion carried (7-1).

Alderman Newman reported the P&D Committee had voted 4-0 to hear the appeal on 610 Callan. The committee decided to hear the appeal as final authority and the matter will not come to Council due to time constraints to meet requirements of the Preservation Ordinance. He reported significant debate and the committee denied the appeal by 3-1.

Ordinance 24-O-02 – Special Use for 1701-03 Simpson St. – Type 2 Restaurant – Consideration of proposed Ordinance 24-O-02, introduced April 9, 2002, which approves a recommendation of the ZBA to grant a special use to permit a Type 2 Restaurant at 1701-03 Simpson St.

Alderman Newman reported several committee amendments. (A copy of the amendments is attached to the permanent minutes). Alderman Newman moved approval. Seconded by Alderman Moran. Motion carried. No nays

Alderman Newman moved approval of the ordinance as amended. Seconded by Alderman Engelman.

Roll call. Voting aye – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein, Moran, Engelman. Voting nay – none. Motion carried (8-0).

Ordinance 23-O-02 – Special Use for 835 Main St. – Type 2 Restaurant – Consideration of proposed Ordinance 23-O-02, introduced April 9, 2002, to approve a recommendation of the ZBA to grant a special use to permit a Type 2 Restaurant (hot dogs/fries) at 835 Main St.

Alderman Newman reported the committee voted 3-1 not to approve the special use. Alderman Newman moved approval. Seconded by Alderman Feldman.

Alderman Newman reported this Type 2 restaurant would include preparation of fried food and the concern was where the odors would go. There are 60 apartments above the business and the ward alderman did not support it due to impact on the neighborhood.

Alderman Engelman supported the ZBA recommendation for the special use. He explained the applicant is a grocery store and the operator is the first to make it successful at the Elmgate at Elmwood/Main. While normally a fast food restaurant would create odors, litter and parking issues that might make it incompatible with 60 apartments above, what was requested was to be able to sell hot dogs and French fries. The French fry machine they would use is self-contained ventless machine. The only place it vents is out the top within the grocery store. He pointed out this is a successful businessman who would not have a French fry machine venting bad odors within his grocery store. He saw no evidence to warrant concerns about odors and litter, recognizing litter is an issue and that the applicant must have a litter plan within 250 feet.

Alderman Bernstein was against the special use and noted owners of the grocery store had cleaned it up. The reason he voted against this was due to the 60 units, which in large part are single occupancy, on Main Street and many people with disabilities live there. He said the oil will go out into the store. Another difficulty is the primary clientele live at Albany Care facility and many of them would not be bothered by odor. Unfortunately, too many of them don't put waste into refuse containers. They are trying to minimize loitering outside the grocery store and currently there are always people sitting on the wall. They have avoided accidents at Main/Maple because people are aware of Grey Park and take a different attitude. Elmwood/Main is across the street from Park School for special children. He did not want to create a place for loitering and extend a problem that already exists. The new owner brought in a ATM machine and sells lottery tickets. Alderman Bernstein thought bringing in hot dogs and fries would hurt the business. He was not concerned about vehicular traffic. He said they would meet with the zoning administrator to see what could be brought in without the necessity of cooking on-site.

Alderman Rainey stated his reasons for voting against the special use was a small portion of the reason she voted against

the Subway, which she termed far more problematic in terms of traffic and danger.

Roll call. Voting aye – Moran, Engelman. Voting nay – Rainey, Feldman, Newman, Jean-Baptiste, Wynne, Bernstein.  
Motion failed (2-6)

**CALL OF THE WARDS:**

**8<sup>th</sup> Ward.** Alderman Rainey asked to have the following excerpt from the April 1, 2002 Human Services Committee meeting minutes about the Southeast Evanston Recreation Center recorded in the Council minutes. Alderman Newman said, “He would like to clarify this is a fine study and appreciates all the work that was done but his expectation when he came here tonight was that this was going to be a center to deal with some of the recreation needs of the very downtrodden part of our population, etc.” She stated those minutes were sanitized and that reference was made on two other occasions.

**9<sup>th</sup> Ward.** Alderman Feldman announced the meeting of the Economic Development Committee was cancelled and the May meeting was changed from May 22 to May 29.

Alderman Feldman announced that last Friday his tenth grandchild was born, his seventh grandson.

**1<sup>st</sup> Ward.** Alderman Newman clarified that the Human Services Committee minutes have not been approved. He stated that the accuracy of some of the reports by the 8<sup>th</sup> Ward alderman was related to the comment attacking his motives on the tennis court vote. He was described as an avid tennis player and said he has not played for four years. No tennis court was located in the 1<sup>st</sup> Ward, but public courts had holes and cracks that are used by the public free of charge.

Alderman Newman saluted Mayor Morton for her tie-breaking vote on the Southeast Evanston Study. He said that study changed by the minute; what was presented that evening was much different than the presentation to the committee and the part about condemning three privately-owned homes without owners ever being notified on one of the sites was removed. He said they also tried to change it so that CDBG funds would not be used, which were represented to be used at the April 1 meeting. He stated that the Mayor’s vote indicated a true philosophy on the direction of the City. He found it interesting that the Council members who wanted to go forward were members who said during the budget process that the City’s budget was out of whack and they were overspending. He thought the Mayor made the priorities clear and was honest with the neighborhood. No staff will go to the various governmental agencies saying this is the priority of the City. He suggested they got into trouble on this project because only one alderman supported it. The community was misled and tried to work with everybody except the elected representatives. To get something done here, one has to do that sometimes. He found it unfortunate that spending is tight right now; all wish they could build a community center in every neighborhood. He recalled when they first discussed a Southeast Evanston center they were talking about a center to deal with some of the socio-economic needs of that community; were not talking about a citywide center in a location nobody could find that would compete with the Evanston Athletic Center. That was never the intention of anyone on the Council. He said it was unfortunate because the grant money should have been spent on Robert Crown Center. They should not propose a new center when there is another center that is falling down. When Alderman Bernstein wanted to look at Crown, he was told there was no money. When Alderman Jean-Baptiste wanted to look at \$400,000 in CD funds, he was told there was no money. He stated they need to look at the whole city and if somebody does not want to spend money in a small area, they are not attacking the neighborhood. He said the shame of what went on that evening was the neighborhood was manipulated to get back at a Council member who only expressed his views. If Council had approved this he would have gone with it and fought it later He appreciated the Mayor’s leadership on this issue.

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste recalled that Alderman Rainey had supported the use of CD funds towards a west side library. He asked the City Manager for clarification on the concerns raised on the Ridge Avenue traffic signal project before it begins and to report back whether the criticisms raised are correct and what will be done about them. He announced opening of a new A.J. Wright store at Dempster/Dodge Plaza on April 25 at 8:30 a.m. It is related to T.J. Max stores.

He mentioned at the last meeting that they want to balance the interests of youth, homeowners and adults in the community. Some of the youth had turned against residents who were meeting and trying to organize. He reported some progress; said he and Officer Prieto went to a meeting. Afterwards they went to the home of the youth and, after some discussion, the youth wanted to join the adults at the next meeting to help make the neighborhood more stable and safer.

**3<sup>rd</sup> Ward.** Alderman Wynne announced a 3<sup>rd</sup> Ward town hall meeting Saturday, May 4 from 10-11:30 a.m. at Lincoln School Auditorium.

**4<sup>th</sup> Ward.** Alderman Bernstein reminded all that the District 65 auction of 1314 Ridge Avenue would take place on May 8 at 7:00 p.m. at the Hilton Garden Inn.

He understood when the traffic lights on Ridge Avenue came before them that the new controls would allow for a left turn lane at Dempster/Ridge. David Jennings told him a state mandate prevents that. Absent that change he did not know why they are expending any funds to modify those signals. What is being proposed is the neon type signs that indicate no left turns. He reported concerns from residents about horn noise when people cannot turn left. He also wanted this project reviewed; recognized construction is imminent. He would not like a no-left-turn neon light at Dempster/Ridge.

Alderman Bernstein made a reference to the City-School Liaison Committee to discuss sharing of facilities with districts 65 and 202 such as libraries and gymnasiums. He thought manpower could be provided to oversee basketball at school gyms and other costs.

**5<sup>th</sup> Ward.** No report.

**6<sup>th</sup> Ward.** Alderman Moran reported a disappointed applicant who appealed a decision by the Preservation Commission to disallow a proposal by the homeowner to modify her home. He felt poorly that that happened and it should have been allowed; thought Council had the responsibility and should have voted on the issue. For the past few years, he has been turned off by certain aspects of the City's Preservation Ordinance. He said that whatever finds its way to Council that starts with the Preservation Ordinances makes him feel bad. He said the couple who own 610 Callan were told if they want to expand their home, that they could do so into their back yard. Their proposal to expand their home was not satisfactory to the Preservation Commission and a small group of people. These people decided by a "drive-by" in the last 20 years that they liked this home and it was designated a landmark. Citizens are trying to modify their home and were told they cannot do it their way, but can have somebody else's idea of an appropriate modification of their home. He said it borders on totalitarian activity and was offended by it. He has spent a lot of time dealing with a situation at 2200 Central Street, which is at the far east end of the 6<sup>th</sup> Ward where there is a landmark building. It houses a dentist office. A beautiful old English cottage is there that serves as a break between residential and the commercial area to the east. A proposal was made by the owner to demolish about 2/3 of the structure and take what was left, jam it up toward the sidewalk and build a large condominium building behind it. It would have destroyed the environment and the sense of what led to legitimately designating the building a landmark. Unfortunately, the vote came up before the Preservation Commission three days before the vote on the proposal to designate the Northeast Historic District. He felt the 6<sup>th</sup> Ward was victimized by that vote. When other people who are interested in preservation learned of the vote and what was approved, they were appalled and could not believe it. He thought it happened because the Preservation Commission had what it considered a pivotal vote three days later on a separate item and wanted to demonstrate their flexibility. He would not call it that but thought it was casting aside an important landmark designation. Now they are hearing about other proposals for historic districts and a growing antagonism between opponents and proponents of these large districts. He felt they would relive the agonizing process of the Northeast Historic District again; did not know why and did not want to. He does not understand the designations and what is going on. He was incredibly uncomfortable with a system that leads to the end result they had that evening for the couple who had made a reasonable proposal to modify their home. He said there is a small group of people who think, as a matter of personal prerogative, that they can tell the homeowner to forget it. He said the woman's husband, who spoke at Citizen Comment, was at the P&D Committee meeting and left with a sense of anger and frustration and a desire to get away from here. He suggested the Preservation Ordinance needs to be reviewed; does not like what it has brought to Council. He says this with misgiving because one of the values he places for living here is the sense of history from design and architecture. He has a sense due to recent developments that the design and aesthetic of Evanston is being lost, which he abhors because he thought it was valued greatly. On the other side he sees the Preservation Ordinance, which brings him agony and recommended that it be fixed.

**7<sup>th</sup> Ward.** No report

There being no further business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved

at 12:33 a.m.

Mary P. Morris,  
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.